



Petition for Continuing Substantive Certification



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VOLUME 1 OF 2

HOPEWELL TOWNSHIP
MERCER COUNTY

201 Washington Crossing-Pennington Rd
Titusville, NJ 08560
609.737.0605 Ext. 664
609.737.6839 Fax

paulpogo@hopewelltp.org

Date of Submission:
12/31/2008



TOWNSHIP OF HOPEWELL

MERCER COUNTY

OFFICE OF THE ADMINISTRATOR/ENGINEER

201 Washington Crossing Pennington Road

Titusville, New Jersey 08560-1410

609.737.0605 Ext. 664

609.737.6839 Fax

December 31, 2008

Lucy Vandenberg, Executive Director
NJ Council on Affordable Housing
101 South Broad Street
PO Box 813
Trenton, NJ 08625-0813

Hand Delivered 12/31/08

Received By: _____

Date/Time: _____

Re: Request for Continued Substantive Certification
Housing Element and Fair Share Plan Submission
Hopewell Township, Mercer County

Dear Ms. Vandenberg:

Enclosed find Hopewell Township's petition for continued Substantive Certification and submission of its Housing Element and its Fair Share Plan. In support of this request, I am submitting one paper copy and one CD copy of the following documents which are attached hereto:

1. Petition Application and required documents.
2. Housing Element and Fair Share Plan.
3. Spending Plan.
4. Subchecklists for all proposed Municipally Sponsored Projects.

If there are any questions regarding this submission, please contact me at the above phone number or by email (paulpogo@hopewelltp.org) . Thank you.

Very Truly Yours,

Paul E. Pogorzelski, P.E.

Township Administrator/Engineer

C: Hopewell Township Committee



**STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
COUNCIL ON AFFORDABLE HOUSING
PETITION APPLICATION**



This application is a guideline for creating a Housing Element and Fair Share Plan. A completed version of this application must be submitted as part of your petition for substantive certification to COAH. This application will be used by COAH staff to expedite review of your petition. This application can serve as your municipality's Fair Share Plan. A brief narrative component of the Fair Share Plan should be included with this application and can serve primarily to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would include a description of any waivers being requested.

This form reflects COAH's newly adopted procedural and substantive rules and the amendments to those rules adopted on September 22, 2008. Footnotes and links to some helpful data sources may be found at the end of each section. **To use this document electronically, use the TAB KEY to navigate from field to field. Enter data or use the Right Mouse Button to check boxes.**

MUNICIPALITY	Hopewell Township	COUNTY	Mercer
COAH REGION	<u>4</u>	PLANNING AREA(S)	2,3,4,5
SPECIAL RESOURCE AREA(S)	-----		
PREPARER NAME	P a u l P o g o r z e l s k i	TITLE	Administrator/ Engineer
EMAIL	Paulpogo@Hopewelltpw.Org	PHONE NO.	6 0 9 - 7 3 7 - 0 6 0 5
ADDRESS	201 Wash. Cross-Penn Rd, Titusville, Nj, 08650	FAX NO.	609-737-1022
MUNICIPAL HOUSING LIAISON	Anne Moore	TITLE	Municipal Housing Liaison
EMAIL	Amoore@Hopewelltpw.Org	PHONE NO.	609-737-0605, ext. 631
ADDRESS	<u>201 Wash Cross-Penn Rd</u> <u>Titusville, Nj, 08650</u>	FAX NO.	609-737-2770

Enter the date(s) that COAH granted Substantive Certification or that the Court granted a Judgment of Compliance (JOC) on the Housing Element and Fair Share Plan.

History of Approvals	<u>COAH</u>	<u>JOC</u>	<u>N/A</u>
First Round	_____	<u>9/11/1985</u>	<input type="checkbox"/>
Second Round	<u>1/8/1997</u>	_____	<input type="checkbox"/>
Extended Second Round	<u>7/27/2005</u>	_____	<input type="checkbox"/>

Does the Petition include any requests for a waiver from COAH Rules? Yes No
If Yes, Please note rule section from which waiver is sought and describe further in a narrative section: _____

FILING/PETITION DOCUMENTS (N.J.A.C. 5:96-2.2/3.2 & N.J.A.C. 5:97-2.3/3.2)

All of the following documents must be submitted in order for your petition to be considered complete. Some documents may be on file with COAH. Please denote by marking the appropriate box if a document is attached to the Housing Element and Fair Share Plan or if you are using a document on file with COAH from your previous third round submittal to support this petition. Shaded areas signify items that must be submitted anew.

Included	On File	Required Documentation/Information
<input checked="" type="checkbox"/>		Certified Planning Board Resolution adopting or amending the Housing Element & Fair Share Plan
<input checked="" type="checkbox"/>		Certified Governing Body Resolution endorsing an adopted Housing Element & Fair Share Plan and either (check appropriate box): <input type="checkbox"/> Petitioning <input type="checkbox"/> Filing <input checked="" type="checkbox"/> Re-petitioning <input type="checkbox"/> Amending Certified Plan
<input checked="" type="checkbox"/>		Service List (in the new format required by COAH)
<input checked="" type="checkbox"/>		Adopted Housing Element & Fair Share Plan narrative (including draft and/or adopted ordinances necessary to implement the Plan)
<input checked="" type="checkbox"/> <input type="checkbox"/> N/A		If applicable, Implementation Schedule(s) with detailed timetable for the creation of units and for the submittal of all information and documentation required by N.J.A.C. 5:97-3.2(a)4
<input type="checkbox"/> <input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	If applicable, Litigation Docket No., OAL Docket No., Settlement Agreement and Judgment of Compliance or Court Master's Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Municipal Master Plan (most recently adopted; if less than three years old, the immediately preceding, adopted Master Plan)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Municipal Zoning Ordinance (most recently adopted) ¹ Date of Last Amendment: _____ Date of Submission to COAH: <u>12/31/2008</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Municipal Tax Maps (most up-to-date, electronic if available) Date of Last Revision: <u>10/2008</u> Date of Submission to COAH: <u>12/31/2008</u>
<input type="checkbox"/>	<input type="checkbox"/>	Other documentation pertaining to the review of the adopted Housing Element & Fair Share Plan(list):

FOR OFFICE USE ONLY

Date Received _____ Affidavit of Public Notice _____ Date Deemed _____
 Complete/Incomplete _____ Reviewer's Initials _____

¹ Pursuant to N.J.S.A. N.J.S.A. 52:27D-307, as amended by PL 2008 c.46, any residential development resulting from a zoning change made to a previously non-residentially-zoned property, where the change in zoning precedes or follows the application for residential development by no more than 24 months, shall require that a percentage be reserved for occupancy by low or moderate income households.

HOUSING ELEMENT

(N.J.A.C. 5:97-2 & N.J.S.A. 40:55D-1 et seq.)

The following issues and items must be addressed in the Housing Element for completeness review. Where applicable, provide the page number(s) on which each issue and/or item is addressed within the narrative Housing Element.

1. The plan includes an inventory of the municipality's housing stock by¹:

- Age;
- Condition;
- Purchase or rental value;
- Occupancy characteristics; and
- Housing type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated

Yes, Page Number: 11 No (incomplete)

2. The plan provides an analysis of the municipality's demographic characteristics, including, but not necessarily limited to²:

- Population trends
- Household size and type
- Age characteristics
- Income level
- Employment status of **residents**

Yes, Page Number: 17 No (incomplete)

3. The plan provides an analysis of existing and future employment characteristics of the **municipality**, including but not limited to³:

- Most recently available in-place employment by industry sectors and number of persons employed;
- Most recently available employment trends; and
- Employment outlook

Yes, Page Number: 25 No (incomplete)

4. The plan includes a determination of the municipality's present and prospective fair share for low and moderate income housing and an analysis of how existing or proposed changes in zoning will provide adequate capacity to accommodate residential and non-residential growth projections.
AND

The analysis covers the following:

- The availability of existing and planned infrastructure;
- The anticipated demand for the types of uses permitted by zoning based on present and anticipated future demographic characteristics of the municipality;
- Anticipated land use patterns;
- Municipal economic development policies;
- Constraints on development including State and Federal regulations, land ownership patterns, presence of incompatible land uses or sites needing remediation and environmental constraints; and
- Existing or planned measures to address these constraints.

Yes, Page Number: 4 No (incomplete)

5. The plan includes a consideration of lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

Yes, Page Number: 5 No (incomplete)

6. The plan relies on household and employment projections for the municipality as provided in Appendix F of COAH's rules (if yes check the yes box below and check no in lines 6a-8).

Yes, Page Number: 2 No (go to 6a)

- 6a. The Plan relies on higher household and employment projections for the municipality as permitted under N.J.A.C. 5:97-2.3(d) (optional - see Fair Share Plan section starting on page 7 of this application).

Yes (go to 7 and 8) No (go to 6b)

- 6b. The Plan relies on a request for a downward adjustment to household and employment projections for the municipality as provided in N.J.A.C. 5:97-5.6 (optional - see Fair Share Plan section starting on page 7 of this application).

Yes, Page Number: _____ No

7. If the municipality anticipates higher household projections than provided by COAH in Appendix F, the plan projects the municipality's probable future construction of housing for fifteen years covering the period January 1, 2004 through December 31, 2018 using the following minimum information for residential development:

- Number of units for which certificates of occupancy were issued since January 1, 2004;
- Pending, approved and anticipated applications for development;
- Historical trends, of at least the past 10 years, which includes certificates of occupancy issued; and
- The worksheet for determining a higher residential growth projection provided by COAH. (Worksheets are available at www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html)

Yes, Page Number: _____

No (incomplete)

Not applicable (municipality accepts COAH's projections)

8. If the municipality anticipates higher employment projections than provided by COAH in Appendix F, the plan projects the probable future jobs based on the use groups outlined in Appendix D for fifteen years covering the period January 1, 2004 through December 31, 2018 for the municipality using the following minimum information for non-residential development:

- Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
- Square footage of pending, approved and anticipated applications for development;
- Historical trends, of at least the past 10 years, which shall include square footage authorized by certificates of occupancy issued;
- Demolition permits issued and projected for previously occupied non-residential space; and
- The worksheet for determining a higher non-residential growth projection provided by COAH.

Yes, Page Number: _____ No (incomplete)

Not applicable (municipality accepts COAH's projections)

9. The plan addresses the municipality's :

- Rehabilitation share (from Appendix B);
- Prior round obligation (from Appendix C); and
- Projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

Yes, Page Number: 1 No (incomplete)

10. If applicable, the plan includes status of the municipality's application for plan endorsement from the State Planning Commission.

Yes, Page Number: _____ No (incomplete) Not Applicable

Petition date: _____ Endorsement date: _____

¹ Information available through the U.S. Census Bureau at

http://factfinder.census.gov/servlet/ACSSAFFHousing?_sse=on&_submenuId=housing_0

² Information available through the U.S. Census Bureau at <http://factfinder.census.gov/home/saff/main.html>.

³ Information available through the New Jersey Department of labor at

<http://www.wnjp.in.net/OneStopCareerCenter/LaborMarketInformation/lmi14/index.html>

FAIR SHARE PLAN (N.J.A.C. 5:97-3)

Please provide a summary of the Fair Share Plan by filling out all requested information. Enter N/A where the information requested does not apply to the municipality. A fully completed application may serve as the actual Fair Share Plan. A brief narrative should be attached to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would fully describe, under a separate heading, any waivers that are being requested.

Determining the 1987-2018 Fair Share Obligation

The following tables will assist you in determining your overall 1987-2018 fair share obligation. For each cycle of the affordable housing need and rehabilitation share, please use the “need” column to enter the number of units addressed in the municipal petition. Where the municipality has received and/or is proposing any adjustments to its rehabilitation share, prior round and/or growth share obligation, use the footnotes providing rule references and follow the procedures for determining the municipal need and/or for calculating any adjustments applicable to the municipality. Enter the affordable housing need as provided by COAH or that results from the adjustment under the “Need” column.

Line		<u>Need</u>
1	<input type="radio"/> Rehabilitation Share (From <u>N.J.A.C. 5:97 Appendix B</u>) OR	<u>5</u>
2	<input type="radio"/> Optional Municipally Determined Rehabilitation Share (If a municipally determined rehabilitation share is being used, attach the survey results as an exhibit to this application and indicate that it is attached as Exhibit _____.)	<u>0</u>
		<u>Need</u>
3	<input type="radio"/> Prior Round (1987-1999) Affordable Housing Obligation (From <u>N.J.A.C. 5:97 Appendix C</u>)	<u>520</u>
	<input type="radio"/> Prior Round Adjustments:	
	<input type="radio"/> 20% Cap Adjustment	<u>0</u>
	<input type="radio"/> 1000 Unit Cap Adjustment	<u>0</u>
4	Total Prior Round Adjustments	<u>0</u>
5	Adjusted Prior Round Obligation: (Number in Appendix C minus Total Prior Round Adjustment(s))	<u>520</u>
	<hr style="border-top: 3px double #000;"/>	
	<input type="radio"/> Prior Round Vacant Land Adjustment (Unmet Need)	<u>0</u>
6	Realistic Development Potential(RDP) ¹	<u>0</u>

¹ RDP = Adjusted Prior Round Obligation minus Vacant Land Adjustment

Determining the Growth Share Obligation

All municipalities must complete the “COAH projections” table below. Only municipalities that anticipate higher projections or that are seeking a growth projection adjustment based on a demonstration that insufficient land capacity exists to accommodate COAH projections need complete the corresponding additional table. COAH has published three workbooks in Excel format to assist with preparing this analysis. All municipalities must complete Workbook A. Workbook B must be used when the municipality anticipates that its growth through 2018 is likely to exceed the growth through 2018 that has been projected by COAH and the municipality wants to plan accordingly. Workbook C must be used by municipalities seeking a downward adjustment to the COAH-generated growth projections based on an analysis of municipal land capacity. Workbooks may be found at the following web location:

www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html.

The applicable workbook has been completed and is attach to this application as Exhibit _____.

Line ○ ***Required 2004-2018 COAH Projections and Resulting Projected Growth Share***

Household Growth (From Appendix F)	<u>1474</u>	Employment Growth (From Appendix F)	<u>4 0 6 4</u>
Household Growth After Exclusions (From Workbook A)	<u>1 1 4 3</u>	Employment Growth After Exclusions (From Workbook A)	<u>4 0 6 4</u>
Residential Obligation (From Workbook A)	<u>228.60</u>	Non-Residential Obligation (From Workbook A)	<u>254.00</u>
7 Total 2004-2018 Growth Share Obligation			<u>483.00</u>

○ ***Optional 2004-2018 Municipal Projections Resulting in Higher Projected Growth Share***

Household Growth After Exclusions (From Workbook B)	_____	Employment Growth After Exclusions (From Workbook B)	_____
Residential Obligation (From Workbook B)	_____	Non-Residential Obligation (From Workbook B)	_____
8 Total 2004-2018 Projected Growth Share Obligation			_____

○ ***Optional Municipal Adjustment to 2004-2018 Projections and Resulting Lower Projected Growth Share***

Household Growth After Exclusions (From Workbook C)	_____	Employment Growth After Exclusions (From Workbook C)	_____
Residential Obligation (From Workbook C)	_____	Non-Residential Obligation (From Workbook C)	_____
9 Total 2004-2018 Growth Share Obligation			_____
10 Total Fair Share Obligation (Line 1 or 2 + Line 5 or 6 + Line 7, 8 or 9)			<u>1008</u>

Summary of Plan for Total 1987-2018 Fair Share Obligation

(For each mechanism, provide a description in the Fair Share Plan narrative. In the table below, specify the number of completed or proposed units associated with each mechanism.)

	Completed	Proposed	Total
Rehabilitation Share			
<i>Less: Rehabilitation Credits</i>	<u>5</u>		_____
Rehab Program(s)		_____	_____
Remaining Rehabilitation Share			<u>0</u>
Prior Round (1987-1999 New Construction) Obligation			
<i>Less: Vacant Land Adjustment (If Applicable)</i>			<u>0</u>
<i>(Enter unmet need as the adjustment amount. Unmet need = Prior round obligation minus RDP):</i>			
Unmet Need			_____
RDP	_____	_____	_____
Mechanisms addressing Prior Round			
Prior Cycle Credits (1980 to 1986)		_____	_____
Credits without Controls	_____	_____	_____
Inclusionary Development/Redevelopment	_____	_____	_____
100% Affordable Units	_____	_____	_____
Accessory Apartments	_____	_____	_____
Market-to-Affordable	_____	_____	_____
Supportive & Special Needs	_____	_____	_____
Assisted Living	_____	_____	_____
RCA Units previously approved	_____	_____	_____
Other	_____	_____	_____
Prior Round Bonuses	_____	_____	_____
Remaining Prior Round Obligation			<u>-64</u>
Third Round Projected Growth Share Obligation			
<i>Less: Mechanisms addressing Growth Share</i>			_____
Inclusionary Zoning	_____	_____	_____
Redevelopment	_____	_____	_____
100% Affordable Development	_____	_____	_____
Accessory Apartments	_____	_____	_____
Market-to-Affordable Units	_____	_____	_____
Supportive & Special Need Units	_____	_____	_____
Assisted Living: post-1986 Units	_____	_____	_____
Other Credits	_____	_____	_____
Compliance Bonuses	_____	_____	_____
Smart Growth Bonuses	_____	_____	_____
Redevelopment Bonuses	_____	_____	_____
Rental Bonuses	_____	_____	_____
Growth Share Total			<u>483</u>
Remaining (Obligation) or Surplus			<u>+53</u>

PARAMETERS¹

<u>Prior Round 1987-1999</u>			
RCA Maximum	_____	RCAs Included	_____
Age-Restricted Maximum	_____	Age-Restricted Units Included	_____
Rental Minimum	_____	Rental Units Included	_____

<u>Growth Share 1999-2018</u>			
Age-Restricted Maximum	_____	Age-Restricted Units Included	_____
Rental Minimum	_____	Rental Units Included	_____
Family Minimum	_____	Family Units Included	_____
Very Low-Income Minimum ²	_____	Very Low-Income Units Included	_____

¹ Pursuant to the procedures in N.J.A.C. 5:97-3.10-3.12

² Pursuant to N.J.S.A. 52:27D-329.1, adopted on July 17, 2008, at least 13 percent of the housing units made available for occupancy by low-income and moderate income households must be reserved for occupancy by very low income households.

Summary of Built and Proposed Affordable Housing

Provide the information requested regarding the proposed program(s), project(s) and/or unit(s) in the Fair Share Plan. Use a separate line to specify any bonus associated with any program, project and/or unit in the Plan. As part of completeness review, all monitoring forms must be up-to-date (i.e. 2007 monitoring must have been submitted previously or included with this application) and all proposed options for addressing the affordable housing obligation must be accompanied by the applicable checklist(s) (found as appendices to this application). Enter whether a project is proposed or completed and attach the appropriate form or checklist for each mechanism as appendices to the plan. Please note that bonuses requested for the prior round must have been occupied after December 15, 1986 and after June 6, 1999 for the third round.

Please make sure that a corresponding mechanism checklist is submitted for each mechanism being employed to achieve compliance. Separate checklists for each mechanism are available on the COAH website at www.nj.gov/dca/affiliates/coah/resources/checklists.html.

Table 1. Projects and/or units addressing the Rehabilitation Share

Project/Program Name	Proposed (use Checklists) or Completed (use <u>Rehabilitation Unit Survey Form</u>)	Rental, Owner Occupied or Both	Checklist or Form Appendix Location ¹
1. <u>Municipal Progra</u>	<u>Completed</u>	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

¹ If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit Rehabilitation Unit Survey Forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter “on file” in this column.

Table 2. Programs, Projects and/or units addressing the Prior Round.

Project/Program Name	Mechanism or Bonus Type	Proposed (use checklists) or Completed (use Project/Unit Program Information Forms)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Number Addressing Rental Obligation)	Number Subject to Age- Restricted Cap	Checklist or Form Appendix Location ¹
1. As Set Forth In Prior	_____	_____	_____	_____	_____	_____
2. Round Grants Of Substantive	_____	_____	_____	_____	_____	_____
3. Certification And Annual Monitoring	_____	_____	_____	_____	_____	_____
4. Reports.	_____	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____	_____
7.	_____	_____	_____	_____	_____	_____
8.	_____	_____	_____	_____	_____	_____
9.	_____	_____	_____	_____	_____	_____
10.	_____	_____	_____	_____	_____	_____
11.	_____	_____	_____	_____	_____	_____
12.	_____	_____	_____	_____	_____	_____
13.	_____	_____	_____	_____	_____	_____
14.	_____	_____	_____	_____	_____	_____
15.	_____	_____	_____	_____	_____	_____
Subtotal from any additional pages used						
Total units (proposed and completed)						
Total rental						
Total age-restricted						
Total very-low						
Total bonuses						
Please add additional sheets as necessary.						

¹ If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

Table 3. Programs, Projects and/or Units Addressing the Third Round.

Project Name	Mechanism or Bonus Type	Proposed (use checklist(s)) or Completed (use Project/Unit Program Information Form)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Units Addressing Rental Obligation	Units Addressing Family Obligation	Units Subject to Age-restricted Cap	Checklist or Form Appendix Location ¹
16. See Attached							
17. Subchecklists And Housing							
18. Element/ Fair Share Plan.							
19.							
20.							
21.							
22.							
23.							
24.							
25.							
26.							
27.							
28.							
29.							
30.							

Subtotal from any additional pages used

Total family units	_____	Total units (proposed and completed)	_____
Total age-restricted units	_____	Total rental units	_____
Total Supportive/Special Needs units	_____	Total family rental units	_____
Total Special Needs bedrooms	_____	Total very-low units	_____
		Total bonuses	_____

Please add additional sheets as necessary.

¹ If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

3. Does the ordinance follow the ordinance model **updated September 2008** and available at www.nj.gov/dca/affiliates/coah/resources/planresources.html? If yes, skip to question 5.

Yes No

4. If the answer to 3. above is no, indicate that the necessary items below are addressed before submitting the Development Fee ordinance to COAH:

Information and Documentation

The ordinance imposes a residential development fee of ____% and a Non-residential fee of 2.5 %

A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);

A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e)

A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d)

A description of collection procedures per N.J.A.C. 5:97-8.3(f)

A description of development fee appeals per N.J.A.C. 5:97-8.3(g)

A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h)

If part of a court settlement, submit court ordered judgment of compliance, implementation ordinances, information regarding period of time encompassed by the judgment of compliance and a request for review by the court

5. Does the ordinance include an affordability assistance provision per N.J.A.C. 5:97-8.8 (**Note: must be at least 30 percent of all development fees plus interest**)?

Yes (Specify actual or anticipated amount) \$_____

No **Submit an amended ordinance with provisions for affordability assistance along with a governing body resolution requesting COAH approval of the amended ordinance.)**

■ If yes, what kind of assistance is offered?

■ Has an affordability assistance program manual been submitted? Yes No

¹ Any amendment to a previously approved and adopted development fee ordinance must be submitted to COAH along with a resolution requesting COAH's review and approval of the amendment prior to the adoption of said amendment by the municipality.

**PAYMENTS-IN-LIEU OF CONSTRUCTING AFFORDABLE UNITS ON
SITE (N.J.A.C. 5:97-8.4)**

1. Does the Fair Share Plan include an inclusionary zoning ordinance that provides for payments-in-lieu as an option to the on-site construction of affordable housing?
 Yes No (**Skip to the next category; Barrier Free Escrow**)

2. Does the plan identify an alternate site and/or project for the payment-in-lieu funds? (**Optional**)
 Yes (**attach applicable checklist**)
 No (identify possible mechanisms on which payment in lieu will be expended in narrative section of plan.)

3. Does the ordinance include minimum criteria to be met before the payments-in-lieu becomes an available option for developers? (**Optional**)
 Yes (indicate ordinance section) _____
 No

BARRIER FREE ESCROW/OTHER FUNDS (N.J.A.C. 5:97-8.5/8.6)

1. Has the municipality collected or does it anticipate collecting fees to adapt affordable unit entrances to be accessible in accordance with the Barrier Free Subcode, N.J.A.C. 5:23-7?
 Yes No

2. Does the municipality anticipate collecting any other funds for affordable housing activities?
 Yes (specify funding source and amount) _____
 No

SPENDING PLANS (N.J.A.C. 5:97-8.10)

1. Does the petition include a Spending Plan? (**Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a Spending Plan will forfeit the ability to retain development fees.**)
 Yes No

2. Does the Spending Plan follow the Spending Plan model **updated October 2008** and available at www.nj.gov/dca/affiliates/coah/resources/planresources.html? If yes, skip to next section - Affordable Housing Ordinance.
 Yes No

3. If the answer to 1. above is no, indicate that the necessary items below are addressed before submitting the spending plan to COAH:

Information and Documentation

- A projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historical development activity;
- A projection of revenues anticipated from other sources (specify source(s) and amount(s));
- A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
- A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7;
- A schedule for the expenditure of all affordable housing trust funds;
- A schedule for the creation or rehabilitation of housing units;
- If the municipality envisions being responsible for public sector or non-profit construction of housing, a detailed pro-forma statement of the anticipated costs and revenues associated with the development, consistent with standards required by HMFA or the DCA Division of Housing in its review of funding applications;
- If the municipality maintains an existing affordable housing trust fund, a plan to spend the remaining balance as of the date of its third round petition within four years of the date of petition;
- The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan;
- A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and
- If not part of the petition, a resolution of the governing body requesting COAH review and approval of spending plan or an amendment to an approved spending plan.

AFFORDABLE HOUSING ORDINANCE (N.J.A.C. 5:80-26.1 et seq.)

1. Does the Fair Share Plan include an Affordable Housing Ordinance?
 Yes No
2. Does the ordinance follow the ordinance model available at www.nj.gov/dca/affiliates/coah/resources/planresources.html? Yes No
3. If the answer to 1. or 2. above is no, indicate that the required items below are addressed before submitting to COAH. If the required items are addressed in ordinances other than an Affordable Housing Ordinance, please explain in a narrative section of the Fair Share Plan.

Required Information and Documentation

- Affordability controls
- Bedroom distribution
- Low/moderate-income split and bedroom distribution
- Accessible townhouse units
- Sale and rental pricing
- Municipal Housing Liaison
- Administrative Agent
- Reference to the Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

AFFORDABLE HOUSING ADMINISTRATION (As Applicable)

Items that must be submitted with the petition:

- Governing body resolution designating a municipal housing liaison (COAH must approve)

Items that must be submitted prior to COAH's grant of Substantive Certification:

- Operating manual for rehabilitation program
- Operating manual for affordability assistance
- Operating manual for an Accessory Apartment program
- Operating manual for a Market-to-Affordable program
- COAH approved administrative agent if municipal wide

Items that must be submitted prior to any time prior to marketing completed units:

- COAH approved administrative agent(s) is project specific
- Operating manual for sale units
- Operating manual for rental units
- Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

CERTIFICATION

I, Paul E. Pogorzelski, P.E., P.P., have prepared this petition application for substantive certification on behalf of Hopewell Township, Mercer County. I certify that the information submitted in this petition is complete, true and accurate to the best of my knowledge. I understand that knowingly falsifying the information contained herein may result in the denial and/or revocation of the municipality's substantive certification.



December 31, 2008

Signature of Preparer (affix seal if applicable)

Date

Township Administrator/Engineer

Title

N.J.S.A. 2C:21-3, which applies to the certifications, declares it to be a disorderly person offense to knowingly make a false statement or give false information as part of a public record.

Narrative Section

The affordable housing obligation is cumulative and includes the affordable housing need for the period of 1987-2018. The affordable housing obligation consists of three components: (1) the rehabilitation share; (2) the prior round obligation; and (3) growth share. The rehabilitation share for Hopewell Township, as set forth in Appendix C, is 5 affordable units. The Township has rehabilitated 34 units since April 1, 2000. The prior round obligation, as recalculated from data received in the 2000 Census, decreased from 521 affordable units to 520 affordable units. In actuality, the Township constructed 535 affordable units during the prior rounds. The growth share for Hopewell Township, as projected from the formula set forth in Appendix F, is 483 units. The Township has set forth in its Fair Share Plan a comprehensive plan for addressing its growth share obligations, which includes the development over the next decade of accessory apartments, supportive and special needs housing, residential development, rental housing, and age-restricted housing.

**RESOLUTION OF THE HOPEWELL TOWNSHIP PLANNING BOARD
ADOPTING AN AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN**

RESOLUTION NO. 08-050

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-28 ("MLUL"), requires planning boards to adopt master plans or amendments thereto to guide the use of land in the municipality in a manner which protects public health and safety and promotes the general welfare; and

WHEREAS, on November 29, 2005, the Hopewell Township Planning Board ("Board") adopted a Housing Plan Element and Fair Share Plan pursuant to N.J.S.A. 40:55D-28 and recommended the endorsement of same by the Hopewell Township Committee in order to file for continued substantive certification with the New Jersey Council on Affordable Housing ("COAH") pursuant to N.J.A.C. 5:94-2.2(a) and N.J.A.C. 5:94-4.1(d); and

WHEREAS, on December 12, 2005, the Hopewell Township Committee adopted Resolution #05-350 endorsing and adopting the above-referenced Housing Element and Fair Share Plan, and through the same Resolution petitioned COAH for continued substantive certification of the Housing Element and Fair Share Plan; and

WHEREAS, in 2007, the Appellate Division stayed COAH's review of all applications for substantive certification pending the adoption of revised third round rules (see *In re Adoption of N.J.A.C. 5:94 & 5:95*, 390 N.J. Super. 1 (App. Div. 2007)); and

WHEREAS, at the time the stay was imposed, COAH had not yet granted the Township substantive certification; and

WHEREAS, COAH promulgated new third round rules that went into effect on June

2, 2008; and

WHEREAS, pursuant to said rules, in order for the Township to remain under COAH's jurisdiction, it must re-petition for substantive certification with an amended third round Housing Element and Fair Share Plan by December 31, 2008 (see N.J.A.C. 5:96-16.2); and

WHEREAS, the Board accordingly has determined to amend the Housing Element and Fair Share Plan; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Board held a public hearing on the amended Housing Element and Fair Share Plan on November 13, 2008; and

WHEREAS, following said hearing, the Board makes the following findings of fact and conclusions of law:

1. N.J.S.A. 40:55D-28(3) permits the Board to adopt or modify a Housing Plan Element to become a part of the Hopewell Township Master Plan.
2. The Board finds that the amended Housing Element and Fair Share Plan is consistent with the goals and objectives of the Township's Master Plan and that adoption and implementation of the amended Housing Element and Fair Share Plan are in the public interest and will protect the public health and safety and promote the general welfare.
3. The Board finds that it is appropriate to adopt the amended Housing Element and Fair Share Plan in order to continue to plan for providing affordable housing opportunities within the Township of Hopewell during the period of 2004-2018.

NOW, THEREFORE, BE IT RESOLVED by the Hopewell Township Planning Board, that the following amended element of the Master Plan be and the same is hereby adopted: "Housing Plan Element and Fair Share Plan, Township of Hopewell, Mercer County, New Jersey," prepared by the Hopewell Township Planning Board in consultation with Michael P. Bolan, AICP/PP, dated November 2008; and

BE IT FURTHER RESOLVED, that the Board recommends that the Hopewell Township Committee adopt a resolution endorsing said amended Housing Element and Fair Share Plan and that it re-petition COAH pursuant to N.J.S.A. 52:27D-301 *et seq.* and N.J.A.C. 5:96-16.2 for substantive certification of said amended Housing Element and Fair Share Plan on or before December 31, 2008; and

BE IT FURTHER RESOLVED, that a certified true copy of this Resolution together with the aforementioned amended Housing Element and Fair Share Plan be forwarded to the Township Committee of the Township of Hopewell.

[ROLL CALL AND CERTIFICATION ON NEXT PAGE]

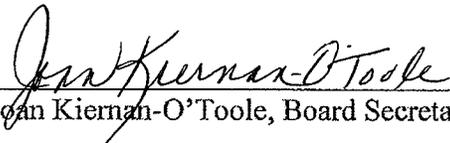
ROLL CALL, November 13, 2008:

Yes - 9 No - 0 Absent - 2 Abstain - 0 Not Voting - 0

Beyer:	Yes	Sandahl:	Absent
Connolly:	Yes	Sandom:	Yes
Guhl:	Absent	Swanson:	Yes
Hart:	Yes	Gunther:	Yes
Moore:	Yes	Krommes:	Yes
Murphy:	Yes		

CERTIFICATION

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Hopewell Township Planning Board on this 13th day of November, 2008.


Joan Kiernan-O'Toole, Board Secretary

TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY

RESOLUTION #08-360

RESOLUTION FILING THE TOWNSHIP OF HOPEWELL, COUNTY OF MERCER,
STATE OF NEW JERSEY HOUSING ELEMENT AND
FAIR SHARE PLAN WITH THE NEW JERSEY COUNCIL ON
AFFORDABLE HOUSING PURSUANT TO *N.J.A.C. 5:96-2.1* AND
FURTHER PETITIONING FOR SUBSTANTIVE CERTIFICATION PURSUANT
TO *N.J.A.C. 5:96-3.1*

WHEREAS, the Planning Board of the Township of Hopewell, County of Mercer, State of New Jersey adopted a Housing Plan Element and Fair Share Plan on November 13, 2008 entitled: "Housing Plan Element and Fair Share Plan, Township of Hopewell, Mercer County, New Jersey, Prepared by the Hopewell Township Planning Board in Consultation With Michael P. Bolan, A.I.C.P./P.P., Dated November 2008"; and

WHEREAS, a true copy of the Resolution of said Planning Board adopting said Housing Plan Element and Fair Share Plan is attached to this Resolution pursuant to *N.J.A.C. 5:96-2.2(a)*.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey pursuant to *N.J.S.A. 52:27D-301 et seq.* and *N.J.A.C. 5:96-3.2(a)* hereby endorses the aforementioned Housing Plan Element and Fair Share Plan and submits same to the New Jersey Council on Affordable Housing together with its Petition for Substantive Certification of the Township's Affordable Housing Plan as set forth and outlined in the aforementioned Housing Plan Element and Fair Share Plan; and

BE IT FURTHER RESOLVED that a Service List pursuant to *N.J.A.C. 5:96-2.1(a)4* has been included with this Petition; and

BE IT FURTHER RESOLVED that a notice of this Petition for Substantive Certification shall be published in a newspaper of county-wide circulation pursuant to *N.J.A.C. 5:96-3.5* within seven (7) days of issuance of the notification letter from the New Jersey Council on Affordable Housing Executive Director indicating that the Township's submission for Substantive Certification is complete and that a copy of this Resolution, the adopted Housing Element and Fair Share Plan and all supporting documents shall be made available for public inspection at the Office of the Municipal Clerk, Township of Hopewell, 201 Washington Crossing-Pennington Road, Titusville, New Jersey 08560-1410 during regular office hours Monday thru Friday for a period of forty-five (45) days following the date of publication of the legal notice referenced hereinabove as required by *N.J.A.C. 5:96-3.5*.

Date Adopted: November 24, 2008

CERTIFICATION

I HEREBY CERTIFY THE FOREGOING TO BE
A TRUE COPY OF A ~~Resolution~~ ADOPTED
BY THE HOPEWELL TOWNSHIP COMMITTEE
AT A MEETING HELD

November 24, 2008
DATE

Annette C. Bielawski
ANNETTE C. BIELAWSKI, MUNICIPAL CLERK

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

RESOLUTION #08-386

**RESOLUTION TO SATISFY COAH
CHECKLIST ITEM N.J.A.C. 5:96-3.2**

WHEREAS, the Township Committee of the Township of Hopewell pursuant to *N.J.A.C.* 5:96-2.1 has endorsed a Housing Element and Fair Share Plan setting forth the Township's commitment to Affordable Housing 2008 - 2018; and

WHEREAS, pursuant to *N.J.A.C.* 5:96-3.1 said Township Committee is also petitioning the New Jersey Council on Affordable Housing ("COAH") or Substantive Certification of its Affordable Housing Plan; and

WHEREAS, the Township Fair Share Plan contains municipal sponsored affordable housing developments pursuant to *N.J.A.C.* 5:97-6.7 and other compliance technique for which the Township Committee is confident adequate and stable funding will be available from the collection of Affordable Housing Development fees and/or Federal, State or County funding sources; and

WHEREAS, the provisions of the New Jersey Fair Housing Act of 1985, *N.J.S.A.* 52:27D-311(d) specifically provides that nothing in said Act shall require a municipality to raise or expend municipal revenues in order to provide low and moderate income housing; and

WHEREAS, COAH requires documentation to be submitted with the Township's Fair Share Plan to indicate the availability of funding for its Affordable Housing initiatives.

NOW, THEREFORE, BE IT RESOLVED, by the Hopewell Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey as follows:

1. The Hopewell Township Committee determine that there is adequate and stable funding for all of the affordable housing compliance mechanisms set forth in the endorsed Housing Element and Fair Share Plan.
2. In the event that adequate and stable funding in the form of Affordable Housing Development fees, Federal, State and County grants, etc. are not sufficient as the Township's Fair Plan is implemented 2008 - 2018, said Township, in the discretion of the governing body then representing the Township, may determine to provide for an alternate source of affordable housing funding such as municipal bonding or elect to modify and change its Fair Share Plan to address its remaining affordable housing obligation in lieu of municipal bonding.

Date Adopted: December 8, 2008

CERTIFICATION

I HEREBY CERTIFY THE FOREGOING TO BE
A TRUE COPY OF A *Resolution* ADOPTED
BY THE HOPEWELL TOWNSHIP COMMITTEE
AT A MEETING HELD

December 8, 2008
DATE
Annette C. Bielawski
ANNETTE C. BIELAWSKI, MUNICIPAL CLERK

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

RESOLUTION #07-224

**A RESOLUTION APPOINTING
ANNE B. MOORE AS MUNICIPAL
HOUSING LIAISON FOR ADMINISTRATION OF
THE TOWNSHIP 'S AFFORDABLE HOUSING PROGRAM**

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Township of Hopewell is required to appoint a Municipal Housing Liaison for the administration of the Township of Hopewell's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Township Committee has determined that the designation of a full-time Municipal Housing Liaison will benefit the township and it's Affordable Housing Program;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hopewell in the County of Mercer, and the State of New Jersey that Anne B, Moore is hereby appointed as Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Sections 17-220 of the Revised General Ordinances of the Township of Hopewell, effective July 9, 2007.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Maria Giovine, Council on Affordable Housing, 110 South Broad Street, P.O. Box 813, Trenton, NJ 08625-0813.

Date Adopted: July 9, 2007

CERTIFICATION

I HEREBY CERTIFY THE FOREGOING TO BE
A TRUE COPY OF A *Resolution* ADOPTED
BY THE HOPEWELL TOWNSHIP COMMITTEE
AT A MEETING HELD

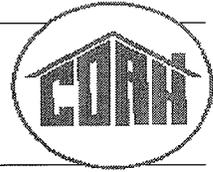
July 9, 2007
DATE

Laurie E. Somoff, Deputy Clerk
for ANNETTE C. BIELAWSKI, MUNICIPAL CLERK



**MUNICIPALITY, COUNTY
SERVICE LIST**

N.J.A.C. 5:96-3.7



A municipality that petitions the Council on Affordable Housing (COAH) for substantive certification or is otherwise participating in COAH's substantive certification process must include an updated service list in order for COAH to review its submittal. At the time it files or petitions for substantive certification a municipality must provide COAH with a Service List which includes the following information (Please print clearly):

1. Current names and addresses of owners of sites included in previously certified or court settled plans that were zoned for low- and moderate-income housing and/or were to pay a negotiated fee(s). Owners of sites that have been completely developed may be excluded;

NONE APPLY

PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	

PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	

PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	



**MUNICIPALITY, COUNTY
SERVICE LIST**
N.J.A.C. 5:96-3.7



2. The names and addresses of owners of all new or additional sites included in the Fair Share Plan;

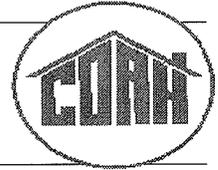
PROJECT NAME	Pennytown	BLOCK	33
		LOT	1.02
PROPERTY OWNER	Koviloor Aadheenam Vedenta Center, Inc.	TITLE	
EMAIL		PHONE NO.	
ADDRESS	216 Stelton Ave., Suite A Piscataway, NJ 08854	FAX NO.	

PROJECT NAME	Capital Health System	BLOCK	91
		LOT	3.96
PROPERTY OWNER	c/o Thomas M. Brown, Esq.	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Lenox, Socey, et al 3131 Princeton Pike 1B Lawrenceville, NJ 08648	FAX NO.	

		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	
PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	



**MUNICIPALITY, COUNTY
SERVICE LIST**
N.J.A.C. 5:96-3.7



3. Except for Mayors, Clerks, Municipal Attorneys and Municipal Housing Liaisons, which are automatically added to every Service List by COAH, the names and addresses of all municipal employees or designees that the municipality would like notified of all correspondence relating to the filing or petition;

NAME	Paul E. Pogorzelski	TITLE	Administrator/Engineer
EMAIL	paulpogo@hopewelltp.org	PHONE NO.	609-737-0605
ADDRESS	Township of Hopewell 201 Washington Crossing- Pennington Road	FAX NO.	
	Titusville, NJ 08560		

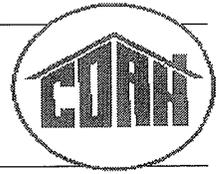
NAME	Edwin W. Schmierer, Esq.	TITLE	Affordable Housing Attorney
EMAIL	e.schmierer@mgplaw.com	PHONE NO.	609-921-6543
ADDRESS	Mason, Griffin & Pierson 101 Poor Farm Rd P.O. Box 391 Princeton, NJ 08542 _____	FAX NO.	

NAME	Joan K. O'Toole	TITLE	Planning Board Secretary
EMAIL	Jkiernan-otoole@hopewelltp.org	PHONE NO.	609-737-0605
ADDRESS	Township of Hopewell 201 Washington Crossing- Pennington Road	FAX NO.	609-737-2770
	Titusville, NJ 08560		

NAME	Karen Murphy	TITLE	Planning Board Chair
EMAIL		PHONE NO.	
ADDRESS	Township of Hopewell 201 Washington Crossing- Pennington Road	FAX NO.	
	Titusville, NJ 08560		

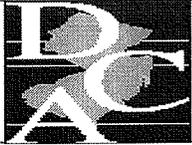


**MUNICIPALITY, COUNTY
SERVICE LIST**
N.J.A.C. 5:96-3.7



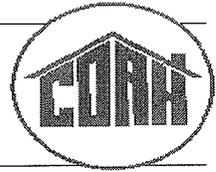
NAME	David Sandahl	TITLE	Township Committee Member
EMAIL		PHONE NO.	
ADDRESS	Township of Hopewell 201 Washington Crossing- Pennington Rd Titusville, NJ 08560		
		FAX NO.	609-737-1022

NAME	Michael P. Bolan, PP, AICP	TITLE	Township Planner
EMAIL	michaelbolan@comcast.net	PHONE NO.	609-466-4259
ADDRESS	P.O. Box 295 Pennington, NJ 08534	FAX NO.	



MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7



4. The names and addresses of relevant County, Regional and/or State entities; AND

NAME	Mercer County Planning Division	TITLE	
EMAIL		PHONE NO.	
ADDRESS	McDade Administration Building 640 South Broad Street P.O. Box 8068 Trenton, NJ 08650-0068	FAX NO.	

NAME	Karl Hartkopf	TITLE	Planning Director
EMAIL		PHONE NO.	
ADDRESS	Office of Smart Growth Dept. of Community Affairs 101 South Broad Street P.O. Box 204 Trenton, NJ 08625	FAX NO.	

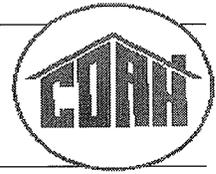
NAME		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	

NAME		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	

NAME		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	



MUNICIPALITY, COUNTY
SERVICE LIST
N.J.A.C. 5:96-3.7



5. Names of known interested party(ies).

NAME	Bruce Meier	TITLE	
EMAIL		PHONE NO.	
ADDRESS	6 Michael Way Pennington, NJ 08534	FAX NO.	

NAME	Celia Murphree Bernstein	TITLE	Director of Operations
EMAIL	celiab@homefrontnk.org	PHONE NO.	609-989-9417
ADDRESS	HomeFront 1880 Princeton Avenue Lawrenceville, NJ 08648	FAX NO.	

NAME	Robert P. Stack	TITLE	President/CEO
EMAIL	Robert.stack@comop.org	PHONE NO.	609-951-9900
ADDRESS	16 Farber Road Princeton, NJ 08540	FAX NO.	

NAME	Tom Mirande	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Beazer Homes Corp. 275 Phillips Blvd. Trenton, NJ 08618	FAX NO.	

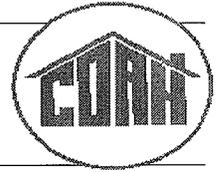
NAME	Jon Vogel	TITLE	Development Director
EMAIL		PHONE NO.	
ADDRESS	AvalonBay Communities, Inc. 517 Route One South, Suite 5500 Iselin, NJ 08830	FAX NO.	

NAME	Zaitz Investment Partnership	TITLE	
EMAIL		PHONE NO.	
ADDRESS	P.O. Box 56 Pennington, NJ 08534	FAX NO.	



MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7



NAME	Burroughs c/o Wachovia Real estate Tax Unit	TITLE	
EMAIL		PHONE NO.	
ADDRESS	P.O. Box 40026 FLO134 Jacksonville, FL 32203	FAX NO.	

NAME	Creigh Rahenkamp, AICP, PP	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Creigh Rahenkamp & Assc. 801 Washington Ave. Palmyra, NJ 08065	FAX NO.	

NAME	Henrietta Owusu	TITLE	Project Coordinator
EMAIL		PHONE NO.	
ADDRESS	City of Trenton Division of Housing Production 319 East State Street Trenton, NJ 08608-1866	FAX NO.	

NAME	Betty Zaitz & Kenneth Stults	TITLE	
EMAIL		PHONE NO.	
ADDRESS	P.O. Box 2408 Chapel Hill, NC 27515	FAX NO.	

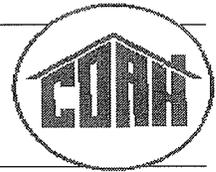
NAME	Norman Smith	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Project Freedom Inc. 223 Hutchinson Road Robbinsville, NJ 08691	FAX NO.	

NAME	Hutcheson Family Partnership c/o Marzetti	TITLE	
EMAIL		PHONE NO.	
ADDRESS	8404 Davishire Drive Raleigh, NC 27615	FAX NO.	



**MUNICIPALITY, COUNTY
SERVICE LIST**

N.J.A.C. 5:96-3.7



NAME	Thomas F. Carroll, III, Esq.	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Hill Walleck 202 Carnegie Center CN 5226 Princeton, NJ 08543-5226	FAX NO.	

NAME	Alan G. Frank, Jr., Esq.	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Beazer Homes – Trafalgar 691 Roue 33 Trenton, NJ 08619	FAX NO.	

NAME	Bruce M. Schragger, Esq.	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Schragger, Laving & Nagy Mountain View Office Park 840 Bear Tavern Road, Suite 307 West Trenton, NJ 08628	FAX NO.	

NAME	Jacqui Adam	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Allies, Inc. 1262 White Horse-Hamilton Sq. Rd Bldg. A, Suite 101 Hamilton, NJ 08690	FAX NO.	

NAME	Joseph D'Agostino	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Featherbed Lane Rest Home 23 Featherbed Lane Hopewell, NJ 08525	FAX NO.	

NAME	Princeton Child Development Inst.	TITLE	
EMAIL		PHONE NO.	
ADDRESS	300 Cold Soil Road Princeton, NJ 08540	FAX NO.	

Housing Plan Element and Fair Share Plan

Township of Hopewell
Mercer County, New Jersey

*Prepared by the Hopewell Township Planning Board
in consultation with Michael P. Bolan, AICP/PP*

Adopted by the Planning Board on
November 13, 2008



Michael P. Bolan, PP/AICP

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Calculation of Fair Share

The affordable housing obligation is cumulative and includes the affordable housing need for the period 1987 to 2018. The affordable housing obligation consists of three components: the rehabilitation share; the prior round obligation (1987 to 1999); and, growth share (1999 to 2018).

Rehabilitation Share

The rehabilitation share for affordable housing is the number of existing housing units as of April 1, 2000 that are old, crowded and deficient and also occupied by households of low- and moderate-income. The rehabilitation share for each municipality is provided in Appendix C of N.J.A.C. 5:97-1 et seq. (the COAH third round substantive rules). The rehabilitation share for the Township is 5 affordable units. The Township has provided 34 rehabilitated units since April 1, 2000.

Prior Round Obligation

The prior round obligation is the municipal new construction obligation from 1987 to 1999. Obligations from the first and second rounds have been recalculated to include the most recent data from the 2000 Census. The result is the Township's prior round obligation decreased from 521 affordable units to 520 affordable units.

Credits/Reductions from Prior Round Obligation

The Township is eligible for the following credits and reductions from its prior round obligation of 520 units:

TABLE 1. Prior Round Credits/Reductions				
Category/Development	Total Affordable Units	Rental Credits	Age-Restricted units	Housing Unit Credits
Regional Contribution Agreements	198			198
Pennington Pointe	5		5	5
CIFA Group Home	4	4		8
Brandon Farms	138			135
Bonus for Substantial Compliance	46			46
Hopewell Gardens	149			
Handicapped	15	15		30
Age-restricted*	134	28	85	113
Total				535

* Because of the cap on the number of age-restricted units, only 85 of the 134 age-restricted units could be counted in the prior round obligation. The 49 age-restricted rental units are excess units that can be carried to the third round.

Based on the above analysis, the Township has 15 excess units from its prior round obligation that can be carried forward to the Third Round (520 affordable units from prior round obligation and 535 housing unit credits). In addition, the Township has an excess of 49 age-restricted rental units that can be carried to the Third Round.

Residential Growth Share

In the rules published by COAH in January 2008, subsequently adopted in June 2008 and then draft revisions published in June 2008 and adopted in September 2008, the Council indicated that the Township would increase by 1,474 housing units from 2004 to 2018 (Appendix F of NJAC 5:97-1 et seq.). This estimate is in stark contrast to the projections of the Delaware Valley Regional Planning Commission (DVRPC), which is the Metropolitan Planning Organization (MPO) for the Township. The DVRPC has established that the Township will grow by 515 households in the period 2005-2015.

However, NJAC 5:97-2.4(a) permits the municipality to exclude market-rate units within inclusionary developments that are constructed after January 1, 2004 from residential growth for the purposes of projecting the growth share. Hopewell Grant, which includes the 240 market-rate units for the 149 unit Hopewell Gardens affordable project, has 182 units which have been occupied after January 1, 2004, and which can be used to reduce the household projection. In addition the 149 unit affordable project also can be deducted. Dividing the resulting household projection of 1,143 units by 5 (one affordable unit for each four market-rate units) yields a residential growth share of 228.6 affordable units based on this calculation.

Nonresidential Growth Share

The nonresidential growth share is based on one affordable unit for each new 16 jobs created in the Township. The estimate from Appendix F of the COAH rules is 4,064 new jobs over the period 2004-2018. Based on this calculation, the nonresidential growth share is 254 affordable units.

Total Fair Share Obligation

TABLE 2. Fair Share Obligation		
Category	Required units	Units provided
Rehabilitation share	5	5
Prior round obligation	520	535
Growth share obligation	483 (Estimate of future development)	
Total	1,008	540

The Township's total fair share for the period from 1987-2018 is 1,008 affordable units. The Township has provided 535 units under the prior rules (15 units in excess of the prior round obligation), and has an additional 49 units not counted in the prior round, consisting of 49 age-restricted rental units, that it will put towards its third round obligation.

Fair Share Plan

In the previous section a fair share obligation of 1,008 units has been established. The following outlines how this obligation will be addressed.

Table 3 below summarizes the Hopewell Township fair share obligation and the plan for meeting that obligation. Additional details for each component of the plan are provided in the narrative that follows the table.

TABLE 3. Hopewell Township Fair Share Obligation, Summary of Requirements and Planned Round Three Compliance			
		Requirement	Township Provision
Total Fair Share Obligation		1,008	--
Rounds One and Two		520	535
Rehabilitation Share		5	5
Round Three (Growth Share) Requirement		483	
Excess		--	15
Not Counted in Prior Rounds, Eligible in Round Three		--	<u>49</u>
Subtotal, Excess Applicable to Round Three Requirements		--	64
Net New Round Three Requirement After Excess from Prior Rounds		419	--
1.	Scattered Site Projects (Community Options, HomeFront, Wrick Avenue, Minnietown Lane)	--	15
2.	Accessory Apartments	--	10
3.	Block 78, Lot 10.04 (Project Freedom)	--	70
4.	Block 33, Lot 1.02 (Pennytown)	--	70
5.	Block 91, Lot 3.96 (Capital Health Systems)*	--	70
6.	Block 93, Lot 5 (Burroughs tract)	--	7
7.	Block 88, Lot 5.02 (Weidel tract)	--	180
8.	Residential development (ongoing, inclusionary zoning distributed throughout Hopewell Township)	--	<u>50</u>
Total Units		--	472
Excess for Round Three Requirement		--	53

*Specifically as to CHS, the Developer's Agreement indicates the following:

“CHS will satisfy any affordable housing obligation that its project imposes on the Township, as such obligation is set forth in the Township’s affordable housing ordinances enacted in accordance with the rules and regulations of the New Jersey Council on Affordable Housing as are in effect at the time the applicant applies for a Certificate of Occupancy for the proposed development or any portion thereof, or as modified or amended by the New Jersey Council on Affordable Housing and/or a court of final jurisdiction subsequent to that time, either through on site construction or other means acceptable to the Township, or a combination of both”.

Rehabilitation

The Township has satisfied its rehabilitation obligation of five affordable units. Thirty-four units have been rehabilitated since April 1, 2000.

Prior Round Obligation

The adjusted prior round allocation of affordable units is 520 affordable units. The Township has provided 535 affordable units, resulting in an excess of 15 affordable units. In addition, the Township has 49 age-restricted rental units that could not be counted in the prior round obligation, but can be carried to the third round.

Excess Units from Prior Round Obligation

In accordance with the calculations provided in the previous section, the Township has established that it has 49 excess units consisting of age-restricted, rental units at the Hopewell Gardens facility, and 18 additional units that exceeded the prior round obligation. These excess units will be utilized to address a portion of the Township’s fair share and rental obligations, and will be applied to limit the number of new age-restricted, affordable dwellings that can be provided.

Municipally Sponsored and 100 percent Affordable Programs

The Township is proposing the use of five properties for municipally sponsored, 100 percent affordable programs (NJAC 5:97-6.7):

- Block 2, Lot 8 is a 1.1 acre parcel on Minnietown Lane and Hopewell Wertsville Roads. The Township intends to provide 2 modular units on the property. The Township owns the property, which it purchased using funds from the Township’s affordable housing trust account. The property is located in a residential zoning district where the use is permitted. The Township has prepared an analysis to provide new septic systems to support the proposed use. (Table 3, Reference Number 1)
- Block 130, Lot 77.01 on Wrick Avenue, a 0.5 acre parcel which the Township obtained through a tax foreclosure. The Township has entered a contract to construct a modular home on this property. The property is located in a residential zoning district and has a well and septic system available. (Table 3, Reference Number 1)

- Block 33, Lot 1.02 is a 25 acre parcel with frontage on Marshall's Corner-Woodsville Road, Pennington-Hopewell Road (County Route 654), and Route 31. The tract currently has an on-site wastewater treatment plant that could service up to 70 affordable units. (Table 3, Reference Number 4)
- Block 93, Lot 5 on Scotch Road, is a 34 acre parcel acquired by the Township specifically for affordable housing purposes. The Township is seeking an experienced developer of affordable housing to provide 30 to 50 units on this property, and intends to prepare a Request for Proposals (RFP) to solicit such a developer. However, wastewater treatment limitations may only permit seven units if conventional on-site disposal is utilized. If possible, wastewater treatment will be provided through an on-site community wastewater treatment system or connection to ELSA, and potable water through a public water supply system or an on-site well. The property is adjacent to major employers and in close proximity to the municipal complex, and is located in a residential zoning district. (Table 3, Reference Number 6)
- Block 88, Lot 5.02 is a 72 acre parcel located on Route 31 and the Denow Road extension. The Township purchased this property for approximately \$5.2 million, and is selling a 16 acre tract to Mercer County as open space for approximately \$1.25 million. The tract requires a contract from the Ewing Lawrence Sewerage Authority (ELSA) for sewer service and a permit from the DEP for access to Reed Road from Denow Road. The Township plans to construct approximately 200 affordable units on the tract, utilizing an experienced developer of affordable housing and subject to a forthcoming Request for Proposals. (Table 3, Reference Number 7)

Municipally sponsored affordable housing projects require additional documentation, beyond site control as noted above. The housing sites satisfy the following criteria:

- The selected sites are suitable pursuant to NJAC 5:97-3.13 in that they are either in Planning Area 2 or are consistent with sound planning principles and the goals, policies and objectives of the State Development and Redevelopment Plan (SDRP);
- The Township has the capability to administer the projects in accordance with the Uniform Housing Affordability Controls (NJAC 5:80-26). The Township has a municipal housing liaison to administer the projects, and will seek administrative help if needed;
- The units will have a low/moderate income split in accordance with the Uniform Housing Affordability Controls (UHAC), providing at least 50% of the units for low-income households and no more than 50% for moderate-income households;
- The units will be affirmatively marketed by the Township's municipal housing liaison or another agency in accordance with the UHAC rules ;
- The units will have the appropriate controls on affordability in accordance with the COAH and UHAC rules;

- The units will have the appropriate bedroom distribution, providing a mix of one-, two- and three-bedroom units for the municipal construction project;
- The municipality has adequate funding capabilities through the use of development fees, payments in lieu of construction, or bonding capability if necessary;
- The construction will begin within 2 years of the grant of substantive certification.

Accessory Apartments

The revised Third Round rules permit a deed restriction on affordability controls of 10 years, rather than the 30 year restriction that was proposed in the prior Third Round rules. The 30 year restriction was a deterrent to the program. In addition, the minimum payment to the property owner is now \$25,000 for the creation of a low-income dwelling, and \$20,000 for the creation of a moderate-income dwelling. The Township is including 10 units in its Third Round compliance plan, but if the program is successful can provide up to 50 units through this mechanism. (Table 3, Reference Number 2)

Supportive and Special Needs Housing

The Township is proposing the use of two group homes on property owned by the Township to address its fair share obligation (NJAC 5:97-6.10) concerning supportive and special needs housing. The first of these is designated as Lot 5 in Block 93 and is located on Scotch Road. Currently on the 34 acre property are a 2-family dwelling and a single-family dwelling, yielding three affordable dwelling units (one 3-bedroom and two 2-bedroom). The property will be leased to Home Front for 3 family rental units. (Table 3, Reference Number 1)

Block 26, Lot 4.03 on Harbourton Rocktown Road, a 1 acre parcel which includes an existing dwelling and outbuildings. The existing dwelling will be demolished and replaced. The Township owns the property, which it purchased using funds from the Township's affordable housing trust account. The property will be conveyed to Community Options for the construction of a 4 bedroom group home for individuals with learning disabilities. The property is located in a residential zoning district and the use is permitted. A new septic system has been provided. (Table 3, Reference Number 1)

Block 78, Lot 10.04 is a 22 acre parcel located on Denow Road east of Route 31. The Township is proposing to lease the land to Project Freedom for the development of approximately 100 units, the majority of which will be for the developmentally disabled. The tract currently has a sewage treatment allocation from ELSA. (Table 3, Reference Number 3)

The Township has control of these properties through fee simple ownership. The Township's contribution is the property and any assistance it may provide in securing approvals and additional ancillary funds. The interested organizations are to provide sources of funding beyond that available from the Township. The agencies have indicated that adequate funding can be provided.

The Municipal Land Use Law (MLUL, NJSA 40:55D-66.1) indicates that community residences (group homes) shall be a permitted use in all residential zoning districts of a municipality, and the requirements shall be the same as for single family dwelling units located within such districts. Both of the proposed group homes are located within a residential zoning district.

Residential Development

The Township's build-out analysis identifies properties that can meet COAH's requirement of one affordable unit per four market-rate units, i.e. a five lot subdivision is possible. This analysis of the R-150, VRC and MRC zoning districts indicates that 145 affordable units may be provided in these residential districts. However, the Township is taking credit for only 50 affordable units from this category, as it is unlikely the build-out will occur by 2018, and not all subdivided lots will contribute to growth share. In addition, the Township intends to incorporate COAH's standard for a 20 percent affordable housing set-aside into the zoning provisions for all residential and mixed-use districts. (Table 3, Reference Number 8)

Rental Housing

The COAH rules indicate that at least 25 percent of a municipality's growth share obligation shall be addressed with rental housing (NJAC 5:97-3.10(b)3), and that at least 50% of the rental housing obligation addressed within the municipality must be family housing units (NJAC 5:97-3.9). Given the Township's growth share obligation of 483 units, 121 units must be rental housing, and no more than 60 units may be addressed through age-restricted housing. The Township has a prior cycle credit of 49 age-restricted rental units. Thus, 72 additional rental units are required, 11 of which could be age-restricted units. The three units on Block 93, Lot 5 to be developed under the auspices of Home Front will satisfy some of the family unit rental obligation. With the Project Freedom project of approximately 70 units, and the municipally constructed, 100 percent affordable developments that are contemplated, the Township will well exceed its rental obligation, and thus should be eligible for additional rental credits.

Age-Restricted Housing

The COAH rules indicate that not more than 25 percent of the growth share obligation addressed within a municipality may be met with age-restricted housing (NJAC 5:97-3.10(c)2). Thus, the Township can provide up to 120 affordable units for age-restricted households. The Township has 49 excess age-restricted units that it is carrying forward to the third round. Therefore, the Township has the option to supply 71 age-restricted units in the Municipally Sponsored and 100 percent Affordable Programs to address the growth share obligation.

Additional Potential Projects

An individual has also expressed an interest in developing a 9 unit affordable assisted living project. As the Township's growth share obligation evolves over the next decade, and the individual is in a position to present firm plans, this project may also benefit the Township's affordable housing inventory.

Nonresidential Development

With regard to nonresidential development, the Township is considering a number of options to address the growth share component created by nonresidential development, which is projected to be the bulk of the Township's growth share. The Township is amending its development fee ordinance to require a 2.5 percent contribution of the equalized assessed value of new development to the affordable housing trust fund. Some nonresidential developers have committed to addressing whatever the prospective affordable housing need entails. For example, Capital Health Systems (CHS) has committed to fulfill its affordable housing requirement, and even though the bulk of the CHS development is exempt from the growth share calculation, CHS has identified a 10 acre site that is suitable for affordable housing. A preliminary site plan for 80 affordable units has been prepared, but the short-term obligation should range between 26 and 52 units. (Table 3, Reference Number 5)

Growth Share Ordinance

The Township has prepared a draft growth share ordinance to address potential residential and nonresidential development. The draft growth share ordinance requires for residential development either construction of the affordable housing obligation on-site or off-site, or a payment in lieu of construction. The payments in lieu of construction will be utilized to fund affordable housing activities within the Township, such as the municipally sponsored construction projects.

Development Fee Ordinance

The Township has prepared an amended development fee ordinance that increases the fee to 1.5% of the equalized assessed value for residential development and 2.5% of the equalized assessed value for nonresidential development. The Township will utilize these funds to contribute to the municipally sponsored and 100% affordable projects.

Implementation Schedule

The following Table 4 identifies the implementation phasing plan for the Hopewell Township compliance plan.

Table 4. Hopewell Township Implementation Phasing Plan

2009-2010	2011-2012	2013-2014	2015-2016	2017-2018
<ul style="list-style-type: none"> • Municipal property acquisition • Project site planning and permitting • Provider agreements • Non-municipal financing secured • 64 units for excess units from prior round obligation • 15 units at scattered sites • 2 units for accessory apartments • 9 units for Inclusionary residential developments • 70 units for Project Freedom • Compliance assessed 	<ul style="list-style-type: none"> • Project site planning and permitting • Provider agreements • Additional non-municipal financing secured • 2 units for accessory apartments • 6 units for inclusionary residential developments • 70 units at Pennytown • Master Plan reviewed • Housing Plan reviewed • Compliance assessed • CHS COs issued 	<ul style="list-style-type: none"> • Project site planning and permitting • Provider agreements • Additional non-municipal financing secured • 26 units for CHS • 2 units for accessory apartments • 12 units for inclusionary residential development • 40 units for Weidel tract • Compliance assessed 	<ul style="list-style-type: none"> • 44 units for CHS • 7 units for Burroughs tract • 2 units for accessory apartments • 13 units for Inclusionary residential development • 90 units for Weidel tract • Compliance assessed 	<ul style="list-style-type: none"> • 50 units for Weidel tract • 2 units for accessory apartments • 10 units for inclusionary residential development • Compliance assessed • Master Plan reviewed • Housing Plan reviewed
Cumulative Round III Units	160	238	318	474
				536

Inventory of Municipal Housing Conditions

The primary source of information for the inventory of the Township's housing stock is the 2000 U.S. Census, with data reflecting conditions in 2000.

According to the 2000 Census, the Township had 5,629 housing units, of which 5,498 (98%) were occupied. Table 5 identifies the units in a structure by tenure; as used throughout this Plan Element, "tenure" refers to whether a unit is owner-occupied or renter-occupied. While the Township largely consisted of one-family, detached dwellings (86% of the total, compared to 49% in the County), there were 791 units in attached or multi-family structures. The Township had a relatively low percentage of renter-occupied units, 7%, compared to 33% in Mercer County and 34% in the State.

TABLE 5: Units in Structure by Tenure

Units in Structure	Vacant Units	Occupied Units		
		Total	Owner	Renter
1, detached	99	4,731	4,481	250
1, attached	7	549	528	21
2	13	85	21	64
3 or 4	6	23	0	23
5+	6	102	71	31
Other	0	0	0	0
Mobile home or trailer	0	8	8	0
Total	131	5,498	5,109	389

Source: 2000 U.S. Census, Summary Tape File 3 (STF-3) for Township, QT-H10.

Table 6 indicates the year housing units were built by tenure, while Table 7 compares the Township to Mercer County and the State. Approximately 79% of the owner-occupied units in the Township have been built since 1950, and 93% of the units built since 1950 were owner-occupied. Interestingly, the highest rate of renter occupied units was built before 1950.

TABLE 6: Year Structure Built by Tenure

Year Built	Vacant Units	Occupied Units		
		Total	Owner	Renter
1990-2000	13	1,672	1,639	20
1980-1989	0	531	531	0
1970-1979	6	537	514	17
1960-1969	41	864	789	34
1950-1959	22	873	746	105
1940-1949	0	282	226	56
Pre-1940	49	870	664	157

Source: 2000 U.S. Census, STF-3 for Township, QT-H7.

Table 7 compares the year of construction for all dwelling units in the Township to Mercer County and the State. The Township had a much larger percentage of units built between 1990-2000 than did the County or State, and a smaller percentage of units built before 1950, although the Township was very similar to the County and State in the 1950s and 1960s. These differences are highlighted further by the median year of construction.

TABLE 7: Comparison of Year of Construction for Township, County, and State

Year Built	----- % -----		
	Hopewell Township	Mercer County	New Jersey
1990 – 2000	29.7	10.2	10.5
1980 – 1989	9.4	12.4	12.4
1970 – 1979	9.5	12.5	14.0
1960 – 1969	15.3	15.2	15.9
1950 – 1959	15.5	16.6	17.1
1940 – 1949	5.0	9.6	10.1
Pre-1940	15.5	23.5	20.1
Median Year	1969	1960	1962

Source: 2000 U.S. Census, SF-3 for Township, County, and State, DP-4.

The 2000 Census documented household size in occupied housing units by tenure, and the number of bedrooms per unit by tenure; these data are reported in Tables 8 and 9, respectively. Table 4 indicates that renter-occupied units generally housed smaller households, with 68% of renter-occupied units having 2 persons or fewer compared to 50% of owner-occupied units. Table 5 indicates that renter-occupied units generally had fewer bedrooms, with 55% having two bedrooms or fewer, compared to 13% of owner-occupied units.

TABLE 8: Household Size in Occupied Housing Units by Tenure

Household Size	Total Units	Owner-occupied Units	Renter-occupied Units
1 person	878	740	138
2 persons	1960	1834	126
3 persons	978	915	63
4 persons	1105	1069	36
5 persons	442	420	22
6 persons	103	100	3
7+ persons	32	31	1
Total	5498	5109	389

Source: 2000 U.S. Census, SF-3 for Township, H-17.

TABLE 9: Number of Bedrooms per Unit by Tenure

Number of Bedrooms	Total Units	(%)	Vacant Units	Occupied Units		
				Total	Owner	Renter
No bedroom	0	0	0	0	0	0
1 bedroom	216	3.8	13	203	97	106
2 bedrooms	783	13.9	19	764	589	175
3 bedrooms	2126	37.8	49	2077	2013	64
4 bedrooms	2010	35.7	40	1970	1939	31
5+ bedrooms	494	8.8	10	484	471	13

Source: 2000 U.S. Census, SF-3 for Township, QT-H8.

Table 10 compares the Township's average household size for all occupied units, owner-occupied units, and renter-occupied units in 2000 to those of the County and State. The Township's average household size for owner-occupied units was the same as those of the State, and higher than those in Mercer County. The average household size for renter-occupied units was lower than for the State or County.

TABLE 10: Average Household Size for Occupied Units for Township, County, and State

Jurisdiction	All Occupied Units	Owner-occupied units	Renter-occupied units
Hopewell Township	2.77	2.81	2.21
Mercer County	2.62	2.75	2.37
New Jersey	2.68	2.81	2.43

Source: 2000 U.S. Census, SF-3 for Township, County, and State, DP-1.

The distribution of bedrooms per unit, shown in Table 11, indicates that the Township contained fewer small units (no or one bedroom) than the County or State and significantly more large units (four or more bedroom) than either the County or State in 2000. The State and County had similar patterns with two or three bedroom units being the most prevalent.

TABLE 11: Percentage of All Units by Number of Bedrooms

Jurisdiction	None or one	Two or Three	Four or More
Hopewell Township	3.8	51.7	44.5
Mercer County	17.3	57.6	25.1
New Jersey	18.3	59.2	22.6

Source: 2000 U.S. Census, SF-3 for Township, County, and State, QT-H4.

In addition to data concerning occupancy characteristics, the 2000 Census includes a number of indicators, or surrogates, which relate to the condition of the housing stock. These indicators are used by the Council on Affordable Housing (COAH) in calculating a municipality's deteriorated units and indigenous need. In the first Two Rounds of COAH's fair share allocations (1987-1999), COAH used seven indicators to calculate indigenous need: age of dwelling; plumbing facilities; kitchen facilities; persons per room; heating fuel; sewer; and, water. In the Round Three rules, COAH has reduced this to three indicators, which in addition to age of unit (Pre-1940 units in Table 6), are the following, as described in COAH's rules.

Plumbing Facilities

Inadequate plumbing is indicated by either a lack of exclusive use of plumbing or incomplete plumbing facilities.

Kitchen Facilities

Inadequate kitchen facilities are indicated by shared use of a kitchen or the non-presence of a sink with piped water, a stove, or a refrigerator.

Table 12 compares the Township, County, and State for the above indicators of housing quality. The Township has less units with inadequate plumbing and kitchen facilities than the County and State.

TABLE 12: Housing Quality for Township, County, and State

Condition	-----%		
	Hopewell Township	Mercer County	New Jersey
Inadequate plumbing ¹	0	.4	.5
Inadequate kitchen ¹	.1	.3	.5

Notes: ¹The universe for these factors is all housing units.

Source: 2000 U.S. Census, SF-3 for Township, County, and State, QT-H8 and QT-H4.

The last factors used to describe the municipal housing stock are the housing values and gross rents for residential units. With regard to values, the 2000 Census offers a summary of housing values, seen in Table 13, which indicate that 72% of all residential properties in the Township were valued at \$200,000 or more.

TABLE 13: Value of Residential Units

Value	Number of Units	-----%
\$0 – 50,000	60	1.3
\$50,000 – 99,999	73	1.6
\$100,000 – 149,999	227	4.9
\$150,000 – 199,999	898	19.4
\$200,000 – 299,999	1774	38.4
\$300,000 – 499,999	1073	23.2
\$500,000 – 999,999	476	10.3
\$1,000,000 +	44	1

Source: 2000 U.S. Census, SF-3 for Township, County, and State, DP-4.

The data in Table 14 indicate that in 2000 virtually all housing units rented for more than \$500/month, with the largest percentage, 51%, found between \$500 and \$999 per month, and 38% of the units renting for \$1,000/ month or more.

TABLE 14: Gross Rents for Specified Renter-Occupied Housing Units¹

Monthly Rent	Number of Units	-----%-----
Under \$200	0	0
\$200 – 299	0	0
\$300 – 499	9	2.6
\$500 – 749	99	28.9
\$750 – 999	76	22.2
\$1,000 – 1,499	76	22.2
\$1,500 or more	54	15.7

Note: Median gross rent for Hopewell Township is \$833.

Source: 2000 U.S. Census, SF-3 for Township, QT-H12.

The data in Table 15 indicate that in 2000 there were 90 renter households earning less than \$35,000 annually. At least 76 of these households were paying more than 30% of their income for rent; a figure of 30% is considered the limit of affordability for rental housing costs. All 8 renter households that make between \$10,000 and \$19,999 annually were paying more than 35% for gross rent.

TABLE 15: Household Income in 1999 by Gross Rent as a Percentage of Household Income in 1999¹

Income	Number of Households	Percentage of Household Income					
		0 – 19%	20 – 24%	25 – 29%	30 – 34%	35% +	Not computed
< \$10,000	0	0	0	0	0	0	0
\$10,000 – 19,999	8	0	0	0	0	8	0
\$20,000 – 34,999	82	6	0	8	16	52	0
\$35,000 +	253	135	72	8	0	9	29

Note: ¹The universe for this Table is specified renter-occupied housing units.

Source: 2000 U.S. Census, SF-3 for Township, QT-H13.

Analysis of Demographic Characteristics

As with the inventory of the municipal housing stock, the primary source of information for the analysis of the demographic characteristics of the Township's residents is the 2000 U.S. Census. The Census data provide a wealth of information concerning the characteristics of the Township's population in 2000.

The 2000 Census indicates that the Township had 16,105 residents, or 4,515 more residents than in 1990, representing a population increase of approximately 28%. The Township's 28% increase in the 1990's compares to a 7% increase in Mercer County and an 8% increase in New Jersey.

The age distribution of the Township's residents is shown in Table 16. The younger age classes (0-4, 5-19) were relatively evenly split between males and females, while males predominated in the 18-24, 25-44 and 45-64 classes, and females predominated in the 65+ classes. The disproportionate population figures for the 18-24 and 25-44 male categories represented, in large part, the all-male population at the Mercer County Corrections Center, which housed 847 persons in 2000.

TABLE 16: Population by Age and Sex

Age	Total Persons	Male	Female
0-4	1,076	553	523
5 - 19	3,499	1,797	1,702
20 - 34	2,201	1,244	957
35 - 54	5,903	2,960	2,943
55 - 69	2,162	1,085	1,077
70 +	1,264	569	695
Total	16,105	8,208	7,897

Source: 2000 U.S. Census, SF-3 for Township, QT-P1.

Table 17 compares the Township to the County and State for the same age categories. The principal differences among the Township, County, and State occur in the 20-34 and 35-54 age categories. The Township had a lower percentage of 20-34 year olds than the County or State, while the Township's 35-54 year old category was higher than the County and State. The Township also had a lower percentage of those over the age of 70. In the 5 to 19 age category, the school age category, the Township slightly exceeded the County and State.

TABLE 17: Comparison of Age Distribution for Township, County, and State (% of persons)

Age	Hopewell Township	Mercer County	New Jersey
0-4	6.7	6.3	6.7
5 – 19	21.8	21	20.4
20 – 34	13.7	21.1	19.9
35 – 54	36.6	30.6	30.9
55 – 69	13.4	11.9	12.4
70 +	7.8	9.3	9.7
Median	100	100	100

Source: 2000 U.S. Census, SF-3 for Township, County, and State. QT-P1.

Table 18 provides the Census data on household size for the Township, while Table 19 compares household sizes in the Township to those in Mercer County and the State. The Township differed from the County and State in terms of the distribution of household sizes by having fewer households of one person and more households of 4 and 5 persons. The Township also had more households of two persons than the County or State.

TABLE 18: Persons in Household

Household Size	Number of Households
1 person	878
2 persons	1,960
3 persons	978
4 persons	1,105
5 persons	442
6 persons	103
7 or more persons	32

Source: 2000 U.S. Census, STF-3 for Township, QT-P10.

TABLE 19: Comparison of Persons in Household for Township, County, and State (% of households)

Household Size	Hopewell Township	Mercer County	State
1 person	16	25.6	24.5
2 persons	35.6	30.9	30.3
3 persons	17.8	17.2	17.3
4 persons	20.1	15.4	16
5 persons	8	6.9	7.5
6 persons	1.9	2.5	2.7
7 or more persons	.6	1.6	1.7
Persons per household	2.77	2.62	2.68

Source: 2000 U.S. Census, SF-3 for Township, County, and State, QT-P10.

Table 20 presents a detailed breakdown of the Township's population by household type and relationship. There were 4,429 family households in the Township and 1,069 non-family households; a family household includes a householder living with one or more persons related to him or her by birth, marriage, or adoption, while a non-family household includes a householder living alone or with non-relatives only. In terms of the proportion of family and non-family households, the Township had more family households than the County or State (80.6% for the Township, 68.6% for the County, and 70.3% for the State).

TABLE 20: Persons by Household Type and Relationship

	Total
In family Households:	
Householder	4,429
Spouse	3,983
Child	2,230
In Non-Family Households:	
Male householder:	431
Living alone	327
Not living alone	104
Female householder:	638
Living alone	551
Not living alone	87
In group quarters:	
Institutionalized:	
Correctional institution	847
Nursing homes	21
Mental hospitals	0
Juvenile institutions	0
Other institutions	0
Non-institutionalized	13

Source: 2000 U.S. Census, SF-3 for Township, QT-P11 and QT-P12.

Table 21 provides 1999 income data for the Township, County, and State. The Township's per capita and median incomes were higher than those of the State and the County. The definitions used for households and families in Table 21 are similar to those identified in the description of Table 20, so that the households figure in Table 21 includes families.

TABLE 21: 1999 Income for Township, County, and State

Jurisdiction	Per Capita Income	Median Income	
		Households	Families
Hopewell Township	43,947	93,640	101,579
Mercer County	27,914	56,613	68,494
New Jersey	27,006	55,146	65,370

Source: 2000 U.S. Census, SF-3 for Township, County, and State, DP-3.

Table 22 addresses the lower end of the income spectrum, providing data on poverty levels for persons and families in 2000. The determination of poverty status and the associated income levels is based on the cost of an economy food plan and ranges from an annual income of \$9,039 for a one-person household to \$29,140 for an eight-person family (three-person family is \$14,255). According to the data in Table 22, the Township had proportionately has fewer persons and families qualifying for poverty status than the County or State. However, the percentages in Table 22 translate to 173 persons, but only 38 families, in poverty status. Thus, the non-family households had a much larger share of the population in poverty status.

**TABLE 22: Poverty Status for Persons and Families for Township, County, and State
(% with 1999 income below poverty)**

Jurisdiction	Persons (%)	Families (%)
Hopewell Township	1.1	.9
Mercer County	8.6	5.9
New Jersey	8.5	6.3

Source: 2000 U.S. Census, SF-3 for Township, County, and State, DP-3.

The U.S. Census includes a vast array of additional demographic data that provide interesting insights into an area's population. For example, Table 23 provides a comparison of the percent of persons who moved into their homes between the years 1995-1998; this is a surrogate measure of the mobility/stability of a population. The data indicate that the percentage of year 2000 Township residents residing in the same house as in 1995 exceeded that of the County and State.

**TABLE 23: Comparison of Place of Residence for Township, County, and State
(1995-1998)**

Jurisdiction	Percent living in same house in 1995-1998
Hopewell Township	32
Mercer County	27
New Jersey	28

Source: 2000 U.S. Census, SF-3 for Township, County, and State, QT-H7.

Table 24 compares the educational attainment for Township, County, and State residents. These data indicate that Township residents exceeded State and County residents in educational attainment. It is interesting to note that among the State's 21 Counties, Mercer County is sixth in the State in college graduates.

**TABLE 24: Educational Attainment for Township, County, and State Residents
(Persons 25 years and over)**

Jurisdiction	Percent (%) high school graduates or higher	Percent (%) with bachelor's degree or higher
Hopewell Township	93	55.8
Mercer County	81.9	34
New Jersey	82.2	29.8

Source: 2000 U.S. Census, SF-3 for Township, County, and State, DP-2.

The 2000 Census also provides data on the means of transportation which people use to reach their place of work. Table 25 compares the Census data for the Township, County, and State relative to driving alone, carpooling, using public transit, and using other means of transportation. The Township had a relatively high percentage of those who drive alone, and a relatively low percentage of workers who carpool or use public transit. Of the 6.8% of workers who resided in the Township and used other means of transportation to reach work, 87% (or 438 workers) worked at home and 4% (or 24 workers) walked to work.

**TABLE 25: Means of Transportation to Work for Township, County and State Residents
(Workers 16 years old and over)**

Jurisdiction	Percent who drive alone	Percent in carpools	Percent using public transit	Percent using other means
Hopewell Township	83.3	5.5	4.4	6.8
Mercer County	73.3	11	6.9	8.8
New Jersey	73	10.6	9.6	6.7

Source: 2000 U.S. Census, SF-3 for Township, County, and State, DP-3.

Projection of Municipal Housing Stock

As part of the mandatory contents of a housing element, the township is required to produce “a projection of the municipality’s housing stock, including the probable future construction of low and moderate income housing, for the next six years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands.” (N.J.S.A. 52:27D-310b.)

DVRPC Population Forecast for 2015

In order to forecast a 2015 population for the Township, it is necessary to consider past history, current zoning, and some expectation as to what might happen in the future; the last element obviously is the most problematic.

The DVRPC, which is the Metropolitan Planning Organization (MPO) for Mercer County, also provided draft population forecasts through the year 2030. The Township analysis of these forecasts, as reflected in the January 31, 2005 letter to the County and detailed below, has been accepted by Mercer County and the DVRPC has accepted the revision.

The following table identifies the number of housing units that were authorized by building permits over the last 30 years.

TABLE 26: History of Building Permit Issuance for Last 30 Years

Decade	Total residential units authorized by building permits	Annual range (units)- Low and high years	Average year (units)
1970 to 1979	590	28 (1975) to 97 (1973)	59
1980 to 1989	525	14 (1981) to 108 (1987)	52.5
1990 to 1999	1,794 *	24 (1991) to 442 (1993)	179.4

* This figure includes 1,293 building permits issued for the various projects at Brandon Farms.

If Brandon Farms is excluded from the above data, which is legitimate since the development resulted from the Township’s past affordable housing obligation, the number of building permits issued for the 1990-1999 period is reduced to 501 building permits. Thus, the three decades show a fairly consistent development pattern of 501 to 590 units every ten years, or an average of 539 residential units every ten years. The lowest ten-year period was 1975-1984, when 370 residential units were authorized by building permits. During the ten-year period from 1983-1992, which included both boom and bust times, there were 552 residential units authorized by building permits, which closely approximates the average decade over the last three decades.

We also note that since this time period the Township has gone through a rezoning that has reduced the development potential substantially. Many of the units noted above were developed

under the two-acre zoning that prevailed in the R-200 District, which no longer exists. Given the zoning changes, we can anticipate a slower rate of growth. If the growth period of 1975-1984 prevails in the future, as might be expected considering the rezoning, we would anticipate a total of 370 units for single-family residential growth in the 2005-2015 period, excluding the ongoing construction of a townhouse development and an age-restricted development, which include 116 and 46 units, respectively. Adding those units to the forecast population growth produces the following:

TABLE 27: Forecast Dwelling Unit Growth from 2005-2015

Type of Unit	Number of Units
Single-family detached	370
Townhouse	116
Age-restricted	46
Total	532

This forecast is consistent with the history of building permit issuance in the Township, current approvals and current zoning.

Municipal Employment and Projections

As part of the mandatory contents of a housing element, the Township is to provide “an analysis of the existing and probable future employment characteristics of the community.” (N.J.S.A. 52:27D-310d) In COAH’s First Round (1987-1993), COAH used employment data, in terms of how many people worked within a municipal border, as an allocation factor for its affordable housing need allocations. In the Second Round (1993-1999) COAH changed this allocation factor to the value of non-residential ratables. Now in the proposed Third Round rules COAH is using the growth in non-residential jobs as a component of the growth share formula for the determination of a municipality’s affordable housing obligation.

DVRPC Employment Estimate and Projections

The DVRPC also estimates and projects employment from the years 2000 to 2030. These figures are depicted below (the figure for the year 2000 is an estimate, the other years are projections):

TABLE 28: DVRPC Employment Estimate and Projections

Year	Employment
2000	8,025
2005	9,475
2010	12,125
2015	12,593
2020	13,403
2025	14,339
2030	14,893

These figures were examined relative to known employment in the Township, and the DVRPC employment in 2005 appears accurate. While an independent projection has not been prepared for the year 2015, the DVRPC numbers are reasonable. As to the DVRPC projection for 2030, again an independent projection has not been prepared, but it appears that this number is likely to underestimate the employment as of that date, given the extended approvals that have been granted to the Township’s 4 major office/research employers. Thus, Mercer County notified the DVRPC that the employment projections are acceptable.

**AN ORDINANCE AMENDING THE TOWNSHIP OF HOPEWELL'S
LAND USE AND DEVELOPMENT ORDINANCE, DEVELOPMENT FEES**

DRAFT

1. Purpose

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.
- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. Basic requirements

- a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*.
- b) The Township of Hopewell shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3*.

3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:
 - i. **"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
 - ii. **"COAH"** or the **"Council"** means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
 - iii. **"Development fee"** means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.

- iv. **“Developer”** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- v. **“Equalized assessed value”** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
- vi. **“Green building strategies”** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

4. Residential Development fees

a) Imposed fees

- i. Within the *[insert name of zoning]* district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and a half percent of the equalized assessed value for residential development provided no increased density is permitted.
- ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers may be required to pay a development fee of *[insert specific number – maximum of six percent]* percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one and a half percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

b) Eligible exactions, ineligible exactions and exemptions for residential development

- i. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
- ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt

from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

- iii. *[optional]* Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- iv. *[optional]* Developers of *[specific types of residential development, for example developments with one or two owner-occupied dwelling units, residential structures demolished and replaced as a result of a natural disaster, green buildings etc.]* shall be *[select only one of the following: exempt from paying a development fee, or subject to a reduced fee of X percent]*.
- v. *[optional]* Within the *[name of zoning district(s) or area(s), e.g. TOD District, Revenue Allocation District, Historic District, etc.]*, residential developers shall be exempt from paying a development fee.

5. Non-residential Development fees

a) Imposed fees

- i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

b) Eligible exactions, ineligible exactions and exemptions for non-residential development

- i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.

- ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
- iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
- iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
- v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Township of Hopewell as a lien against the real property of the owner.

6. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official [**OR** *insert title of designated municipal official*] responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should the Township of Hopewell fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- h) *[select one of the following paragraphs:]*
The developer shall pay 100 percent of the calculated development fee amount prior to the municipal issuance of a final certificate of occupancy for the subject property.

OR

Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

- i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Township of Hopewell. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Township of Hopewell. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. Affordable Housing trust fund

- a) *[select one of the following paragraphs:]*
There is hereby created a separate, interest-bearing housing trust fund to be maintained by the *[chief financial officer or insert municipal employee title]* for

the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.

OR

Upon approval by COAH and by the Division of Local Government Services, the Township of Hopewell shall invest development fee revenue and proceeds from the sale of units with extinguished controls into the State of New Jersey Cash Management Fund, provided that the funds in the Cash Management account that comprise the deposits and income attributable to such deposits shall at all times be identifiable.

- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - 1. payments in lieu of on-site construction of affordable units;
 - 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
 - 3. rental income from municipally operated units;
 - 4. repayments from affordable housing program loans;
 - 5. recapture funds;
 - 6. proceeds from the sale of affordable units; and
 - 7. any other funds collected in connection with the Township of Hopewell's affordable housing program.
- c) Within seven days from the opening of the trust fund account, the Township of Hopewell shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, [*select one: the bank or the bank linked to the Cash Management Fund*], and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).
- d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8 Use of funds

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Township of Hopewell's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

- b) Funds shall not be expended to reimburse the Township of Hopewell for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.
 - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) The Township of Hopewell may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. Monitoring

- a) The Township of Hopewell shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Township of Hopewell's housing program, as well as to the expenditure of revenues and implementation of the plan [*select appropriate one: certified by COAH or approved by the court*]. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

- a) The ability for the Township of Hopewell to impose, collect and expend development fees shall expire with its *[select appropriate one: substantive certification or judgment of compliance]* unless the Township of Hopewell has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If the Township of Hopewell fails to renew its ability to impose and collect development fees prior to the expiration of *[pick one: substantive certification or judgment of compliance]*, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). The Township of Hopewell shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the Township of Hopewell retroactively impose a development fee on such a development. The Township of Hopewell shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

Date Introduced:

Date Advertised:

Date Adopted:

Vanessa Sandom
Mayor

Attest:

Annette C. Bielawski
Municipal Clerk

HOPEWELL TOWNSHIP

MERCER COUNTY

Affordable Housing Trust Fund Spending Plan

December 30, 2008

OVERVIEW

This Spending Plan reflects the latest amendments to COAH's rules. In addition to demonstrating how Hopewell Township's affordable housing trust funds will be expended, this spending plan has been prepared together with the implementation schedule of the fair share plan. This spending plan demonstrates the planned use of Hopewell Township's affordable housing trust funds in accordance with the approved implementation schedule. COAH requires the following:

- All existing balances as of July 17, 2008 must be spent within four years of the date the COAH approval of this spending.
- Hopewell Township spend or contractually commit newly collected funds within three years from the calendar year in which those funds were collected. (Proposed spending may be through a revolving loan, no-interest loans, forgivable loans, below-market loans, bridge loans, a hybrid loan and grant program, etc.)

This document is organized into five sections that address the standard information required by N.J.A.C. 5:97-8.10. A process describing the collection and distribution procedures for barrier free escrow funds pursuant to N.J.A.C. 5:97-8.5 is detailed separately within the Affordable Housing Ordinance.

INTRODUCTION

Hopewell Township has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH on March 14, 1994 and adopted by the municipality on May 2, 1994. The ordinance establishes the Hopewell Township affordable housing trust fund for which this spending plan is prepared.

As of July 17, 2008, Hopewell Township has collected \$9,961,826.50, expended \$6,544,711.01, resulting in a balance of \$3,417,115.49. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in Wachovia Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

Hopewell Township first petitioned COAH for substantive certification February 21, 1005 and received prior approval to maintain an affordable housing trust fund on March 14, 1994. As of December 31, 2004, the prior round balance remaining in the affordable housing trust fund was \$2,965,120.15. From January 1, 2005 through July 17, 2008, Hopewell Township collected an additional \$1,846,498 in development fees, payments in lieu of construction, other funds, and/or interest. From January 1, 2005 through July 17, 2008, Hopewell Township expended funds on the affordable housing activities detailed in section 4 of this spending plan.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, Hopewell Township considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows:

NONE

(c) Other funding sources:

Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, proceeds from the sale of affordable units and mortgage repayment on affordable units.

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate.

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2008 THROUGH 2018											
	7/18/08 Through 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development fees:												
1. Approved Development	\$639,634											\$639,634
2. Development Pending Approval												
3. Projected Development				\$2,643,106	\$2,643,106	\$2,643,106	\$2,643,106	\$2,643,106	\$2,643,106	\$2,643,106	\$2,643,106	\$21,144,849
(b) Payments in Lieu of Construction												
(c) Other Funds (Specify source(s))												
Sales/Rents	\$0	\$0	\$375,000	\$0	\$0	\$4,753,000	\$3,374,800	\$1,350,000	\$8,336,000	\$1,836,000	\$5,231,000	\$25,255,800
(d) Interest	\$0	\$38,400	\$21,945	\$9,935	\$14,739	\$16,353	\$53,763	\$71,932	\$61,822	\$116,130	\$102,126	\$507,145
Total	\$639,634	\$38,400	\$396,945	\$2,653,041	\$2,657,845	\$7,412,459	\$6,071,669	\$4,065,058	\$11,040,929	\$4,595,236	\$7,976,232	\$47,547,427

Hopewell Township projects a total of \$47,547,427 in revenue to be collected between July 18, 2008 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Hopewell Township:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Hopewell Township's development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

Distribution of development fees shall be based upon the Township's approved Spending Plan. Each expenditure shall be authorized by a Resolution of the Governing Body prior to issuance of the funds by the Finance Office.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

Hopewell Township will dedicate \$to rehabilitation or new construction programs (see detailed descriptions in Fair Share Plan) as follows:

Rehabilitation program: \$ 0.00

New construction project(s): \$ See Projected Expenditure Schedule.

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

Projected minimum affordability assistance requirement:

Actual development fees through 7/17/2008		\$ 8,645,813
Actual interest earned through 7/17/2008	+	\$ 353,035
Development fees projected* 2008-2018	+	\$ 21,784,483
Interest projected* 2008-2018	+	\$ 507,145
Less housing activity expenditures through 6/2/2008	-	\$ 6,533,366
Total	=	\$ 24,757,110
30 percent requirement	x 0.30 =	\$ 7,427,133
Less Affordability assistance expenditures through 12/31/2004	-	\$ 5,000
PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2005 through 12/31/2018	=	\$ 7,422,133
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018	÷ 3 =	\$ 2,474,044

* Note: The 2008 portion of this projection reflects 2008 subsequent to July 17 as the remainder of 2008 is included in the actual figure reported above.

Hopewell Township will dedicate a minimum of \$7,422,133 from the affordable housing trust fund to render units more affordable, including \$2,474,044 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

Hopewell Township will provide Association Fee assistance and mortgage buy-ins to avoid foreclosure. The Township shall also provide infrastructure to assist in the creation of very low income rentals.

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

Hopewell Township projects that \$4,951,422 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

Salaries and benefits for municipal employees, or consultant and/or legal fees necessary to develop or implement an affordable housing program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program.

Income qualification of households, monitoring the turnover of sale and rental units, preserving existing affordable housing and compliance with Council monitoring requirements.

4. EXPENDITURE SCHEDULE

Hopewell Township intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

Program <i>[Individually list programs and projects e.g. Rehab, Accessory Apartments, for-sale and rental municipally sponsored, etc].</i>	Number of Units Projected	Funds Expended and/or Dedicated	PROJECTED EXPENDITURE SCHEDULE 2009 -2018											
			2005- July 17, 2008	7/18/08 – 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
1. Scattered Site Projects (Municipally Sponsored)	15	\$1,100,000	\$22,500	\$367,820	\$175,092	\$171,828	\$177,630	\$173,958	\$179,353	\$175,273	\$171,193	\$176,180	\$171,692	\$3,062,519
2. Accessory Apartments (Municipally Sponsored)	10			\$25,823	\$26,938	\$29,117	\$30,379	\$32,578	\$33,807	\$35,972	\$37,078	\$39,462	\$40,491	\$331,645
3. Project Freedom (Municipally Sponsored)	70		\$195,000	\$255,118	\$256,851	\$826,558	\$1,117,296	\$1,117,775	\$1,108,152	\$1,122,253	\$1,119,706	\$1,117,020	\$1,112,646	\$9,348,375
4. Pennytown (Municipally Sponsored)	70			\$350,000	\$432,500	\$427,500	\$422,500	\$417,500	\$412,500	\$407,500	\$452,500	\$445,000	\$437,500	\$4,205,000
5. Capital Health System (Municipally Sponsored)	70							\$286,413	\$432,485	\$717,365	\$867,702	\$866,525	\$867,432	\$4,037,922
6. Boroughs Tract (Municipally Sponsored)	7			\$73,650	\$72,300	\$70,950	\$79,600	\$77,800	\$76,000	\$191,560	\$251,784	\$249,672	\$257,422	\$1,400,738
7. Weidel Tract (Municipally Sponsored)	180			\$385,000	\$387,800	\$380,150	\$382,500	\$1,121,199	\$1,498,419	\$1,866,223	\$2,060,062	\$2,431,746	\$2,616,186	\$13,129,285
8. Residential Development (Inclusionary)	50													
Total Programs		\$1,100,000	\$217,500	\$1,457,411	\$1,351,481	\$1,906,103	\$2,209,905	\$3,227,223	\$3,740,716	\$4,516,146	\$4,960,025	\$5,325,605	\$5,503,369	\$35,515,484
Affordability Assistance		\$129,418	\$7,625	\$742,213	\$742,213	\$742,213	\$742,213	\$742,213	\$742,213	\$742,213	\$742,213	\$742,213	\$742,213	\$7,559,173
Administration		\$401,572	\$71,079	\$216,229	\$236,229	\$256,229	\$276,229	\$434,029	\$503,709	\$549,626	\$639,829	\$659,829	\$706,203	\$4,950,792
Total		\$1,630,990	\$296,204	\$2,415,853	\$2,329,923	\$2,904,545	\$3,228,347	\$4,403,465	\$4,986,638	\$5,807,985	\$6,342,067	\$6,727,647	\$6,951,785	\$48,025,449

5. EXCESS OR SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of Hopewell Township has adopted a resolution agreeing to fund any shortfall of funds required for implementing municipally sponsored housing programs. In the event that adequate and stable funding in the form of Affordable Housing Development fees, Federal, State and County grants, etc. are not sufficient as the Township's Fair Plan is implemented 2008 - 2018, said Township, in the discretion of the governing body then representing the Township, may determine to provide for an alternate source of affordable housing funding such as municipal bonding or elect to modify and change its Fair Share Plan to address its remaining affordable housing obligation in lieu of municipal bonding.. A copy of the adopted resolution is attached

Excess funds above the amount necessary to satisfy the municipal affordable housing obligation will be used for administration, affordability assistance and buy down programs.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with Hopewell Township's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

SUMMARY

Hopewell Township intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated November 2008.

Hopewell Township has a balance of \$3,417,115 as of July 17, 2008 and anticipates an additional \$ 47,547,427 in revenues before the expiration of substantive certification for a total of \$50,964,543. The municipality will dedicate \$35,515,484 towards municipally sponsored housing, \$7,559,173 to render units more affordable, and \$4,950,792 to administrative costs. Any shortfall of funds will be offset by (See #5 above). The municipality will dedicate any excess Affordable Housing Trust funds toward meeting its obligations as detailed in Hopewell Township's Housing Plan and Fair Share Plan.

SPENDING PLAN SUMMARY	
Balance as of July 17, 2008	\$ 3,417,115
PROJECTED REVENUE July 18, 2008-2018	
Development fees	+ \$21,784,483
Payments in lieu of construction	+ \$ 0
Other funds	+ \$25,255,800
Interest	+ \$ 507,145
TOTAL REVENUE	= \$50,964,543
EXPENDITURES	
Funds used for Rehabilitation	- \$0
Funds used for New Construction (Municipally Sponsored)	
1. <i>Scattered Site Projects (Municipally Sponsored)</i>	- \$3,062,519
2. <i>Accessory Apartments (Municipally Sponsored)</i>	- \$ 331,645
3. <i>Project Freedom (Municipally Sponsored)</i>	- \$4,205,000
4. <i>Pennytown (Municipally Sponsored)</i>	- \$9,348,375
5. <i>Capital Health System (Municipally Sponsored)</i>	- \$4,037,922
6. <i>Boroughs Tract (Municipally Sponsored)</i>	- \$1,400,738
7. <i>Weidel Tract (Municipally Sponsored)</i>	- \$13,129,285
8. <i>Residential Development (Inclusionary)</i>	- \$0
9.	- \$
10.	- \$
Affordability Assistance	- \$7,559,173
Administration	- \$4,950,792
Excess Funds for Additional Housing Activity	= \$2,939,274 (<i>see note below</i>)
1. <i>[list individual projects/programs]</i>	- \$
2.	- \$
3.	- \$
TOTAL PROJECTED EXPENDITURES	= \$
REMAINING BALANCE	= \$0.00

NOTE: ALL COSTS INCLUDED IN THIS SPENDING PLAN ARE BASED UPON PROJECT ACQUISITION AND CONSTRUCTION COSTS BEING FINANCED. THE COSTS SHOWN IN THIS PLAN INCLUDE DOWN PAYMENTS ON FINANCING AND DEBT SERVICE PAYMENTS ONLY THROUGH 2018. THIS SPENDING PLAN SUMMARY DOES NOT INCLUDE THE FULL 20 YEAR FINANCING COSTS FOR EACH PROJECT. THERE ARE \$87,872,230 IN ADDITIONAL COSTS THAT HAVE NOT BEEN ACCOUNTED FOR BECAUSE THIS PLAN ONLY COVERS THE PERIOD THOROUGH 2018. THERE IS A NEGATIVE FUND BALANCE WHEN ALL FINANCE COSTS ARE ACCOUNTED FOR.

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

RESOLUTION #08-399

**GOVERNING BODY RESOLUTION REQUESTING
REVIEW AND APPROVAL OF A MUNICIPAL
AFFORDABLE HOUSING TRUST FUND SPENDING PLAN**

WHEREAS, the Governing Body of the Township of Hopewell, Mercer County petitioned the Council on Affordable Housing (COAH) for substantive certification on November 24, 2008; and

WHEREAS, Township of Hopewell received approval from COAH on March 14, 1994 of its development fee ordinance; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, and proceeds from the sale of affordable units; and

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;

10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, The Township of Hopewell has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Hopewell, Mercer County, New Jersey requests that COAH review and approve the Township of Hopewell's spending plan.

Date Adopted: December 29, 2008

CERTIFICATION

I HEREBY CERTIFY THE FOREGOING TO BE
A TRUE COPY OF A *Resolution* ADOPTED
BY THE HOPEWELL TOWNSHIP COMMITTEE
AT A MEETING HELD

December 29, 2008

DATE

Laurie E. Rompt, Deputy Clerk
for ANNETTE C. BIELAWSKI, MUNICIPAL CLERK

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE MUNICIPALITY'S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

DRAFT

Section 1. Affordable Housing Obligation

- (a) This Ordinance is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Ordinance shall apply except where inconsistent with applicable law.
- (b) The Township of Hopewell Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan has been endorsed by the governing body. The Fair Share Plan describes the ways the Township of Hopewell shall address its fair share for low- and moderate-income housing as determined by the Council on Affordable Housing (COAH) and documented in the Housing Element.
- (c) This Ordinance implements and incorporates the Fair Share Plan and addresses the requirements of N.J.A.C. 5:97, as may be amended and supplemented.
- (d) The Township of Hopewell shall file monitoring reports with COAH in accordance with N.J.A.C. 5:96, tracking the status of the implementation of the Housing Element and Fair Share Plan. Any plan evaluation report of the Housing Element and Fair Share Plan and monitoring prepared by COAH in accordance with N.J.A.C. 5:96 shall be available to the public at the the Township of Hopewell Municipal Building, Municipal Clerk's Office, [*insert address*], New Jersey, or from COAH at 101 South Broad Street, Trenton, New Jersey and on COAH's website, www.nj.gov/dca/affiliates/coah.

Section 2. Definitions

The following terms when used in this Ordinance shall have the meanings given in this Section:

"Accessory apartment" means a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.

"Act" means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

"Adaptable" means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

"Administrative agent" means the entity responsible for the administration of affordable units in accordance with this ordinance, N.J.A.C. 5:96, N.J.A.C. 5:97 and N.J.A.C. 5:80-26.1 et seq.

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:97-9; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable development” means a housing development all or a portion of which consists of restricted units.

“Affordable housing development” means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act, credited pursuant to N.J.A.C. 5:97-4, and/or funded through an affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Assisted living residence” means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing,

plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a non-residential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the median household income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable county, as adopted annually by COAH.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by COAH’s adopted Regional Income Limits published annually by COAH.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the median household income.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

Section 3. Affordable Housing Programs [NOTE: Include only programs identified as mechanisms in the Fair Share Plan that will satisfy the municipal affordable housing obligation]**

The the Township of Hopewell has determined that it will use the following mechanisms to satisfy its affordable housing obligations: [*insert housing programs*]

(a) A Rehabilitation program.

1. The Township of Hopewell’s rehabilitation program shall be designed to renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
2. Both owner occupied and renter occupied units shall be eligible for rehabilitation funds.

**NOTE: If there is a County rehabilitation program that the community is participating in, it must be identified in this ordinance. The basic framework of the county program should be provided, including contact information for the public, any agreements as to the number of units the County will assist and any other parameters not otherwise included in this ordinance.

3. All rehabilitated units shall remain affordable to low- and moderate-income households for a period of 10 years (the control period). For owner occupied units the control period will be enforced with a lien and for renter occupied units the control period will be enforced with a deed restriction.
4. The Township of Hopewell shall dedicate a minimum of \$10,000 for each unit to be rehabilitated through this program, reflecting the minimum hard cost of rehabilitation for each unit.
5. The Township of Hopewell shall adopt a resolution committing to fund any shortfall in the rehabilitation programs for the Township of Hopewell.
6. The Township of Hopewell shall designate, subject to the approval of COAH, one or more Administrative Agents to administer the rehabilitation program in accordance with N.J.A.C. 5:96 and N.J.A.C. 5:97. The Administrative Agent(s) shall provide a rehabilitation manual for the owner occupancy rehabilitation program and a rehabilitation manual for the rental occupancy rehabilitation program to be adopted by resolution of the governing body and subject to approval of COAH. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
7. Units in a rehabilitation program shall be exempt from N.J.A.C. 5:97-9 and Uniform Housing Affordability Controls (UHAC), but shall be administered in accordance with the following:
 - i. If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate-income household at an affordable rent and affirmatively marketed pursuant to N.J.A.C. 5:97-9 and UHAC.
 - ii. If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to N.J.A.C. 5:97-9 and UHAC.
 - iii. Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:97-9.
 - iv. Applicant and/or tenant households shall be certified as income-eligible in accordance with N.J.A.C. 5:97-9 and UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

(b) An Accessory Apartment program.

1. All accessory apartments shall meet the following conditions:
 - i. Accessory apartments are permitted by the Zoning Ordinance for various zoning districts, provided the units are affordable to low- and moderate-income households. Accessory apartments may be developed as low-income or moderate-income units (accessory apartments may be limited to only low- or only moderate-income units as determined in the Fair Share Plan).

- ii. Accessory apartments shall comply with all applicable statutes and regulations of the State of New Jersey in addition to all building codes.
 - iii. At the time of initial occupancy of the unit and for at least ten years thereafter, the accessory apartment shall be rented only to a household which is either a low- or moderate-income household.
 - iv. Rents of accessory apartments shall be affordable to low- or moderate-income households as per COAH and UHAC regulations.
 - v. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the accessory apartment is located running with the land and limiting its subsequent rental or sale of the unit and the accessory apartment.
 - vi. The appropriate utility authority must certify that there is water and sewer infrastructure with sufficient capacity to serve the proposed accessory apartment. Where the proposed location is served by an individual well and/or septic system, the additional capacity necessitated by the new unit must meet the appropriate NJDEP standards.
 - vii. The the Township of Hopewell accessory apartment program shall not restrict the number of bedrooms in any accessory apartment.
 - viii. No accessory apartment created as a result of this article or these regulations shall exceed the gross floor area of the existing principal dwelling on the lot.
 - ix. (*Optional*) Municipal building permit fees shall be waived in all cases involving affordable accessory apartment development under this section. An annual license and inspection fee, if required, shall be paid by unit owners.
2. The maximum number of creditable accessory apartments shall be equal to no more than 10 or an amount equal to 10 percent of the Township of Hopewell's fair share obligation, whichever is greater (additional units may be approved by COAH if the municipality has demonstrated successful completion of its accessory apartment program.).
 3. The Township of Hopewell shall designate an administrative entity to administer the accessory apartment program that shall have the following responsibilities:
 - i. The Administrative Agent shall administer the accessory apartment program, including advertising, income qualifying prospective renters, setting rents and annual rent increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the affordable accessory apartment program in accordance with the UHAC.
 - ii. The administrative entity shall only deny an application for an accessory apartment if the project is not in conformance with COAH's requirements and/or the provisions of this section/article. All denials shall be in writing with the reasons clearly stated.

- iii. In accordance with COAH requirements, the Township of Hopewell shall provide at least \$25,000 per unit to subsidize the creation of each low-income accessory apartment or \$20,000 per unit to subsidize the creation of each moderate-income accessory apartment. Subsidy may be used to fund actual construction costs and/or to provide compensation for reduced rental rates.
4. Property owners wishing to apply to create an accessory apartment shall submit to the administrative entity:
 - i. A sketch of floor plan(s) showing the location, size and relationship of both the accessory apartment and the primary dwelling within the building or in another structure;
 - ii. Rough elevations showing the modifications of any exterior building façade to which changes are proposed; and
 - iii. A site development sketch showing the location of the existing dwelling and other existing buildings; all property lines; proposed addition, if any, along with the minimum building setback lines; the required parking spaces for both dwelling units; and any man-made conditions which might affect construction.
- (c) A Market to Affordable program.
1. A market to affordable program is established to permit the purchase or subsidization of units through a written agreement with the property owner and sold or rented to low- and moderate-income households. Subject to the provisions of 2iii below, the market to affordable programs may produce both low- and moderate-income units (the program may be limited to only low- or only moderate-income units as per the Fair Share Plan).
 2. The following provisions shall apply to market to affordable programs:
 - i. At the time they are offered for sale or rental, eligible units may be new, pre-owned or vacant.
 - ii. The units shall be certified to be in sound condition as a result of an inspection performed by a licensed building inspector.
 - iii. The municipality will provide a minimum of \$25,000 per unit to subsidize each moderate-income unit and/or \$30,000 per unit to subsidize the each low-income unit, with additional subsidy depending on the market prices or rents in a municipality.
 - iv. The maximum number of creditable market to affordable units shall be equal to no more than 10 for sale units and 10 rental units or a combined total of 10 percent of the fair share obligation, whichever is greater. (Additional units may be approved by COAH if the municipality demonstrates the successful completion of its initial market to affordable program.)
 3. The units shall comply with N.J.A.C. 5:97-9 and UHAC with the following exceptions:
 - i. Bedroom distribution (N.J.A.C. 5:80-26.3(b) and (c));

- ii. Low/moderate income split (N.J.A.C. 5:80-26.3(a)); and
- iii. Affordability average (N.J.A.C. 5:80-26.3(d) and (e)); however:
 - A. The maximum rent for a moderate-income unit shall be affordable to households earning no more than 60 percent of median income and the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income; and
 - B. The maximum sales price for a moderate-income unit shall be affordable to households earning no more than 70 percent of median income and the maximum sales price for a low-income unit shall be affordable to households earning no more than 40 percent of median income.

Section 4. Reserved

Section 5. Reserved

Section 6. Reserved

Section 7. Inclusionary Zoning

(a) **Presumptive densities and set-asides.** To ensure the efficient use of land through compact forms of development and to create realistic opportunities for the construction of affordable housing, inclusionary zoning permits minimum presumptive densities and presumptive maximum affordable housing set-asides as follows [*Include only those Planning Areas applicable to the municipality*]:

1. For Sale Developments

- i. Inclusionary zoning in Planning Area 1 permits residential development at a presumptive minimum gross density of eight units per acre and a presumptive maximum affordable housing set-aside of 25 percent of the total number of units in the development;

The zoning of the [*insert name of zone*] zone provides for a [*insert the percentage indicated in the Fair Share Plan*] percent set-aside for restricted units and a density of [*insert the density indicated in the Fair Share Plan*] units per acre. [*List specific zones in this Planning Area and the specific density and set-aside for each zone.*]

- ii. Inclusionary zoning in Planning Area 2 and designated centers permits residential development at a presumptive minimum gross density of six units per acre and a presumptive maximum affordable housing set-aside of 25 percent of the total number of units in the development;

The zoning of the [*insert name of zone*] zone provides for a [*insert the percentage indicated in the Fair Share Plan*] percent set-aside for restricted units and a density of [*insert the density indicated in the Fair Share Plan*] units per acre. [*List specific zones in this Planning Area and the specific density and set-aside for each zone.*]

- iii. Inclusionary zoning in existing or proposed sewer service areas outside of

Planning Areas 1 or 2 permits residential development at a presumptive minimum gross density of four units per acre and a presumptive maximum affordable housing set-aside of 25 percent of the total number of units in the development;

The zoning of the *[insert name of zone]* zone provides for a *[insert the percentage indicated in the Fair Share Plan]* percent set-aside for restricted units and a density of *[insert the density indicated in the Fair Share Plan]* units per acre. *[List specific zones in these Planning Areas and the specific density and set-aside for each zone.]*

- iv. Inclusionary zoning outside of a sewer service area in Planning Areas 3, 4 and 5 permits a presumptive density increase of 40 percent over the existing zoning. The presumptive maximum affordable housing set-aside shall be 20 percent of the total number of units in the development; and

The zoning of the *[insert name of zone]* zone provides for a *[insert the percentage indicated in the Fair Share Plan]* percent set-aside for restricted units and a density of *[insert the density indicated in the Fair Share Plan]* units per acre. *[List specific zones in these Planning Areas and the specific density and set-aside for each zone.]*

- v. Inclusionary zoning in Urban Centers, as designated or identified by the State Planning Commission, permits residential development at a presumptive minimum gross density of 22 units per acre and a presumptive maximum affordable housing set-aside of 20 percent of the total number of units in the development.

The zoning of the *[insert name of zone]* zone provides for a *[insert the percentage indicated in the Fair Share Plan]* percent set-aside for restricted units and a density of *[insert the density indicated in the Fair Share Plan]* units per acre. *[List specific zones in these areas and the specific density and set-aside for each zone.]*

2. Rental Developments

- i. Inclusionary zoning permits a presumptive minimum density of 12 units per acre and a presumptive maximum affordable housing set-aside of 20 percent of the total number of units in the development and the zoning provides for at least 10 percent of the affordable units to be affordable to households earning 30 percent or less of the area median income for the COAH region.

The zoning of the *[insert name of zone]* zone provides for a *[insert the percentage indicated in the Fair Share Plan]* percent set-aside for restricted units and a density of *[insert the density indicated in the Fair Share Plan]* units per acre. *[List specific zones and the specific density and set-aside for each zone.]*

- ii. In Urban Centers and Workforce Housing Census Tracts, inclusionary zoning permits a presumptive minimum of 25 units per acre and a presumptive maximum affordable housing set-aside of 15 percent of the total number of units in a mixed-income development.

The zoning of the [insert name of zone] zone provides for a [insert the percentage indicated in the Fair Share Plan] percent set-aside for restricted units and a density of [insert the density indicated in the Fair Share Plan] units per acre. [List specific zones in these areas and the specific density and set-aside for each zone.]

3. Where an executed development agreement exists for affordable housing on a specific site or sites, list the sites below and identify the density and set-aside for each.

[List each affordable housing development and its density and set-aside.]

4. Additional incentives to subsidize the creation of affordable housing available to very-low income households may be included in the zoning section of this ordinance or specified in a developer's or redeveloper's agreement.

[Describe additional incentives to subsidize the creation of affordable housing available to very low income households here.]

- (b) **Phasing.** In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

- (c) **Design.** In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
- (d) **Payments-in-lieu and off-site construction.** The standards for the collection of Payments-in-Lieu of constructing affordable units or standards for constructing affordable units off-site, shall be in accordance with N.J.A.C. 5:97-6.4.
- (e) **Utilities.** Affordable units shall utilize the same type of heating source as market units within the affordable development.

Section 8. New Construction

The following general guidelines apply to all newly constructed developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

- (a) **Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:**
1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit.
 2. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.

3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - i. The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
 - ii. At least 30 percent of all low- and moderate-income units shall be two bedroom units;
 - iii. At least 20 percent of all low- and moderate-income units shall be three bedroom units; and
 - iv. The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
4. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

(b) Accessibility Requirements:

1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.
2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - i. An adaptable toilet and bathing facility on the first floor;
 - ii. An adaptable kitchen on the first floor;
 - iii. An interior accessible route of travel on the first floor;
 - iv. An interior accessible route of travel shall not be required between stories within an individual unit;
 - v. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - vi. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, or evidence that the Township of Hopewell has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
 - A. Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.

- B. To this end, the builder of restricted units shall deposit funds within the Township of Hopewell's affordable housing trust fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
- C. The funds deposited under paragraph B. above shall be used by the Township of Hopewell for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
- D. The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of the Township of Hopewell.
- E. Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township of Hopewell's affordable housing trust fund in care of the Municipal Treasurer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.
- F. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.

(c) Maximum Rents and Sales Prices

- 1. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC and in COAH, utilizing the regional income limits established by COAH.
- 2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.
- 3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units.
 - i. At least 10 percent of all low- and moderate-income rental units shall be affordable to households earning no more than 30 percent of median income.

**NOTE: N.J.S.A. 52:27D-329.1 (P.L. 2008, C. 46) includes the requirement that all municipal fair share plans provide for the reservation of at least 13% of the affordable units for very low income households, i.e. households earning 30% or less of the median income. The new statute states that the requirement is not project-specific. Each municipality's version of this ordinance must

reflect the determinations made in the Fair Share Plan as to the percentage of units necessary for very low income units in rental projects. Additional incentives to subsidize the creation of affordable housing available to very-low income households may be included in the zoning section of this ordinance or specified in a developer's or redeveloper's agreement.

4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
5. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:
 - i. A studio shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household;
 - iii. A two-bedroom unit shall be affordable to a three-person household;
 - iv. A three-bedroom unit shall be affordable to a four and one-half person household; and
 - v. A four-bedroom unit shall be affordable to a six-person household.
6. In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:
 - i. A studio shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household; and
 - iii. A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
7. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

8. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
9. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
10. The rent of low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.
11. **Utilities.** Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

The following general guidelines apply to all developments that contain low-and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

Section 9. Affirmative Marketing Requirements

- (a) The Township of Hopewell shall adopt by resolution an Affirmative Marketing Plan, subject to approval of COAH, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- (b) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region [*insert number*] and covers the period of deed restriction.
- (c) *Optional.* The affirmative marketing plan shall provide a regional preference for all households that live and/or work in COAH Housing Region [*insert number*] comprised of [*insert counties*].
- (d) The Administrative Agent designated by the Township of Hopewell shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.
- (e) In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as

budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

- (f) The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
- (g) The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the Township of Hopewell.

Section 10. Occupancy Standards

- (a) In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - 1. Provide an occupant for each bedroom;
 - 2. Provide children of different sex with separate bedrooms; and
 - 3. Prevent more than two persons from occupying a single bedroom.
- (b) Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.

Section 11. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

- (a) Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance until the the Township of Hopewell elects to release the unit from such requirements however, and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- (b) The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- (c) Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.
- (d) At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

- (e) The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- (f) A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

Section 12. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- (a) The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- (b) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- (c) The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners.
- (d) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

Section 13. Buyer Income Eligibility

- (a) Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
- (b) The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's certified monthly income.

Section 14. Limitations on indebtedness secured by ownership unit; subordination

- (a) Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- (b) With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with N.J.A.C.5:80-26.6(b).

Section 15. Control Periods for Restricted Rental Units

- (a) Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance until the Township of Hopewell elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, and prior to such an election, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- (b) Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Mercer. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- (c) A restricted rental unit shall remain subject to the affordability controls of this Ordinance, despite the occurrence of any of the following events:
 - 1. Sublease or assignment of the lease of the unit;
 - 2. Sale or other voluntary transfer of the ownership of the unit; or
 - 3. The entry and enforcement of any judgment of foreclosure.

Section 16. Price Restrictions for Rental Units; Leases

- (a) A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- (b) No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- (c) Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

Section 17. Tenant Income Eligibility

- (a) Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
 - 1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.
 - 2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.
 - 3. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.
- (b) The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - 1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - 2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - 3. The household is currently in substandard or overcrowded living conditions;
 - 4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - 5. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- (c) The applicant shall file documentation sufficient to establish the existence of the circumstances in (b)1 through 5 above with the Administrative Agent, who shall counsel the household on budgeting.

Section 18. Administration

- (a) The position of Municipal Housing Liaison (MHL) for the Township of Hopewell is established by this ordinance. The [*insert name of the governing body or the chief executive, if applicable*] shall make the actual appointment of the MHL by means of a resolution [*or a letter in the case of a chief executive*].
 - 1. The MHL must be either a full-time or part-time employee of the Township of Hopewell.

2. The person appointed as the MHL must be reported to COAH for approval.
3. The MHL must meet all COAH requirements for qualifications, including initial and periodic training.

**NOTE: if the MHL position is one that will always be included in the job description for a particular position in the local staff, e.g. Township Clerk, that position can be named in this ordinance.

4. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the the Township of Hopewell, including the following responsibilities which may not be contracted out to the Administrative Agent:

- i. Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
- ii. The implementation of the Affirmative Marketing Plan and affordability controls.
- iii. When applicable, supervising any contracting Administrative Agent.
- iv. Monitoring the status of all restricted units in the the Township of Hopewell's Fair Share Plan;
- v. Compiling, verifying and submitting annual reports as required by COAH;
- vi. Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
- vii. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by COAH.

- (b) The Township of Hopewell shall designate by resolution of the Township Committee of the Township of Hopewell, subject to the approval of COAH, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:96, N.J.A.C. 5:97 and UHAC.

- (c) An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of COAH. The Operating Manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).

**NOTE: If it is decided that an employee of the municipality will act as administrative agent or if the Housing Affordability Service (HAS) of the Agency is selected, the determination of such can be included in this ordinance.

- (d) The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which includes:

1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
2. Affirmative Marketing;
2. Household Certification;
3. Affordability Controls;
4. Records retention;
5. Resale and re-rental;
6. Processing requests from unit owners; and
7. Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.
8. The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

Section 19. Enforcement of Affordable Housing Regulations

- (a) Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- (b) After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
 1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the court:
 - i. A fine of not more than [*insert amount*] or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
 - ii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Township of Hopewell Affordable Housing Trust Fund of the gross amount of rent illegally collected;

- iii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
 2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.
 - (c) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
 - (d) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.
 - (e) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
 - (f) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which

the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.

- (g) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- (h) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

Section 20. Appeals

Appeals from all decisions of an Administrative Agent designated pursuant to this Ordinance shall be filed in writing with the Executive Director of COAH.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

Date Introduced:

Date Advertised:

Date Adopted:

Vanessa Sandom
Mayor

Attest:

Annette C. Bielawski
Municipal Clerk

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

(Submit separate checklist for each site or project)

General Description

Municipality/County: Hopewell Township/ Mercer County

Project or Program Name: Community Options

Date facility will be constructed or placed into service: 2010

Type of facility: Group Home

For group homes, residential health care facilities and supportive shared housing:

Affordable bedrooms proposed: 4 Age-restricted affordable bedrooms: _____

For permanent supportive housing:

Affordable units proposed: _____ Age-restricted affordable units: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Compliance bonuses as per N.J.A.C. 5:97-3.17: _____

Date development approvals granted: _____

Information and Documentation Required with Petition or in Accordance with an

Implementation Schedule

Is the municipality providing an implementation schedule for this project/program.

Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

No. Continue with this checklist.

- Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here in lieu of submitting forms.)
- Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- Name and address of owner
- Name and address of developer
- Subject property street location
- Subject property block(s) and lot(s)
- Subject property total acreage
- Indicate if urban center or workforce housing census tract
- Description of previous zoning
- Current zoning and date current zoning was adopted
- Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- Description of surrounding land uses
- Demonstration that the site has street access
- Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- Wetlands and buffers
- Steep slopes
- Flood plain areas
- Stream classification and buffers
- Critical environmental site
- Historic or architecturally important site/district
- Contaminated site(s); proposed or designated brownfield site

- Based on the above, a quantification of buildable and non-buildable acreage
- Pro-forma statement for the project
- RFP or Developer's Agreement
- Construction schedule and timetable for each step in the development process
- Documentation of funding sources
- Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall

Information and Documentation Required Prior to Marketing the Completed Units or Facility

- For units not exempt from UHAC, an affirmative marketing plan in accordance with N.J.A.C. 5:97-6.10(c)
- If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency (including validation of the number of bedrooms or units in which low- or moderate-income occupants reside)

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a “realistic opportunity” as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Acquisition	2008	2008	
RFP Process			

Developer Selection	11/1/2008	12/1/2008	
Executed Agreement with provider, sponsor or developer	12/1/2008	12/31/2008	
Development Approvals	3/1/2009	6/1/2009	
Contractor Selection	3/1/2009	6/1/2009	
Building Permits	5/1/2009	6/1/2009	
Construction	6/1/2009	7/1/2010	
Occupancy	7/1/2010	12/31/2010	

Supportive/Special Needs Narrative Section

Community Options, located on Block 26, Lot 4.03, is a 1 acre parcel which includes an existing dwelling and outbuildings. The existing dwelling will be demolished and replaced. The Township owns the property and will convey it to Community Options for the construction of a 4 bedroom group home for individuals with learning disabilities. The property is located in a residential zoning district and the use is permitted. A new septic system has been provided.

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

3. **LIMITATIONS.** The sale shall include all structures, if any, and a good and marketable fee simple title to the property, free from all liens and encumbrances, except as follows:
- A. Survey. Any fact which an accurate survey would show, provided it does not make the title unmarketable. Buyer waives a survey. See Schedule 3.
- B. Government Regulations. Zoning regulations and municipal building restrictions, all other laws, ordinances, regulations or restrictions, or other lawful action of any public authority effective before the date of this Agreement. Seller represents that to the best of Seller's knowledge, the foregoing regulations, laws and ordinances do not prohibit the use of the property as it is presently used. If any ordinance, regulation or law is adopted after the date of this Agreement, any obligation arising therefrom shall be the obligation of Buyer, except for the treatment of added assessments which shall be treated as set forth in subparagraph 3.E. below. The representations in this subparagraph shall not survive delivery of the deed.
- C. Known Restrictions. Those covenants, easements and restrictions listed in Paragraph 1.
- D. Other Restrictions. Other covenants, easements and restrictions of record, provided they do not make the title unmarketable or prevent the lawful use of the property as it is presently used.
- E. Assessments. The Seller represents that Seller knows of no existing or partly constructed municipal improvements affecting the property which have been assessed and not fully paid for, which representation shall not survive delivery of the deed. Accordingly, (a) if there is a confirmed municipal assessment against the property, the Seller shall pay the balance of that assessment at or before the closing; or (b) if a municipal improvement has been started, which has not yet been confirmed, but for which there will be a future assessment against the property, the Seller shall pay the full amount of that assessment at closing, if the amount is not known at that time, the parties authorize the holding of an escrow reasonably calculated to pay the assessment in full when it becomes known; or (c) if there is an unconfirmed assessment for a municipal improvement which has not been started before the date of this Agreement, then the Buyer will be responsible for the payment of that assessment when it is confirmed by the municipality.
- F. Added Assessments. None.
- G. Leases, licenses and tenancies. The sale shall be free of all leases, licenses and tenancies except as listed in Paragraph 1.
4. **DEED AND AFFIDAVIT.** The deed to be delivered shall be a bargain and sale deed with a covenant against grantor's acts, which shall be in recordable form. It shall contain a statement reciting the deed or other instrument by which Seller obtained title and shall convey the property by the description set forth in Schedule 2 but shall also contain a revised description acceptable to Buyer's title insurance company, so long as Buyer's surveyor certifies such description to Seller and Seller's attorney. In addition to the deed, Seller shall execute and deliver an affidavit of title in form acceptable to any licensed New Jersey title insurance company, which affidavit shall include appropriate statements concerning all judgments to which specific reference has been made.

5. **PURCHASE PRICE.** A. The purchase price, as stated in Paragraph 1, shall be paid by Buyer to Seller as follows. The escrow deposit, in the amount stated in Paragraph 1, shall be made by personal check on the signing of this Agreement. This sum shall be held in escrow as stated in Paragraph 1 until closing. Upon delivery of the deed, Buyer shall pay the balance of the purchase price in cash or by certified, bank cashier's or New Jersey attorney trust account check, unless some other form of payment has been agreed upon in writing by the parties.
6. **CLOSING ADJUSTMENTS.** None.
7. **PRECLOSING DOCUMENTS.** A. At the time this Agreement is entered into, Seller shall provide Buyer with a copy of the results of any radon test performed by or for the Seller on the property, together with evidence of any subsequent mitigation or treatment. Within fourteen (14) days of the date of this Agreement, Seller shall provide Buyer's attorney with all names other than those listed in Paragraph 1, used by any Seller in the past 20 years. At least five (5) days before the scheduled closing date, Seller's attorney shall provide Buyer's attorney copies of the proposed deed and title affidavit. If any Seller has been divorced, Seller's attorney shall, at the same time, deliver to Buyer's attorney, a true copy of Seller's judgment of divorce or other documents sufficient to satisfy Buyer's title insurer in this respect. Failure to provide any of these documents before closing shall not be a default.
- B. If Seller is a corporation, it shall furnish Buyer's attorney, five (5) days before the closing date, evidence of Seller's good standing as a corporation in New Jersey and of payment of its franchise taxes, together with certified copies of pertinent portions of the by-laws and appropriate resolutions of its Board of Directors or other governing board.
8. **SEARCHES.** A. Photocopies of all deeds, surveys, policies of title insurance and other title papers in the possession of Seller covering the property shall be sent to Buyer's attorney within fourteen (14) days of the date of this Agreement. At the closing, the originals of those papers relating solely to the property, other than Seller's original policy of title insurance, shall become the property of Buyer. Failure to provide any of these documents shall not be a default.
- B. Title examination and any survey shall be obtained and paid for by Buyer. If Buyer chooses not to have corner stakes installed at the time of the survey, Buyer must execute Schedule 3 and have that form delivered to Buyer's surveyor.
9. **FARMLAND ASSESSMENT.** Seller represents that no part of the property is assessed for municipal tax purposes under the Farmland Assessment Act of 1964, nor is any part of the property subject to roll-back taxes pursuant to such Act by reason of a change from agricultural or horticultural use, including failure to file timely application for farmland assessment by Seller. This representation shall survive delivery of the deed.
10. **CANCELLATION OF LIENS.** Seller represents there are no liens on the Property requiring cancellation.
11. **TITLE DEFECTS.** A. If Seller cannot convey title in accordance with this Agreement, Seller shall have thirty (30) days from the date of receipt of a written notification to remove any such title defects. If the defects have not been removed within the thirty (30) days, or by the closing date, whichever is later, then, unless the parties agree in writing to some other

period of time, Seller's sole obligation shall be to refund Buyer's escrow deposit.

B. Before the later of the day fixed for closing or the expiration of the thirty (30) day period, Buyer may elect to accept such title as Seller is able to convey, without reduction of the purchase price and without any other liability on the part of Seller with respect to the defect or defects. Notice of Buyer's election shall be given to Seller or Seller's attorney in writing. Without cost to Seller, Seller agrees to cooperate reasonably with Buyer in the removal of the defect or defects and this obligation shall survive delivery of the deed.

12. **INSPECTION AND POSSESSION.** Buyer shall be entitled to make a walk-through inspection of the property on reasonable notice and no sooner than forty-eight (48) hours before the closing. Buyer shall be entitled to possession of the property from the time of delivery of the deed.

13. **FIRE AND CASUALTY.** A. Until delivery and acceptance of the deed, the risk of loss or damage to any part of the property by fire or other casualty shall be borne by Seller.

14. **CONDITION OF PROPERTY.** A. The Seller agrees to maintain the grounds, buildings and improvements, in good condition, subject to ordinary wear and tear and the premises shall be in "as is" condition.

B. Buyer acknowledges that Seller makes no warranty of habitability, express or implied. Buyer, having conducted any inspections provided for in this Agreement or having waived those inspections, accepts the condition of the premises as being satisfactory, subject only to any express written modification of this Agreement.

15. **CERTIFICATES OF OCCUPANCY.** Seller shall also have waived a certificate regarding the presence and operation of smoke detectors and carbon monoxide/fire extinguishers on the Property by the Township of Hopewell since Buyer will demolish or remove all structures. The Buyer shall obtain a Certificate of Occupancy for the new home it proposes constructing on the Property.

16. **CLOSING.** The deed, title affidavit and any other documents required by this Agreement, shall be delivered on or about the date stated in Paragraph 1, at a time to be agreed upon between the parties and at the office of Buyer's attorney, or at such other place as the parties may agree.

17. **BROKER AND INDEMNITY.** A. Buyer represents that no broker has shown Buyer the property or called the property to Buyer's attention. Seller represents that no broker has a listing for the property which would entitle such broker to a commission. Buyer and Seller will indemnify and hold each other harmless against any claim or liability which either is legally obligated to discharge to any broker and which is imposed wholly or partly because of the indemnifying party's relations or contact with such other broker or its representative, together with all reasonable legal expenses and costs incurred in connection with such claim or liability. This paragraph shall survive delivery of the deed.

18. **CONTINGENCIES.** The sale shall be subject to the following contingencies unless any of them have been excluded in Paragraph 1. If this Agreement is voided pursuant to any of the following subparagraphs, Seller shall refund the escrow deposit and this Agreement shall terminate:
- A. Flood zone. Intentionally waived by the parties.
 - B. Termite inspection. Intentionally waived by the parties.
 - C. Building inspection. Intentionally waived by the parties.
 - D. Radon inspection. Intentionally waived by the parties.
 - E. Mortgage contingency. Intentionally waived by the parties.
19. **FIXTURES AND APPLIANCES.** None.
20. **ASSIGNABILITY.** With the written consent of Seller, which shall not be unreasonably withheld or delayed, Buyer may assign this Agreement, provided however, that Buyer shall remain liable to perform this Agreement notwithstanding such assignment.
21. **NOTICES.** All notices provided for in this Agreement shall be deemed given when mailed, certified mail, return receipt requested, overnight couriered, or when personally delivered. Notices shall be given either to the other party at the address in Paragraph 1 or to that party's attorney. Unless otherwise specifically indicated, the failure to give any notice provided for herein shall not represent a default.
22. **REPRESENTATIONS.** This Agreement is the entire contract between Seller and Buyer. Seller is not obligated by any other written or oral statements made by Seller, Seller's representatives or by any real estate salesperson or broker.
23. **CAPTIONS.** Marginal captions are for convenience and are not part of this Agreement.
24. **PARTIES BOUND.** This Agreement is binding upon Seller and Buyer and their heirs, executors, administrators, successors and assigns.
25. **AFFORDABLE HOUSING AGREEMENT.** See Schedule 1 attached. This Agreement shall survive delivery of the Deed.
26. **ESCROW AGENT.** Seller and Buyer agree that any escrow agent serving under this Agreement shall incur no liability except for the escrow agent's own willful misconduct.
27. **REMEDIES.** If either party defaults in the performance of any obligation under this Agreement, the other party shall be entitled to pursue any rights and remedies available at law or in equity, including, without limitation, the right to seek the specific performance of this Agreement.

IN WITNESS WHEREOF, Seller and Buyer have set their hands and seals to this Agreement.

Signed, Sealed and Delivered
in the presence of:

**HOPEWELL TOWNSHIP NON-PROFIT
HOUSING CORPORATION**

By: _____ L.S.
Edward J. Truscelli, President
Seller

Dated: _____

COMMUNITY OPTIONS, INC.

By: _____ L.S.
Robert Stack, President &
CEO
Buyer

Dated: _____

SCHEDULE 1

AFFORDABLE HOUSING AGREEMENT

The following is an Addendum and sets forth contingency provisions between the **HOPEWELL TOWNSHIP NON-PROFIT HOUSING CORPORATION ("SELLER")** and **COMMUNITY OPTIONS, INC. ("BUYER")** concerning 1619 Harbourton-Rocktown Road, Hopewell Township, Mercer County, New Jersey.

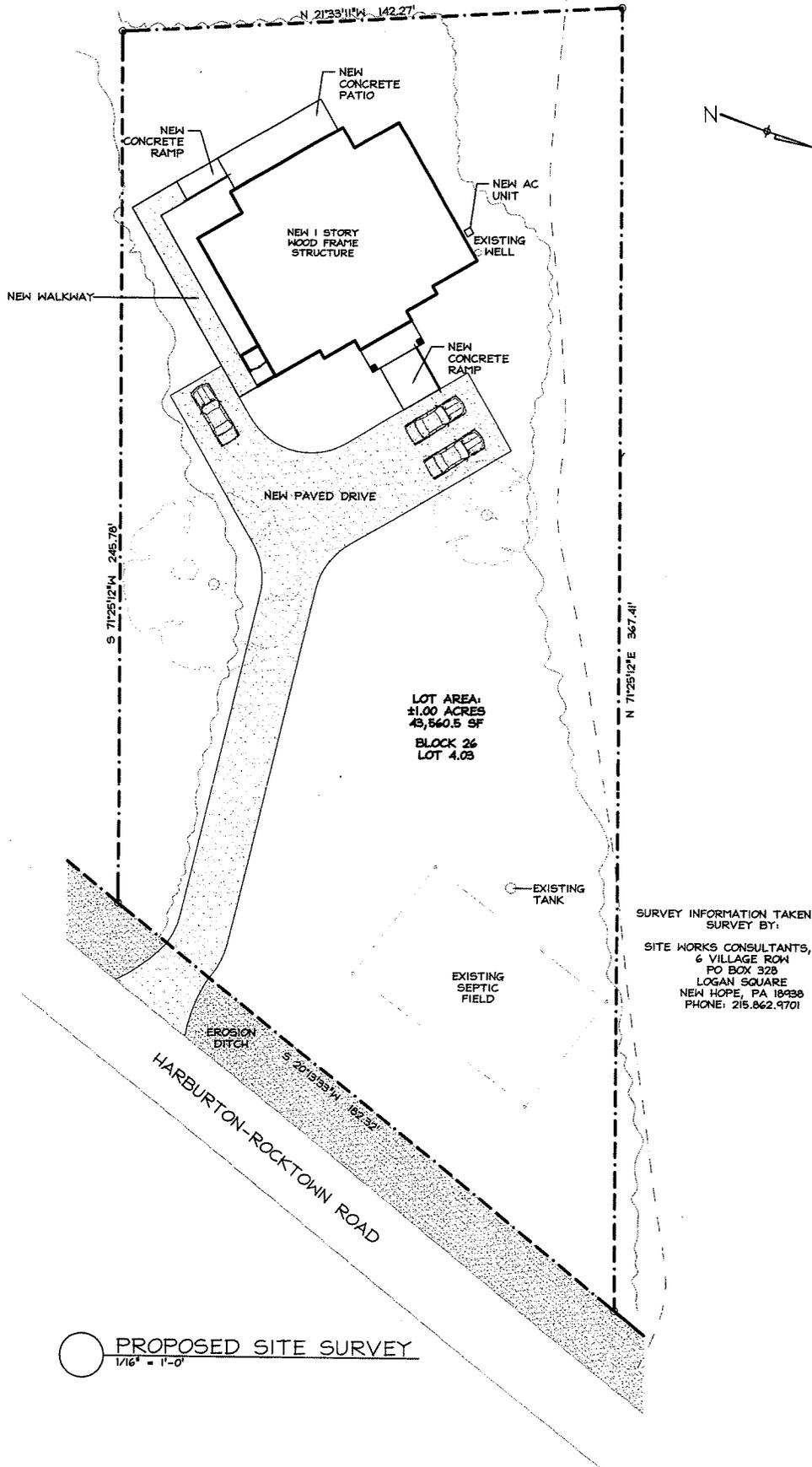
1. The **BUYER** represents to the **SELLER** that it is a non-profit corporation authorized to do business in the State of New Jersey that utilizes technology and training to assist individuals with disabilities to learn and develop skills, engage in productive work, make choices about their lives, live independently and fully participate in their communities.
2. The Seller has agreed to convey the property to the **BUYER** with the understanding that the **BUYER** will construct on the property a new ranch-style single family home in accordance with the architectural plans and site layout prepared by Wilkes Architects dated June 2008 consisting of three (3) sheets and attached hereto as Exhibit A and made a part hereof. As depicted in Exhibit A, the new home is to be located on the property and shall be set back on the property at a location where there now exists a barn structure. If the exact location of the new home or any structures proposed for the property does not satisfy all of the bulk zoning regulations of the Mountain Resource Conservation Zoning District wherein the property is located, it shall be the **BUYER's** responsibility to apply to the Hopewell Township Zoning Board of Adjustment for any requested relief.
3. The new home to be constructed as depicted on Exhibit A and as represented by the **BUYER** to the **SELLER** shall have a farm building character. The building shall have a metal roof with solar panels.
4. The home shall be occupied by not more than four (4) individuals classified as developmentally disabled. Additionally, the **BUYER** shall provide twenty-four (24) hour staff coverage within the home with a staff member awake at all times. The new home shall be handicapped accessible. The new home shall include LEED "green building" features.

5. The **BUYER** shall provide for transportation needs of the residents within the new home. This will involve utilizing either standard sized cars or vans. As represented by the **BUYER**, there shall be no markings on these vehicles identifying them as vehicles owned and operated by the **BUYER**.
6. The **BUYER** shall at all times remained licensed by the State of New Jersey pursuant to Title 30.
7. The **BUYER** shall at all times appropriately care for and maintain the property within the community wherein the property is located.
8. At the time of sale, the parties acknowledge that the property is improved with two (2) barn structures. The **BUYER** is encouraged to discuss with the Hopewell Township Historic Preservation Commission its desire to dismantle, relocate and preserve the smaller barn. If the **BUYER** after a reasonable effort to do so cannot reach an agreement with said Historic Preservation Commission, then the **BUYER** shall be permitted to demolish both barn structures. The **SELLER** agrees to establish at the time of closing an escrow account and deposit therein the sum of fifty-five thousand four hundred (\$55,400.00) dollars. This sum shall be utilized and made available by the **SELLER** to the **BUYER** for the removal or demolition of both barn structures. Any costs in excess of fifty-five thousand four hundred (\$55,400.00) dollars shall be the responsibility of the **BUYER**.
9. Prior to closing, the **BUYER** shall have the right to inspect the existing well and septic system on the property to ensure that the well satisfies the requirements of the New Jersey Private Well Testing Act, *N.J.S.A. 58:12A-26*. The **BUYER**, may, at its sole expense, have said well tested for compliance with this act. Upon receipt of the test results, the **BUYER** shall provide said results to the **SELLER** and provide a copy of any inspection report identifying any contaminant levels or other water quality standards, if any, which do not satisfy the NJDEP Regulations pursuant to said Act. If the inspection does reveal conditions which do not meet said standards, the **SELLER** shall have fifteen (15) days from receipt of the report to notify the **BUYER** whether the **SELLER** will remediate such condition. If the **SELLER** does

not agree to remediate such conditions, the **BUYER**, within five (5) days thereafter, may give notice to the **SELLER** that the **BUYER** is cancelling the Contract. Notwithstanding anything to the contrary, however, the **BUYER** may waive the test results and proceed to closing accepting the well in its "as is" condition and the septic system as well. At the closing, both the **SELLER** and **BUYER** shall certify that they have received and reviewed the test results as required by law. At the **BUYER**'s request, the **SELLER** shall provide at closing copies of remediation invoices and any warranties regarding any remediation work which the **SELLER** may have undertaken concerning the well water. The **BUYER** may also have the onsite septic system tested for compliance with the current regulations of the Hopewell Township Health Department. If the test results from the onsite septic system are unacceptable to the **BUYER**, then the **BUYER** shall furnish a copy of the test result report to the **SELLER** and request remediation. If the **SELLER** does not agree to remediate said conditions, the **BUYER** may, within five (5) days thereafter, give notice to the **SELLER** cancelling the Contract. Notwithstanding anything to the contrary herein, the **BUYER** may waive the condition of the onsite septic system and proceed to closing. If the **SELLER** has agreed to remediate, at the closing copies of the remediation invoices and any warranties regarding repairs to the onsite septic system shall be furnished by the **SELLER** to the **BUYER**.

10. In the Deed of Conveyance to the property from the **SELLER** to the **BUYER**, the **BUYER** agrees to accept a ninety-nine (99) year deed restriction indicating that the property shall qualify as affordable housing as defined by by the provisions of the New Jersey Fair Housing Act of 1985, as well as the rules and regulations of the New Jersey Council on Affordable Housing ("COAH") and the New Jersey Housing and Mortgage Finance Agency Uniform Housing Affordability Controls ("UHAC"). Said Deed shall also contain a reverter clause indicating that should the **BUYER** not utilize said property for affordable housing purposes at any time following conveyance of title, said property said immediately revert to the **SELLER**.

11. The **SELLER**, on behalf of the Township of Hopewell, intends to utilize said property as a part of the **SELLER's** COAH Third Round Fair Share Plan as supportive and special needs housing as defined by N.J.A.C. 5:97-6.10. The **BUYER** agrees to cooperate with the **SELLER** to provide the minimum documentation needs by COAH as set forth as *N.J.A.C. 5:97-6.10(e)*, a copy of which is attached as Exhibit B and made a part hereof.
12. The **BUYER**, as a non-profit corporation, shall be deemed tax exempt under Title 54 by the Township of Hopewell for real property taxes. The **BUYER** nevertheless agrees to discuss with the Township of Hopewell a Payment in Lieu of Taxes ("PILOT") to appropriately compensate the Township for providing municipal services including police and fire protection.

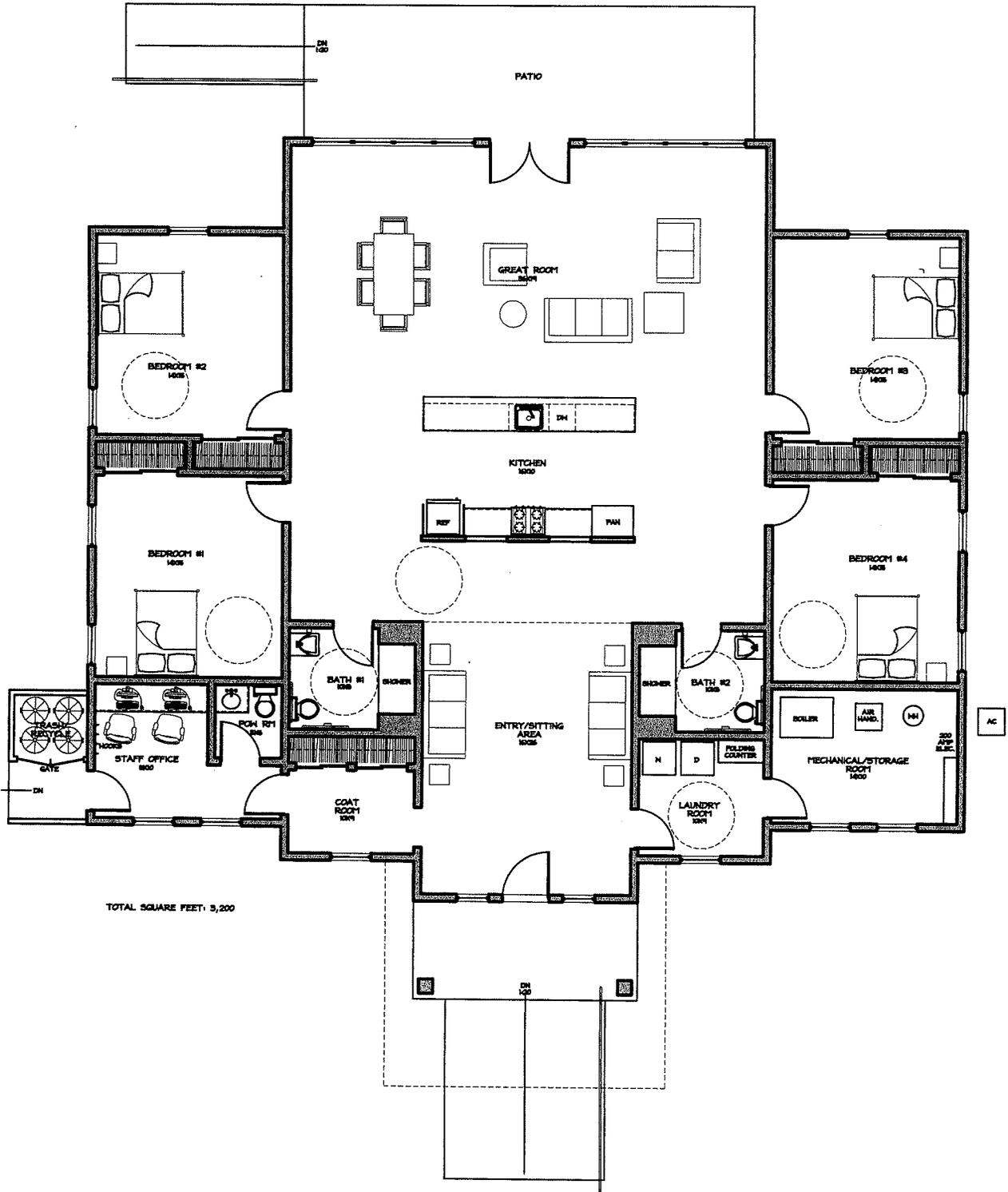


LOT AREA:
±1.00 ACRES
43,560.5 SF
BLOCK 26
LOT 4.03

SURVEY INFORMATION TAKEN FROM
SURVEY BY:
SITE WORKS CONSULTANTS, INC.
6 VILLAGE ROW
PO BOX 328
LOGAN SQUARE
NEW HOPE, PA 18938
PHONE: 215.862.9701

PROPOSED SITE SURVEY
1/16" = 1'-0"

	ZONING	<p>NEW HOME FOR COMMUNITY OPTIONS</p> <p>1619 HARBURTON -ROCKTOWN ROAD LAMBERTVILLE, NJ 08530</p>	<p>PROJECT DATE: JUNE 2008</p> <p>DRAWN BY: CHRISTINA LONCINO</p> <p>CHECKED BY: NORM WILKES</p>	 <p>WILKES ARCHITECTS</p>	<p>35 READING BLVD. BELLE MEAD, NJ 08502</p> <p>P: 908.359.4211 F: 908.359.4262</p>	<p>PRELIMINARY DESIGN NOT FOR CONSTRUCTION 7.30.08</p>
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TOTAL SQUARE FEET: 3,200

FIRST FLOOR PLAN
NO SCALE

PLAN

NEW HOME FOR
COMMUNITY OPTIONS
1619 HARBURTON -ROCKTOWN ROAD
LAMBERTVILLE, NJ 08530

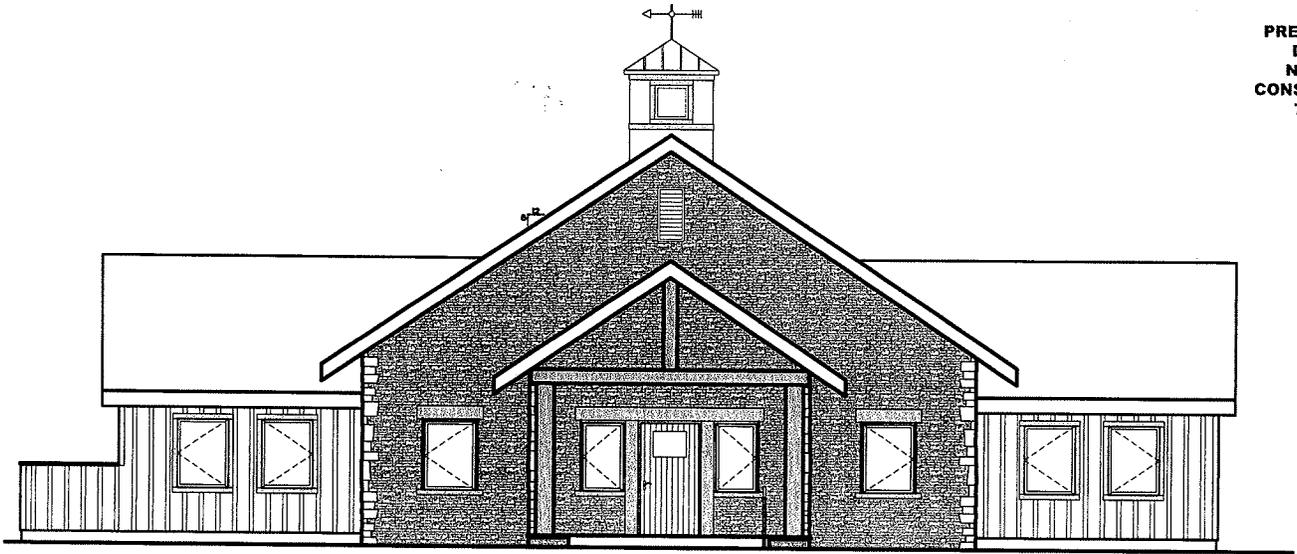
PROJECT
DATE: JUNE 2009
DRAWN BY:
CHECKED BY:
DESIGNED BY:
REVISED BY:

WILKES
ARCHITECTS

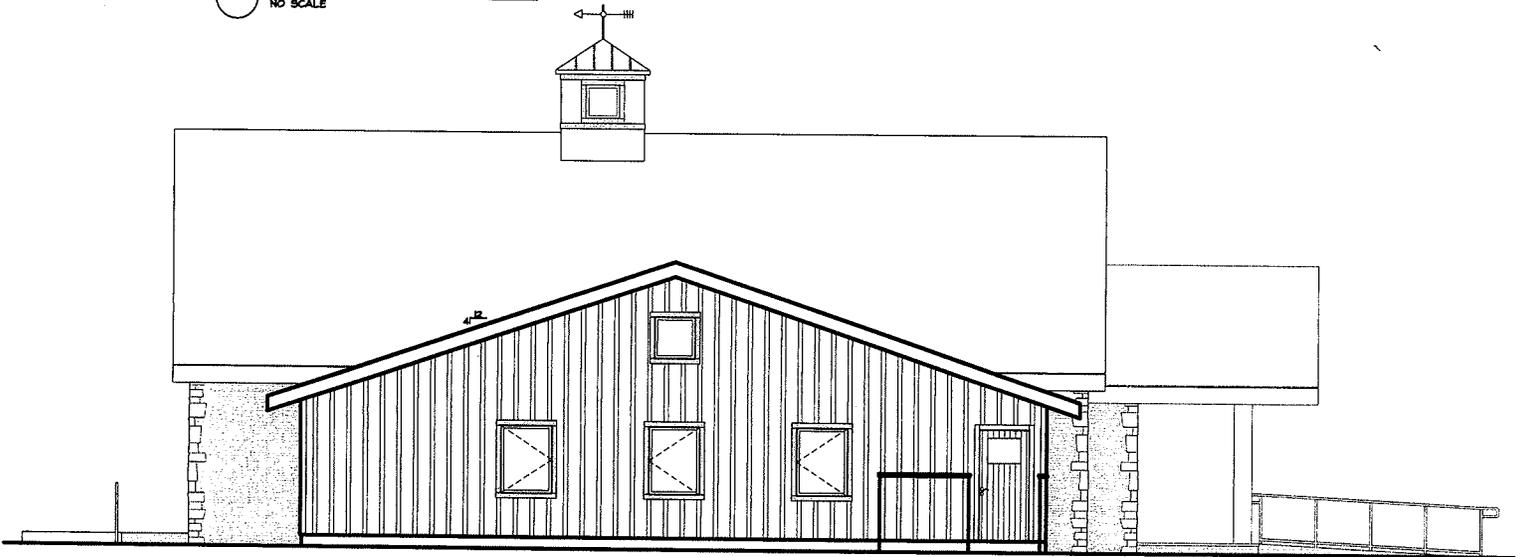
35 READING BLVD.
BELLE MEAD, NJ 08502
P: 908.359.4211
F: 908.359.4262

PRELIMINARY
DESIGN
NOT FOR
CONSTRUCTION
7.30.08

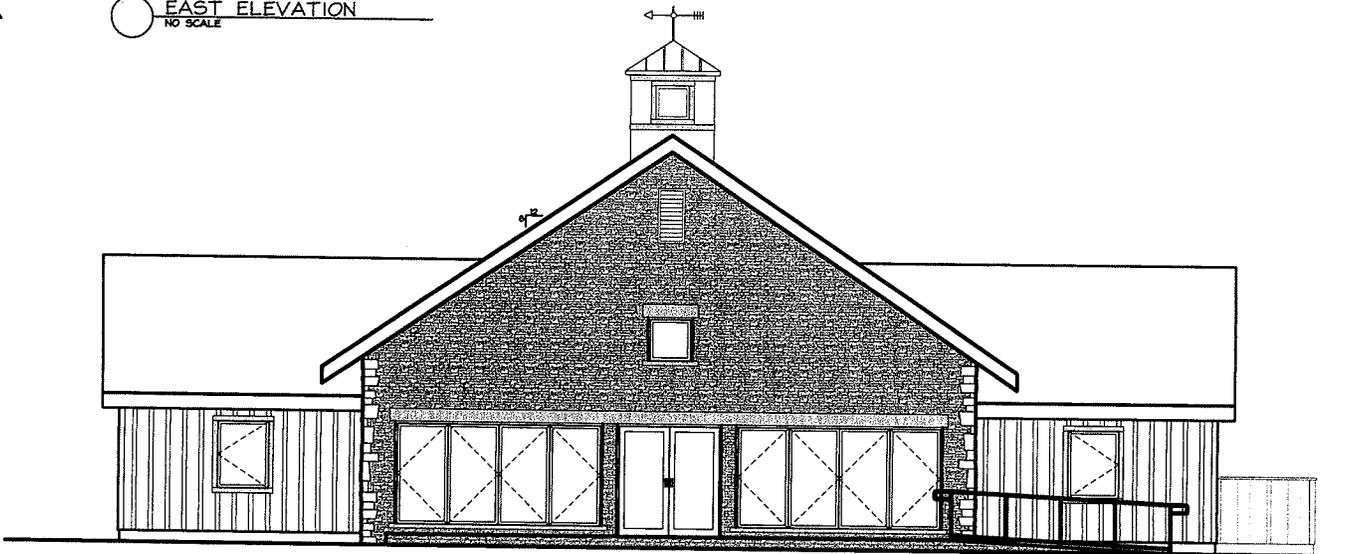
PRELIMINARY
DESIGN
NOT FOR
CONSTRUCTION
7.30.08



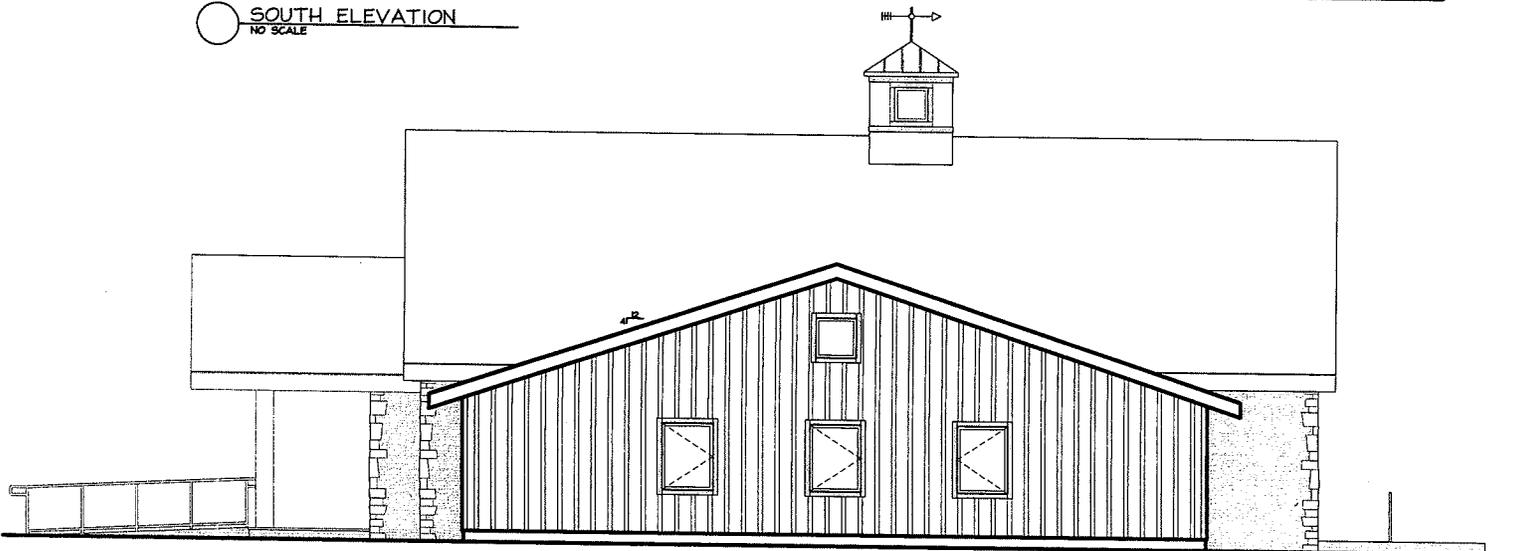
○ NORTH ELEVATION
NO SCALE



○ EAST ELEVATION
NO SCALE



○ SOUTH ELEVATION
NO SCALE



○ WEST ELEVATION
NO SCALE

New Jersey Council on Affordable Housing

Rules

NJAC

5:97-6.10 Supportive and special needs housing

- (a) Supportive and special needs housing includes, but is not limited to: residential health care facilities as **licensed and/or regulated by DCA or the New Jersey Department of Health and Senior Services if the facility is located with, and operated by, a licensed health care facility [or DCA]**; group homes for [the developmentally disabled and mentally ill] **people with developmental disabilities and mental illness** as licensed and/or regulated by the New Jersey Department of Human Services; permanent supportive housing; and supportive shared living housing. Long term health care facilities including nursing homes, and Class A, B, C, D, and E boarding homes do not qualify as supportive and special needs housing.
- (b) The following provisions shall apply to **group homes, residential health care facilities, and supportive shared living [supportive and special needs] housing**:

1. The unit of credit [for group homes, residential health care facilities, and shared living housing]shall be the bedroom.
- [2. The unit of credit for permanent supportive housing shall be the unit.]
- [3]2. [Supportive and special needs h] **Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to N.J.A.C. 5:97-3.8.**
- [4. All bedrooms and/or units shall be affordable to low-income households].
- [5]3. [Units shall serve populations 18 and over.] **Occupancy shall not be restricted to youth under 18 years of age.**
- [6]4. All sites [for supportive and special needs housing] shall meet the site suitability criteria set forth in N.J.A.C. 5:97-3.13.
- [7]5. The municipality or developer/sponsor shall have **site control** or the ability to control the site(s).

(c) The following provisions shall apply to permanent supportive housing:

1. **The unit of credit shall be the unit.**
2. **Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to N.J.A.C. 5:97-3.8.**
3. **Units shall not be restricted to youth under 18 years of age.**
4. **All sites shall meet the site suitability criteria set forth in N.J.A.C. 5:97-3.13.**
5. **The municipality or developer/sponsor shall have site control or the ability to control the site(s).**

[[c]d) The bedrooms and/or units pursuant to (b) and (c) above shall comply with N.J.A.C. 5:97-9 and UHAC with the following exceptions:

1. **Affirmative marketing (N.J.A.C. 5:80-26.15); however, group homes, residential health care facilities, permanent supportive housing and supportive shared living housing shall be affirmatively marketed to individuals with special needs in accordance with a plan approved by the Council's Executive Director;**
2. **Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3); and**
3. **With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, group homes, residential health care facilities, supportive shared living housing and permanent supportive housing shall have the appropriate controls on affordability in accordance with N.J.A.C. 5:97-9. [Occupancy standards (N.J.A.C. 5:80-26.4(c)), shall be limited to one person per bedroom for residential health care facilities, group homes, and supportive shared living housing.]**

[[d]e) The following minimum documentation for supportive and special needs housing, as detailed further in a checklist provided by the Council, shall be submitted by the

municipality with its petition for substantive certification or in accordance with the municipality's implementation schedule pursuant to N.J.A.C. 5:97-3.2(a)4:

1. Information regarding the [supportive and/or special needs housing] **development** on forms provided by the Council;
2. A description of the site, including the street location, block and lot, and acreage;
3. A demonstration of the suitability of the site;
4. A demonstration that the municipality or provider has **site** control or has the ability to control the site(s); control may be in the form of outright ownership, a contract to purchase or an option on the property;
5. An executed agreement, including a schedule for the construction of the [supportive and/or special needs housing] **development**, with the provider, sponsor or developer;
6. A pro forma for the **development** [supportive and/or special needs housing];
7. Documentation demonstrating the source(s) of funding; and
8. A municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds.

([e]f) The following documentation shall be submitted prior to marketing the completed units or facility:

1. An affirmative marketing plan in accordance with **([c]d)**1. above; and
2. If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency in accordance with the requirements of this section, which includes validation of the number of bedrooms or units in which low- or moderate-income occupants reside.

SCHEDULE 2



CONSULTANTS INC.

DESCRIPTION OF PROPERTY
HOPEWELL TOWNSHIP
MERCER COUNTY, NEW JERSEY

March 12, 2005
Proposed New Lot B (Lot 4.03)
Part of Tax Lot 4.01 , Block 26
Hopewell Township
Mercer County, New Jersey
Re: 5-150-121

1.00

All that certain parcel of land located on the westerly line of Harburton-Rocktown Road, (Existing 50' right of way) in the Township of Hopewell, County of Mercer, State of New Jersey, being "Proposed New Lot B", part of Tax Lot 4, Block 26, bounded and described as follows:

BEGINNING at a concrete monument to be set on the westerly line of Harburton-Rocktown Road, said point being distant N 20°13'33"E, 310.07 feet as measured along the said westerly line from an iron pipe found on the northeasterly corner of Proposed New Lot A (Lot 4.02), said point having New Jersey Plane Coordinate System NAD 1983 (NJPCS) values of N 561,937.84 and E 395,086.01, and from said point of beginning, running thence-

- 1) S 20°13'33" W, 182.32 feet along the westerly line of Harburton-Rocktown Road, to an iron pin to be set, thence-
- 2) S 71°25'12" W, 245.78 feet across Tax Lot 4.01 to an iron pin to be set, thence-
- 3) N 21°33'11" W, 142.27 feet across the same to an iron pin to be set, thence-
- 4) N 71°25'12" E, 367.41 feet across the same to a concrete monument to be set, being the first mentioned point and place of beginning.

Containing 43,560 Square Feet or 1.000 Acres of land more or less.

Subject to the findings of a title search.

Subject to the restrictions and easements of record.

The above description was written pursuant to a survey of property designated as minor Subdivision, Lot 4.01, Block 26, on the municipal tax map of Hopewell Township, County of Mercer, State of New Jersey. Said survey was prepared by Site Works Consultants Inc., 74 York Street, Lambertville, New Jersey 08530, dated May 9, 2005 and marked as file No. MS025150.

Prepared by:

John M. Dura, New Jersey Professional Land Surveyor License #28525
j:\5150\newlotb.doc

Civil Engineering
Surveying
Planning

6 Village Row
Lagan Square
New Hope, PA 18938
215/862-9701

74 York Street
Lambertville, NJ 08530
609/397-9701

SCHEDULE 3

WAIVER AND DIRECTION NOT TO
SET CORNER MARKERS

To: Van Cleef Engineering Associates
4AAA Drive, Suite 102
Hamilton Square, NJ 08691

From: Community Options, Inc.
Name of Buyer
Building 2, Suite 208
707 Alexander Road, Princeton, NJ 08540
Address
609-419-4418
Telephone Number

Re: 1619 Harbourton-Rocktown Road
Street Address
Hopewell Township, Mercer
Municipality County
Lot 43 Block 26

This is to advise that the Buyer has been made aware of the right to have corner markers set as part of a survey to be performed on property which is being purchased. That right is hereby waived and the surveyor is directed to perform the land survey without the setting of corner markers as provided by the regulation of the New Jersey Board of Professional Engineers and Land Surveyors.

Community Options, Inc.

By: _____ Date _____
Robert Stack, President &
CEO
Buyer

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

**COMMUNITY OPTIONS, INC.
1619 HARBOURTON-ROCKTOWN ROAD**

RESOLUTION #08-

WHEREAS, the Hopewell Township Affordable Housing Committee ("AHC") has explored various options with the Hopewell Township Non-Profit Housing Corporation ("Non-Profit") for the use of property located at 1619 Harbourton-Rocktown Road for affordable housing purposes; and

WHEREAS, Community Options, Inc., a non-profit corporation has presented a proposal to AHC and the Non-Profit to construct a four (4) bedroom community residence on the site; and

WHEREAS, the Non-Profit intends to convey said property to Community Options, Inc. for the construction of said residence; and

WHEREAS, estimates have been obtained for the removal of the two (2) barn structures on the property in order to facilitate the construction of the community residence; and

WHEREAS, AHC and the Non-Profit have recommended to the Hopewell Township Committee the sum of fifty-five thousand four hundred (\$55,400.00) dollars be made available from the Hopewell Township Affordable Housing Trust Account for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Hopewell Township Committee as follows:

1. The Hopewell Township Committee hereby supports the conveyance of 1619 Harbourton-Rocktown Road to Community Options, Inc. for the construction of a four (4) bedroom community residence to become a part of the Hopewell Township Affordable Housing Program.
2. The Township Committee further authorizes the Township Chief Financial Officer to make available a sum of fifty-five thousand four hundred (\$55,400.00) dollars from the Hopewell Township Affordable Housing Trust Account to Community Options, Inc. for the purpose of paying for the cost of removal of two (2) barn structures on the property so that the aforementioned community residence can be constructed.

Date Adopted:

MASON, GRIFFIN & PIERSON

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

MEMORANDUM

To: Hopewell Township Committee

From: Edwin W. Schmierer, Esq.
Special Council Affordable Housing

Date: October 8, 2008 

Re: **Hopewell Township Affordable Housing Program: Community Options (1619 Harbourton-Rocktown Road Property)**

The Hopewell Township Affordable Housing Committee ("AHC") has met with Community Options, Inc. to discuss their interest in acquiring the one (1) acre parcel which was subdivided from the Arena Farm in 2005 at 1619 Harbourton-Rocktown. Community Options proposes removing the barn structures on the property and constructing a new ranch-style home for four (4) individuals who have learning disabilities. The house would be staffed on a twenty-four (24) hour basis by Community Options, Inc. counselors.

The property to be conveyed would be conveyed by the Hopewell Township Non-Profit Housing Corporation. At the request of AHC, the Non-Profit is furnishing to you attached to this memorandum the proposed Sales Agreement. As the Agreement indicates, the new home will be a part of the Township's Affordable Housing Third Round Fair Share Program for which the Township will receive four (4) credits.

A component of the Contract involves the expenditure of fifty-five thousand four hundred (\$55,400.00) from the Township's Affordable Housing Trust Account to pay for the demolition/relocation of the barn structures on the property. Consequently, both AHC and Non-Profit recommend this expenditure and would appreciate your authorizing it pursuant to the attached Resolution.

EWS:jv
attachs.

cc: Paul E. Pogorzelski, P.E., Township Administrator/Engineer (w/attachs.)
Steven P. Goodell, Esq., Township Attorney (w/attachs.)
Anne B. Moore, Municipal Housing Liaison (w/attachs.)
Michael P. Bolan, P.P./A.I.C.P., Planning Consultant (w/attachs.)
Edward Truscielli, AHC (w/attachs.)

V:\Users\Edwin\Hopewell\AFFORDABLE HOUSING\1619 Harbourton-Rocktown Road\Township Committee 100808.wpd

RESOLUTION OF THE HOPEWELL TOWNSHIP PLANNING
BOARD GRANTING MINOR SUBDIVISION AND VARIANCE
APPROVAL TO FRIENDS OF HOPEWELL VALLEY OPEN
SPACE

BLOCK 26, LOT 4
RESOLUTION NO. 05-008

WHEREAS, Friends of Hopewell Valley Open Space (hereinafter referred to as "Applicant") has applied to the Hopewell Township Planning Board (hereinafter referred to as "Board") for a minor subdivision and bulk variance in order to subdivide a 32.23 +/- acre parcel of land owned by James and Susan Arena in order to create a 3.0 +/- acre lot (new Lot A)/(4.02) and to preserve the balance of the property as open space; and

WHEREAS, said minor subdivision is more specifically shown on plans entitled: "Minor Subdivision for Tax Lot 4, Block 26 Situate in Hopewell Township, Mercer County, New Jersey" prepared by Site Works, Inc. dated October 21, 2004; and

WHEREAS, said minor subdivision map complies with the requirements of Article V of the Land Use and Development Ordinance (hereinafter "LUDO" except for submission waivers which have been granted; and

WHEREAS the Applicant provided notice of said application in accordance with the provisions of the LUDO and the Municipal Land Use Law ("MLUL") and the Board held a public hearing on the application at its meeting on November 23, 2004; and

WHEREAS the Board received and reviewed reports from the Applicant, the Township Engineer, the Township Planner, the Township Health Officer and other consultants and provided an opportunity for comments from interested parties; and

HOPEWELL TOWNSHIP PLANNING BOARD

RESOLUTION NO. 05-008

Page 2

WHEREAS, all members of the Board voting on this resolution have attended the public hearing or have certified that they have read the transcript or listened to the tape of the hearing pursuant to N.J.S.A. 40:55D-10.2; and

WHEREAS, the Board after carefully considering the evidence submitted by the Applicant and the Board's experts, makes the following findings of fact and conclusions of law:

1. The Board has jurisdiction over the application and notice has been properly given pursuant to the requirements of Section 17-55 of the LUDO.
2. The parcel is located in the Mountain Resource Conservation ("MRC") zoning district. The tract contains 32.23 +/- acres of land.
3. The Applicant requests minor subdivision approval to create a new Lot A (proposed Lot 4.02) consisting of three (3) acres in area and which will contain an existing two story frame dwelling. As shown on the minor subdivision plan referenced above at a future date, the Applicant may seek further minor subdivision approval in order to create Lot B (proposed 4.03) which would consist of one acre of land and contain an existing two story frame dwelling, two frame barn structures and a frame shed which the Applicant would consider selling to the Hopewell Township Non-Profit Housing and Redevelopment Corporation for affordable housing purposes. At this time, however, the Applicant requests deferral on the creation of Lot B (proposed lot 4.03) and would include this parcel with the lands remaining consisting of approximately 29.23 +/- acres of land to be preserved as open space.

HOPEWELL TOWNSHIP PLANNING BOARD

RESOLUTION NO. 05-008

Page 3

4. The Applicant for Lot A (proposed lot 4.02) requires bulk variances in order to create this three (3.0) acre lot in the MRC zoning district. This lot required bulk variances for minimum lot area, minimum lot width and minimum lot side yard.

NOW, THEREFORE, BE IT RESOLVED by the Hopewell Township Planning Board that minor subdivision approval and the aforementioned bulk variances related to the creation of Lot A (proposed lot 4.02) are hereby approved subject to the following conditions:

1. The approval of Lot A (proposed lot 4.02) as an undersized lot consisting of 3.0 acres of land is conditioned upon the Applicant preserving as open space the remaining 29.23 +/- acres of land in the tract. The Applicant shall, however, be permitted to return to the Board for a further subdivision creating Lot B (proposed lot 4.03) provided said lot was to be sold to the Hopewell Township Non-Profit Housing and Redevelopment Corporation for affordable housing purposes.
2. The existing septic system on Lot A (proposed lot 4.02) shall be inspected and satisfy the requirements of the Hopewell Township Health Officer.
3. The lands remaining as the open space parcel shall be designated as Lot 4.01, Block 26 on the Hopewell Township Tax Map; the new Lot A shall be designated as Lot 4.02, Block 26 on the Hopewell Township Tax Map.
4. A note shall be added to the minor subdivision plan indicating that this minor subdivision is to be filed by deed.

HOPEWELL TOWNSHIP PLANNING BOARD

RESOLUTION NO. 05-008

Page 4

5. In accordance with the Green Acres Standards, additional monuments are to be provided at the intersection of the front and north property line of new Lot 4.02.
6. The Applicant shall obtain approval of this minor subdivision from the Mercer County Planning Board.
7. The Applicant shall submit the minor subdivision deeds for review and approval to the Township Engineer and the Board attorney.
8. All easements, restrictions and other recordable instruments required by this resolution shall be submitted to and approved by the Township Engineer and Board attorney prior to signing the subdivision deed or map. Draft parcel deeds and easements will be required to be submitted to the Board Engineer for review and approval along with metes and bounds description and computer printouts of lot and area of conveyance closure calculations.
9. All such easements and instruments shall be noted on the plans and recorded in the Mercer County Clerk's Office. Proof of recordation of the easement or instrument must be submitted to the Board Secretary prior to release of the land development escrow posted by the Applicant.
10. Since the Applicant shall perfect this minor subdivision by the filing of deeds, the Applicant shall supply a set of the subdivision deeds and seven copies of the plan with all final approved revisions to the Administrative Officer for signature by the appropriate officials

HOPEWELL TOWNSHIP PLANNING BOARD

RESOLUTION NO. 05-008

Page 5

within 30 days of the date of this resolution or within such additional period of time as the Board shall determine.

11. This approval shall not be deemed satisfied and the plans nor deeds will not be signed until such time as the Board Administrative Officer certifies that all conditions have been satisfied.

Roll Call: November 23, 2004

Ayes - 9 Nays - 0 Abstain - 0 Absent - 1 Not Voting - 1

Aucott:	Absent	Murphy, J.:	Yes
Sandom:	Yes	Swanson:	Yes
Sandahl:	Yes	Wahlers:	Yes
Lewandoski:	Yes	Connolly:	Yes
Hirsch:	Yes	Murphy, K.:	Yes
Newport:	Not Voting		

This Resolution adopted January 25, 2005 memorializes the action taken at a meeting of the Hopewell Township Planning Board on November 23, 2004 with the roll call vote on the memorialization as follows:

ROLL CALL ON MEMORIALIZATION: January 25, 2005

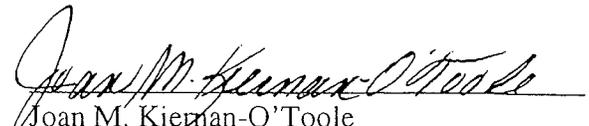
Ayes - 4 Nays - 0 Abstain - 0 Absent - 3 Not Voting - 3

Beyer:	Not voting	Murphy, K.	Absent
Hart:	Not voting	Sandahl:	Absent
Hirsch:	Yes	Swanson:	Yes
Kemp:	Not voting	Newport:	Absent
Lewandoski:	Yes		
Murphy, J.	Yes		

HOPEWELL TOWNSHIP PLANNING BOARD
RESOLUTION NO. 05-008
Page 6

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Hopewell Township
Planning Board on January 25, 2005.


Joan M. Kieran-O'Toole
Planning Board Secretary

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

(Submit separate checklist for each site or project)

General Description

Municipality/County: Hopewell Township/Mercer County

Project or Program Name: Scotch Road/Home Front

Date facility will be constructed or placed into service: 10/1/2010

Type of facility: Permanent Supportive Housing

For group homes, residential health care facilities and supportive shared housing:

Affordable bedrooms proposed: _____ Age-restricted affordable bedrooms: _____

For permanent supportive housing:

Affordable units proposed: 3 Age-restricted affordable units: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Compliance bonuses as per N.J.A.C. 5:97-3.17: _____

Date development approvals granted: _____

Information and Documentation Required with Petition or in Accordance with an

Implementation Schedule

Is the municipality providing an implementation schedule for this project/program.

Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

No. Continue with this checklist.

- Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here in lieu of submitting forms.)
- Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- Name and address of owner
- Name and address of developer
- Subject property street location
- Subject property block(s) and lot(s)
- Subject property total acreage
- Indicate if urban center or workforce housing census tract
- Description of previous zoning
- Current zoning and date current zoning was adopted
- Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- Description of surrounding land uses
- Demonstration that the site has street access
- Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- Wetlands and buffers
- Steep slopes
- Flood plain areas
- Stream classification and buffers
- Critical environmental site
- Historic or architecturally important site/district
- Contaminated site(s); proposed or designated brownfield site

- Based on the above, a quantification of buildable and non-buildable acreage
- Pro-forma statement for the project
- RFP or Developer's Agreement
- Construction schedule and timetable for each step in the development process
- Documentation of funding sources
- Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall

Information and Documentation Required Prior to Marketing the Completed Units or Facility

- For units not exempt from UHAC, an affirmative marketing plan in accordance with N.J.A.C. 5:97-6.10(c)
- If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency (including validation of the number of bedrooms or units in which low- or moderate-income occupants reside)

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a “realistic opportunity” as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Acquisition	2008	2008	
RFP Process			

Developer Selection	3/1/2008	3/1/2009	
Executed Agreement with provider, sponsor or developer	1/1/2009	3/1/2009	
Development Approvals	3/1/2009	1/1/2010	
Contractor Selection	10/1/2009	1/1/2010	
Building Permits	11/1/2009	1/1/2010	
Construction	1/1/2010	10/1/2010	
Occupancy	10/1/2010	10/1/2010	

Supportive/Special Needs Narrative Section

Scotch Road/ Home Front is a 34 acre property which includes a 2-family dwelling and a single-family dwelling, yielding at least 3 affordable dwelling units (one 3-bedroom and two 2-bedroom). The Township anticipates leasing 3 acres of the property to Home Front for a 3-family, permanent supportive housing rental units.

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.



TOWNSHIP OF HOPEWELL
MERCER COUNTY

OFFICE OF MUNICIPAL HOUSING

201 Washington Crossing Pennington Road

Titusville, New Jersey 08560-1410

Phone: 609.737.0605 Ext.631

Fax: 609.737.6836

November 6, 2008

The Honorable Brian Hughes
Mercer County Executive
McDade Administration Building
P. O. Box 8068
Trenton, NJ 08650-0068

 **COPY**

Re: Mercer County HOME Funding - HomeFront/Hopewell Township

Dear Mr.Hughes:

Enclosed please find a certified copy of Township of Hopewell Resolution #08-313, A RESOLUTION APPROVING USE OF HOUSES AT 449 SCOTCH ROAD (BLOCK 93, LOT 5) BY HOMEFRONT FOR AFFORDABLE HOUSING.

It is our understanding that HomeFront is applying to Mercer County for funding, and we look forward to working together with the County to provide much needed low income rental units.

Sincerely,

Vanessa Sandom
Mayor

Cc: E. Pattik, Mercer County Housing
C. Bernstein, HomeFront

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

RESOLUTION #08-313

**A RESOLUTION APPROVING USE OF HOUSES AT
449 SCOTCH ROAD (BLOCK 93, LOT 5) BY
HOMEFRONT FOR AFFORDABLE HOUSING**

WHEREAS, the Township Committee of the township of Hopewell is desirous of creating affordable housing opportunities in the township; and

WHEREAS, the Hopewell Township Affordable Housing Committee (AHC) has explored various options for the use of township-owned property located at 449 Scotch Road; and

WHEREAS, the AHC considered the cost of development, the number of COAH credits generated by certain uses, zoning issues, traffic issues and future management of the property; and

WHEREAS, HomeFront presented a proposal for use of the existing houses on the site for rental to income qualified households; and

WHEREAS, neighboring property owners were invited to a public hearing on the proposal by HomeFront and there were no objections to the proposed use; and

WHEREAS, HomeFront is seeking funding from Mercer County HOME grant program for the rehabilitation of the houses on the property;

NOW, THEREFORE, BE IT RESOLVED on this 14th day of October 2008, that the Township Committee of the Township of Hopewell, Mercer County, New Jersey supports the use of the property located at 449 Scotch Road by HomeFront as three rental units for income qualified households, contingent upon the execution of a contract acceptable to both parties.

Date Adopted: October 14, 2008

No. Continue with this checklist.

Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- Name and address of owner
- Subject property street location
- Subject property block(s) and lot(s)
- Subject property total acreage
- Indicate if urban center or workforce housing census tract
- Description of previous zoning
- Current zoning and date current zoning was adopted
- Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- Description of surrounding land uses
- Demonstration that the site has street access
- Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- Wetlands and buffers
- Steep slopes
- Flood plain areas
- Stream classification and buffers
- Critical environmental site
- Historic or architecturally important site/district
- Contaminated site(s); proposed or designated brownfield site

- Based on the above, a quantification of buildable and non-buildable acreage
- RFP or Developer's Agreement
- Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- Pro-forma statement for the project
- Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- An affirmative marketing plan in accordance with UHAC

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS
(N.J.A.C. 5:97-6.7)**

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	1/1/2008	1/1/2008	

RFP Process			
Developer Selection			
Executed Agreement with provider, sponsor or developer	10/1/2008	10/1/2008	
Development Approvals	1/1/2008	12/31/2008	
Contractor Selection	7/31/2008	10/1/2008	
Building Permits	1/1/2009	1/1/2010	
Occupancy	1/1/2010	12/31/2010	

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	12/31/2008
Site Suitability Description	12/31/2008
Environmental Constraints Statement	12/31/2008

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	12/31/2008	12/31/2008
Project Pro-forma	12/31/2008	12/31/2008

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	12/31/2008	12/31/2008
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100% or Municipally Sponsored Narrative Section

Wrick Avenue is a 0.34 acre parcel which the Township obtained through a tax foreclosure. The Township has entered a contract to construct a modular home on this property. The property is located in a residential zoning district and has a well and septic system available.

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

TAX LOT 95, BLOCK 130
N/F RAYMOND S. & ADELE D. SCHUYLLEY

TAX LOT 96, BLOCK 130
N/F JOHN M. & THERESA L. HWZDOS

TAX LOT 98, BLOCK 130
N/F STEPHEN & LARA EDWARDS

HOPEWELL TOWNSHIP TAX MAP INFO

BLOCK ----- 130
LOT ----- 76.01
SHEET ----- 12.02

RECORD DEED INFORMATION

BLOCK 130, LOT 76.01
DEED BOOK ----- 5139
PAGE ----- 138 & c.

REFERENCE DATUM

- ELEVATION DATUM IS NAVD 1988 IN US SURVEY FEET DETERMINED BY GPS SURVEY USING OPUS SOLUTION.

REFERENCE PLANS

- PLAN ENTITLED "PLAN OF SECTION 'A' OF NORTH TRIMMER PARK LOTS, TITUSVILLE, MERCER COUNTY, NEW JERSEY AS SUBDIVIDED BY EDWARD G. TRIMMER, OWNER", DATED MAY 2, 1925, AND FILED IN THE MERCER COUNTY CLERK'S OFFICE AS FILED MAP NO. 475.
- PLAN ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY FOR THE TOWNSHIP OF HOPEWELL TAX LOT 76.01 BLOCK 130" DATED NOV. 7, 2007, AS PREPARED BY VAN CLEEF ENGINEERING ASSOCIATES, FILE NO. 262166.

GENERAL NOTES

- THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE SEARCH. THEREFORE THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHT OF WAYS, COVENANTS, ETC. AS MAY BE DISCLOSED IN A CURRENT COMPREHENSIVE TITLE SEARCH.
- THIS MAP REFLECTS EXISTING SITE CONDITIONS AS THE RESULT OF A FIELD SURVEY PERFORMED BY VAN CLEEF ENGINEERING ASSOCIATES IN NOVEMBER 2007.
- THIS PLAN IS NOT VALID UNLESS EMBOSSED WITH THE SEAL OF THE UNDERSIGNED PROFESSIONAL(S).
- UNDERGROUND UTILITIES HAVE NOT BEEN SHOWN IF ANY. LOCATION OF ABOVE GROUND UTILITIES AS SHOWN.
- NO CERTIFICATION IS MADE BY VCEA AS TO THE ACTUAL UNDERGROUND POSITION OF ANY UTILITIES OR TO THE COMPLETENESS AND/OR ACCURACY OF UTILITY INFORMATION PROVIDED BY OTHERS.
- IT IS IMPERATIVE THAT UTILITY COMPANIES ARE NOTIFIED PRIOR TO ANY EXCAVATION AND/OR CONSTRUCTION CALL 1-800-272-1000 TO ORDER UTILITY MARKOUTS.
- NJSPCS NAD 1983 COORDINATE VALUES SHOWN HEREON ESTABLISHED BY GPS CONTROL SURVEY USING OPUS SOLUTION.
- ABOVE GROUND PHYSICAL FEATURES AND TOPOGRAPHY AS SHOWN ARE BASED ON PHYSICAL FIELD SURVEY
- ANY ENCROACHMENT THAT MAY EXIST HAVE NOT BEEN LOCATED AT THIS TIME.

AREA TOTALS

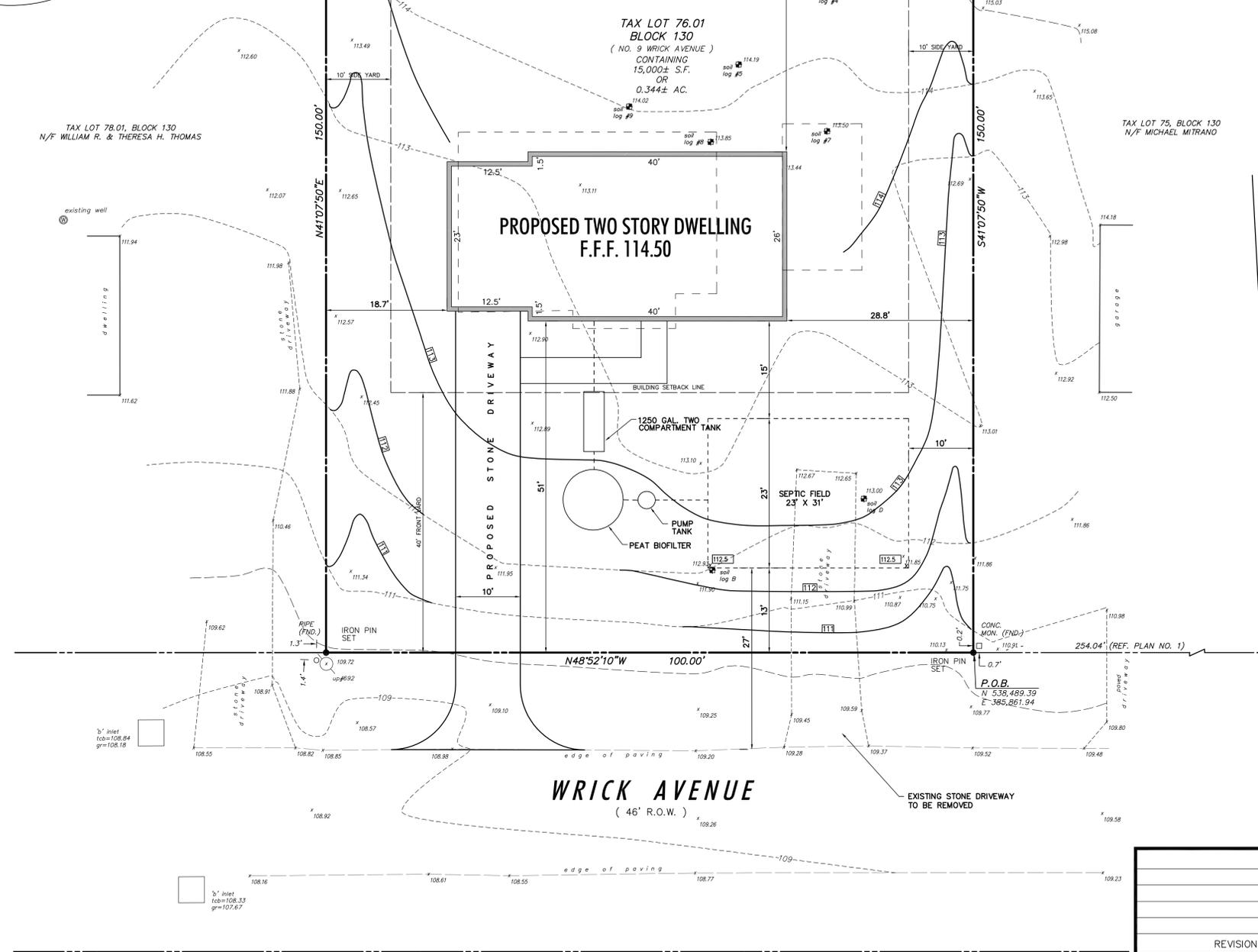
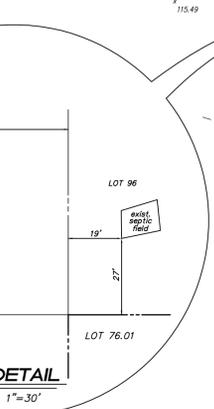
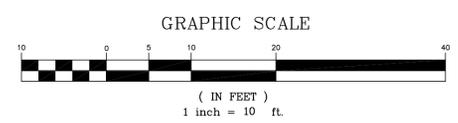
TOTAL AREA OF BLOCK 130, TAX LOT 76.01: 0.344 AC. ±

LEGEND

EXISTING		PROPOSED
	SANITARY SEWER	
	STORM SEWER	
	FLARED END SECTION	
	DRAINAGE INLET	
	DRAINAGE MANHOLE	
	HEADWALL	
	SANITARY SEWER MANHOLE	
	FIRE HYDRANT	
	SIGN	
	UTILITY POLE	
	VALVE	
	WATER MAIN	
	GAS MAIN	
	ELECTRIC LINE	
	TELEPHONE LINE	
	GRADE ELEVATION	
	CONTOUR ELEVATION	

CALL BEFORE YOU DIG
IN NJ, TOLL FREE
1-800-272-1000
FOR FREE MARKOUTS TO LOCATE
UNDERGROUND UTILITIES
'IT'S THE LAW'
GARDEN STATE UNDERGROUND PLANT LOCATION SERVICE, INC.

FERN RIDGE LANE
(30' R.O.W.)



TAX LOT 76.01, BLOCK 130
CONTAINING
15,000± S.F.
OR
0.344± AC.

**PROPOSED TWO STORY DWELLING
F.F.F. 114.50**

1250 GAL. TWO COMPARTMENT TANK
PUMP TANK
PEAT BIOFILTER
SEPTIC FIELD 23' X 31'

EXISTING STONE DRIVEWAY TO BE REMOVED

PROPOSED STONE DRIVEWAY

WRICK AVENUE
(46' R.O.W.)

TAX LOT 63, BLOCK 131
N/F DONALD C. & MARCINE E. KINTZEL

TAX LOT 64, BLOCK 131
N/F CARL D. WALSH & LINDA R. KENNY-WALSH

TAX LOT 65.01, BLOCK 131
N/F TITUSVILLE ENTER INC.
C/O LAUFENBERG

DATE:	JAN. 2, 2008
SCALE:	1" = 10'
DESIGNED BY:	P.E.P.
DRAWN BY:	R.R.F.
CHECKED BY:	P.E.P.
REVISIONS	AUTH. DATE
	JOB NO. 7004/07.01



TOWNSHIP OF HOPEWELL
MERCER COUNTY
201 Washington Crossing Pennington Road
Titusville, New Jersey 08560-1410

PLOT PLAN
FOR
THE TOWNSHIP OF HOPEWELL
TAX LOT 76.01, BLOCK 130
(NO. 9 WRICK AVENUE)
SITUATE IN

HOPEWELL TOWNSHIP, MERCER COUNTY, NEW JERSEY

BY: PAUL E. POGORZELSKI, P.E. Township Engineer New Jersey Professional Engineer No. 32512

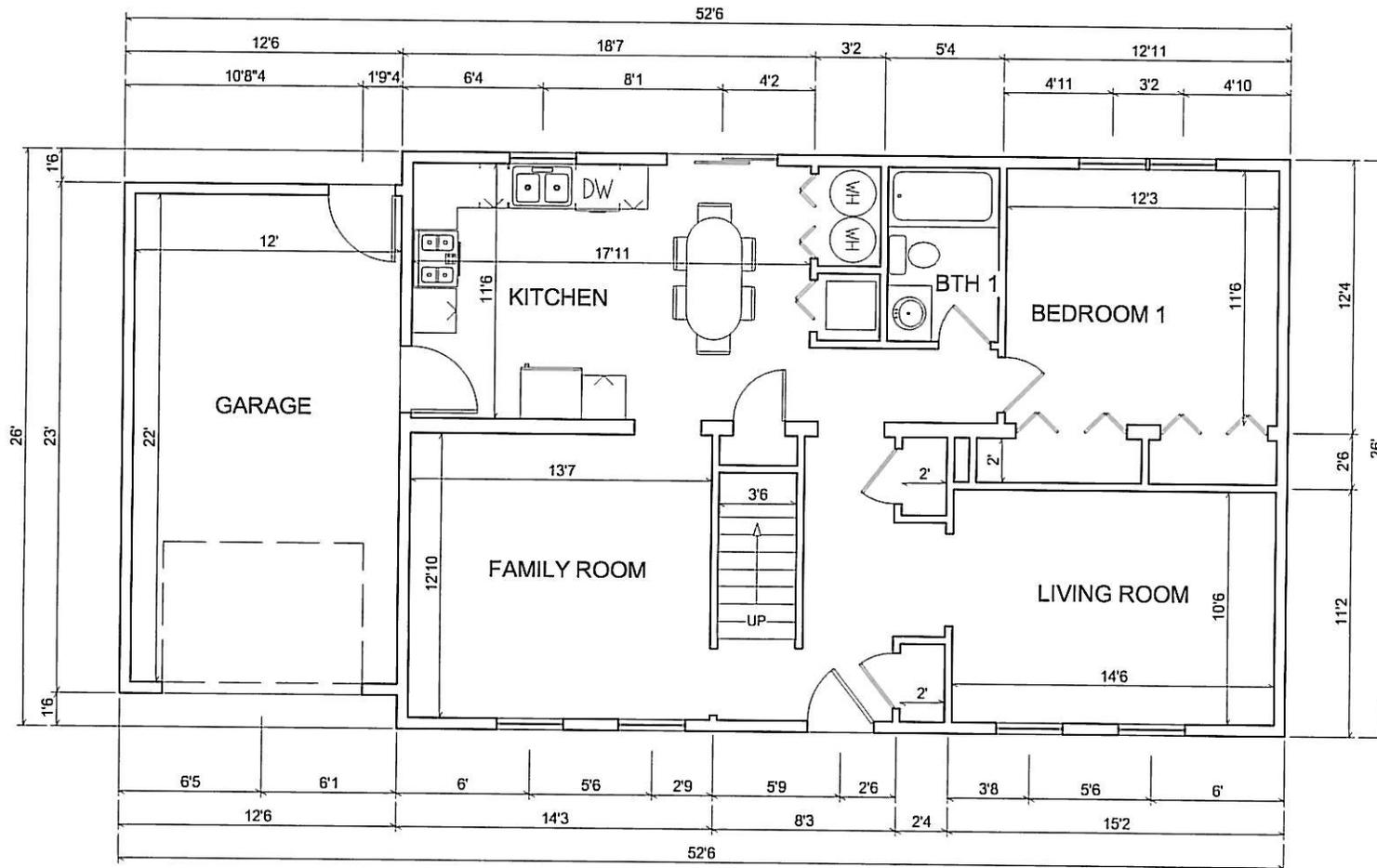


THOMAS DESIGN ASSOCIATES, INC.
Design & Construction Services

Thomas Giovannoli
President

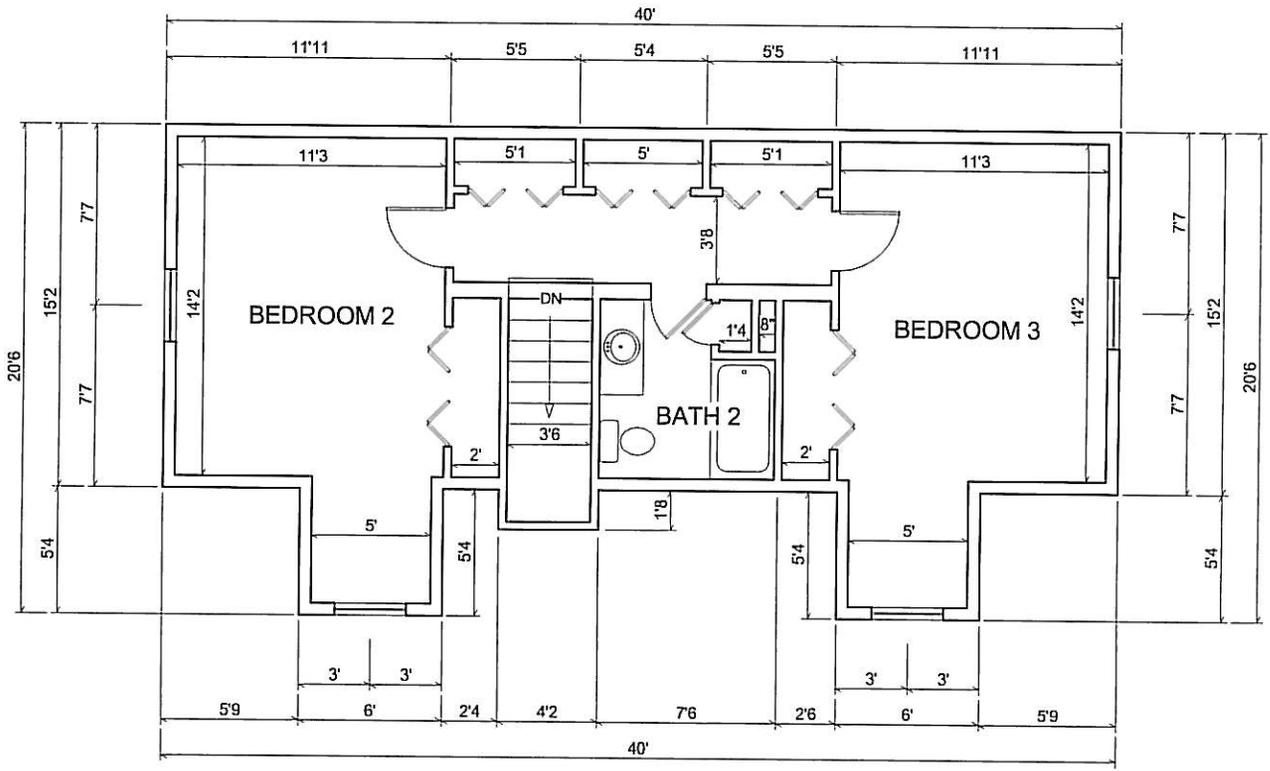
106 W. Franklin Avenue, Suite 1-7
Pennington, NJ 08534
Office 609.737.8212
Fax 609.537.1277
tomg@thomasdesignassociates.com

WWW.THOMASDESIGNASSOCIATES.COM



FIRST FLOOR

WRICK AVE. AHC
 THOMAS DESIGN ASSOCIATES, INC.
 FINAL PLAN 09/12/08



SECOND FLOOR

WRICK AVE. AHC
 THOMAS DESIGN ASSOCIATES, INC.
 FINAL PLANS 09/12/08

MUNICIPALLY SPONSORED AFFORDABLE HOUSING WORKSHEET

Hopewell Township, Mercer County

1 of 2

Fair Share Plan Identifier	Fair Share Plan #1/Peters/Wrick Avenue
General Description of the Site	
Name and address of owner	Township of Hopewell, 201 Wash. Crossing-Penn. Rd, Titusville, NJ 08560
Street location	9 Wrick Avenue, Titusville, NJ
Block and lot	Block 130, Lot 76.01
Acreage	0.34 acres
Indicate if urban center or workforce housing census tract	N.A.
Previous zoning	R-75 Residential
Current zoning and date adopted	R-75 Residential
Tax map showing location with legible dimensions	Attached as Exhibit 1-A
Description of the Suitability of the Site	
Description of surrounding land uses	Single Family Residential
Demonstration that the site has street access	Wrick Avenue is an improved public street
Planning Area and/or Special Resource Area Designation	
Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to durational adjustment per N.J.A.C. 5:97-5.4	On-site well will be provided.
Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to durational adjustment per N.J.A.C. 5:97-5.4	Approved on-site individual wastewater disposal field.

MUNICIPALLY SPONSORED AFFORDABLE HOUSING WORKSHEET

Hopewell Township, Mercer County

2 of 2

Description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints

Wetlands and buffers	N.A. Redevelopment of site previously used for one single family unit
Steep slopes	N.A. Redevelopment of site previously used for one single family unit
Flood plain areas	N.A. Redevelopment of site previously used for one single family unit
Stream classification and buffers	N.A. Redevelopment of site previously used for one single family unit
Critical environmental site	N.A. Redevelopment of site previously used for one single family unit
Historic or architecturally important site/district	N.A. Redevelopment of site previously used for one single family unit
Contaminated site(s); proposed or designated Brownfield site	N.A.
Based on the above, a quantification of buildable and non-buildable acreage	0.34 acres
RFP or Developer's Agreement	Attached
Construction Schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process	Attached
Pro-forma statement for project	See Spending Plan
Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14	See Grading Plan
Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable	See Spending Plan

AGREEMENT

THIS AGREEMENT is made and dated this 19th day of Nov., 2008
by and between

The Hopewell Township Non-Profit Housing Corporation, a non-profit corporation of the State of New Jersey, having an address at 201 Washington Crossing-Pennington Road, Titusville, New Jersey 08650, hereinafter called the "Party of the First Part" or the "Township",

and

Thomas Design Associates, Inc., a corporation of the State of New Jersey, having an address at 108 W. FRANKLIN, PENN. NJ hereinafter called the "Party of the Second Part" or the "Contractor".

WITNESSETH

For and in consideration of the payment hereinafter specified and agreed to be made by the Party of the First Part to the Party of the Second Part, the Parties hereto hereby covenant and agree as follows:

1. The Party of the Second Part shall furnish to the Party of the First Part a modular home in strict accordance with its Bid Proposal (the "Proposal"), attached hereto as **Exhibit A** and made a part hereof, and ~~Specifications~~ Concept Floor and Elevation Plans for Construction of a the Modular Home (the "~~Specifications~~"); attached hereto as **Exhibit B** and made a part hereof. Upon completion of the Specifications for Construction of Modular Home (the "Specifications") after execution of this Agreement, the Concept Floor and Elevation Plans will be replaced by the Specifications as **Exhibit B** and said Specifications will be made a part of this Agreement. For the purposes of this Agreement, the term "Specifications" will refer to the Concept Floor and Elevation Plans until the Specifications for Construction of Modular Home has been completed and incorporated herein as **Exhibit B**. This Agreement is hereinafter referred to as the "Agreement" or the "Contract".

2. The Party of the Second Part shall make payment of all proper charges for labor and material required in the aforementioned supplies and/or installations and shall indemnify and save harmless the Party of the First Part, its officers, agents, or servants and each and every one of them, against and from all suits and from all damages to which the said Party of the First Part, or any of its officers, agents, or servants may be put to by reason of injury to the person or property of others, resulting from carelessness in the performance of said installations and/or delivery of said supplies, or through any improper or defective machinery, implement or appliance used by the said Party of the Second Part in the aforementioned installations and/or supplies, or through any act or omission on the part of the Party of the Second Part, its agents or servants.

3. The Party of the Second Part covenants and agrees in the performance of this Contract to comply with the requirements and provisions of all of the Laws of the State of New Jersey pertaining thereto and particularly to the provisions of N.J.S.A. 2A:44-143 to 147 and N.J.S.A. 10:2-1 et seq. and

the amendments and supplements thereto, if applicable, and if the provisions thereof are not complied with, this Contract shall be voidable at the option of the Party of the First Part.

4. The Party of the First Part shall make payment for the work performed and/or quantity received upon the unit prices and in accordance with any payment schedule set forth in the Specifications. It is further understood that the said unit prices are the flat net prices after tax and all allowances have been deducted.

5. In the event of a conflict between the provisions of this Agreement and the provisions of the Proposal and Specifications, attached hereto as **Exhibit A** and **Exhibit B**, respectively, the provisions of the Proposal and Specifications shall govern and control.

6. The Party of the First Part, in consideration of the premises hereby covenants and agrees with the Party of the Second Part to pay to the Party of the Second Part the sum of ~~\$234,955.00~~ \$249,485.00 as stated in the Payment Schedule, attached hereto as **Exhibit C** and made a part hereof.

7. It is further understood and agreed that the acceptance of the final payment by the Party of the Second Part shall be considered a release in full of all claims against the Party of the First Part arising out of or by reason of the work done and materials furnished under this Agreement, except in the event of change orders or additional work the parties have agreed that the Party of the Second Part will complete.

8. The Party of the Second Part agrees not to assign or sublet any part of this Agreement without the written consent of the Party of the First Part, and any breach of this covenant shall authorize the Party of the First Part, by its said agent, to declare this Agreement null and void and to refuse to make any further payment thereunder to the Party of the Second Part. Notwithstanding anything herein, the parties agree that the Party of the Second Part may hire sub-contractors in connection with the completion of the work.

9. The Party of the Second Part will pay prevailing wage rates as determined by the State of New Jersey Department of Labor and Industry pursuant to N.J.S.A. 34:11-56.25 et seq. when said Contract is for work defined in N.J.S.A. 34:11-56.26 et seq. Copies of said wage rates are on file in the Office of the Hopewell Township Municipal Clerk, 201 Washington Crossing-Pennington Road, Titusville, New Jersey 08560.

10. During the performance of this Agreement, the Party of the Second Part agrees to comply with Affirmative Action Regulations issued pursuant to P.L. 1975, c. 127 as set forth in the Specifications.

11. Each Contractor shall submit to the Township (also referred to as "public agency" or "agency"), after notification of award but prior to execution of a Contract with the Township, an Initial Project Workforce Report (Form AA-201). Proper completion and submission of this report shall constitute evidence of the contractor's compliance with the regulations. Failure to submit the foregoing may result in the Contract being terminated. The Contractor also agrees to submit to the Township and to the Division once a month for the duration of the Contract a Monthly Project Workforce Report (AA-202).

As required by N.J.S.A. 10:2-1 ("Discrimination in employment on public works; contract provisions; set-aside programs"), the Contractor agrees as follows:

A. In the hiring of persons for the performance of work under this Contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this Contract, no Contractor, nor any person acting on behalf of such Contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;

B. No Contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this Contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such Contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;

C. There may be deducted from the amount payable to the Contractor by the Township, under this Contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the Contract; and

D. This Contract may be canceled or terminated by the Township, and all money due or to become due hereunder may be forfeited, for any violation of this section of the Contract occurring after notice to the Contractor from the Township of any prior violation of this section of the Contract.

The following additional mandatory requirements, as set forth in N.J.A.C. 17:27-3.4(a)2. and N.J.A.C. 17:27-3.6(a), shall apply to all contracts except to contracts that are subject to a Federally approved or sanctioned affirmative action program and when the Contractor submits to the Township appropriate evidence of same. During performance of this Contract, the Contractor agrees as follows:

A. The Contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the Contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the public agency compliance officer setting forth provisions of this nondiscrimination clause;

B. The Contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex;

C. The Contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the Contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment; and

D. The Contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer, pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

During performance of this Contract, the Contractor further agrees as follows (as required by N.J.A.C. 17:27-3.7(a)):

When hiring or scheduling workers in each construction trade, the Contractor or subcontractor agrees to make good faith efforts to employ minority and women workers in each construction trade consistent with the applicable employment goal prescribed by N.J.A.C. 17:27-7.3; provided, however, that the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts ("Division") may, in its discretion, exempt a Contractor or subcontractor from compliance with the good faith procedures prescribed by A.1. and B. below, as long as the Division is satisfied that the Contractor or subcontractor is employing workers provided by a union which provides evidence, in accordance with standards prescribed by the Division that its percentage of active "card carrying" members who are minority and women workers is equal to or greater than the applicable employment goal established in accordance with N.J.A.C. 17:27-7.3. The Contractor or subcontractor agrees that a good faith effort shall include compliance with the following procedures:

A. If the Contractor or subcontractor has a referral agreement or arrangement with a union for a construction trade, the Contractor or subcontractor shall, within three business days of the Contract award, seek assurances from the union that it will cooperate with the Contractor or subcontractor as it fulfills its affirmative action obligations under this Contract and in accordance with the rules promulgated by the Treasurer of the State of New Jersey ("Treasurer"), pursuant to N.J.S.A. 10:5-31 et seq., as supplemented and amended from time to time. If the Contractor or subcontractor is unable to obtain said assurances from the construction trade union at least five business days prior to the commencement of construction work, the Contractor or subcontractor agrees to attempt to hire or schedule minority and women workers directly, consistent with the applicable employment goal. If the Contractor's or subcontractor's prior experience with a construction trade union, regardless of whether the union has provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and women workers consistent with the applicable employment goal, the Contractor or subcontractor agrees to be prepared to hire or schedule minority and women workers directly, consistent with the applicable employment goal, by complying with the hiring or scheduling procedures prescribed under B. below; and the Contractor or subcontractor

The Contractor's attention is directed to the wage determination that is included in the Specifications, and to the applicable provisions of the statute cited above. All provisions of said statute and amendments thereto shall be considered part of these Instructions to Bidders and made a part thereof. The bidder does, by submitting its Proposal, declare and represent to the Township that he is aware of and will comply with all provisions of said statute with relation to prevailing rates of wages for workers to be employed on this project.

The Contractor is specifically directed to the following requirements as set forth by the statute:

A. All workers engaged by the Contractor or any subcontractor in the performance of services directly under this public work contract shall be paid not less than the prevailing rate of wages as specified.

B. Each Contractor shall keep an accurate record showing the name, craft or trade, and actual hourly rate of wages paid to each workman employed by said Contractor in connection with said public work. Records shall be preserved for two (2) years from date of payment.

C. The Contractor shall post the prevailing wage rates for each craft and classification involved, as determined by the Commissioner of Labor and Industry, including the effective date of any changes thereof, in prominent and easily accessible places at the site of the work, and at such place or places as are used by them to pay workers their wages.

D. In the event that it is found that any workers employed by the Contractor or any subcontractor are paid less than the required wages rates, the Township may terminate the Contractor's right to proceed with the work, or such part of the work as to which there has been a failure to pay required wages, and to prosecute the work to completion or otherwise. The Contractor and its sureties shall be liable to the Township for any excess costs occasioned thereby.

E. Pursuant to N.J.A.C. 12:60-2.1 and 12:60-6.1, the Contractor shall submit to the Township a duly executed "Payroll Certification for Public Works Projects" within ten (10) days after each payroll period. No payments shall be released to the Contractor if any Certification is due but has not been submitted. The Contractor shall be solely responsible for obtaining Certifications from subcontractors.

F. Prior to the final payment of any retained percentage funds by the Township, the Contractor and any subcontractors shall file written statements with the Township certifying to the amounts then due and owing from them to any and all workers or wages due on account of said work. The statements shall set forth the names of the persons whose wages are unpaid and the amount due to each. Statements shall be verified by the oath of the Contractor or subcontractor, as the case may be.

14. Pursuant to N.J.S.A. 34:11-56.48 et seq., all bidders and their listed subcontractors must be registered with the Department of Labor prior to bidding on public works projects that exceed the prevailing wage threshold, which is currently \$11,892.00 for municipalities. No Contractor or subcontractor, including a subcontractor not listed in the bid Proposal, shall engage in the performance of any public work subject to the Contract unless the Contractor or subcontractor is registered pursuant to N.J.S.A. 34:11-56.48 et seq.

15. The Contractor is advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 (P.L. 2005, c.271, §3) if the Contractor receives contracts in excess of \$50,000 from public entities in a calendar year. It is the Contractor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at (888) 313-3532 or at www.elec.state.nj.us.

16. The Contractor and the Township do hereby agree that the provisions of Title II of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S12101 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities, and the rules and regulations promulgated pursuant hereunto, are made a part of this Contract. In providing any aid, benefit, or service on behalf of the Township pursuant to this Contract, the Contractor agrees that the performance shall be in strict compliance with the Act. In the event that the Contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this Contract, the Contractor shall defend the Township in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect, and save harmless the Township, its agents, servants, and employees from and against any and all suits, claims, losses demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The Contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the Township grievance procedure, the Contractor agrees to abide by any decision of the Township which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the Township or if the Township incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the Contractor shall satisfy and discharge the same at its own expense.

The Township shall, as soon, practicable after a claim has been made against it, give written notice thereof to the Contractor along with full and complete particulars of the claim. If any action or administrative proceedings is brought against the Township or any of its agents, servants, and employees, the Township shall expeditiously forward or have forwarded to the Contractor every demand, complaint, notice, summons, pleading, or other process received by the Township or its representatives.

It is expressly agreed and understood that any approval by the Township of the services provided by the Contractor pursuant to this Contract will not relieve the Contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the Township pursuant to this paragraph.

It is further agreed and understood that the Township assumes no obligation to indemnify or save harmless the Contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the Contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the Contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the Contractor from any liability, nor preclude the Township from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

IN WITNESS WHEREOF, the Party of the First Part has caused this Agreement to be signed by the Mayor of the Township, attested by its Clerk and its corporate seal affixed hereto; and the Party of the Second Part has caused this Agreement to be signed by its President and attested by its Secretary, and its corporate seal affixed hereto, the day and year first above written.

Attest:

THE HOPEWELL TOWNSHIP NON-PROFIT HOUSING CORPORATION



By: 
Mayor Vanessa Sandom

Attest:

THOMAS DESIGN ASSOCIATES, INC.



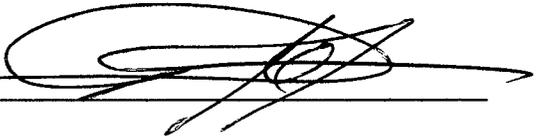
By: 

EXHIBIT - A



THOMAS DESIGN ASSOCIATES, INC.

108 W. Franklin Ave., Suite I-7
Pennington, NJ 08534

609.737.8212
F. 609.537.1277

Client: Hopewell Township Affordable Housing Committee
Location: 9 Wrick Ave., Hopewell Township, NJ

Date: 7/21/2008
Revised: 9/25/2008
Heated Sq Ft: 1,903

MODULAR COST ESTIMATE BASED ON PRELIMINARY PLANS

		Add Garage	Add Basement	Add Forced Air HVAC
Modular Base Price				
Bids shall provide a Cape Cod style home, Design Homes "Portsmouth" model or equal (schematic plans and general information specs provided). One and One Half Story Cape 40' x 28'. Two bedrooms and bathroom on the second story shall be finished. All stair railings to be provided as required by code. Unused space shall not be finished.	\$118,900	\$6,175	\$0	
Hot Water Baseboard elements				-\$1,113
Excavation and Site Improvements				
Soil erosion control, Dig for Footings, Cutting in Rough Driveway Finish and Top Dress Gravel Drive, Stone & Pipe, Sump Pit, Rough Back Fill, Finish Grading, Seed and Straw, Tree and Stump Removal	\$33,000	\$3,500	\$13,824	
Foundation				
"Construction shall be slab on grade." (Note: Modular construction cannot be set on a slab. Crawl space is required.)				
Superior walls 3' - 0" crawl space foundation, Steel columns and sill plate included.	\$9,950	\$3,150		
Full Basement: Superior walls 8' - 0" crawl space foundation, Steel columns and sill plate included.				\$8,063
Crawl space slab	\$8,730	\$1,980		
Access to crawl space needs to be determined. (Allowance)	\$500	\$0		
(1) slab for oil tank exterior installation	\$400	\$0		
Electrical				

All connections required to complete the modular circuits, install main feed and grounding for utility connection, install factory provided fixtures, install all circuits for builder supplied equipment and appliances.	\$4,800	\$600	
Basement add: Mount electrical panel on foundation, add (4) lights and (2) 3Way switches			\$1,500
A/C condenser wiring			\$450
Plumbing			
All connections with waist line stubbed through foundation 10' from building wall, cold water connected and stubbed at general location of holding tank. Hot water lines and Energy Star Rated 50 gallon electric water heater installed.	\$5,600	\$0	
Energy Star Rated hot water boiler and baseboard heat elements Star Rated oil fueled boiler installed. (Fuel oil holding tank installed on grade outside the home)	\$6,360	\$0	-\$6,360
(Note: Some cost and closet space could be saved by using the boiler to produce domestic hot water.)			
Basement add: Additional boiler flue length			\$275
Propane gas lines installed and connected to furnace and range. (manifold and tank installed by propane fuel utility company under contract with homeowner)			\$950
HVAC			
Forced air duct system			\$13,500
Finish Work			
All work required to complete installation of factory supplied material on exterior and interior. Gutters and leaders, Interior painting (2 coats, "eggshell finish" on walls - 1 color throughout, "semi gloss finish" on doors and trim - 1 color throughout.	\$14,460		
Garage finish Work		\$4,500	
Garage door with no opener (allowance)		\$600	
Pine stairs with handrail to full basement			Included
Proposed Exterior Landings and Stairs			
Footings, pressure treated framing, mahogany decking w/ PVC rails and balusters.	\$4,200	\$0	\$0
Proposed Walkways			
36" wide walkways from front and side doors to driveway.	\$1,050	\$0	\$0

Sewer and Water Utilities

Owner shall provide septic system and well. Owner shall connection to home at stub-outs set by the builder 10 feet from building line. (Note: Owner to specify utility line material, required valves, if any, sizes, stub-out location and electrical power requirements for Owners connections.)	\$0	\$0	\$0
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(Note: Well water holding tank pressure switch and control panels are typically installed in the home by the well contractor and are not provided in this estimate. We can offer any service required to coordinate with the Owner's contractor. Additional cost to be determined if needed.)

Energy Star Rated Appliances

Refrigerator, Range, D/W, Clothes Washer, Elec. Dryer and installation (average appliance cost included is \$430)	\$2,900	\$0	\$0
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Driveway

Asphalt Driveway Apron	\$1,600	\$0	\$0
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Misc. Costs

Owner's Civil Engineer to provide site plan for construction permits. Cost for these services is unknown. Fees will be charged back to Owner as a Change Order.	TBD		
Foundation engineering plans sign and sealed (by Superior walls)	\$1,500		
Modular Home permit drawings and building inspections (by Haven Homes)	Included		
Building Permit fees by Owner	\$0		
Home Warranty (estimated)	\$500		
Plan revisions (1) Major change and (2) Minor changes (Note: Estimate will be revised to reflect costs associated with design changes and charged to Owner as a Change Order.)	Included		
Builder to obtain permits	Included		
Total cost above:	\$214,450		

Alternates (additional to base costs above)

Entry portico (1) front and (1) side	\$1,500		
Add (2) Dormers	\$1,326		
One car garage 12' x 22' attached and finished same as home.	\$20,505	\$20,505	

Full basement, Excavation, Superior Walls foundation, Slab,
Lighting, pine stairs w/ handrail.

NIC

\$23,662

HVAC - propane furnace, 3 ton AC (Cost is in additional to above)

\$7,427

\$7,427

Freight - modular transportation

\$4,277

Note: This cost is consistent with all modular deliveries and was inadvertently overlooked due to factory changes in their quoting format. TDA accepts the responsibility for this and is respectfully requesting this cost be approved with a 40% deduction. (\$7,128 less 40% = \$4,277)

Total Contract Cost:

\$249,485



AIA Document G703™ - 1992

Continuation Sheet

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 001

APPLICATION DATE: 11/11/2008

PERIOD TO: 11/11/2008

ARCHITECT'S PROJECT NO: None

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)	
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD						
5% Draw	Due at Contract Execution	12,474.25	0.00	0.00	0.00	0.00	0.00	0.00 %	12,474.25	1,247.42
25% Draw	Due at Construction Start	62,371.25	0.00	0.00	0.00	0.00	0.00	0.00 %	62,371.25	6,237.13
50% Draw	Due at Home Delivery	124,742.50	0.00	0.00	0.00	0.00	0.00	0.00 %	124,742.50	12,474.25
10% Draw	Due at Rough-in Completion	24,948.50	0.00	0.00	0.00	0.00	0.00	0.00 %	24,948.50	2,494.85
10% Draw	Due at Substantial Completion	24,948.50	0.00	0.00	0.00	0.00	0.00	0.00 %	24,948.50	2,494.85
	GRAND TOTAL	\$ 249,485.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00 %	\$ 249,485.00	\$ 24,948.50

No. Continue with this checklist.

Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- Name and address of owner
- Subject property street location
- Subject property block(s) and lot(s)
- Subject property total acreage
- Indicate if urban center or workforce housing census tract
- Description of previous zoning
- Current zoning and date current zoning was adopted
- Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- Description of surrounding land uses
- Demonstration that the site has street access
- Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- Wetlands and buffers
- Steep slopes
- Flood plain areas
- Stream classification and buffers
- Critical environmental site
- Historic or architecturally important site/district
- Contaminated site(s); proposed or designated brownfield site

- Based on the above, a quantification of buildable and non-buildable acreage
- RFP or Developer's Agreement
- Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- Pro-forma statement for the project
- Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- An affirmative marketing plan in accordance with UHAC

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS
(N.J.A.C. 5:97-6.7)**

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	12/31/2008	12/31/08	

RFP Process	3/1/2009	6/1/2009	
Developer Selection	6/1/2009	7/1/2009	
Executed Agreement with provider, sponsor or developer	7/1/2009	8/1/2009	
Development Approvals	6/1/2009	8/1/2009	
Contractor Selection	6/1/2009	7/1/2009	
Building Permits	6/1/2009	8/1/2009	
Occupancy	1/1/2010	12/31/2010	

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	12/31/2008
Site Suitability Description	12/31/2008
Environmental Constraints Statement	12/31/2008

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	12/31/2008	12/31/2008
Project Pro-forma	12/31/2008	12/31/2008

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	12/31/2008	12/31/2008
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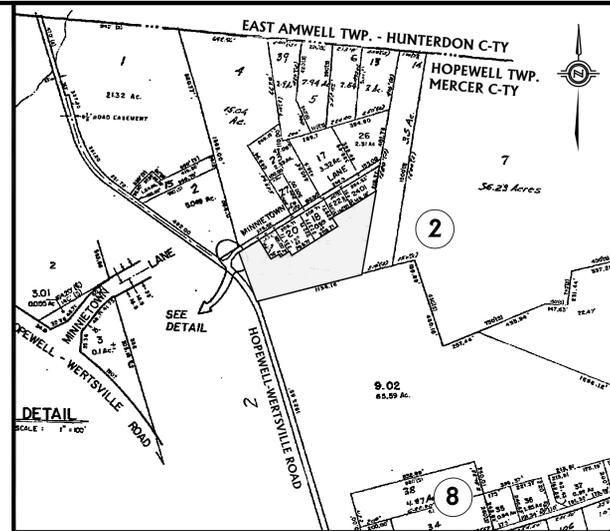
100% or Municipally Sponsored Narrative Section

Minnietown Lane is a 1.1 acre parcel where the Township intends to provide 2 modular homes. The Township owns the property, which is located in a residential district where the use is permitted. The Township has prepared an analysis to provide new septic systems to support the proposed use.

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

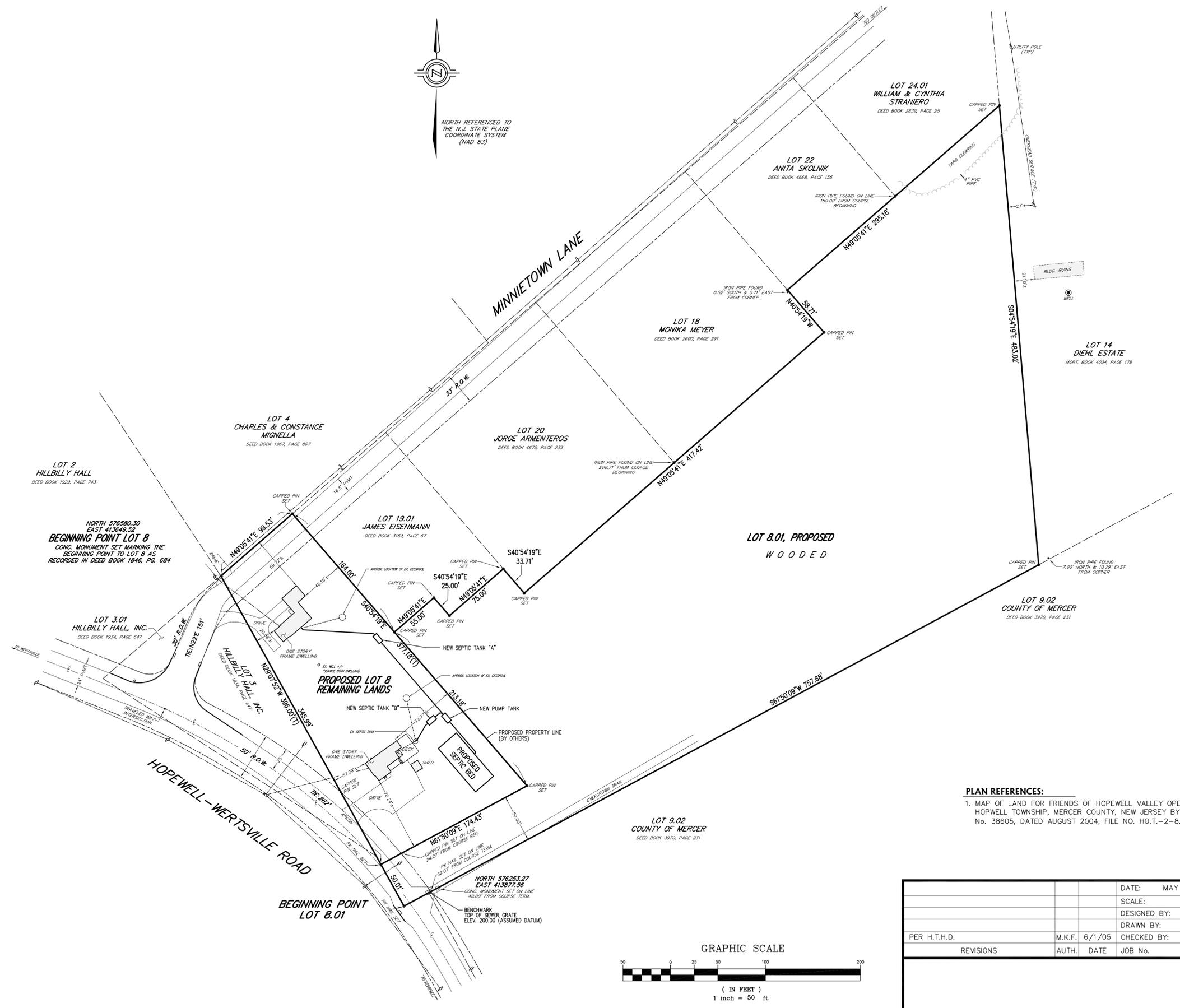


NORTH REFERENCED TO
THE N.J. STATE PLANE
COORDINATE SYSTEM
(NAD 83)



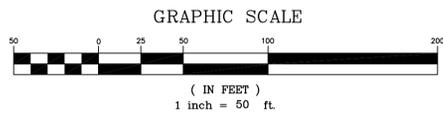
HOPEWELL TWP. TAX MAP SHEET No. 1

KEY MAP
SCALE: 1"=600'



PLAN REFERENCES:

1. MAP OF LAND FOR FRIENDS OF HOPEWELL VALLEY OPEN SPACE, INC. LOT 8 IN BLOCK 2, HOPEWELL TOWNSHIP, MERCER COUNTY, NEW JERSEY BY DAVID M. NEWTON, NJ P.L.S. No. 38605, DATED AUGUST 2004, FILE NO. HO.T.-2-B.



		DATE:	MAY 19, 2005
		SCALE:	1" = 50'
		DESIGNED BY:	R.B.H.
		DRAWN BY:	A.B.
PER H.T.H.D.	M.K.F.	6/1/05	CHECKED BY: R.B.H.
REVISIONS	AUTH.	DATE	JOB No. 7052-0501

Van Cleef
ENGINEERING ASSOCIATES

Consulting Civil Engineering
Environmental Engineering
Municipal Engineering
Land Surveying
Professional Planning
Landscape Architecture

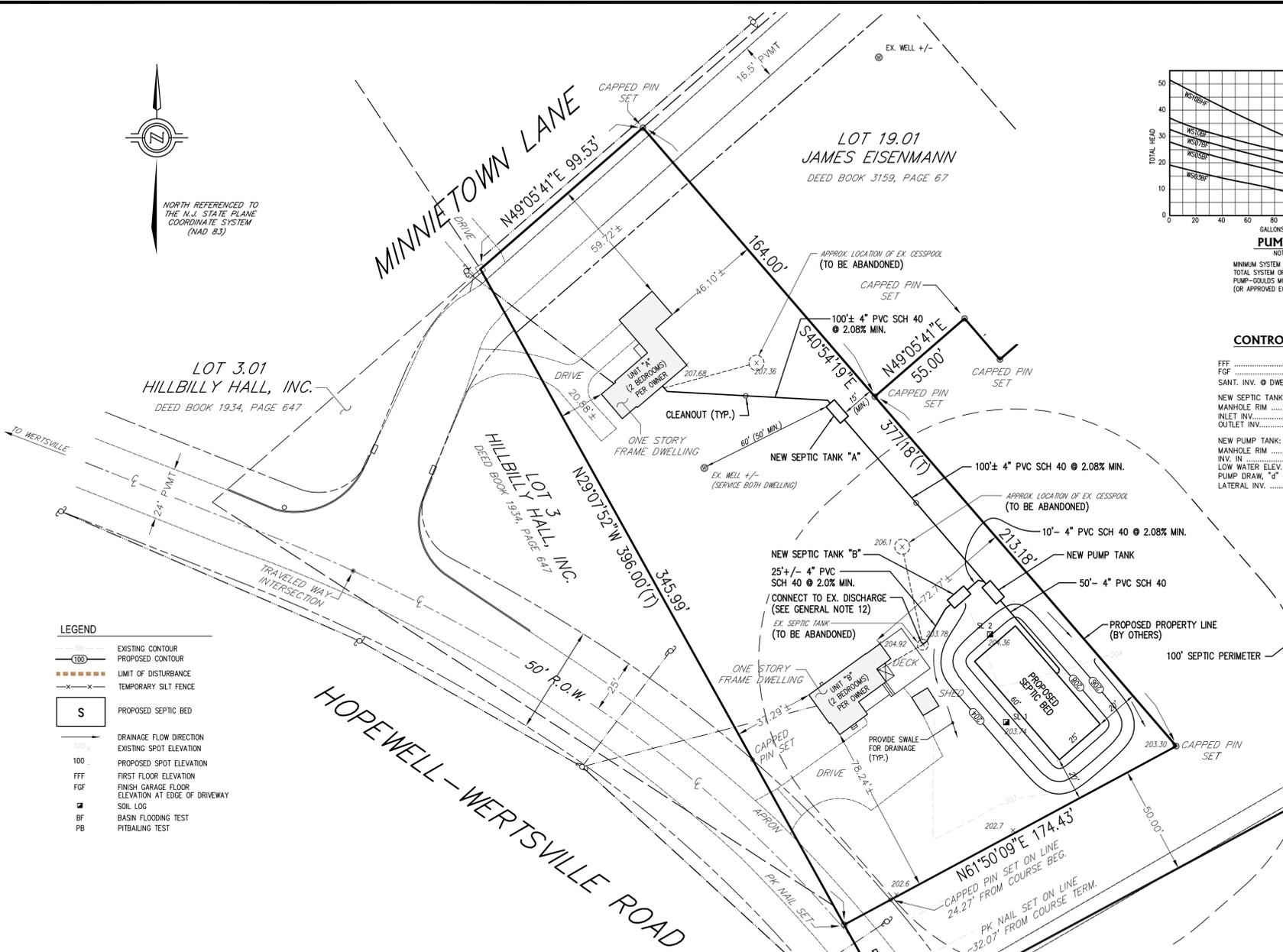
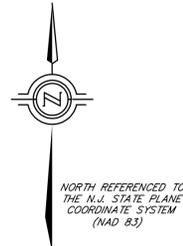
339 AMWELL ROAD, PO BOX 5877, HILLSBOROUGH, NJ 08844
EMAIL: VCCNJ@VCEA.ORG WEB: WWW.VCEA.ORG
PHONE: (908) 359-9291 FAX: (908) 359-1500

OFFICES THROUGHOUT NJ AND EASTERN PA

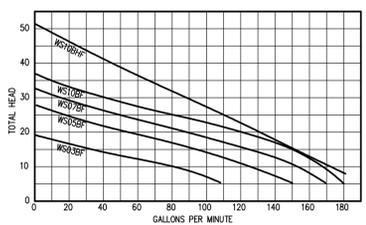
SEPTIC SYSTEM DESIGN
FOR
LOT 8 IN BLOCK 2
SITUATED IN
**HOPEWELL TOWNSHIP,
MERCER COUNTY, NEW JERSEY**

1
2

BY: Michael K. Ford New Jersey Professional Engineer
No. 34722



- LEGEND**
- EXISTING CONTOUR
 - - - PROPOSED CONTOUR
 - LIMIT OF DISTURBANCE
 - x-x- TEMPORARY SILT FENCE
 - S PROPOSED SEPTIC BED
 - DRAINAGE FLOW DIRECTION
 - 100.0 EXISTING SPOT ELEVATION
 - 100.0 PROPOSED SPOT ELEVATION
 - FFF FIRST FLOOR ELEVATION
 - FGF FINISH GARAGE FLOOR ELEVATION AT EDGE OF DRIVEWAY
 - SOIL LOG
 - BF BASIN FLOODING TEST
 - PB PITBAILING TEST



PUMP CURVE
NOT TO SCALE

MINIMUM SYSTEM DISCHARGE RATE = 106.2 GPM
TOTAL SYSTEM OPERATING HEAD = 14.6 FT.
PUMP-GOULDEN MODEL 3867 SERIES W5078F
(OR APPROVED EQUAL)

CONTROL ELEVATIONS

ITEM	EXISTING	PROPOSED
FFF	204.4	204.4
FGF	203.00	201.13
SANT. INV. @ DWELLING	202.85	200.96

ITEM	"A"	"B"
NEW SEPTIC TANK	MEET EXISTING GRADE	201.13
MANHOLE RIM	203.00	201.13
INLET INV.	202.85	200.96
OUTLET INV.	202.85	200.96

NEW PUMP TANK:

MANHOLE RIM	204.4
INV. IN	200.75
LOW WATER ELEV.	197.33
PUMP DRAW, "d" (IN INCHES)	7.41
LATERAL INV.	208.27

CONSTRUCTION/MATERIAL GENERAL NOTES

- SEPTIC TANKS**
- SHALL BE CONSTRUCTED IN ACCORDANCE WITH NJAC 7:9A-8.2.
 - CONCRETE USED IN THE CONSTRUCTION OF SEPTIC TANKS SHALL CONFORM TO THE AMERICAN CONCRETE INSTITUTE (ACI) STANDARDS FOR FROST RESISTANCE (ACI 318-16-4.5.1) AND WATER TIGHTNESS (ACI 318-16-4.5.2). CERTIFICATION SHALL BE PROVIDED BY THE MANUFACTURER AND THE CERTIFICATION DISPLAYED ON THE TANK.
 - ALL INSIDE CONCRETE SURFACES SHALL BE SEALED WITH TWO COATINGS OF AN APPROPRIATE INERT COATING TO MINIMIZE CORROSION. COATING OF PRECAST TANKS SHALL BE APPLIED BY THE MANUFACTURER PRIOR TO DELIVERY TO THE JOB SITE.
 - ACCESS OPENINGS FOR SEPTIC TANK SHALL MEET THE FOLLOWING REQUIREMENTS:
 - EACH SEPTIC TANK OR EACH COMPARTMENT OF A MULTIPLE COMPARTMENT TANK SHALL BE PROVIDED WITH AT LEAST ONE ACCESS OPENING WHICH SHALL BE A MANHOLE MINIMUM OF 24 INCHES SQUARE OR 24 INCHES IN DIAMETER.
 - ALL MANHOLES SHALL BE EXTENDED FLUSH WITH FINISHED GRADE BY MEANS OF A RISER FITTED WITH A REMOVABLE WATER-TIGHT COVER. COVERS SHALL BE BOLTED OR LOCKED TO PREVENT ACCESS BY CHILDREN. COVERS SHALL BE OF CAST IRON WHEN A CONCRETE RISER IS USED.
 - AN INSPECTION PORT EXTENDING TO FINISHED GRADE SHALL BE PROVIDED OVER EACH TANK OR COMPARTMENT INLET AND OUTLET WHICH IS NOT DIRECTLY BELOW A MANHOLE EXCEPT FOR THOSE OUTLETS WHERE A SEPTIC SOLIDS RETAINER IS USED. INSPECTION PORTS SHALL EXTEND TO FINISHED GRADE. SHALL BE CONSTRUCTED OF 4 INCH CAST IRON OR POLYVINYL CHLORIDE (PVC) AND SHALL HAVE A LOCKED OR BOLTED CAP.

- SUITABLE FILL MATERIAL**
- WHEN FILL MATERIALS UTILIZED WITHIN THE ZONE OF TREATMENT, THE FILL SHALL MEET THE FOLLOWING REQUIREMENTS:
 - COARSE FRAGMENT CONTENT LESS THAN 15 PERCENT BY VOLUME OR LESS THAN 25 PERCENT BY WEIGHT.
 - TEXTURAL ANALYSIS (COMPOSITION, BY WEIGHT, OR SIZE FRACTION PASSING THE TWO MILLIMETER SIEVE), FROM 85 TO 100 PERCENT SAND (MAX. 25% FINE AND VERY FINE SAND), FROM 5 TO 15 PERCENT SILT PLUS CLAY, MINIMUM 2 PERCENT CLAY; AND
 - PERMEABILITY FROM 8 TO 20 INCHES PER HOUR, OR PERCOLATION RATE FROM 3 TO 15 MINUTES PER INCH.
 - WHEN FILL MATERIAL IS PLACED WITHIN THE ZONE OF DISPOSAL, THE FILL SHALL MEET THE FOLLOWING REQUIREMENTS:
 - TEXTURAL ANALYSIS (COMPOSITION, BY WEIGHT, OR SIZE FRACTION PASSING THE TWO MILLIMETER SIEVE), 85 PERCENT OR MORE SAND; AND
 - PERMEABILITY GREATER THAN 2 INCHES PER HOUR, OR PERCOLATION RATE FASTER THAN 30 MINUTES PER INCH.

DOSING TANKS/PUMPS

- SHALL BE CONSTRUCTED IN ACCORDANCE WITH NJAC 7:9A-9.2.
- MATERIALS USED FOR THE CONSTRUCTION OF DOSING TANKS SHALL BE THE SAME AS THOSE ALLOWED FOR SEPTIC TANKS AS PRESCRIBED IN NJAC 7:9A-8.2.(F).
- A HIGH WATER ALARM SWITCH SHALL BE SET FOUR INCHES ABOVE THE PUMP-ON SWITCH AND SHALL ACTIVATE VISIBLE AND AUDIBLE ALARMS WHICH CAN BE READILY SEEN AND HEARD BY OCCUPANTS WITHIN THE BUILDING SERVED. THE ALARM AND ITS SWITCH SHALL NOT BE ON THE SAME ELECTRICAL CIRCUIT AS THE PUMP AND ITS SWITCHES. NOTE, AN ALARM IS REQUIRED IN EACH DWELLING UNIT.
- ALL ELECTRICAL CONTACTS AND RELAYS SHALL BE LOCATED OUTSIDE OF THE DOSING TANK AND A GAS-TIGHT SEAL SHALL BE PROVIDED WHERE ELECTRICAL CONDUITS ENTER THE TANK.
- ALL ELECTRICAL SERVICE LINES FROM THE HOME OR FACILITY TO THE PUMP CONTROL PANEL SHALL BE PROTECTED BY ELECTRICAL CONDUIT.
- THE PUMP SHALL BE RATED BY THE MANUFACTURER TO HANDLE SEPTIC EFFLUENT.
- EASY OR "QUICK" DISCONNECT COUPLINGS SHALL BE USED TO FACILITATE REMOVAL OF THE PUMP FOR SERVICING.

CONNECTING PIPES AND DELIVERY PIPES

- SHALL BE CONSTRUCTED IN ACCORDANCE WITH NJAC 7:9A-9.3.
- MATERIALS SHALL BE PVC (ASTM D2665), SCHEDULE 40, SDR-21 OR SDR-26.
- NO BENDS GREATER THAN 45° PROVIDE CLEANOUTS AT ALL BENDS.

GENERAL NOTES

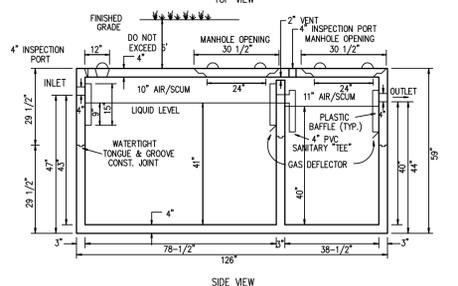
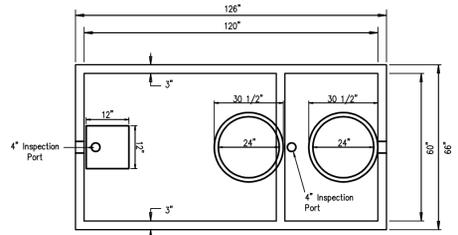
- IT SHALL BE THE RESPONSIBILITY OF THE SEPTIC INSTALLER TO ENSURE THAT ALL WORK SHALL BE PERFORMED IN FULL COMPLIANCE WITH THE REQUIREMENTS OF NJAC 7:9A ET. SEQ. STANDARDS FOR INDIVIDUAL SURFACE SEWAGE DISPOSAL SYSTEMS AND ALL LOCAL ORDINANCES.
 - PRIOR TO CONSTRUCTION, THE SEPTIC INSTALLER SHALL HAVE ALL UNDERGROUND FACILITIES LOCATED BY THE UTILITY COMPANIES.
 - PRIOR TO CONSTRUCTION AND AFTER UNDERGROUND UTILITIES HAVE BEEN LOCATED, THE SEPTIC INSTALLER IS REQUIRED TO HAVE THE ENGINEER STAKE OUT THE SEPTIC SYSTEM.
 - THE HOPEWELL TOWNSHIP HEALTH DEPARTMENT AND ENGINEER, SHALL BE NOTIFIED A MINIMUM OF 48 HOURS PRIOR TO THE CONSTRUCTION OF THE SYSTEM.
 - PRIOR TO PLACEMENT INTO SEPTIC SYSTEM, FILL MATERIAL DELIVERED TO AND STOCKPILED AT THE INSTALLATION SITE SHALL BE TESTED BY THE ENGINEER FOR COMPLIANCE WITH NJAC 7:9A AND THE DESIGN PERMEABILITY REQUIREMENTS INDICATED ON THIS PLAN.
 - IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE ENGINEER AND LOCAL HEALTH DEPARTMENT OF ANY UNUSUAL SITE OR SOIL CONDITIONS ENCOUNTERED OR OF ANY DISCREPANCIES FOUND BETWEEN THIS PLAN AND THE SITE CONDITIONS.
 - CHANGES TO THIS DESIGN ARE NOT PERMITTED WITHOUT PRIOR APPROVAL FROM THE DESIGN ENGINEER AND THE LOCAL HEALTH DEPARTMENT.
 - THE SEPTIC INSTALLER SHALL BE RESPONSIBLE FOR NOTIFYING THE LOCAL HEALTH DEPARTMENT AND ENGINEER PRIOR TO THE START OF CONSTRUCTION SO THAT ALL REQUIRED INSPECTIONS MAY BE SCHEDULED. THE SEPTIC INSTALLER SHALL NOT PROCEED WITH ANY PHASE OF THE CONSTRUCTION WITHOUT PRIOR APPROVAL FROM THE LOCAL HEALTH DEPARTMENT AND ENGINEER.
 - THE ENGINEER AND LOCAL HEALTH DEPARTMENT SHALL BE NOTIFIED BY THE INSTALLER TO INSPECT THE FOLLOWING:
- | PHASE | DATE |
|--|------|
| A. STAKE OUT | |
| OPEN DITCH (EXCAVATION) | |
| DISPOSAL FILL SAMPLE COLLECTION | |
| TREATMENT FILL SAMPLE COLLECTION | |
| B. DISPOSAL FILL EMPLACEMENT | |
| TREATMENT FILL EMPLACEMENT | |
| TREATMENT FILL COMPACTION & PERCOLATION TEST | |
| C. PUMP TANK AT SITE LOCATION | |
| SEPTIC TANK(S) AT SITE LOCATION | |
| STONE AND LATERAL EMPLACEMENT | |
| D-BOX EQUALIZATION FLOW | |
| D. BACK-FILL AND FINAL GRADE | |
- FAILURE TO COMPLY WITH THE ABOVE INSPECTION SCHEDULE WILL RESULT IN THE NON-ISSUANCE OF A CERTIFICATE OF COMPLIANCE. ALL ELECTRICAL FACILITIES SHALL BE INSPECTED BY A TOWNSHIP SUBCODE OFFICIAL, AND NOT THE ENGINEER.
- DWELLING IS SERVICED BY PRIVATE WELL.
 - SEE SEPTIC SYSTEM DESIGN APPLICATION FOR SOILS DATA.
 - THE SEPTIC INSTALLER SHALL BE RESPONSIBLE FOR ENSURING GRAVITY FLOW AS SHOWN HEREON. CONTRACTOR MUST LOCATE ALL EXISTING DWELLING DISCHARGES PRIOR TO INSTALLATION OF SEPTIC TANKS.
 - NO GARBAGE DISPOSAL UNIT OR EXPANSION ATTICS SHALL BE PERMITTED.
 - PORTIONS OF THE EXISTING DISPOSAL FIELD WHICH MAY BE DISTURBED DURING CONSTRUCTION MUST BE BURIED ON-SITE IN A MANNER ACCEPTABLE TO THE TOWNSHIP HEALTH OFFICIAL AND THE ENGINEER.
 - THE EXISTING SEPTIC TANK AND/OR CESSPOOL MUST BE EMPTIED OF WASTE AND FILLED COMPLETELY WITH GRAVEL, STONE, OR SOIL MATERIAL IN A MANNER ACCEPTABLE TO THE TOWNSHIP HEALTH OFFICIAL AND THE ENGINEER.

PLAN REFERENCES:

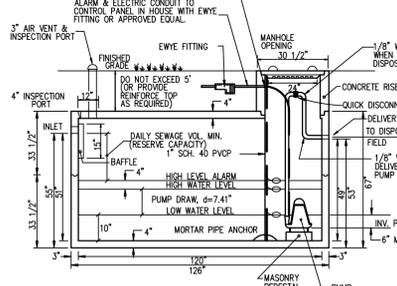
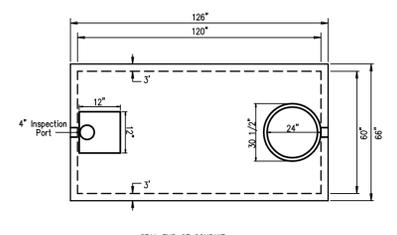
- MAP OF LAND FOR FRIENDS OF HOPEWELL VALLEY OPEN SPACE, INC. LOT 8 IN BLOCK 2, HOPEWELL TOWNSHIP, MERCER COUNTY, NEW JERSEY BY DAVID M. NEWTON, NJ P.L.S. No. 38605, DATED AUGUST 2004, FILE NO. HO.1-2-8.

SIZING SUMMARY

DESIGNED FOR (2) TWO BEDROOM DWELLINGS = 700 GPD SANITARY SEWAGE (350 GPD/UNIT) DESIGN PERMEABILITY:
6-20 INCHES PER HOUR (SELECT FILL MATERIALS)
MINIMUM REQUIRED DISPOSAL FIELD BOTTOM AREA:
1.33 SF/GPD x 700 GPD x 1.25 (PER HTHD) = 1,164 SF
DESIGNED DISPOSAL FIELD BOTTOM AREA:
21 FT. WIDE x 56 FT. LONG = 1,176 SF
LATERAL SPACING AT 3.75'

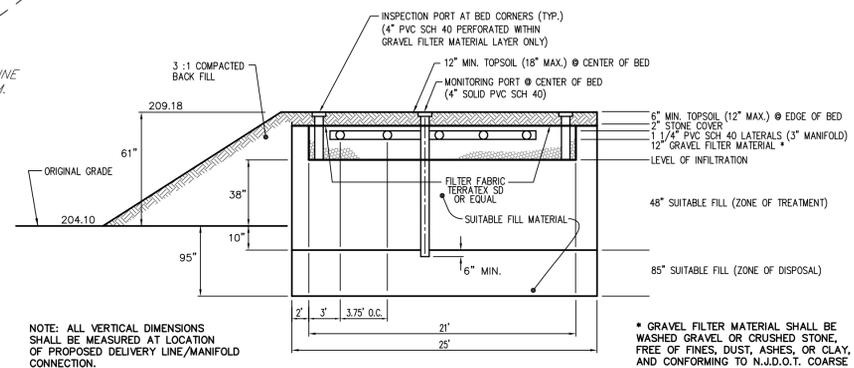
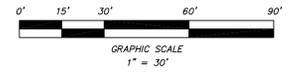


1250 GALLON CONCRETE SEPTIC TANK DOUBLE COMPARTMENT
NOT TO SCALE
AS MANUFACTURED BY FLEMINGTON SEPTIC TANK COMPANY (OR APPROVED EQUAL)

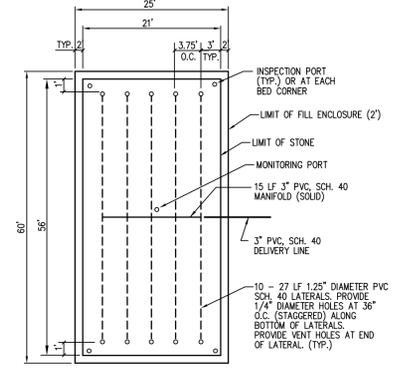


1500 GALLON CONCRETE PUMP TANK
NOT TO SCALE
AS MANUFACTURED BY FLEMINGTON SEPTIC TANK COMPANY (OR APPROVED EQUAL)

SITE PLAN
SCALE: 1"=30'



SEPTIC BED CROSS SECTION
NOT TO SCALE



SEPTIC BED PLAN VIEW
NOT TO SCALE

DATE:	MAY 19, 2005
SCALE:	AS SHOWN
DESIGNED BY:	M.K.F.
DRAWN BY:	A.B.
CHECKED BY:	R.B.H.
REVISIONS	AUTH. DATE JOB No. 7052-0501

BY: **Michael K. Ford**
New Jersey Professional Engineer
No. 34722

Van Cleef
ENGINEERING ASSOCIATES

Consulting Civil Engineering
Environmental Engineering
Municipal Engineering
Land Surveying
Professional Planning
Landscape Architecture

339 AMWELL ROAD, PO BOX 5877, HILLSBOROUGH, NJ 08844
EMAIL: VCCNJ@VCEA.ORG WEB: WWW.VCEA.ORG
PHONE: (908) 359-5271 FAX: (908) 359-1500

SEPTIC SYSTEM DESIGN
FOR
LOT 8 IN BLOCK 2
SITUATED IN
**HOPEWELL TOWNSHIP,
MERCER COUNTY, NEW JERSEY**

MUNICIPALLY SPONSORED AFFORDABLE HOUSING WORKSHEET

Hopewell Township, Mercer County

1 of 2

Fair Share Plan Identifier	FAIR SHARE PLAN #1/FOHVOS/Minnietown Lane
General Description of the Site	
Name and address of owner	Township of Hopewell, 201 Wash. Crossing-Penn. Rd, Titusville, NJ 08560
Street location	Minnietown Lane
Block and lot	Block 2, Lot 8
Acreage	1.02 acres
Indicate if urban center or workforce housing census tract	
Previous zoning	MRC Single Family Residential
Current zoning and date adopted	MRC Single Family Residential
Tax map showing location with legible dimensions	Attached
Description of the Suitability of the Site	
Description of surrounding land uses	Residential on east & west, open space on south, restaurant on north
Demonstration that the site has street access	Minnietown Lane is an accepted public street
Planning Area and/or Special Resource Area Designation	PA-5
Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to durational adjustment per N.J.A.C. 5:97-5.4	On-Site Wells
Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to durational adjustment per N.J.A.C. 5:97-5.4	Approved on-site individual wastewater disposal field.

MUNICIPALLY SPONSORED AFFORDABLE HOUSING WORKSHEET

Hopewell Township, Mercer County

2 of 2

Description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints

Wetlands and buffers	N.A. Redevelopment of site previously used for two single family units
Steep slopes	N.A. Redevelopment of site previously used for two single family units
Flood plain areas	N.A. Redevelopment of site previously used for two single family units
Stream classification and buffers	N.A. Redevelopment of site previously used for two single family units
Critical environmental site	N.A. Redevelopment of site previously used for two single family units
Historic or architecturally important site/district	N.A. Redevelopment of site previously used for two single family units
Contaminated site(s); proposed or designated Brownfield site	N.A. Redevelopment of site previously used for two single family units
Based on the above, a quantification of buildable and non-buildable acreage	1.02 acres
RFP or Developer's Agreement	
Construction Schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process	To be completed by 2010
Pro-forma statement for project	See Spending Plan
Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14	Pending Design
Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable	See Resolution adopted by Governing Body

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

(Submit separate checklist for each site or project)

General Description

Municipality/County: Hopewell Township/Mercer County

Project or Program Name: Project Freedom

Date facility will be constructed or placed into service: 2010

Type of facility: Permanent Supportive Housing

For group homes, residential health care facilities and supportive shared housing:

Affordable bedrooms proposed: _____ Age-restricted affordable bedrooms: _____

For permanent supportive housing:

Affordable units proposed: 70 Age-restricted affordable units: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Compliance bonuses as per N.J.A.C. 5:97-3.17: _____

Date development approvals granted: _____

Information and Documentation Required with Petition or in Accordance with an

Implementation Schedule

Is the municipality providing an implementation schedule for this project/program.

Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

No. Continue with this checklist.

- Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here in lieu of submitting forms.)
- Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- Name and address of owner
- Name and address of developer
- Subject property street location
- Subject property block(s) and lot(s)
- Subject property total acreage
- Indicate if urban center or workforce housing census tract
- Description of previous zoning
- Current zoning and date current zoning was adopted
- Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- Description of surrounding land uses
- Demonstration that the site has street access
- Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- Wetlands and buffers
- Steep slopes
- Flood plain areas
- Stream classification and buffers
- Critical environmental site
- Historic or architecturally important site/district
- Contaminated site(s); proposed or designated brownfield site

- Based on the above, a quantification of buildable and non-buildable acreage
- Pro-forma statement for the project
- RFP or Developer's Agreement
- Construction schedule and timetable for each step in the development process
- Documentation of funding sources
- Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall

Information and Documentation Required Prior to Marketing the Completed Units or Facility

- For units not exempt from UHAC, an affirmative marketing plan in accordance with N.J.A.C. 5:97-6.10(c)
- If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency (including validation of the number of bedrooms or units in which low- or moderate-income occupants reside)

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a “realistic opportunity” as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Acquisition	2008	2008	
RFP Process			

Developer Selection	12/31/2008	12/31/2008	
Executed Agreement with provider, sponsor or developer	1/1/2009	3/1/2009	
Development Approvals	3/1/2009	7/1/2009	
Contractor Selection	7/1/2009	1/1/2010	
Building Permits	1/1/2010	3/1/2010	
Construction	3/1/2010	12/31/2010	
Occupancy	12/31/2010	12/31/2010	

Supportive/Special Needs Narrative Section

Project Freedom, located on Block 78, Lot 10.04 is a 22 acre parcel located on Denow Road east of Route 31. The Township anticipates the development of approximately 70 units, the majority of which will be for the developmentally disabled. The tract currently has a sewage treatment allocation from ELSA.

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE
DEVELOPMENTS (N.J.A.C. 5:97-6.7)**

(Submit separate checklist for each site or project)

General Description

Municipality/County: Hopewell Township/Mercer County

Project Name: Pennytown

Block(s) and Lot(s): Block 33, Lot 1.02

Affordable Units Proposed: 70 units

Family: _____ Sale: _____ Rental: _____

Very low-income units: _____ Sale: _____ Rental: _____

Age-Restricted: _____ Sale: _____ Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: _____ Date development approvals granted: _____

Required Information and Documentation with Petition or in Accordance with an

Implementation Schedule

Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

No. Continue with this checklist.

Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- Name and address of owner
- Subject property street location
- Subject property block(s) and lot(s)
- Subject property total acreage
- Indicate if urban center or workforce housing census tract
- Description of previous zoning
- Current zoning and date current zoning was adopted
- Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- Description of surrounding land uses
- Demonstration that the site has street access
- Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- Wetlands and buffers
- Steep slopes
- Flood plain areas
- Stream classification and buffers
- Critical environmental site
- Historic or architecturally important site/district
- Contaminated site(s); proposed or designated brownfield site

- Based on the above, a quantification of buildable and non-buildable acreage
- RFP or Developer's Agreement
- Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- Pro-forma statement for the project
- Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- An affirmative marketing plan in accordance with UHAC

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS
(N.J.A.C. 5:97-6.7)**

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	1/1/2008	12/1/2008	

RFP Process	7/1/2009	1/1/2010	
Developer Selection	1/1/2010	7/1/2010	
Executed Agreement with provider, sponsor or developer	7/1/2010	10/1/2010	
Development Approvals	7/1/2010	1/1/2011	
Contractor Selection	7/1/2010	1/1/2011	
Building Permits	10/1/2011	1/1/2012	
Occupancy	7/1/2012	12/31/2012	

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	
Site Suitability Description	
Environmental Constraints Statement	

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	12/31/2008	12/31/2008
Project Pro-forma	12/31/2008	12/31/2008

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	12/31/2008	12/31/2008
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100% or Municipally Sponsored Narrative Section

Pennytown is a 25 acre parcel that currently has an on-site treatment plant that could service up to 70 affordable units. A contract of sale has been executed and Hopewell Township is in the due diligence period.

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.



ZONING REQUIREMENTS
 THESE LOTS ARE LOCATED IN THE SHOPPING CENTER 1 (SC-1) ZONE.

	REQUIRED	EXISTING LOT 1.02	PROPOSED LOT 1.02	PROPOSED LOT 1.03
MINIMUM LOT AREA (NET)	5 AC.			
MINIMUM LOT AREA (GROSS)	5 AC.			
MINIMUM LOT WIDTH	300 FT.			
MINIMUM LOT DEPTH	300 FT.			
MINIMUM FRONT YARD	100 FT.			
MINIMUM SIDE YARD	75 FT.			
MINIMUM REAR YARD	75 FT.			
MAXIMUM BUILDING HEIGHT	35 FT.			
MAXIMUM LOT COVERAGE	60%			
MAXIMUM FLOOR AREA RATIO	0.20			

(1) LOT COVERAGE BASED ON NET AREA.

OWNER (LOT 1.02):
 THIS SUBDIVISION IS MADE WITH MY AUTHORIZATION AND CONSENT AND IS IN FULL ACCORDANCE WITH MY DESIRES.
 I/WE ARE THE APPLICANT AS DESIGNATED AND SHOWN HEREON, AND HEREBY APPROVE OF THIS PLAN.
 _____ DATE _____

APPLICANT (LOT 1.02):
 THIS SUBDIVISION IS MADE WITH MY AUTHORIZATION AND CONSENT AND IS IN FULL ACCORDANCE WITH MY DESIRES.
 I/WE ARE THE APPLICANT AS DESIGNATED AND SHOWN HEREON, AND HEREBY APPROVE OF THIS PLAN.
 _____ DATE _____

SURVEYOR CERTIFICATION FOR BLOCK 33, LOT 1.02
 I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS LAND SURVEY DATED 5/7/08 HAS BEEN MADE UNDER MY SUPERVISION AND MEETS THE MINIMUM SURVEYING ACTUAL REQUIREMENTS, WITH OUTBOUND CORNER MARKERS PHOTOLOGGED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THAT THE OUTBOUND CORNER MARKERS SHOWN HAVE BEEN FOUND OR SET.
 _____ DATE _____

APPROVAL OF THE MERCER COUNTY PLANNING BOARD
 I HEREBY CERTIFY THAT THIS MAP HAS BEEN MADE UNDER MY SUPERVISION AND COMPLIES WITH THE PROVISIONS OF THE "MAP FILING LAW".
 I DO FURTHER CERTIFY THAT THE MONUMENTS AS DESIGNATED AND SHOWN HEREON HAVE BEEN SET.
 _____ DATE _____

HOPWELL TOWNSHIP APPROVAL
 I HAVE CAREFULLY EXAMINED THIS MAP AND TO THE BEST OF MY KNOWLEDGE AND BELIEF FIND IT CONFORMS WITH THE PROVISIONS OF THE "MAP FILING LAW" RESOLUTION OF APPROVAL AND THE MUNICIPAL ORDINANCES AND REQUIREMENTS APPLICABLE THERETO.
 MUNICIPAL ENGINEER _____ DATE _____

CHAIRMAN, PLANNING BOARD _____ DATE _____

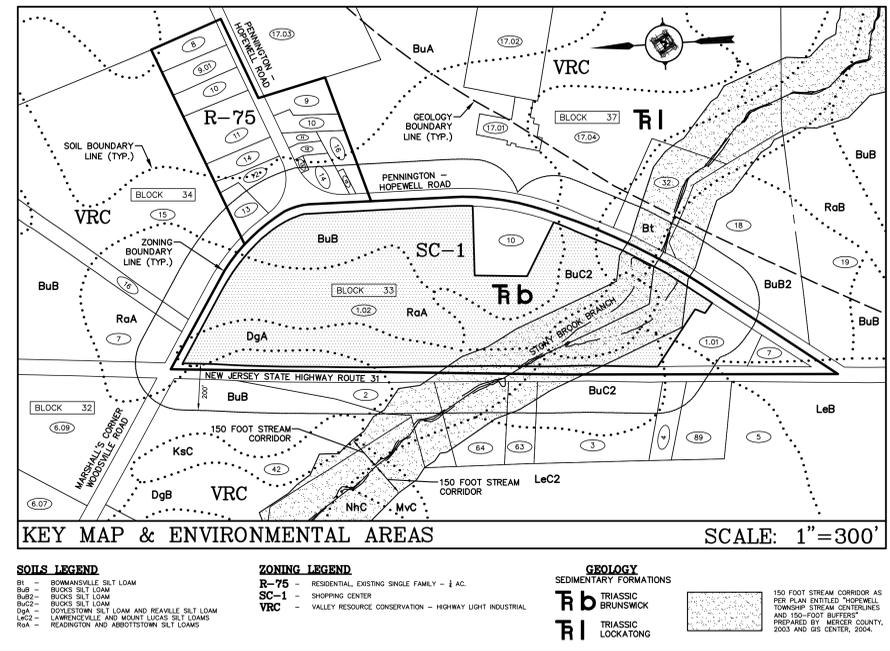
SECRETARY _____ DATE _____

APPROVAL OF THE MERCER COUNTY PLANNING BOARD
 PLANNING DIRECTOR _____ DATE _____

SECRETARY _____ DATE _____

LEGEND

ITEM	EXISTING	PROPOSED
SIGN	□	◻
GUY POLE	⊙	⊙
UTILITY POLE	⊙	⊙
SANITARY SEWER	—	—
STORM SEWER	—	—
INLET SQ.	A B C	A B C
MANHOLE	⊙	⊙
FIRE HYDRANT	⊙	⊙
UTILITY VALVE	⊙	⊙
CABLE LINE	—	—
WATER LINE	—	—
GAS LINE	—	—
ELECTRIC LINE	—	—
TELEPHONE LINE	—	—
ELECTRIC TELEPHONE & CABLE LINES	—	—
CONTOUR LINES	100	100
GRADE ELEVATION	100.0	100.00
CURB	—	—
OVERHEAD WIRE	—	—
CONCRETE MONUMENT TO BE SET	□	□



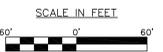
REFERENCES:

- ALVA/ADAM LAND TITLE SURVEY, KOWLOD AADHEENNA VEDANTA, INC., LOT 1.02 BLOCK 33, PREPARED BY CONTROL POINT ASSOCIATES INC. DATED 3/1/03.
- HOPWELL TOWNSHIP TAX MAP SHEETS NO. 6, 7, 9, 01 & 16.

NOTES:

- SUBJECT TO ANY EASEMENTS AND MATTERS OF RECORD.
- UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON WERE OBTAINED FROM FIELD SURVEY, REFERENCE PLANS, UTILITY MARKOUT AND UTILITY PLANS. THESE LOCATIONS SHOULD BE CONSIDERED APPROXIMATE ONLY, AND SHOULD BE VERIFIED PRIOR TO ANY EXCAVATION OR CONSTRUCTION. FOR UNDERGROUND UTILITY MARKOUT CALL (1-800-272-1000).
- THE LOCATION OF UNDERGROUND UTILITIES MUST BE FIELD VERIFIED PRIOR TO ANY EXCAVATION.
- BENCHMARKS:
 BM-1,
 BM-2.
- ELEVATIONS BASED ON XXXXX

DRAFT



HOPWELL VALLEY ENGINEERING, P.C.
 ENGINEERS, PLANNERS & LAND SURVEYORS
 73 Route 31 North Pennington, NJ 08534-3601
 Tel: 609-745-5800
 Fax: 609-745-5807
 www.hvepc.com

Date: 12/12/08
 Scale: 1"=60'
 Drawn By: ASC
 Checked By: DHK
 Field Book: NA
 Job No: 11065300
 Drawing: FP015300

MINOR SUBDIVISION PLAN OF LOT 1.02 BLOCK 33
 SITUATE IN HOPWELL TOWNSHIP, MERCER COUNTY, N.J.

DONALD H. KAMP
 N.J. PROFESSIONAL LAND SURVEYOR NO. 59953
 12/12/08 Date Signed
 Sheet 1 of 1

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE
DEVELOPMENTS (N.J.A.C. 5:97-6.7)**

(Submit separate checklist for each site or project)

General Description

Municipality/County: Hopewell Township/Mercer County

Project Name: Capital Health System

Block(s) and Lot(s): Block 91, Lot 3.96

Affordable Units Proposed: 70 units

Family: _____ Sale: _____ Rental: _____

Very low-income units: _____ Sale: _____ Rental: _____

Age-Restricted: _____ Sale: _____ Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: _____ Date development approvals granted: _____

Required Information and Documentation with Petition or in Accordance with an

Implementation Schedule

Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

No. Continue with this checklist.

Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- Name and address of owner
- Subject property street location
- Subject property block(s) and lot(s)
- Subject property total acreage
- Indicate if urban center or workforce housing census tract
- Description of previous zoning
- Current zoning and date current zoning was adopted
- Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- Description of surrounding land uses
- Demonstration that the site has street access
- Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- Wetlands and buffers
- Steep slopes
- Flood plain areas
- Stream classification and buffers
- Critical environmental site
- Historic or architecturally important site/district
- Contaminated site(s); proposed or designated brownfield site

- Based on the above, a quantification of buildable and non-buildable acreage
- RFP or Developer's Agreement
- Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- Pro-forma statement for the project
- Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- An affirmative marketing plan in accordance with UHAC

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS
(N.J.A.C. 5:97-6.7)**

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	12/31/2008	12/31/2009	

RFP Process	1/1/2010	6/1/2010	
Developer Selection	6/1/2010	12/31/2010	
Executed Agreement with provider, sponsor or developer	12/31/2010	4/1/2011	
Development Approvals	1/1/2011	6/1/2011	
Contractor Selection	6/1/2011	1/1/2012	
Building Permits	1/1/2012	6/1/2012	
Occupancy	1/1/2013	1/1/2016	

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	
Site Suitability Description	
Environmental Constraints Statement	

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	1/1/2012	
Project Pro-forma	1/1/2012	

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	12/31/2008	
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100% or Municipally Sponsored Narrative Section

Weidel Tract is a 72 acre parcel owned by the Township, with 16 acres being sold to Mercer County as open space for approximately \$1.25 million. The property requires a contact with ELSA for sewer service and a permit from the DEP for road access. The Township plans to construct approximately 180 affordable units on this property over a span of 6 years (2013- 2018).

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE
DEVELOPMENTS (N.J.A.C. 5:97-6.7)**

(Submit separate checklist for each site or project)

General Description

Municipality/County: Hopewell Township/Mercer County

Project Name: Burroughs Tract

Block(s) and Lot(s): Block 130, Lot 77.01

Affordable Units Proposed: 7 units

Family: _____ Sale: _____ Rental: _____

Very low-income units: _____ Sale: _____ Rental: _____

Age-Restricted: _____ Sale: _____ Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: _____ Date development approvals granted: _____

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A general description of the site, including:

- Name and address of owner
- Subject property street location
- Subject property block(s) and lot(s)
- Subject property total acreage
- Indicate if urban center or workforce housing census tract
- Description of previous zoning
- Current zoning and date current zoning was adopted
- Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- Description of surrounding land uses
- Demonstration that the site has street access
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- Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- Wetlands and buffers
- Steep slopes
- Flood plain areas
- Stream classification and buffers
- Critical environmental site
- Historic or architecturally important site/district
- Contaminated site(s); proposed or designated brownfield site

- Based on the above, a quantification of buildable and non-buildable acreage
- RFP or Developer's Agreement
- Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- Pro-forma statement for the project
- Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
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- An affirmative marketing plan in accordance with UHAC

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS
(N.J.A.C. 5:97-6.7)**

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

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(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	12/31/2008	12/31/2008	

RFP Process			
Developer Selection			
Executed Agreement with provider, sponsor or developer			
Development Approvals	1/1/2013	6/1/2013	
Contractor Selection	6/1/2013	12/31/2013	
Building Permits	1/1/2014	4/1/2014	
Occupancy	1/1/2016	12/31/2016	

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	
Site Suitability Description	
Environmental Constraints Statement	

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	6/1/2013	
Project Pro-forma	6/1/2013	

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	12/31/2008	
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100% or Municipally Sponsored Narrative Section

Burroughs Tract is a 34 acre parcel acquired by the Township specifically for affordable housing purposes. Wastewater treatment limitations may only permit 7 units with conventional on-site wastewater disposal systems. The property is adjacent to major employers and is located in a residential zoning district.

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE
DEVELOPMENTS (N.J.A.C. 5:97-6.7)**

(Submit separate checklist for each site or project)

General Description

Municipality/County: Hopewell Township/Mercer County

Project Name: Weidel Tract

Block(s) and Lot(s): Block 88, Lot 5.02

Affordable Units Proposed: 180 units

Family: _____ Sale: _____ Rental: _____

Very low-income units: _____ Sale: _____ Rental: _____

Age-Restricted: _____ Sale: _____ Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: _____ Date development approvals granted: _____

Required Information and Documentation with Petition or in Accordance with an

Implementation Schedule

Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here in lieu of submitting forms.)

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Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

No. Continue with this checklist.

Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- Name and address of owner
- Subject property street location
- Subject property block(s) and lot(s)
- Subject property total acreage
- Indicate if urban center or workforce housing census tract
- Description of previous zoning
- Current zoning and date current zoning was adopted
- Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- Description of surrounding land uses
- Demonstration that the site has street access
- Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- Wetlands and buffers
- Steep slopes
- Flood plain areas
- Stream classification and buffers
- Critical environmental site
- Historic or architecturally important site/district
- Contaminated site(s); proposed or designated brownfield site

- Based on the above, a quantification of buildable and non-buildable acreage
- RFP or Developer's Agreement
- Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- Pro-forma statement for the project
- Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

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- An affirmative marketing plan in accordance with UHAC

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS
(N.J.A.C. 5:97-6.7)**

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

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PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	1/1/2008	1/1/2009	

RFP Process	1/1/2009	1/1/2010	
Developer Selection	1/1/2010	6/1/2010	
Executed Agreement with provider, sponsor or developer	6/1/2010	8/1/2010	
Development Approvals	6/1/2010	6/1/2011	
Contractor Selection	6/1/2011	1/1/2012	
Building Permits	1/1/2012	6/1/2012	
Occupancy	1/1/2014	1/1/2018	

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	
Site Suitability Description	
Environmental Constraints Statement	

(C) Financial documentation including, the following:

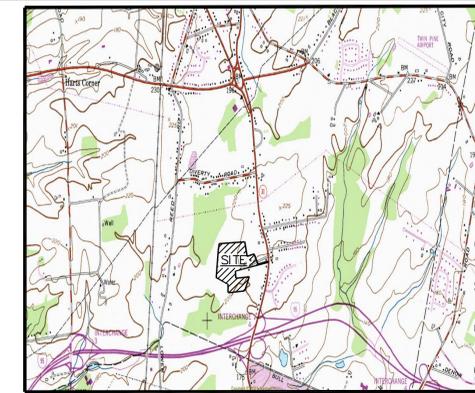
Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	1/1/2012	
Project Pro-forma	1/1/2012	

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	12/31/2008	
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100% or Municipally Sponsored Narrative Section

Weidel Tract is a 72 acre parcel owned by the Township, with 16 acres being sold to Mercer County as open space for approximately \$1.25 million. The property requires a contact with ELSA for sewer service and a permit from the DEP for road access. The Township plans to construct approximately 180 affordable units on this property over a span of 6 years (2013- 2018).

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.



KEY MAP
N.T.S.

BLOCK 88, LOT 5
72.746± AC. (EXISTING)
PROPOSED LOT 5.02, BLOCK 88
68.920± AC.

TOWNSHIP OF HOPEWELL 200 FT. CERTIFIED PROPERTY OWNERS LIST, LOT 5 IN BLOCK 88

BLOCK	LOT	OWNER	BLOCK	LOT	OWNER	BLOCK	LOT	OWNER
88	4	PENNINGTON RD. LTD C/O BARRY SUSSMAN 1018 WHITEHEAD ROAD EXT EWING, NJ, 08638	84	17	JOHN M. ZUCCARELLI, III/NAT GROUP 2384 PENNINGTON ROAD PENNINGTON, NJ, 08534	88	15	JACK AND EDYTA SLAZA 2357 PENNINGTON ROAD PENNINGTON, NJ, 08534
88	6	HAR SINAI HEBREW CONGREGATION 2411 PENNINGTON ROAD PENNINGTON, NJ, 08534	84	19	HOSSEIN AND POURSHAHDI E. NOURI 2380 PENNINGTON ROAD PENNINGTON, NJ, 08534	88	18	TERANCE L. RESSE 2349 PENNINGTON ROAD PENNINGTON, NJ, 08534
88	38	HAR SINAI HEBREW CONGREGATION 2411 PENNINGTON ROAD PENNINGTON, NJ, 08534	84	20	ROBERT J. LAURICELLA 2378 PENNINGTON ROAD PENNINGTON, NJ, 08534	88	19	MAC FREDIC C/O COLDWELL BANKER 1410 VALLEY ROAD WAYNE, NJ, 07470
88	5	PAMELA A. WEDEL LIVING TRUST 1429 TRENTON-HARBOROURN ROAD 08534-4011	84	21	ROBERT J. LAURICELLA 2374 PENNINGTON ROAD PENNINGTON, NJ, 08534	88	20	HAROLD HART AND ALICE HARMONIA 206 PATRICIA LANE ROBBINSVILLE, NJ, 08891
88	33.99	REED ROAD INDUSTRIAL PARK #2, LLC 1580 REED ROAD, PENNINGTON, NJ 08534	88	12	ANTONIO AND TOM HENSON 2375 PENNINGTON ROAD PENNINGTON, NJ, 08534	88	27	HERITAGE CONSERVANCY, INC. 85 OLD DUBLIN PIKE DOWLESTOWN, PA, 18901
88	8	RONALD J. MEIER 2401 PENNINGTON ROAD PENNINGTON, NJ, 08534	84	22	KATHERINE I. HUTCHINSON 2374 PENNINGTON ROAD PENNINGTON, NJ, 08534	88	21	PATRICK O. AND SHERREE S. HALL 2331 PENNINGTON ROAD PENNINGTON, NJ, 08534
88	9	ALEXANDER CHALIER 2389 PENNINGTON ROAD PENNINGTON, NJ, 08534	84	23	MARYANN AND MF AND MJ VARILLA 13 BENT TIG LANE EWING, NJ, 08638	88	23.01	MARK M. AND CHRISTINE A. ZELENAK 2331 PENNINGTON ROAD PENNINGTON, NJ, 08534
88	10	JEAN S. WEASNER 2393 PENNINGTON ROAD PENNINGTON, NJ, 08534	88	42	MORRIS E. JR. AND BERNICE L. MAZE 3 DRAKE LANE PENNINGTON, NJ, 08534	88	39	CHARLES G. MUSSO 2327 PENNINGTON ROAD PENNINGTON, NJ, 08534
88	11	JEAN S. WEASNER 2383 PENNINGTON ROAD PENNINGTON, NJ, 08534	88	17	MORRIS E. JR. AND BERNICE L. MAZE 3 DRAKE LANE PENNINGTON, NJ, 08534	88	40	HERITAGE CONSERVANCY, INC. 85 OLD DUBLIN PIKE DOWLESTOWN, PA, 18901
83	15.01	DOUGLAS F. AND MICHELLE R. ECKERT 3 CREST AVENUE, PENNINGTON, NJ 08534	88	13	GREGORY E. AND PAMELA A. ROZICK 2371 PENNINGTON ROAD PENNINGTON, NJ, 08534	88	26	HERITAGE CONSERVANCY, INC. 85 OLD DUBLIN PIKE DOWLESTOWN, PA, 18901
			88	14	MICHAEL AND MARYANN FIGLARZ 2359 PENNINGTON ROAD PENNINGTON, NJ, 08534			

ZONE-SI (SPECIAL INDUSTRIAL)

REQUIREMENT	ORDINANCE	EXISTING TAX LOT 5	PROPOSED TAX LOT 5.01 PROVIDED	PROPOSED TAX LOT 5.02 PROVIDED
LOT AREA (AC.)	3	72.746	3.826	68.920
FLAG LOT AREA (AC.)	5	72.746	3 AC.±	68.920
LOT WIDTH (FT.)	> 300	> 300	> 300	> 300
LOT DEPTH (FT.)	> 300	> 300	> 300	> 300
MIN. FRONT YARD SETBACK (FT.)	100	> 100	> 100	N/A
MIN. REAR YARD SETBACK (FT.)	50	> 50	> 50	N/A
MIN. SIDE YARD SETBACK (FT.)	50	> 50	> 50	N/A
MAX. BUILDING HEIGHT (FT.)	45	N/A	N/A	N/A
MAX. LOT COVERAGE (%)	50	N/A	N/A	N/A
MAX. BUILDING COVERAGE (%)	20	N/A	N/A	N/A
MAX. FLOOR AREA RATIO (FAR)	0.20	N/A	N/A	N/A

*** VARIANCES REQUIRED**
(LOT-5.01) ORDINANCE SECTION 17-91.0.3 : MIN. FLAG LOT AREA OF 5 ACRES, EXCLUSIVE OF ACCESS STRIP
(LOT-5.02) ORDINANCE SECTION 17-91.1 : EACH NEW LOT MUST ABUT A PUBLIC STREET
(LOT-5.01) ORDINANCE SECTION 17-165.4.3 : LOT WIDTH
(LOT-5.01) ORDINANCE SECTION 17-91.1 : FLAG LOTS MAY BE PERMITTED IN RESIDENTIAL ZONES SO LONG AS VARIANCE RELIEF FROM THE BULK STANDARDS OF THE ORDINANCE ARE REQUESTED & GRANTED IN ORDER TO ACCOMMODATE UNIQUE SITE CONDITIONS.

ACREAGE SUMMARY

EXISTING	S.F.±	AC.±
BLOCK 88, TAX LOT 5	3,168,810.8	72.746
PROPOSED LOTS		
PROPOSED TAX LOT 5.01	166,644.8	3.826
PROPOSED TAX LOT 5.02	3,002,166.0	68.920

TAX MAP INFORMATION

BLOCK	88
LOT	5
SHEET	20
DEED REFERENCE	BOOK 3658, PAGE 133

OWNER

PAMELA A. WEDEL LIVING TRUST
1429 TRENTON-HARBOROURN ROAD
PENNINGTON, N.J. 08534-4011

I CERTIFY THAT I AM THE OWNER OF THIS PROPERTY AND CONSENT TO THE FILING OF THIS APPLICATION. THIS PROPERTY HAS NOT BEEN PART OF A MINOR SUBDIVISION APPROVAL WITHIN THE LAST 24 MONTHS.
BY: PAMELA A. WEDEL, LIVING TRUST

OWNER: PAMELA A. WEDEL, LIVING TRUST DATE

APPLICANT

THE TOWNSHIP OF HOPEWELL
201 WASHINGTON CROSSING-PENNINGTON ROAD
TITUSVILLE, NJ 08560-1410
(609) 737-0612

APPLICANT DATE

APPROVED BY THE HOPEWELL TOWNSHIP PLANNING BOARD

CHAIRMAN DATE
SECRETARY DATE

UTILITIES/GOVERNMENT AGENCIES LIST

- COUNTY OF MERCER PLANNING DIVISION
P.O. BOX 8068
TRENTON, NJ, 08628
- NJ DEPARTMENT OF TRANSPORTATION
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PLAN OF SURVEY and MINOR SUBDIVISION
FOR
PAMELA A. WEDEL
BLOCK - 88, LOT-5
SITUATE IN
HOPEWELL TOWNSHIP, MERCER COUNTY, NEW JERSEY

BY: 08-08-07
THOMAS J. VORRASO N.J. PROFESSIONAL LAND SURVEYOR No. 240503040700



Petition for Continuing Substantive Certification



CONTENTS

- *Master Plan*
- *Land Use Ordinance*
- *Tax Maps*

VOLUME 2 OF 2

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12/31/2008

2002 Master Plan

Goals and Objectives

Land Use Plan Element

Conservation Plan Element

Township of Hopewell
Mercer County, New Jersey

*Prepared by the Hopewell Township Planning Board
in consultation with Banisch Associates, Inc.*

May 2002

Adopted as revised on May 23, 2002, memorialized on June 13, 2002

**The original of this report was signed and sealed
in accordance with N.J.A.C. 13:41-1.3**

HOPEWELL TOWNSHIP MASTER PLAN

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HOPEWELL TOWNSHIP

2002 Master Plan

Foreword

From the rugged terrain of the Sourland Mountains to the fertile farmland of the Hopewell Valley, Hopewell Township's rural character is a vanishing treasure. The Township offers a rare blend of resources, and their use and management have shaped its landscape and its quality of life. Linked by the highway network, services and employment to the urban and regional centers in Trenton, Princeton and beyond, Hopewell Township is unique among Mercer County's 13 municipalities. But its environmental, cultural, agricultural and historical importance to the region and State goes beyond either the Township's or County's borders.

Natural forces and human activities have shaped the natural and cultural landscape that this Plan seeks to protect, enhance and maintain in the best interests of current and future citizens. The Delaware River, a federally designated Wild and Scenic River, and an intricate network of headwater tributaries have carved an attractive landscape that includes the broad floodplain of the Delaware River, the Stony Brook lowlands and Pleasant Valley, while unique geomorphologic changes have formed the rugged terrain of Baldpate, Pennington and the Sourland Mountains. The cultural landscape is represented by historic settlement areas and land use patterns, as well as a broad assortment of housing and employment opportunities

The changes that have occurred over centuries are reflected in the small settlement areas and scattered suburban neighborhoods set amid fields and forests, and long-established commercial and office establishments have been joined by major new commercial and office facilities, all relying on the critical water resources of the Stony Brook, Delaware River drainage basin and groundwater.

The last decade has seen major, irreversible changes affecting the Township and its land and water resources, as new housing and major employment have been met with new commitments to open space preservation. If not properly managed, this development trend threatens to overwhelm, and forever alter, the special sense of "place" that is Hopewell Township. How change is managed today will forever shape the quality of life in the Township.

In this Master Plan, Hopewell is choosing to deal with the pressures for growth responsibly and conservatively, channeling development to appropriate areas with available infrastructure, and limiting the effects of growth in the "environs". In this way, the Township's land and water resources can be conserved, farmland can be retained for agricultural use and the character that attracted past and present residents, and provides Hopewell's unique identity, can be protected. Land use and management decisions made

today will determine whether we squander these riches through ill-conceived development and exploitation, or choose to be worthy stewards of the land and water, preserving what is best about the Township, and its critical resources, for future generations.

In preparing this Master Plan, the Planning Board has built upon past planning initiatives. Nonetheless, to achieve the goal of retaining large contiguous tracts of farmland and other open lands in the “environs”, this Master Plan includes creative resource conservation zoning initiatives. In conjunction with the continuing acquisition of open space, farmland and easements, which has resulted in the preservation of over 700 acres of farmland, 1,500 acres of conservation easements and 3,500 acres of open space, these initiatives provide the balanced approach to land use management that the Township seeks to implement.

In order to accomplish the above goal, land use alternatives for the future must afford a sustainable lifestyle, which meets the needs of the present without compromising the future, and without depriving property owners of a reasonable use of their land. Land use policies should operate within the bounds established by the carrying capacity of the natural and built environment, where growth and development are designed within limits defined by natural resource capabilities and existing infrastructure. As part of the development of this Master Plan, the Township’s water resources were extensively studied, and the maintenance of water quantity and quality are of singular importance to sustainability and capacity limitations.

This Master Plan is designed to maintain or establish compact and desirable residential neighborhoods, which conserve the forested expanses of mountain and the broad open spaces and bucolic setting of the valley. The compact settlement patterns of present and future neighborhoods should provide vital places to live, work and play in safe and attractive surroundings, where an expanding network of public open spaces connects residents with recreation, open spaces, and cultural and community facilities.

Open lands dominate the valley and mountain portions of Hopewell Township, and are the “environs” that contain important natural systems, critical to the ecological balance. These pastures, fields and woodlands, which define the visual character of much of the Township, are closely aligned with perceptions of quality of life. They also form the backdrop for current and future neighborhoods, where linkages will be expanded or developed to promote non-vehicular travel and increase opportunities for meaningful human interaction. The vision of this master plan calls for planning and zoning strategies that, in combination with open space, farmland and easement purchases and other conservation efforts, can assure that future residents can share this sense of place in a safe, healthy environment. This vision is also consistent with and complements the vision articulated in the *New Jersey State Development and Redevelopment Plan* (State Plan or SDRP).

In the absence of the significant policy adjustments provided in this Land Use Plan, random and uncoordinated development will undermine the fundamental goals of the planning process and continue to erode the quality of life in Hopewell Township. Land use patterns and intensities should promote the viability of farming prime soils, protect an

adequate supply of clean water to meet future needs and preserve the scenic roadsides and broad expanses of rural countryside. Special care should be devoted to preserving the unique character of the historic villages and hamlets.

The planning strategies for managing change are designed to provide careful stewardship of the limited resources on which current and future generations will rely. Enhanced resource protection will offer a future where farmlands maintain a centuries-old land use pattern and activity, wildlife habitat is preserved, and natural systems remain integrated for healthy functioning and the regional public benefits they afford.

Guiding Principles

This Master Plan is dedicated to preserving, protecting and enhancing Hopewell's natural and cultural resources, and promoting a sustainable future for the Township and the region. The vision for managing change in Hopewell's future is reflected in these key principles:

Design and performance standards should protect environmentally sensitive areas with the goal of maintaining the quality of the air and water that flow through Hopewell.

Development should be sustainable in meeting the needs of the present without compromising the future, and should be based on capacity limits established by natural resource capabilities and infrastructure.

Community character should be conserved by carefully managing the scale, form, design and intensity of new residential and non-residential development, retaining farmland, woodlands and other open lands, preserving historic structures and districts, and by managing change to complement historic resources.

Scenic vistas of the rural countryside and the villages and hamlets should be protected.

A variety of housing and a balance of opportunities to live, work and play in safe and attractive surroundings should be provided, in part by identifying locations and developing criteria for mixed-use development.

An efficient circulation system that promotes important circulation linkages, retains the character of the rural road network and provides for safe vehicular, pedestrian, equestrian and bicycle movements should be maintained.

The Greenway system, a network of pathways, waterways and natural features linking significant public and private open spaces, should be expanded.

Farmland and open lands should be retained and the impacts of development should be limited throughout the valley and mountain areas, in part by allowing the

use of techniques to encourage developers to transfer development to designated villages and hamlets.

A long-range policy for Route 31 should be developed to manage community design, circulation and safety considerations.

The realization of these objectives will require a combination of public actions, such as farmland and open space preservation and sustainable land use strategies and zoning techniques, as well as a variety of private conservation efforts.

Introduction

The Hopewell Township Planning Board initiated a review of the 1992 Master Plan in 1998. That process culminated in the adoption by the Planning Board of the 1998 Reexamination Report on December 14, 1998. The principal recommendation of the 1998 Reexamination Report was that a new Master Plan be prepared and adopted.

For the past three years the Planning Board has explored the planning issues which will shape Hopewell's future, so that this Master Plan can properly reflect the goals and vision for the Township's future. During this period, the Township Committee adopted a series of zoning amendments designed to implement some of the recommendations of the Reexamination Report.

This Master Plan includes the statement of objectives, principles, assumptions, policies and standards upon which the subsequent proposals for the physical, economic and social development of the Township are based; the Land Use Plan Element, which a municipality is required to adopt in order to maintain the authority to zone; and, the Conservation Plan Element, which is intrinsically related to the proposals in the Land Use Plan Element. The Planning Board adopted the other required Master Plan element, the Housing Plan Element, in 1997. The optional elements of the Master Plan will be prepared in a multi-year, phased approach, commencing with the Open Space and Recreation Plan, Farmland Preservation Plan and Circulation Plan.

Goals and Objectives

Through the statement of objectives, principles, assumptions, policies and standards, the Planning Board articulates the vision for the future development of the municipality. This vision builds upon what has come before, incorporates these conditions, and expresses what the Township wants to be in the future.

The statement of purposes of the Municipal Land Use Law (MLUL) articulates the objectives of the State in providing municipalities with the power to plan and zone. These purposes of the enabling legislation combine with detailed local goals and objectives to guide the development of the Master Plan. The purposes of the Municipal Land Use Law (*N.J.S.A. 40:55D-2*) are as follows:

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b. To secure safety from fire, flood, panic and other natural and manmade disasters;
- c. To provide adequate light, air and open space;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well being of persons, neighborhoods, communities and regions and preservation of the environment;
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangements;
- j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development of the particular site;
- l. To encourage senior citizen community housing construction;
- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;

- n. To promote utilization of renewable energy sources; and
- o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

In addition to the MLUL purposes, and the goals of rural conservation and resource protection outlined above in the Introduction, the objectives of the 1992 Master Plan are refined and expanded in this Master Plan. The statement of objectives is the fundamental component that guides the Planning Board's development of policies, strategies and standards. These include:

Land Use and Management

- To exercise stewardship over the lands and waters of Hopewell Township to ensure that these resources are available for the sustenance and enjoyment of present and future generations.
- To protect and maintain the prevailing rural character and unique sense of place of the Township, which includes diverse residential neighborhoods, attractive non-residential uses, historic settlement areas and scenic landscapes, which result from the natural topography, agricultural lands, woodlands and watercourses.
- To establish development densities and intensities at levels that do not exceed the carrying capacity of the natural environment and available infrastructure, based on the sensitivities and limitations of these systems.
- To promote cooperation with neighboring municipalities in the region, particularly the Boroughs of Hopewell and Pennington, to advance consistent development and open space goals, policies and plans.
- To promote the goals and objectives of Hopewell Township through the incorporation of local policies and strategies that respond to the basic premises, intent and purposes of the State Development and Redevelopment Plan and the Mercer County Master Plan.
- To provide a future land use pattern that serves the needs of the community for housing, community services and a safe and healthful environment, and that promotes public health, physical activities and social interaction.
- To continue and expand upon land use policies that promote controlled development at suitable locations and appropriate intensities by directing and limiting the more intense development to areas where sanitary sewer service and public water supplies exist or are planned, and by discouraging the extension of growth-inducing infrastructure into rural areas.

- To provide for a reasonable balance among various land uses that respects and reflects the interaction and synergy of community life.
- To offer flexibility in development techniques which recognize new approaches and technologies that are responsive to evolving demographic, economic and environmental needs.

Community Design

- To develop standards to ensure good visual quality and design for all land use categories.
- To ensure that new development is visually and functionally compatible with the physical character of the Township.
- To provide for a proactive approach to physical design and community planning so that adjacent land uses function compatibly and harmoniously in terms of scale and location.
- To improve the visual and physical appearance of developed areas while protecting residential neighborhoods from encroachment by incompatible uses.
- To establish land use policies and design standards that will enhance views along existing commercial corridors.
- To retain to the greatest extent practicable attractive vistas from public rights-of-way, including views of hills, valleys, ridgelines, woodlands, farmlands, hedge rows, stream corridors, flood plains and other natural areas.

Natural Resources

- To protect sensitive environmental resources from destruction or degradation, including but not limited to steep slopes, ridgelines, trout streams, wetlands, stream corridors, potable water supplies, watersheds, aquifers, rivers, viewsheds, forests and other vegetation, soils, habitats of threatened and endangered species and unique natural systems.
- To preserve and maintain the interrelationships between land and water resources that contribute to their functioning as an ecological system.
- To relate the intensity of development, in areas relying on groundwater supplies and on-site sewage disposal, to conservative estimates of available water resources and the ability of the soil and ground water to sustain on-lot disposal systems without degrading or impairing the water quality.

- To protect biological diversity through the maintenance of large contiguous tracts and corridors of recreation, forest, flood plain and other open space lands.
- To protect prime agricultural soils, soils of statewide importance and soils of local importance for their contribution to agricultural production.
- To continue the acquisition of important open space through the use of the Township's open space tax and other sources of funding.
- To promote private conservation efforts (donations, easements) that help protect natural assets.
- To promote land use and management policies that provide for clean air and protection from noise and light impacts.
- To promote the development and adoption of resource management standards to manage land use activities in a manner that protects the integrity of natural resources for the future use and enjoyment of generations to come.
- To identify and manage stream corridor buffer areas by maintaining undisturbed vegetation in order to protect and improve water quality, and provide wildlife corridors and opportunities for passive and active recreation.
- To ensure that development involving steep slopes is planned and constructed to minimize steep slope disturbance.
- To protect groundwater supply and quality through the adoption of aquifer management programs, including relevant standards for wellhead protection programs, and standards to protect and enhance groundwater recharge areas, such as impervious coverage limitations.
- To establish a regional watershed management plan to mitigate stormwater impacts, with particular focus on non-structural solutions to flood control and stormwater runoff.
- To promote the use of minimal necessary levels of nighttime outdoor illuminance so as to protect and preserve the dark sky quality and starscape of the Township and to prevent negative impacts on neighboring properties.

Housing

- To provide for a variety of housing types which respond to the needs of households of varying size, age, and income, persons with disabilities and emerging demographic characteristics.

- To promote and support the development and redevelopment of affordable housing intended to address the Township's fair share of the region's lower income housing, particularly in areas served by public transportation which connect to areas of employment.
- To provide a range of housing opportunities within the Township, with densities and lot sizes that respond to the capabilities and limitations of natural systems and available infrastructure.

Agriculture

- To encourage the preservation of agriculture through proactive planning where there are suitable conditions for the continued operation and maintenance of agricultural uses.
- To preserve a large contiguous land base to assure that agriculture remains a viable, permanent land use.
- To promote agricultural preservation activities with the Township's Agricultural Advisory Committee, the State Agriculture Development Committee (SADC), the Mercer County Agricultural Development Board (CADB) and other open space preservation activities in the Township.
- To recognize agriculture as a significant economic industry in the community and to encourage economic opportunities in this industry.
- To provide financial incentives, financing mechanisms and enhanced opportunities for agricultural businesses that assist in maintaining agriculture as a viable economic activity.
- To encourage compatibility between agricultural operations and neighboring non-agricultural development through the right-to-farm ordinance.

Transportation

- To create a circulation plan sufficient to accommodate planned development.
- To encourage proactive planning and regulation to ensure the adequacy of transportation facilities for planned future development, including the establishment of appropriate street design standards, the establishment of public/private partnerships for funding mechanisms, the coordination of transportation modes to accommodate changing commuter patterns, and the establishment of park and ride facilities and shuttle service.

- To coordinate with other municipalities, governmental bodies and corporate partners for a regional approach to transportation that respects and enhances the character of the community.
- To promote the development of future passenger rail service to and from the Township, and to de-emphasize further highway development or extension into agricultural or scenic areas.
- To establish transportation policies and programs that improve connections among housing, employment and commercial uses, including provisions for vehicular and pedestrian travel and bicycle paths.
- To promote transit alternatives in new and existing development to reduce traffic congestion, including ride shares, buses, mass transit, taxis, car/van pools, dial-a-ride, and flextime.
- To control development in rural areas so that traffic will not exceed the capacity of the existing rural road network and historic bridges to provide safe, efficient and convenient traffic movements, based on rural road service standards designed to maintain the character of the community.
- To recognize that roadways are public lands that deserve aesthetic design consideration as well as efficient movement of vehicles, and to carefully preserve viewsheds and plan entrances to the Township because they represent a visitor's first impression of the Township.
- To promote the design and development of roadway improvements necessary to serve existing population and employment sectors of the Township.
- To encourage transportation funding for maintenance of the existing transportation system, rather than encouraging the development of new systems in rural areas.
- To establish highway access management plans for arterial highways.
- To minimize the impacts of transportation systems on the environment, including air and noise pollution.

Economic Development

- To provide for desirable non-residential development in appropriate areas of the Township that will complement the existing character of the community and aid in broadening the local tax base.
- To promote the redesign of existing commercial sites to provide a more efficient land use pattern through such approaches as reduced curb cuts, interconnecting driveways, improved pedestrian and bicycle linkages and enhanced landscaping.

- To provide for new commercial areas in compact forms in areas with utilities in order to concentrate businesses and provide a variety of services.
- To coordinate such items as architectural design, access, landscaping, lighting, signs and similar design features to produce visually and functionally compatible economic development.
- To provide commercial activities in proximity to populations where adverse impacts to the community can be minimized, and to avoid commercial development that is unrelated to the needs of the community.
- To promote regional cooperation with adjoining municipalities, with particular reference to the Boroughs of Hopewell and Pennington, in the development of economic development strategies.

Historic and Cultural Resources

- To safeguard the heritage of the Township by preserving those resources that have historic, archaeological, scenic, social, cultural, economic and architectural significance, based on national, state and local importance and criteria.
- To discourage encroachment on historic structures and sites by uses and buildings that are incompatible or detract in design.
- To encourage the preservation, rehabilitation or adaptive reuse of historic buildings and structures that protects their architectural integrity and preserves their context within the historic landscape.
- To encourage the development of land use regulations which acknowledge and permit special treatment for historic landscapes, viewsheds, districts, sites, and structures including setbacks, buffers and other design criteria.

Community Facilities and Utilities

- To plan for the expansion of necessary public services, such as utilities, community facilities and recreation, at a reasonable cost in response to the proposals in the land use plan element.
- To establish a system whereby necessary capital improvements can be programmed and planned in advance, and land can be reserved to meet the future needs for community facilities and open space.
- To provide facilities for community groups and cultural activities.

- To ensure that the development process acknowledges and addresses the impact on community facilities and utilities through the payment of the fair share of any off-tract improvements for community facilities to the extent permitted by law.

Recreation and Open Space

- To promote the provision of appropriate and balanced public open space and recreational facilities through public action and the development review process.
- To prepare and maintain recreation and open space master plans to establish and enhance recreational lands and public open space; to establish linkages of public spaces through the use of greenways, greenbelts, waterways, paths and bikeways; and, to establish as the highest priority for public acquisition, areas of critical recreational, scenic or environmental value.
- To encourage the public acquisition of areas of exceptional recreational or scenic value, or environmental sensitivity, at all levels of government, with priority given to acquisition of land to meet present and future demand for active and passive recreation.
- To continue the Township's commitment to work with neighboring municipalities, the Hopewell Valley Regional School District and interested groups and citizens to establish and promote recreational opportunities through regional partnerships, for both active and passive recreation and for people of all ages.
- To promote cultural activities that provide recreational opportunities for a broad spectrum of residents and visitors.
- To assess and provide opportunities for active and passive recreation to meet the needs of all citizens.
- To devise appropriate strategies for the public and private ownership and maintenance of open space and recreation lands.
- To provide tax benefits for private owners who permit public use through participation in the State's open lands program.

The challenge is to address these far-reaching objectives in a manner that provides the greatest good for the most people, and to determine the best uses in the most appropriate locations to serve the general welfare of the people, while respecting the rights of property owners to achieve a reasonable beneficial use of their land.

THE LAND USE PLAN

This Land Use Plan Element is designed to implement the foregoing goals, objectives, principles and assumptions in a manner which respects and responds to the capabilities and limitations of the natural conditions - groundwater quantity and quality, surface water

resources, agricultural use opportunities, soils, steep slopes, woodlands, wetlands and flood prone areas. The Plan generally depicts the proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial and industrial purposes, as shown on the Land Use Plan Map (Figure 1). These land use planning proposals become effective change agents when implemented through the Land Use Management Ordinance.

The Land Use Plan Element is the fundamental unit of the Master Plan, with the broadest scope and most far-reaching consequences. It represents a municipality's basic statement about the future disposition of land and the physical form of the community. Informed by the other plan elements, which play supporting roles, the Land Use Plan and the Conservation Plan have the greatest influence on the Township's future, as they shape local zoning.

To an extent this Plan maintains the policy orientation of prior Master Plans, but refines this orientation to better address evolving conditions and concerns. It provides a more detailed description of the goals, objectives and intent of the Plan, and suggests new planning initiatives to achieve the Township's objectives. The recommendations of the 1998 Reexamination Report, as modified during the planning process since its adoption, are also reflected in this Land Use Plan.

In general, non-residential districts have been reduced in size and number, to minimize the sprawl effects of highway frontage development and more clearly target specific use types in distinct districts, which better respond to the objectives of the Master Plan. The residential and resource conservation districts have been enlarged in size, although the number of districts remains the same. Residential densities have been modified to address the findings of the land use and natural resource background information. Specifically, residential uses will be less dominant throughout the valley and mountain districts, where Hopewell's "environs" strategy has been designed to deter sprawl and promote the goals of the State Plan. This policy approach responds to the objectives of protecting groundwater and surface water quality, and better accomplishes the goals of rural conservation, environmental protection, agricultural retention and protection of the scenic attributes of Hopewell Township.

Valley and Mountain Resource Conservation Districts

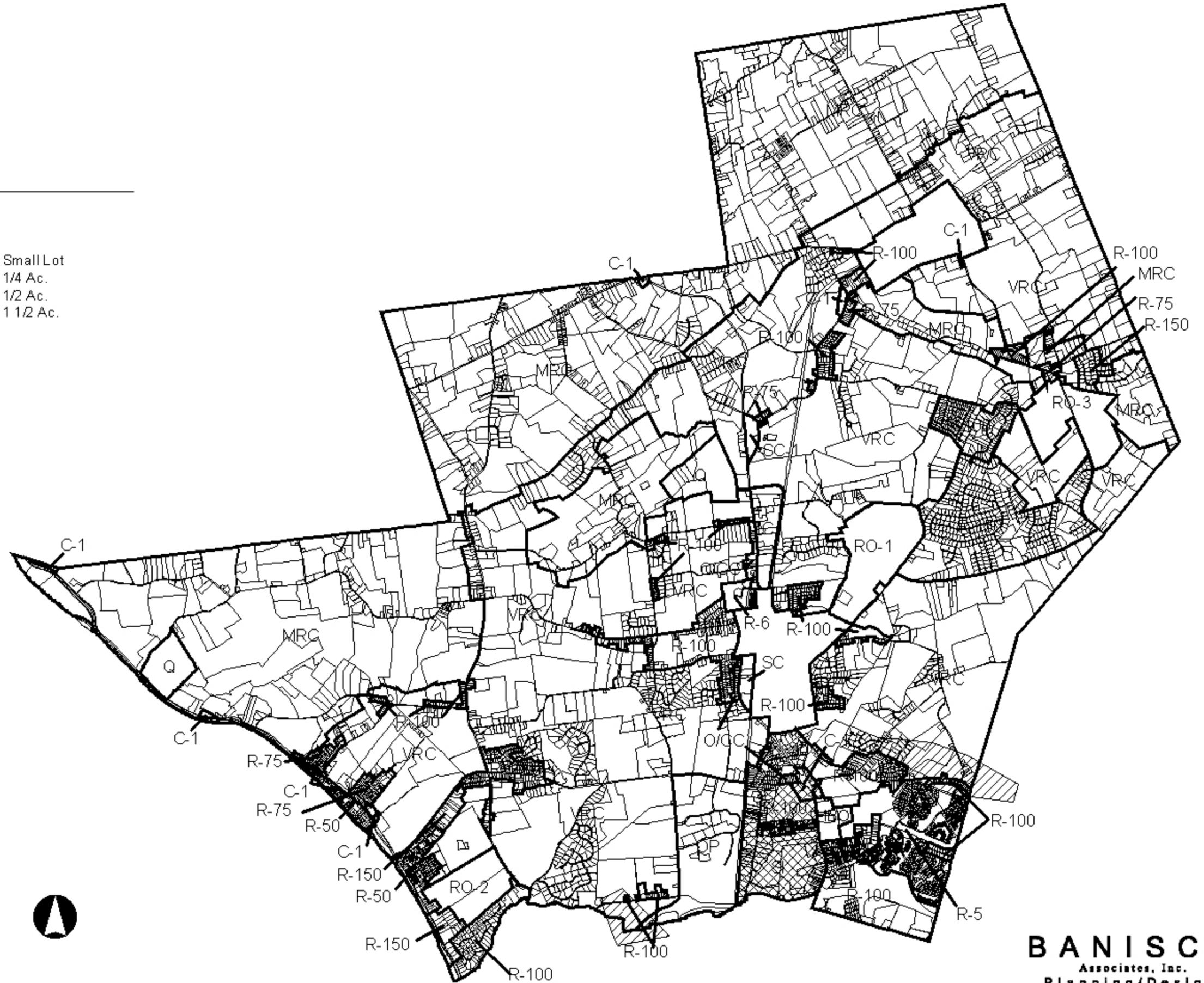
The Valley Resource Conservation (VRC) and Mountain Resource Conservation (MRC) Districts include approximately 78% of the land area of Hopewell Township. The lack of public water and sewer infrastructure throughout these Districts limits future development potential, which should respect the carrying capacity limitations of the natural systems to provide potable water and treat septic effluent without degrading water quality below prescribed limits. Capacity-based planning involves the measurement of a municipality's ability to accommodate growth and development within limits defined by natural resource capabilities and existing infrastructure. A capacity analysis determines the limiting factors in an area's ability to grow and evaluates the capacity of the limiting factor. With the

Figure 1 Land Use Plan Hopewell Township, NJ May 2002

Legend

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

-  Airport Hazard Area
-  TND Overlay



Data Source:
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absence of public water and sewer infrastructure, the limiting factor thus becomes an element of the natural environment, such as water.

Sustainable development policies provide a land use framework that meets the needs of the present without compromising the ability of future generations to meet their own needs. It responds to capacity limits with a margin of safety, and incorporates the goals of stewardship over land and water resources, and the prolonged maintenance of a healthy and desirable physical environment.

A dominant theme in the planning process is the protection of water resources, with a particular emphasis on groundwater quantity and quality. Because of the critical importance of this resource, the Planning Board commissioned a study of the groundwater resources of the Township. This study, prepared by M² Associates and titled *Evaluation of Groundwater Resources of Hopewell Township, Mercer County, New Jersey* (March 2001), incorporated herein by reference, analyzed the ability of the groundwater system to provide a sustainable yield of water, and the parameters which affect the quality of groundwater. The Township's groundwater resources are of value not only to the current and future residents of the Township, but also to downstream consumers and ecological receptors. The study points out that the aquifers of Hopewell Township and the surrounding area are sole source aquifers, meaning that the New Jersey Department of Environmental Protection (NJDEP) and United States Environmental Protection Agency (USEPA) consider groundwater to be the single source of potable water within the designated areas and indicate that measures should be taken to protect this critical resource from potential health hazards. As a recharge and headwaters area for one of the most populous and fastest growing regions in the State, Hopewell Township is choosing a responsible course of action, designed to protect these resources through all available measures.

The Township is underlain by two distinct aquifers, or groundwater systems: the Stockton/Passaic formations, consisting of sandstones and shales; and, the Lockatong/Diabase formations, mudstones, sandstones, siltstones and volcanic rock. The Stockton/Passaic formations generally coincide with the VRC District, while the Lockatong/Diabase formations generally coincide with the MRC District. Available groundwater in the Stockton/Passaic formations permits higher development densities than in the Lockatong/Diabase formations due to the differing characteristics of the aquifer systems. The storage potential of the Stockton/Passaic formation is enhanced by some fracturing which provides void spaces for groundwater storage, while the Lockatong/Diabase formations are less porous with limited fracturing and limited available groundwater. One of the unique features of the Township's geology is the Hopewell Fault, a major regional fault separating the Stockton Formation and Passaic Formation. This fault is a valuable recharge zone, not only to Hopewell Township and Hopewell Borough, but also to downstream portions of the Bedens Brook basin in Somerset County.

The groundwater management strategy for the VRC and MRC Districts seeks to limit the degradation of groundwater while also permitting appropriate uses of land. The land and water management policies of this Plan do not attempt to achieve non-degradation of

groundwater, because such a policy would essentially prevent further development in these areas. While a strong argument can be made that the Township's groundwater resources merit a non-degradation approach, this Plan seeks a balance between resource protection and reasonable development expectations. Thus, this Plan seeks to program uses of land that can conserve limited resources while also permitting development at densities which produce limited degradation while protecting the potability and availability of groundwater resources.

The surface water resources of the Township provide additional support for the protection of water resources. The streams in the Township are primarily headwaters, defined as small streams that are the sources of a river. Headwaters are particularly vulnerable to degradation because of the limited available flow, and any degradation in headwaters is transferred downstream throughout the surface water system. Surveys of the biological makeup of the Township's streams indicate that in large part the streams draining to the Delaware River, a federally designated Wild and Scenic River, are non-impaired, while those draining to the Raritan River are moderately impaired. Surface water classifications indicate that the streams range from non-trout to trout maintenance categories. Trout maintenance streams are those designated by the NJDEP as supporting trout throughout the year, while non-trout waters are generally not suitable for trout because of their physical, chemical, or biological characteristics, but are suitable for a wide variety of other fish species.

In addition to the protection of groundwater and surface water resources, the VRC and MRC Districts respond to the goals of conserving significant elements of the rural and agricultural countryside. The rural character that pervades much of Hopewell Township, embodied in the scenic vistas, wooded hillsides, agricultural fields and historic settlement patterns, is highly susceptible to degradation. Full development at previously permitted densities has consumed most of the countryside, and even when clustered, has produced minor conservation acreages which generally contain critical lands (wetlands, flood plains, steep slopes, etc.). In this development pattern, permitted units have been situated in a somewhat geometric arrangement that fails to recognize the natural patterns of the landscape and eliminates or mars scenic vistas and natural lands.

Full development has also produced dramatic alteration of rural roadways and bridges to accommodate traffic movements and increased traffic demand. As this alteration occurs, roadside features (trees, hedgerows, stone rows, etc.) and alignments (narrow cartways and winding alignments) are frequently lost. The rural character undergoes a process of change that results in conversion to a more suburban appearance with the environmental and traffic impacts of this form of development. With an extensive system of scenic roadside views, including the only designated scenic roadway, Route 29, in New Jersey, the maintenance of visual quality is particularly important to the overall planning strategy.

Similarly, suburban development has consumed substantial agricultural lands in the Township. Suburban development can result in land use conflicts with agriculture as new neighbors object to the noise, odor, and other impacts of agricultural land uses on residential neighborhoods. The VRC and MRC Districts are intended in part to reduce the

amount of residential development so that agriculture is affected by fewer residences and more lands can be retained for agricultural use. Lower densities also mean that more water is available for agricultural needs, as agriculture is reliant on the availability of significant water resources. As agriculture continues to become more intensive and entrepreneurial, smaller agricultural parcels can have a meaningful role in agricultural production, especially with the advantageous access to the regional highway network and markets for ease of distribution to densely populated areas.

Virtually all except the mountainous portions of Hopewell Township consist of important farmlands—prime soils, soils of statewide importance and soils of local significance. In addition, the vast majority of the land area in Hopewell Township is designated an Agricultural Development Area (ADA), and Hopewell Township represents a majority of all the ADAs in Mercer County. The long-term utility and viability of this resource is enhanced if critical masses of agricultural lands and soils are maintained wherever they currently exist. The combination of prime soils, access to densely populated markets and the Township’s regional location all combine to assure an agricultural future, so long as the farmland base can be preserved. The significant amount of farmland, which still accounts for approximately half of the Township’s land area, can make farming a permanent part of the local landscape and economy.

Many different programs are available, and have been used, to preserve, protect and maintain the Township’s agricultural base. The Township’s approach involves a range of preservation strategies with a number of options for the landowner. The Township is in the process of preparing a farmland preservation plan, which outlines a variety of mechanisms to preserve farmland, and the Township’s Agricultural Advisory Committee will assist in the development of the plan. In addition to the acquisition and management strategies outlined in the farmland preservation plan, land use regulation can assist agriculture by preserving two vital physical resources, land and water. If residential and non-residential development consumes all of the available water, then water will not be available to agriculture. Similarly, if development consumes all of the land, then the farmland base is lost forever. In addition, the ability to retain agriculture as a viable industry is compromised by the fragmentation of the resource that occurs with conventional subdivisions.

Hopewell Township’s vision for the future of undeveloped lands embodies the smart growth principles of the State Plan intended to deter sprawl. Residential zoning, which has been perceived as a sort of “basic right” of landowners throughout New Jersey’s countryside, has proven to be a root cause of sprawl. As efforts to hold back the tide of suburban sprawl have found the support of State planning efforts in New Jersey and around the country, a clearer focus has been brought to the problems created by sprawl, and the benefits to alternative patterns of development.

History shows that development will occur at permitted suburban densities (2, 4 or 5 acres) when the market demands in an area justify the cost of such development. Hopewell Township and surrounding areas have been shaped by several “generations” of suburban development, which have generally occurred during times of a strong economy. Suburban

residential zoning standards have evolved from the Euclidean model, which segregated undesirable commercial and industrial uses from residential uses in order to afford safe and healthy neighborhoods.

When viewed through the lens of residents of America's cities a century ago, the rationale of segregating residential uses is obvious. However, smart growth planning recognizes that today the threat has changed. When applied to the undeveloped countryside, single family residential zoning consumes a valuable resource and fails to capitalize on opportunities to retain substantial open lands, provide for non-vehicular travel and enhance the potential for human interaction. If sprawl is to be discontinued, then sprawl zoning must be eliminated. Thus, the underlying residential "by right" zoning, which generates sprawling suburbs throughout the country, must be ended.

While a range of definitions of sprawl are advanced in the planning literature, Webster's Dictionary puts it clearly - "to spread out in an awkward...way, so as to take up more space than is necessary". Hopewell's Master Plan proposes to achieve the objectives of the State Plan for the Environs through a variety of zoning techniques that avoid sprawl. Each permitted land development option will create a pattern designed to maximize the use of enlightened community design templates to make conservation of open lands a by-product of all residential development. These patterns will promote continued agricultural use of prime farmland, and sound management and conservation of environmentally sensitive lands. They will also establish compact new neighborhoods, which benefit from, and are a benefit to, the expanding mosaic of preserved and conserved lands.

Unlike sprawl, the land development options in this Land Use Plan are each fully supportive of the master plan objectives, and maintain and reinforce historic land use and settlement patterns. Providing a range of development options offers a series of alternatives to a property owner, which may more readily meet individual needs or desires, and is less monolithic as a planning template. In addition, the proposed development alternatives offer more diverse design options. In combination with comprehensive acquisition strategies, these options will serve to shape the Township's physical form into the future.

If we are to depart from the trend toward suburban expansion which has contributed to the general awareness of increasing sprawl, we must abandon the paradigm which has created this pattern. In turn, we must replace it with a new model, where by-right development standards produce more holistic approaches to the merger of built places with farmlands, natural lands and rural features. Rather than requiring suburban sprawl, or simply allowing it to occur, development opportunities provided "by right" should offer the preferred balance of built and natural lands, where the natural character of the land can be substantially retained after development. Permitted zoning options are targeted at building neighborhoods and communities, not "developments", and community building techniques have been chosen specifically for this purpose.

Two hallmarks of the Hopewell Land Use Plan for undeveloped land areas are the village development and the traditional neighborhood development. The village development

option allows transfer of permitted residences between parcels, providing for the establishment of more compact neighborhoods in areas which are more suitable for development, and permanent preservation of the lands from which these residential units are removed. Traditional neighborhood designs (TND), which promote pedestrian movements and neighborhood interaction, are modeled after the small lot and mixed use development patterns found in neighborhoods in Pennington, Hopewell, Princeton and other “places” within the region which have strong identities and are highly desirable as residential locations.

In order to promote the goals of the Plan relative to resource protection, and to provide an off-tract cluster option for land in the RC Districts, the Plan proposes that development in the village and traditional neighborhood formats utilize development potential transferred from the RC Districts. The method for allocating and using development potential under these options is further discussed in subsequent sections on the village and traditional neighborhood concepts. Additional options for protecting critical resources through the transfer of development potential, including inter-municipal or mandatory transfer programs, may be available in the future if enabling legislation is adopted.

In addition to village or traditional neighborhood designs, the open lands zoning option permits an appropriate scale of residential development, while also retaining prime agricultural lands and protecting sensitive environmental features. Open lands zoning is patterned after the objectives of the State Plan, and provides for the retention of the substantial majority of a parcel for continuing agricultural or resource conservation use, limiting the residential development to no more than 20 to 40 percent of the tract, depending on the District. In this way, the “sprawl factor”, while not entirely eliminated, is dramatically reduced, enabling permanent preservation and conservation of major portions of the natural and agricultural landscape.

Open lands zoning permits property owners in the Valley Resource Conservation District a density of approximately one unit per 6 acres, provided that a significant remainder (60 to 70 percent of the parcel) is permanently deed restricted against future residential use and remains available for agricultural or other resource conservation uses. Minimum lot sizes should be large enough to assure an adequate site for a home, septic system and accessory uses, but small enough so that the open space ratios can be provided. In the Mountain Resource Conservation District, the open lands zoning permits a density of approximately one unit per 13 to 14 acres, provided that 75 to 80 percent of the parcel is permanently deed restricted against future residential use and remains available for agricultural or other resource conservation uses. In this District minimum lot sizes also should be large enough to assure an adequate site for a home, septic system and accessory uses, but small enough so that the open space ratios can be provided. The vision for Hopewell’s open lands is that these natural systems or agricultural management units are retained in sufficient area and with all vital components to support continued healthy functioning. In order to assure that the open lands are not remnant unusable properties, minimum standards for soil quality and usable land should be established.

Two other development options, clustering and lot averaging, are also recommended for the VRC and MRC Districts at the same densities as with the open lands zoning option. Clustering, designed to provide useful tracts of open space as a byproduct of residential development, permits a reduction in the minimum lot size in return for permanent commitments of open space areas, with the open space dedicated to either a public body or homeowners' association. Clustering is only permitted where at least 60 percent of the tract in the VRC District, and at least 75 percent of the tract in the MRC District, can be retained in open space, subject to a minimum lot size that is large enough to assure an adequate site for a home, septic system and accessory uses, as with the open lands zoning approach. Lot averaging, a variation on the cluster design concept, requires a majority of lots meet a specified range of lot sizes smaller than the required minimum lot size to permit other larger lots designed to meet specific conservation objectives, is also recommended. This form of lot averaging can shape development so that critical resources are preserved. The taxable status of all resulting lots is retained, and questions about the long-term maintenance of public or homeowners' open space and any related municipal responsibilities are eliminated, since all properties remain in private ownership.

In order to foster the preferred open lands, clustering, and lot averaging options, and the transfer of development potential to the village and traditional neighborhood, which techniques prevent the loss of the countryside, conventional subdivision opportunities must be curtailed. One technique to promote these patterns would be to permit conventional subdivision designs only as a conditional use. Under this approach, mandatory design features could offset the negative effects of sprawl-type development. For instance, when a conventional subdivision is planned to consume an entire tract, reforestation strategies could be required to recreate wildlife habitat opportunities and migration corridors, as well as to screen the visual impacts of new suburban development. Similarly, the siting of buildings and structures can be regulated to limit the negative impacts of new construction on the resources prioritized for protection. The conditional use standards could require a demonstration that the preferred community design options are not achievable, and could provide a reduced density as a disincentive for the conventional subdivision. These standards provide an opportunity for residential use which can co-exist with the preferred options.

When viewed together, and compared to conventional subdivisions, the preferred development alternatives for the Valley and Mountain Resource Conservation Districts will maintain large contiguous tracts of farmland and other open lands, promote continued agricultural use of prime agricultural lands and maintain the delicate balance among the various components of the natural systems. The VRC and MRC Districts have been designed to comprehensively address the interrelated goals of protecting groundwater quantity and quality, maintaining surface water resources, conserving the scenic rural character, addressing limiting soil conditions and promoting continued agricultural use opportunities, while also honoring the property rights of landowners.

Villages

During the course of this planning process the Board has spent a considerable amount of time exploring the concept of transferring development potential. Although a true, mandatory transfer of development rights program is only authorized by the MLUL in Burlington County, the MLUL provides authorization for the implementation of a program to cluster development between noncontiguous parcels. Specifically, *N.J.S.A. 40:55D-65*, which details the permitted contents of a zoning ordinance, states in item c. under the section on standards for planned developments the following: “Such standards may provide for the clustering of development between noncontiguous parcels and may, in order to encourage the flexibility of density, intensity of land uses, design and type authorize a deviation in various clusters from the density, or intensity of use, established for an entire planned development”. Through this mechanism the municipality has the authority to establish a program for the transfer of development between noncontiguous parcels.

The intent of the noncontiguous cluster option is to preserve and protect the critical environmental and agricultural resources that prevail in the VRC and MRC Districts, while accommodating development in well planned and located nodes. Thus, the VRC and MRC Districts serve as the area from which development potential is relocated to preserve the area’s resources and provide alternative forms of planned development. To effectuate this proposal the Land Use Plan recommends two alternative forms to serve as the receiving areas for the transferred development potential. One form is the Traditional Neighborhood Development, located in a sewered area, or an area with greater potential for infrastructure, where greater development densities can be accommodated, as discussed in detail below. The other form of development is the Village, a form intended to address the Plan’s vision for flexible development techniques that promote controlled development, livable communities, environmental protection and agricultural retention.

Under the Village development option, nodes of development in the VRC District would be permitted to develop in accordance with the following standards and delineation criteria:

- Contiguous and/or noncontiguous parcels are preserved from development through the transfer of development potential from the VRC or MRC Districts.
- The Village should be located on a County Road, in order to provide appropriate transportation linkages.
- The Village should be located in proximity to existing development and community facilities, so that the area can form a neighborhood and utilize these community resources.
- The Village should be located where suitable soils for on-site wastewater disposal exist, so that a community wastewater system can be developed.

- The Village should be located on tracts with a mix of woodlands and open fields, so that the site design can take advantage of these features and the development can be attractively designed and shielded/screened.
- The Village should be located where the Stockton/Passaic formations underlie the site, and not in the Lockatong/Diabase areas, due to the need for adequate water supply. Thus, the Village is only permitted in the VRC District, but development may be transferred from the MRC as well as the VRC District.
- The Village should be located in an area where aquifer testing demonstrates that sufficient water supplies are available to sustain the proposed development.
- The Village should be designed with wastewater treatment systems that incorporate the latest technology, avoid the discharge of untreated wastewater to the groundwater, and are operated by a responsible utility.

In order to promote the vision for the Village development option, the development area will have to be carefully planned as to scale and design features. As part of the planning process the Board examined various scales and features for Village development areas. The preferred size for the Village was determined to be 150 to 250 dwelling units, arranged on lot sizes as small as 7,500 square feet, mimicking the village lot sizes experienced in places like Pennington and Hopewell Boroughs. Even though the minimum lot size of 7,500 square feet equates to a net density of 5.8 units/acre, the open space, parks, community facilities, streets and other uses reduce the effective density by approximately half, to a maximum gross density of approximately 2.5 to 3 units per acre. Based on these gross densities and the desired number of dwelling units, the minimum and maximum tract sizes for the Village development option are 50 and 100 acres, respectively, and the Village must be developed at a minimum gross density of 2.5 units per acre and a maximum gross density of 3 units per acre.

In order to create a diverse and self-sustaining neighborhood, the intent of the Village development option is to include a community building, recreation facilities, a few shops for conveniences, or office space for professionals or telecommuters. The public and quasi-public uses contribute to the sense of community for the neighborhood, and can serve as a focal point for the surrounding areas. The commercial uses can be a mandatory or optional component of the Village, but their inclusion promotes other objectives of the Master Plan relative to community design and circulation.

Under this scenario, and given the location of the potential Villages, a formula or mechanism is needed to limit the extent of the non-residential development, and to equate the level of non-residential development to the level of residential development. For example, if 75 square feet of commercial/office space per residential unit is permitted, a 150 unit development would allow 11,250 square feet of commercial/office development, and a 250 unit development would allow 18,750 square feet.

Allowing commercial development, as outlined above, is one form of incentive that might induce the creation of a Village by an interested developer. However, in terms of the residential development, if a developer can build one unit on 5 or 10 acres, or one unit on a 7,500 square foot lot, the economics will dictate the larger lot development. Thus, additional incentives are needed in order to promote the alternative development pattern.

The Village development is only permitted as a noncontiguous cluster option where the proposed units result from a transfer of development potential from properties in the VRC and MRC Districts. In order to facilitate this option, and promote the resource protection goals of the Plan, a bonus density is recommended for land in the VRC and MRC Districts if the units are transferred to a Village or Traditional Neighborhood. For the purposes of this noncontiguous cluster option, units could be transferred at a ratio of one unit per 2 to 4 acres in the VRC District and one unit per 4 to 8 acres in the MRC District, and the transfer ratio may vary depending on whether the units are transferred to the Village or Traditional Neighborhood.

The Villages must also fit into the context of where they are developed and, because they permit commercial development not normally permitted in a residential zone, must include a sensitive design for the non-residential development. In order to provide an attractive setting which relates to but does not infringe upon the surrounding rural environs, part of the preserved land which provides the bonus densities for the Village should be in the form of a greenbelt around the development area. This greenbelt provides a clear definition of the boundaries of the village, while also serving as a buffer to surrounding land uses. The design of non-residential development should respond to the specific location and needs of the planned community. In some cases the appropriate location for commercial development is the interior of the planned village, so that pedestrian linkages are increased and motor vehicle movements reduced. In other cases, the non-residential development should be located at the fringe of the village in order to provide services to the surrounding community. A design that integrates both functions may be the most appropriate in certain locations.

Traditional Neighborhoods

The second form of community development that has emerged from the planning process is the concept of a Traditional Neighborhood Development (TND). New Jersey is rich with examples of livable mixed use communities, where the combination of multiple land uses in a central location has created a desirable living environment. While varying in scale, geographical location, and specific land use patterns, these communities have a number of common elements that contribute to their vitality. Among these items are the following:

- Public spaces that provide a focal point for the surrounding community, including village greens, community parks, open space and greenbelts, and water features, sometimes referred to as green or blue infrastructure.

- Quasi-public or civic uses, such as a church, library or community center, in close proximity and integrated into the residential and commercial fabric of the neighborhood, promoting a sense of community and interaction.
- Relatively small single-family lot sizes, ranging between 4,000 and 8,000 square feet, with minimal setbacks to encourage design flexibility and neighborhood interaction.
- Multiple-use buildings, with retail on the ground floor and offices or apartments above, including two-family dwellings and accessory apartments.
- A circulation system that provides transportation alternatives and interconnectivity, with sidewalks and pedestrian accessibility, direct access or linkages to mass transit, and a traditional or modified grid pattern.
- Narrow streets and wide sidewalks to encourage pedestrian interaction and movement, promoting the development of public and quasi-public spaces that foster interaction and compatibility among uses.

In terms of the geographical location for the mixed use, or traditional neighborhood, development concept, this Plan recommends most of the area bounded by Route 31 on the east, the Township boundary to the south, Reed Road on the west, and Washington Crossing-Pennington Road (Route 546) on the north. This area is recommended for a TND because there is a relatively large amount of open space that is in reasonable proximity to areas with public sewer and water, to Interstate 95 and Route 31, to existing commercial development and employment opportunities, to a potential railway station, and to some quasi-public facilities.

In order to promote the type of mixed-use, traditional community that would address the goals of the Plan, the standards for this planned development option depart from those typically recommended under conventional planning options. Rather than rigidly separating uses into specific districts, this approach seeks to provide flexibility in the development pattern in order to support the larger objectives of a cohesive community. Likewise, development standards provide greater flexibility in order to allow creativity in the arrangement of buildings and uses.

The TND standards include a list of permitted uses, like a conventional planning option. These uses may include public uses, such as parks, squares and buffer areas; civic uses, such as libraries, religious buildings and cultural facilities; commercial uses, including retail, office and mixed use; and, high and medium density residential uses, which may include single-family homes, townhouses, apartments and live/work arrangements. However, the TND option departs from conventional planning by requiring a specific mix of uses and allocation of land to each use. Thus, a minimum and maximum of each use type is provided within the development, creating a unified, sustaining community. In order to promote flexibility and design ingenuity in the arrangement of the community, the zoning standards are generally less rigid and permit greater intensity.

In addition, the density of residential development in the TND is an important consideration. The base density in the TND should be established at a level low enough so that bonus densities can be utilized, but high enough so that the TND alternative is attractive to a potential developer. Bonus densities to achieve an increased residential density are provided if some other public purpose is accomplished through the proposed development pattern. For example, some bonus density is available if the proposed development includes housing affordable to middle income households, defined as households with an annual income equal to 80 to 120% of the regional median income. Bonus density is also available if development potential is clustered from the VRC and MRC Districts to the TND neighborhood, as further detailed in the preceding section on the Village development option. The maximum density for the TND depends upon the use of bonus densities, and cannot be achieved unless density is transferred from the VRC and MRC Districts.

The development of the TND will involve a formalized process of community consensus building and public involvement. A center design study that specifies the development regulations and design guidelines will be prepared. Neighbors and stakeholders will be included in the planning and design of the TND. The implementation of the TND will be carefully reviewed and analyzed so that adjustments to the content and design can be incorporated.

Residential Land Use

The residential development opportunities in the Township cover a broad spectrum. In addition to the two resource conservation districts and the two planned development overlay districts identified previously, the Land Use Plan provides for six residential districts. The districts range from high density with attached, age-restricted and affordable housing and a complement of water and sewer infrastructure, to moderate density districts which recognize existing settlement patterns. The higher density districts generally occur in existing settlement areas and the southern part of the Township, while the resource conservation districts are spread throughout the central lowlands and northern hills.

R-150 Residential District

This residential district is largely designed to recognize existing development patterns resulting from the historical street pattern and prior planning initiatives. The largest R-150 District includes Elm Ridge Park, bounded by Pennington-Rocky Hill Road, Elm Ridge Road, and Bayberry Road, and adjacent rural residential development. The R-150 District also provides a transitional residential development opportunity on River Road (Route 29) and Washington Crossing-Pennington Road; and, an established development area around the village of Mt. Rose, recognizing the existing development along Cherry Valley Road.

Development standards for the R-150 District are proposed to remain the same, in accordance with the health regulations and zoning standards currently in existence in the Township.

R-100 Residential District

The R-100 District largely encompasses pockets of existing development, many of which were historically developed as subdivisions under prior zoning or strip frontage lots along collector and arterial roads. This pattern occurs throughout the Township. In the Titusville area, for example, Maddock Road and Washington Crossing Estates are included in this district. Around Pennington, the Timberlane area, Penn View Heights, the “tree streets”, the Ingleside area and the Orchard Avenue area are part of this land use category, while near Hopewell older developments along Pennington-Hopewell Road and Hopewell-Princeton Road also are included. All of these areas around Pennington are currently served by on-site septic systems, but are under investigation for public sewers due to septic problems in many of these areas. This district includes developed areas currently on public sewer along Pennington-Rocky Hill Road at Moore’s Mill-Mt. Rose and Bayberry Roads.

In addition to these and other developed areas, there are several undeveloped tracts in the area south of the Pennington circle that afford opportunities for continued residential development. East of the circle and accessing the south side of Pennington-Lawrenceville Road (Route 546) is the approved Wellington Manor development, consisting of 115 age-restricted, single-family detached dwellings. West of the circle and south of Washington Crossing-Pennington Road (also Route 546) are undeveloped lands located in this district and designated for inclusion in the Traditional Neighborhood Development overlay outlined previously. Outside of the TND, development standards for the R-100 District are proposed to remain the same.

R-50 and R-75 Residential Districts

The R-50 District is located in two areas in the western section of the Township, and is designed to reflect the existing small lot pattern that has evolved in these areas. One location is in the Washington Crossing area, east of River Road (Route 29) and south of Washington Crossing-Pennington Road. The other location encompasses the river community of Titusville, north of Washington Crossing State Park and west of River Road. The configurations, densities and proposed uses in these areas are not proposed for change under this Plan.

The R-75 District is located in several parts of the Township, and also is intended to recognize existing development areas with smaller lots. This District predominantly occurs as a transitional area between higher and lower density residential areas, as around Titusville and west of Hopewell Borough off of Route 518, or in small hamlets of existing residential development, as in Marshall’s Corner and Mt. Rose.

R-5 (Residential) and R-6 (Age-restricted Residential) Districts

The R-5 residential district is located only in the southeast part of the Township adjacent to the Lawrence Township border. This district includes the existing developed area of Brandon Farms, as well as the approved developments of townhouses and age-restricted affordable housing at Hopewell Grant. The R-5 District is served by public water and

sewer, and has access to the major Interstate, State and County roadways in the Township. Included in the approximately 1,300 unit Brandon Farms development are single-family detached dwellings, age-restricted housing, townhouses and apartments, as well as recreational facilities and the site of the Township's newest elementary school. The Hopewell Grant development is approved for 240 townhouses and 150 age-restricted, affordable apartments.

The R-6 District also is identified in only one part of the Township, immediately to the northwest of Pennington Borough on either side of Route 31. Included in this district is the existing development of Pennington Point East, consisting of 50 age-restricted townhouses. On the west side of Route 31 is the proposed development of Pennington Point West, comprised of 44 affordable apartments open to the general public and 244 age-restricted units. This development also provides a mix of uses, including offices, retail and child care.

The R-5 and R-6 Districts are proposed to continue in their current configuration and in accordance with current zoning standards. These Districts play an important role in the Township's overall land development strategy, as they provide alternative residential development options and increase the diversity of housing types in the Township. They also play a critical role in meeting the Township's affordable housing obligations.

Non-residential Land Use

The non-residential districts in the Township are characterized by two major factors, the prevalence of existing and approved research office and office park development throughout the Township, and the influence of Route 31 and the existing development pattern. The widespread Research Office districts are vestiges of a period when the Township permitted major corporate research and office uses in the agricultural and residential areas provided they were on very large tracts. The Office Park district, which in part replaces a former industrial office park district, includes a more recent office campus development, the Merrill Lynch complex on Scotch Road.

The other major component of the non-residential districts in the Township is the existing, approved and programmed development along the Route 31 corridor and abutting properties. As a major north-south route serving Mercer, Hunterdon and Warren Counties, the Route 31 corridor represents a unique planning challenge. The existing land use pattern reflects decades of development, much of it predating the existing zoning or reflecting a planning and zoning approach that did not discriminate among various use types.

The challenge in the Route 31 corridor is to shape the existing development pattern into cohesive communities, reflecting each community's development expectations, while respecting the corridor's important transportation function. To effectuate this vision the Township is undertaking a specific Route 31 design study, which will generate a subplan element to be adopted as an addendum to this Land Use Plan. The goal of this study is to develop a set of model land use guidelines that integrates the vehicular transportation

function of a State highway with community design concepts that enhance the quality and experience of life in a small-town, rural community.

The Land Use Plan includes 11 non-residential districts that provide for retail, office, research and limited industrial development. These districts are located both within and outside proposed sanitary sewer service areas. When on-site sewage disposal is proposed, the intensity of development shall take into account the overriding goal of protecting groundwater quantity and quality.

Due to the prominence of the non-residential districts along the major transit corridors in the Township, and the proximity of these districts to residential areas, attentive site design is extremely important to protect the scenic amenities and residential character of the Township. Therefore, each of the non-residential districts will include screening, buffering, and landscaping standards designed to promote attractive and compatible development.

This Plan recommends several changes to the former planning and zoning scheme that prevailed in the non-residential districts. Many of the industrial office park districts have been eliminated in favor of less intensive residential uses. Other areas are recommended for modified land use classifications that relate better to the surrounding land uses and environment. Other specific areas of change are referenced below.

Research Office Districts

The existing Research Office (RO) District is situated in three distinct parts of the Township: on Bear Tavern Road (Route 579) in the southwest corner of the Township; on Pennington-Rocky Hill Road in the central part of the Township; and, on Carter Road (Route 569) in the southeast corner of the Township. The RO District on Bear Tavern Road is presently occupied by Janssen Pharmaceutica, a research office complex and farm on 242 acres. The tract has preliminary site plan approval for approximately 880,000 square feet of building floor area, approximately half of which has been built. The existing zoning standards provide for an additional 675,000 square feet of potential development.

The other two Research Office Districts are the subject of General Development Plan (GDP) approvals. Bristol-Myers Squibb occupies a 433-acre campus on Pennington-Rocky Hill Road that was formerly the site of the Mobil research complex. The GDP approval for this tract permits approximately 2,820,000 square feet of building floor area, of which approximately 990,000 square feet have been developed. The easterly RO District is the subject of a GDP approval for approximately 800,000 square feet of development, of which approximately 300,000 square feet have been developed. All three Research Office Districts lie within wastewater management planning areas that permit on-site or off-site sewage treatment facilities.

This Plan proposes some modifications to the existing RO Districts, based on the Board's evaluation of utility limitations, circulation, water supply and residential development patterns. The RO-1 District includes the BMS tract, which is proposed to continue under

the existing RO standards and GDP approval with a floor area ratio (FAR) of 15 percent. The RO-2 District includes the Janssen tract and is proposed for a floor area ratio of 13 percent. The recommendation for a 13 percent FAR is partially based on traffic data submitted by Janssen, which it contends will not create an undue burden on existing roadways or cause major expansion of roadways. The Planning Board approves of the 13 percent FAR subject to confirmation at the time of preparation of the Circulation Plan Element of the Master Plan. This recommendation for the Janssen tract is also based on the property's location in the Suburban Planning Area; the location of the property in a sewer service area and an area with public water supply; the distribution and overall impact of site-generated traffic; and, design parameters affecting the square footage per employee and the desirable employee population. The RO-3 District on Carter Road is proposed to have a floor area ratio of 5 to 10 percent, depending on whether the FAR is applied to the whole tract (East and West parcels) or the East parcel only. A FAR of approximately 10 percent on the East tract alone would accommodate the approved development, while a FAR of approximately 5 percent applied to the entire tract also would accommodate the approved development.

Office Park District

The Office Park (OP) District is located in one area of the Township, bounded by Route 95 to the south, Scotch Road to the west, Washington Crossing-Pennington Road to the north and the CSX Railroad line to the east. As noted previously, the OP District replaces a former industrial office park planning classification. The major facility in this area is the 450-acre Merrill Lynch complex, which has received a GDP approval for 3,500,000 square feet of development at a floor area ratio of 18 percent. Approximately 1,250,000 square feet of this development has received site plan approval, and is largely constructed and occupied. In addition to the office uses, the GDP approval permits child care centers, a hotel and conference center, retail uses and recreational facilities.

The portion of the OP District occupied by the Merrill Lynch facility is within a wastewater management planning area with allocated sewage capacity, while the remainder of the District is not. This Plan proposes to eliminate the industrial uses that were formerly permitted in this area, as they are not compatible with the intent of this Plan concerning the type and location of non-residential development. The remaining development standards relating to area, yard and other bulk requirements are not proposed for change under this Plan. Development in the non-sewered portions of the District will be limited by wastewater management rules affecting the on-site disposal of sewage.

Special Industrial District

The Special Industrial District is located in the south central portion of the Township, defined by the Township boundary to the south, the CSX Railroad line to the west, Diverty Road to the north and Route 31 to the east. This District combines a former industrial office park district and special industrial district into one zoning district that combines the features of each. The District currently includes a diverse assortment of uses, including offices, warehouses, flex space, residences and commercial services.

Because this district involves the combination of two districts, the development standards that formerly applied have been modified to incorporate relevant provisions from the former industrial office park district and the special industrial district.

In order to promote the Traditional Neighborhood Development concept outlined earlier, a portion of this district is proposed for designation under the planned development overlay. This largely undeveloped section of the SI District offers an excellent opportunity for mixed-use development, given its proximity to services, sewer infrastructure and the regional road network. The opportunity for public transportation is also enhanced by its proximity to the railroad line and Interstate 95. The Denow Road extension, a major County roadway initiative, is planned to pass through this area, connecting Reed Road to the eastern part of the Township.

Highway Business Office District and Shopping Center District

The Highway Business Office (HBO) District and the Shopping Center (SC) District represent the Township's major retail commercial areas. The HBO District is recommended for one location in the Township, on the east side of Route 31 south of the Pennington Circle. A former HBO District at the intersection of Routes 31 and 612 has been eliminated, and is now proposed for residential development. The SC District is found in two locations: one on the east side of Route 31 south of Delaware Avenue to the railroad overpass; and, the other encompassing the Pennytown development on Route 31 at Marshalls Corner. Two former SC Districts, located on Princeton Avenue south of Hopewell Borough, and on Washington Crossing-Pennington Road west of the Pennington Circle, have been eliminated, the former because the tract involved has been purchased by the County and State, and the latter because it is part of a larger residential tract and the TND district.

The HBO District includes uses such as the Mercer Professional Center and the approved Hopewell Town Center, a 125,000 square foot retail and office complex. The SC District at Delaware Avenue includes the 92,000 square foot Pennington Center, the approved expansion of the Somerton Springs Golf Center, and a small commercial industrial park.

These two districts occupy prominent locations in the heart of the Township, and have major influences on the visual and land use character of the southern stretch of Route 31. Because of this prominence, careful site design is required to blend proposed development and redevelopment into the overall planning program for the Township. The study of Route 31 design guidelines, and the proposal for a Traditional Neighborhood Development, will have particular importance in shaping future development within these districts. As noted previously, the recommendations from the Route 31 study will be incorporated into a subplan element, which may include recommendations concerning the land uses permitted in these districts.

Industrial Commercial District

The Industrial Commercial (IC) District is designated in one location in the Township, on the east side of Route 31 from the northern boundary of Pennington Borough to the railroad spur overpass to the Trap Rock Quarry. This stretch of the Route 31 frontage, which is approximately one mile long, is largely developed with the following uses, beginning at the Pennington boundary: the Pennington public works center; Pennington Sales and Service; Bridge Auto Parts; Goebel Art; Hopewell Car Wash; Barbour Brothers Steel; Bish Sales; general and veterinarians' offices; Rosedale Mills and 84 Lumber.

The above list of uses highlights the diverse nature of the commercial and industrial activities that occupy this district. The IC land use designation appears to have been developed to recognize this diversity, as it incorporates offices and industrial uses with shopping centers, garden centers and smaller commercial uses. The Township's Circulation Plan Element has recommended a new street in this area to provide an alternative access, and to relieve the curb cuts and congestion resulting from multiple driveways accessing Route 31.

Similar to the other non-residential districts that front on Route 31, the challenge in this district is to develop a set of community design guidelines that can shape the functional and visual character as the area develops and redevelops. Existing floor area ratios and bulk standards are proposed to remain the same as currently provided in the land use ordinance, with some modification to the permitted uses in order to eliminate uses that are inappropriate for the long-term redesign of the corridor.

Office/Commercial Conversion District and Neighborhood Retail Commercial District

While this Plan intends to prevent future strip commercial development patterns and locate new commercial uses in centers, there are certain parts of the Township where this pattern already exists. This Plan proposes that these small-lot commercial areas be retained in order to recognize the existing pattern of uses, but that these areas not be enlarged or intensified to perpetuate the strip commercial pattern.

The existing Commercial Conversion (CC) District is located in two parts of the Township, on the west side of Route 31 extending from the Pennington Borough boundary north to Woosamonsa Road, and west of the Pennington circle on the north side of Washington Crossing-Pennington Road. The Route 31 stretch of this district includes some active businesses such as the Stony Brook Gardens and the Cream King, and smaller businesses in converted homes such as a realtors and piano studio. This district is intended to permit residential uses with low intensity commercial and office exceptions, akin to home occupations, but no intensive commercial uses such as service stations, car washes, fast food restaurants or food stores.

The existing Office (O) District also is located in two small areas of the Township, on the east side of Route 31 north of the Pennington Borough boundary to a point opposite Yard Road, and on the west side of Route 31 south of Pennington Titusville Road/West

Delaware Avenue to a point opposite the Golf Center. These locations include a mixture of office and residential uses, but the office uses have already established the land use character in the area. The conversion of the residences to small-scale office uses is permitted, but these areas should be redesigned to control access to Route 31 by interconnecting parking areas to result in shared parking. Like the CC District and other districts fronting on Route 31, the development of design guidelines as part of the Route 31 community design study seeks to enhance the form and function of this district.

Due to similar physical and land use characteristics and zoning standards, the Plan proposes the combination of the Office and Commercial Conversion Districts into a single Office/Commercial Conversion District. It is further recommended that the permitted uses include uses currently permitted in both districts.

The Neighborhood Retail Commercial (C-1) District is intended to recognize patterns of existing, isolated retail uses consisting of single lots or two adjoining uses. This district includes the WaWa and Karen's at the intersection of Route 31 and Route 518; existing commercial uses in Titusville and along Route 29; the existing commercial uses at the Pennington Circle; the former restaurant and day spa on Pennington Hopewell Road; and the office building on Princeton Avenue adjacent to Hopewell Borough. The purpose of this district is not to perpetuate strip development, but merely to recognize existing uses. Permitted uses include retail sales and service establishments, offices, banks, restaurants and commercial recreational establishments.

In general, the boundaries of this district are intended to follow the outline proposed in former Master Plans. As with the 1992 Master Plan, the C-1 District at the intersection of Route 31 and Route 518 is proposed to include only the existing uses at the intersection.

Quarry District

The Quarry (Q) District recognizes the presence of the two existing quarries in the Township, which operate under a specific, established set of standards. The Moores Station quarry is located at the intersection of Route 29 and Pleasant Valley Road, and is the subject of an agreement negotiated during the acquisition of Baldpate Mountain that will result in future recreational use of some of the property. The Pennington Quarry, located on Pennington Mountain, is situated on the west side of Route 31 at the railroad spur overpass, and is surrounded by preserved farmlands and agricultural uses.

The 1992 Master Plan identifies the quarries as "industrial/office/flex space" on the Land Use Plan map, although no discussion appears in the Commercial/Industrial section of the Land Use Plan, and the land use ordinance indicates that, upon depletion of quarry material, the zoning becomes office park. As noted previously, the Moores Station quarry is the subject of an agreement concerning future use of the property. However, the industrial/office/flex space designation is inappropriate for the two quarries, as the parcels are surrounded by public land, preserved farms, active agricultural operations and residences. The land use designation upon depletion of quarry materials should be

changed to one that is more in keeping with the areas surrounding the quarry, including residential and recreational opportunities.

Conservation Plan Element

“Conservation is a state of harmony between men and land. By land is meant all of the things on, over, or in the earth. Harmony with land is like harmony with a friend; you cannot cherish his right hand and chop off his left. That is to say, you cannot love game and hate predators; you cannot conserve the waters and waste the ranges; you cannot build the forest and mine the farm. The land is one organism. Its parts, like our own parts, compete with each other and cooperate with each other. The competitions are as much a part of the inner workings as the cooperations. You can regulate them – cautiously – but not abolish them.

The outstanding scientific discovery of the twentieth century is not television, or radio, but rather the complexity of the land organism. Only those who know the most about it can appreciate how little we know about it. The last word in ignorance is the man who says of an animal or plant: ‘What good is it?’ If the land mechanism as a whole is good, then every part is good, whether we understand it or not. If the biota, in the course of aeons, has built something we like but do not understand, then who but a fool would discard seemingly useless parts? To keep every cog and wheel is the first precaution of intelligent tinkering.” Aldo Leopold, 1948

Introduction

The Municipal Land Use Law (*N.J.S.A. 40:55D-1 et seq.*) authorizes municipalities to plan and zone to promote the general welfare. The 15 purposes of the MLUL (*N.J.S.A. 40:55D-2*) explain the State legislature’s rationale for the statutory authorization for municipal land use planning and regulation. More than half of these purposes highlight the importance of conserving natural resources and a clean healthy environment:

- The public health and safety (subsection “a”) bear a direct relationship to the use and management of New Jersey’s land and water resources.
- Securing safety from floods and other natural and manmade disasters (subsection “b”) and providing adequate light, air and open space (subsection “c”) are similarly directed at conserving natural resources.
- “Preservation of the environment”, in part through planning for “appropriate population densities and concentrations” (subsection “e”) is a key underpinning of local land use policy.
- Providing sufficient space in appropriate locations for a variety of land uses, according to their respective environmental requirements, is intended to meet the needs of all New Jersey citizens” (subsection “g”) for a healthy environment.

- The statute also seeks to promote the conservation of “open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land” (subsection “j”).
- The conservation of energy is cited in subsection “n” (“promote utilization of renewable energy sources”) and subsection “o” (“promote the maximum practicable recovery and recycling of recyclable materials”).

Preventing urban sprawl also has long been an objective of New Jersey’s planning and zoning law, which is supported by the related objectives of protecting the natural environment and preventing its degradation. Sprawl is energy intensive and resource consumptive, increasing traffic and air pollution and destroying open spaces.

In furtherance of these conservation objectives, the MLUL provides for preparation and adoption of a Conservation Plan Element (*N.J.S.A. 40:55D-28b.8.*) which reads as follows:

“Conservation plan element, providing for the preservation, conservation and utilization of natural resources, including, to the extent appropriate, energy, open space, water supply, forests, soil, marshes, wetlands, harbors, rivers and other waters, fisheries, endangered or threatened species, wildlife and other resources, and which systematically analyzes the impact of each other component and element of the Master Plan on the present and future preservation, conservation and utilization of those resources;”

This Conservation Plan outlines Hopewell Township’s strategies to meet the statutory purpose to preserve, conserve and utilize natural resources. While it is designed to function in concert with the other plan elements, the most important linkage will be between the Land Use Plan and the Conservation Plan. Together, these plan elements propose the location, scale and intensity of new development and the resource management strategies needed to protect the environment.

This Master Plan recognizes that “business as usual” will not meet the conservation objectives of the MLUL. Retaining suburban residential zoning and other high intensity zoning options will overtax the natural environment, with substantial degradation of surface water and groundwater quality. It will also entail the removal of substantial forested areas, which are in short supply in New Jersey, and farmlands, which are particularly vulnerable to elimination by suburban sprawl.

The most effective way to protect farmland and natural resource lands is to buy the land or the development rights and manage the preserved resources. This approach permanently preserves these valuable features, and is the most effective means of limiting the effects of development. The continuing New Jersey voter support for open space preservation, most recently evidenced in the approval of the \$1 billion Garden State Preservation Trust, bodes well for such acquisitions. Hopewell Township, through its local open space assessment, support for a Mercer County open space assessment, and establishment of a regional Open Space Advisory Committee with Hopewell and Pennington Boroughs, has demonstrated its

commitment to open space acquisitions. However, hundreds of thousands of acres of undeveloped and “underdeveloped” land throughout the State will remain beyond the reach of publicly funded acquisitions. Thus, local land use regulations continue to play a controlling role in how the environment is managed, during and after development.

Air, water and soil are the essential resources which support a healthy biota. The natural ecosystem finds a balance among its organic and non-organic components, where resources are used, not used up, and cyclical changes return to the point of beginning. Development disrupts these cycles, and places a heavy burden on man to reestablish the semblance of a natural balance. The principles of sustainable development demand that resource commitments made during this generation will be sustainable—that is, able to be continued for the benefit of future generations.

Fragmentation and degradation of vegetation, land and water resources have been a byproduct of human activity. Woodlands, initially cleared for agricultural use, have given way to residential neighborhoods easily developed on these high, dry and usable soils. Water quality has been progressively altered and impacted by human activity. Environmental impact statements (EIS) routinely admit the negative consequences of new development by acknowledging that each new house will produce a “house-worth” of pollution. A typical EIS purports to assure us that all the conventional safeguards will be employed, and that there are really no other alternatives available. However, it has become increasingly obvious that there are other alternatives available, and that zoning for sprawl does not protect the general welfare, but rather substantially degrades the environment and erodes the quality of life and human interaction.

The quality of the air we breathe, the water we drink and the food we eat determines the health of the human organism and all life forms. This Conservation Plan seeks to minimize further degradation of these resources and establish an arsenal of environmental health-building tools for the 21st century and beyond. This plan recognizes the inherent limitations of our ability to disassemble the natural world and put it back together again. It argues in favor of a lighter touch on the land, one that is more respectful of natural systems, and that limits the resource commitments and impacts of human intervention. This calls for a systems approach to natural resource conservation, where interconnected natural systems are viewed as a collective resource, not a series of separate features.

The variety of biological species is an indicator of the health of an ecosystem. Maintaining biological diversity requires protection of critical habitat areas. While habitats of endangered or threatened plant or animal species are of special importance, threatened or endangered status may be transient. For instance, the great blue heron and bald eagle have been removed from the protected list, yet their critical habitats remain essential to their continued survival. Additionally, the eradication of rare species removes elements from the food chain that help maintain ecological balance. The explosive deer population in New Jersey is but one example of the damage that can be wrought when this natural balance is lost.

Protecting biodiversity requires the protection of terrestrial and aquatic habitats that are highly susceptible to degradation. Surface water quality cannot be maintained without protection of the watershed areas that contribute to the streams. Freshwater wetlands play an important role in filtering contaminants from the surface water and groundwater regime and, while protected by state statutes, are not immune from impacts that occur beyond the regulated areas. Similarly, prime forested areas, including mature stands of native species, are easily lost or damaged through fragmentation, a manmade impact that reduces biodiversity. A study prepared for the Friends of Hopewell Valley Open Space, *The Woodlands of Hopewell Valley* (White, 1990) identifies woodlands throughout Hopewell Township, and suggests priorities for conservation efforts based on the survey.

Because of its critical locale and the extent of its remaining habitat, Hopewell Township is host to exceptional species diversity. Hopewell Township's landscape gradually rises from the lower lands to the south and east through rolling hills to higher slopes in the north and west. A diagonal line running northeast to southwest forms a boundary between the red shales and the diabase formations of the Piedmont physiographic province. In a geologic sense, this divide provides the Hopewell Valley with its varied topography. One can trace this line on a map and see that it transects one of the fastest growing regions in the State. But this is not just the intersection of distinct geological features. It is also an overlap zone marking the northern limit of many southern native plant species and the southern range limit of many northern species. For instance, redbud, a tree common in the southern states, reaches the northern terminus of its natural range in the New Jersey piedmont and is listed as endangered in the State. Likewise, creeping spearwort, which is common in northern latitudes but endangered in New Jersey, is not found south of our area. Some bird species also reach the limits of their ranges in the piedmont, such as two chickadee species, black-capped from the north and Carolina from the south. In the biological sense, Hopewell Township's rural landscape is a remnant of what was once some of New Jersey's richest habitat for wildlife and wild plants – an ecological treasure of which we are the stewards.

The scenic wonder of ridgelines, slopes and ravines is only one aspect of the value of these natural features, without which certain species will not remain. Similarly, grassland habitats are essential to the nesting, feeding and breeding of a variety of grassland bird species, yet such areas are frequently lost to development. The effects of agriculture and suburban development have isolated woodland segments, and eliminated or prevented the interconnection of the remaining woodlands. The background studies identify woodland areas by forest cover type, as well as critical wetland, water and grassland habitats. Land development should be arranged to maximize the conservation of substantial masses of critical habitat areas, by limiting the aerial extent of development and promoting conservation techniques targeted to these resources.

Carrying capacity is a planning technique used to establish the maximum population level of a species based on the availability of natural resources. Carrying capacity had its genesis in ecological studies, used to manage wildlife habitat rangeland for grazing. In the context of land use planning, carrying capacity has been defined as the ability of natural and man-made systems to support a level of population growth and ancillary development while maintaining established standards of performance. When applied to regulating land use, an assessment of

carrying capacity is useful in establishing maximum densities or intensities of development. However, sustainability requires that we provide a margin of safety, and not plan for the maximum development that can currently be supported.

The policies and strategies of this Conservation Plan seek to limit the impacts of development and retain the natural terrain and features to the greatest extent practicable. This plan also promotes the restoration of natural systems that have been degraded by past activities. As new regulatory tools or techniques become available, they should be evaluated for their ability to promote the Conservation Plan objectives and adopted where appropriate. Conservation easements for critical resources should be established, and a program of mapping and monitoring instituted. Additionally, open space and woodlands acquisition priorities should be established to address the goals of the Conservation Plan.

Energy and Air Quality

Protection of the Township's air quality is largely dependent on regional, state, national, and even international factors. Similarly, energy conservation and utilization is shaped by a host of factors. However, local land use regulations determine future land use patterns, which have a direct effect on air quality and energy use. Management approaches that the Township can initiate to mitigate air pollution and promote energy conservation include the following:

- a. Promote alternative means of transit by providing opportunities and access for buses, car and van pooling, bicycling, and walking.
- b. Adopt development regulations that provide for compact residential neighborhoods and retain existing wooded areas and large contiguous open land areas.
- c. Reduce the need for vehicular trips by facilitating better pedestrian and public transit interconnections among residential, commercial, office, and recreational uses.
- d. Encourage staggered work hours for large employment centers to improve air quality.
- e. Encourage energy conservation through subdivision and site plan design, building design, building orientation, and the evaluation of microclimate conditions such as solar access, shade and wind direction.
- f. Recommend landscaping standards that provide buildings and parking areas with maximum solar access, shading, and wind protection.
- g. Require air quality assessments at principal intersections for significant developments (300 or more vehicle trips per day) to identify problem areas and mitigation strategies.

- h. Design bikeways, pedestrian walkways and other routes to maximize opportunities for non-motorized travel in existing and new development.

Forest Resources and Native Vegetation

Woodlands and other native vegetation perform a series of important functions related to the ecological balance. Forests produce oxygen, giving them intrinsic value. They reduce soil erosion and surface runoff, absorb pollutants and promote aquifer recharge, because of the high moisture holding capacity of the forest soils and tree canopy. Forests provide habitats for plants and animals and provide open space and recreation lands. They enhance the visual character of scenic corridors, create a feeling of privacy and seclusion and reduce noise impacts. And they affect local climatic conditions near or within their boundaries, such as the cooling effect on trout streams. Woodlands and other native vegetation also provide visual diversity in the terrain, enhancing the value of property. Removal of trees and other vegetation can result in ecological, hydrological, and economic impacts.

The following approaches are recommended to preserve, protect and improve the forest resources in the Township.

- a. A woodland conservation program, including identification of the floodplain, mesic and upland forest stands on the tract should be required as part of any application for development.
- b. Performance standards should be established limiting the extent of forest removal, based on the quality of the forest type. Priority wooded areas for preservation include unique forest types, woodlands adjacent to public water supply tributaries, habitats critical for endangered and threatened species, specimen trees, large wooded patches, 100-year floodplains, wetlands, stream corridors, and slopes of 15 percent or greater.
- c. Performance standards should encourage the preservation of habitat areas that are as large and circular as possible, gradual and undulating at the edges and connected by wildlife corridors wide enough to maintain interior conditions (i.e. 300' or more).
- d. Hedgerows and forest areas along traveled roadways and established property boundaries should be retained and enhanced, where appropriate, with native species.
- e. Woodland areas along open space corridors should be preserved and interconnections among existing woodlands should be promoted.
- f. Reforestation and afforestation of open spaces, resulting from cluster designs, should be required to enhance habitat, promote recharge and reduce surface runoff, erosion and flooding through the use of native species.

- g. A construction mitigation plan, which minimizes and mitigates construction-related impacts on woodlands, should be required prior to disturbance of more than 10,000 square feet of woodlands.
- h. A local permitting process should be developed for isolated lots, to prevent the removal of trees and other vegetation from an area greater than 1,500 square feet unless on- or off-site replacement is provided.
- i. Residential densities and impervious coverage should be reduced in order to promote the retention of forests in the Township.

Groundwater

The groundwater resources of the Township provide irrigation and potable water supplies to the Township's rural areas. In addition, groundwater provides the base flow to rivers and streams during low flow periods, and sensitive plant and animal communities are dependent upon this surface hydrology. The importance of this resource is further highlighted in the M² Associates report *Evaluation of Groundwater Resources of Hopewell Township, Mercer County, New Jersey* (March 2001). The following activities are recommended to protect and maintain this critical resource:

- a. A program should be established, or coordinated with an existing County or State program, to ensure that existing septic tanks are regularly pumped and maintained.
- b. Ongoing public education should be directed at preventing the discharge of toxic and hazardous pollutants to groundwater.
- c. A public education program emphasizing the use and importance of water conservation measures should be instituted.
- d. The Environmental Commission, in conjunction with the Health Department, should conduct an environmental audit of groundwater quality, including an analysis of existing groundwater samples and an identification of existing facilities that could adversely impact groundwater. Among the facilities that should be mapped and inventoried are the following:
 - 1. Underground storage tanks.
 - 2. Gas, fuel, and sewer line locations.
 - 3. Large septic systems for commercial/industrial users.
 - 4. Permitted community septic systems.
 - 5. Hazardous substance storage areas and facilities
 - 6. Permitted NJPDES groundwater or surface water discharge facilities.
- e. The Township should consider the establishment of a wellhead protection program to protect community water supply systems, and should examine similar

management strategies for development activities occurring over the Hopewell Fault. This unique geologic feature should be identified and designated a critical water resource protection zone in order to maintain its function.

- f. Landscaping standards should require the use of native and locally adapted plants, and designs which minimize irrigation, maintenance and turf areas and require mulches to preserve soil moisture.
- g. New irrigation systems for lawns and landscaping should be curtailed or eliminated.
- h. Development activities should seek to maximize groundwater recharge, with the ultimate objective of no net reduction in recharge, through creative management approaches.
- i. The Township should evaluate alternative well testing methodologies in order to assure that groundwater availability is accurately analyzed. Test wells installed as part of a groundwater availability analysis should be tested for potability.
- j. A water balance analysis should be provided with proposed subdivision and site plan applications.
- k. Residential densities and impervious coverage should be reduced in order to protect the availability and potability of groundwater.

Scenic Resources

Scenic character is an important element in the general perception of the quality of life in Hopewell Township. The protection of scenic vistas, particularly those seen from public rights-of-way, will serve to maintain the Township's rural character. Since the local development review process plays a primary role in shaping new land use patterns, local review agencies are the appropriate administrative authority to encourage conservation of scenic characteristics. The following activities are recommended:

- a. Scenic roads, bridges and corridors should be identified and categorized in terms of the scenic elements that contribute to their quality.
- b. Design standards should be developed to guide the location and configuration of development, in order to protect the various categories of attractive views, including enclosed roadside views, extended roadside views, and distance views.

Steep Slopes

Development of steep slopes produces a variety of environmental impacts, including increased soil erosion and sedimentation, decreased surface water quality, decreased soil fertility, increased overland flow, decreased groundwater recharge, and altered natural

drainage patterns. In order to reduce the potential for these negative impacts, the Township should:

- a. Develop standards that relate the intensity of development to the slope gradient.
- b. Develop standards that limit tree removal and soil disturbance on steep slopes.

Stream Corridors

The Township is laced with a network of headwater tributaries to the Delaware and Raritan Rivers. In order to protect stream corridors from development impacts, it is recommended that the Township consider the following management approaches:

- a. Woodlands and other vegetated buffers should be maintained or established along all stream corridors.
- b. Where past land use practices have resulted in the removal of trees along stream corridors, management practices should include the reestablishment of the tree cover.
- c. A stream corridor protection ordinance, modeled after the programs established by the Delaware and Raritan Canal Commission and the Stony Brook-Millstone Watershed Association, which seeks to protect the stream corridor and adjacent wetlands, floodplains, and contributory uplands with steep slopes, has been developed.
- d. Management and monitoring strategies should be developed for stream corridor areas.

Surface Water

Surface water is impacted by both point and non-point source pollution. Point sources are generally subject to State regulations. Non-point source pollution, which has become a major concern, can be mitigated by local land use strategies and management approaches. Non-point source pollutants include septic system effluent, agricultural runoff, stormwater runoff, lawn maintenance chemicals and construction activities. In order to mitigate potential impacts to the Township's surface waters, the following management approaches are recommended:

- a. Water quality best management practices should be adopted or refined, to protect the quality of surface waters and promote maximum habitat values. These include:

Clustering development on the least porous soils, to promote infiltration

Buffer strips and techniques to maximize overland flow, such as grassed swales and filter strips

Regional stormwater management approaches and extended detention facilities

Wet ponds (retention basins) and wetland or marsh creation

Detain runoff using infiltration practices, including trenches, basins, drywells and other structural solutions

Water quality inlets and oil/grit separators

- b. Reductions in permitted residential densities and impervious coverage can reduce the potential impact to surface waters from non-point source pollution.

Threatened and Endangered Plant and Animal Species

Threatened and endangered plant and animal species are indicators of ecological diversity and environmental quality. Like the canary in the coal mine, they warn us when we are spoiling the quality of the environment beyond natural tolerances. The presence of rare species in the Township are testament to the historical emphasis on land stewardship. In order to protect and maintain these species, the Township should:

- a. Conduct an ongoing inventory of threatened, endangered and declining species.
- b. Prohibit development which will result in adverse impacts on the survival of threatened, endangered and declining species.
- c. Develop a list of habitat requirements for threatened, endangered and declining species.
- d. Map and preserve critical habitats, either through the open space acquisition or the development review process.
- e. Preserve, expand or establish riparian wildlife corridors.
- f. Preserve significant uplands areas where unique associations of habitats (some rare, some not) combine to promote biodiversity.
- g. Preserve nodes of biodiversity wherever they occur.
- h. Residential density and impervious coverage should be reduced in order to promote the preservation of critical habitats.

Wetlands

Since wetlands are regulated by the State and Federal governments, the Township is preempted from adopting conflicting regulations. However, management of protected

wetlands and transition areas remains an important issue, and site design decisions will affect wetlands ecosystems.

- a. A system to periodically monitor and enforce conservation easement restrictions should be developed.
- b. Permitted development should be arranged to avoid all significant wetlands, and when road crossings are unavoidable, they should be located at the point of minimum impact.

Relationship to Land Use Plan

The Conservation Plan identifies natural resource protection strategies which support the Land Use Plan. The resource management standards outlined in the Conservation Plan will serve to shape the development permitted by the Land Use Plan in a manner that will preserve and protect the Township's natural resources. In addition, the Conservation Plan is intended to involve local agencies, other than the Planning Board, in a comprehensive program to conserve critical resources.

Summary

The future face of the Hopewell Valley will be shaped, in large measure, by this Master Plan. The open fields and meadows, the calming influences of free flowing streams and rivers, and the beauty of forested slopes are a legacy for future generations. Faithful adherence to the policies outlined in this Conservation Plan, combined with a broad concept of stewardship where all citizens contribute, will protect and enhance the special character of the landscape, and the healthy ecology with which Hopewell Township is blessed.

“We do not inherit the earth from our fathers, we are borrowing it from our children.”
David Brower

Land Use and Natural Resource Background Information

Land Use by Property Class and Land Use/Land Cover

Figures 2 and 3 are maps of the Township identifying, respectively, land use by property tax class and land use according to land cover derived from aerial photography. Figure 2 of land use by property tax class indicates the type of use on a property according to the property tax records of the Township's tax assessor. Coupling tax assessment records with a tax parcel map through the use of Geographic Information Systems (GIS), the map depicts various land use and ownership categories to create a picture of land use patterns. However, a land use classification system by tax class assigns a single use to the lot, and thus tends to obscure more detailed information concerning woodlands, wetlands and other open lands on a lot.

On a Township-wide basis the land use by property class (according to the year 2000 tax list), is as follows:

Property Class	Acres	Percent
Vacant	2,100	5.8
Residential	7,263	20.1
Farm	17,989	49.9
Commercial	733	2.0
Industrial	1,570	4.4
Railroad	110	0.3
Public	5,780	16.0
Quasi-Public	509	1.4

According to these data, the predominant property class in the Township is farmland at 50 percent of the Township's land area. The second most common property class is residential, representing 20 percent of the land area, followed by public and quasi-public, with approximately 17 percent of the land area. The public land category involves a diverse assortment of ownership, including State and County lands, municipal lands and school property. The quasi-public category comprises cemeteries and graveyards, churches and other charitable property, including such uses as the Stony Brook-Millstone Watershed Association and the American Legion. Industrial land, which includes the Research Office Districts and the two quarries, accounts for approximately 4 percent of the land area, while commercial lands, which involves retail uses, small offices, the airport and private golf courses, occupies approximately 2 percent of the land area.

Given the differences in methodology and mapping conventions, it is not possible to directly compare current land use by property class to land use summaries in past Master Plans. Land use and development changes in the Township since the 1992 Master Plan are discussed later in this section.

A more detailed and accurate depiction of land use can be taken from the Land Use/Land Cover classification, completed by the New Jersey Department of Environmental Protection. This data was derived from the 1995 Digital Ortho Quarter-Quads, flown for the entire State. As a comparison to the Land Use by Property Class, the Land Use/Land Cover data shows what is actually on the ground. The Property Class information may show an entire property as farm assessed, giving the impression that all of its acreage is farmed. In actuality, 50 percent of the tract may be wooded and not farmed at all. The Land Use/Land Cover is more accurate in that it will show the true land use of the property, where, for example, 5 percent may be residential, 50 percent wooded and 45 percent cultivated.

On a Township-wide basis the land use/land cover map shows the following distribution of land use in the Township (see Figure 3):

Land Use Type	Acres	Percent
Agriculture	11,519	30.7
Barren land	423	1.1
Forest	14,441	38.5
Urban	7,232	19.3
Water	586	1.6
Wetlands	3,335	8.9

The most expansive land use type in Hopewell Township is forest, accounting for approximately 39 percent of the land area. Forested areas occur over much of the Township, but are concentrated in the higher elevations and marshy lowlands. Much of the forested area represents high priority habitat for wildlife. Agricultural lands cover approximately 31 percent of the Township's total acreage, and represents the second most prevalent land use type in the municipality. Agricultural lands are concentrated in the Township's valleys, although much of the Township's higher elevations are devoted to agricultural lands. Comparing the land use by property tax to the land use/land cover, approximately 64 percent of the land classified as agricultural by tax class is agricultural by land use type.

Land Use/Land Cover designated as urban on the mapping covers land uses that range from individual rural residential units to commercial and major office uses. The general classification of urban describes areas that are developed in one fashion or another, and includes power lines, roads and athletic fields or golf courses. The urban land covers approximately 19 percent of the Township. The urban land is concentrated around Pennington, Titusville and Washington's Crossing, in suburban developments between Pennington and Hopewell Boroughs, and in the Township's research and office developments.

The other land use types include barren land, wetlands and water. The barren lands category includes the two quarries in the Township and sites under construction at the time of the aerial photography. Wetlands account for approximately 9 percent of the

Township's land area, while water represents approximately 2 percent. The distribution of wetlands is discussed below in the Wetlands section, while the category of water includes the Delaware River, Rosedale Lake, Baldwin Lake, Honey Lake and scattered small ponds.

As previously referenced, during the 1990's the Township has seen vast and irreversible changes in land use and the concomitant effects. Among the salient points are the following:

- During the 1990's over 1,800 building permits were issued for new residential development, and approximately 1,800 new housing units were created.
- During the 1990's the Township added 4,515 residents, which is equivalent to the total combined population of the Boroughs of Hopewell and Pennington.
- The new housing stock included approximately 570 townhouses and 100 apartments.
- From 1988 to 1998 the Township approved approximately 650 dwelling units in the lower density zoning districts (R-200 and R-250), which consumed approximately 2,400 acres of land.
- In addition to the development referenced above, the Township has approved 240 townhouses, 150 age-restricted rental apartments and 115 age-restricted single-family dwellings, and has zoned for a 288 unit development of age-restricted and lower income apartments.
- During the 1990's the Township approved over 8,000,000 square feet of non-residential development, of which approximately 3,000,000 square feet currently exists.
- As of the year 2000, the Township's zoning permitted a total of 18,200,000 square feet of non-residential development, including existing and approved development.

These figures highlight the dramatic changes that have occurred in the Township, and support the responsible approach to land use management that the Township is pursuing in this Plan.

Geology and Hydrogeologic Zones

The bedrock of Hopewell Township occurred during two major time eras. The first is during the Triassic Era (208 to 245 Million years ago) and the second, the Jurassic (208 to 145 million years ago). During this time these basins were formed as a result of continental separation and rifting. There are five major bedrock classifications in Hopewell Township depicted in the attached map, Bedrock Geology Hopewell Township (Figure 4). A detailed analysis of geology is provided in the groundwater study prepared by M² Associates, titled *Evaluation of Groundwater Resources of Hopewell Township, Mercer County, New Jersey* (March 2001).

The Stockton Formation is the oldest formation and consists of sand, gravel and silt sized sediment of light gray and yellow arkosic sandstones. The Lockatong Formation was deposited on top of the Stockton Formation, and is comprised of gray-red, dark brown, and grayish-purple mudstones, sandstones, and siltstones. The Passaic Formation was deposited in the late Triassic and early Jurassic period and is distinguished by its red-brown, brownish-purple, and grayish-red shale, siltstones, mudstones and sandstones. A subset of the Passaic Formations is the Passaic Formation Gray Bed, which gray lake deposits was made throughout the Passaic Formation and thus are considered a subset of the parent formation. Finally, the Jurassic Diabase is the youngest formation and is found beneath the Sourland, Belle, Baldpate and Pennington Mountains and along Crusher Road. The Diabase formations are identified by their bluish-gray hornfels and the black fine-grained hornfels.

The hydrogeologic zones in the Township consist of two distinct zones. The first is the Stockton Formation that covers 43.6 square miles (72 percent) of the Township. This zone includes the Stockton Formation and the Passaic Formation, which have a yield range of 10 to 15 gpm. The wells in this formation may find additional water bearing fractures and are not dependent on other zones to transmit and store groundwater. The median aquifer transmissivity in this zone is estimated at 950 gallons per day per foot. The second zone, encountered at the Lockatong and Diabase Formations, are of poorer quality. These aquifers encompass 16.7 square miles (28 percent) of the Township. Median yields in this zone range from 5 to 7 gpm and drilling past 125 feet is unlikely to produce any water bearing fractures. The median transmissivity for these aquifers is estimated at 225 gallons per day per foot.

Topography and Steep Slopes

The Township is blessed with a diverse assortment of topography. The Pennington Mountains and the diabase ridge on Crusher Road form a backdrop for much of the central portion of the Township, while Baldpate Mountain in the northwest and the Sourlands in the northeast provide the same type of experience in these areas. Pleasant Valley is aptly named for its interesting topography and land cover, and the extensive agricultural uses and topographic changes in the west central portion of the Township provide a diverse and appealing landscape. The low lands of the Stony Brook valley, which provide long views over fields to wooded backdrops and stream corridors, impart a unique experience in this part of the Township.

Elevations in the Township range from a low of 40' above sea level along the Delaware River in the southwest to a high of 480' above sea level on Baldpate Mountain, and 460' above sea level on Pennington Mountain and the Sourlands at Mountain Church Road (Figure 5). The northern third of the Township is generally comprised of small mountains, while the southern two-thirds consists of broad valleys formed by Jacob's Creek, Shabakunk Creek, Bedens Brook and the Stony Brook. Approximately three-quarters of the land is within the 3 to 12 percent slope range, with steep slopes (15 percent or greater) occurring along the diabase ridges and stream corridors (Figure 6). Steep slopes require

special management approaches to reduce runoff and erosion, and to maintain water quantity and quality. In addition, it is anticipated that in the future an elevation map can be developed to provide visual assessments of the existing environment and proposed development.

Forested Areas

The protection of forested areas in Hopewell is an important piece in maintaining the character of the Township. Woodlands offer habitats to a variety of plant and animal species, maintain climate, reduce erosion, maintain nutrient levels and improve air quality. These areas also offer scenic vistas and natural corridors that identify the character of the region. Hopewell's wooded areas are relatively young, due to past agricultural and other activities that have cleared portions of the town's forests, and as such offer larger mixed specie stands that offer a unique habitat and scenic vista and should be properly maintained and protected.

Hopewell Township's location, in the Piedmont land formation, gives it a rich diversity of tree species and habitats as seen in the attached map, Forest Types (Figure 7). There are at least 43 tree species found in the Township, ranging from conifers to soft and hardwoods. In general the forest cover consists primarily of three forest types: Coniferous, Deciduous, and Mixed Forests. The combined forest cover in Hopewell Township is approximately 14,441 acres (39 percent) of the total land area. Of this forest cover, coniferous forests cover 847 acres (2.3 percent of the total land area), mixed forests cover 1,947 acres (5.2 percent), and deciduous forests cover 10,261 acres (27.3 percent), with the remainder in old field and plantation. Due to the nature of the Piedmont formation, the type of forest cover ranges throughout the Township, which produces a changing landscape unique to Hopewell. The plains region of the Township produces woodlands that are larger, wetter and younger. The primary trees of the plains areas are beech, red maple, and oak. Upland areas are more prone to see upland oaks, sugar maple, and other mixed hardwoods.

Some of the larger stands of woods are currently under the ownership of the State Parks and Forestry or the Stony Brook-Millstone Watershed Association. These woods are protected and offer recreational value but are not overused to the point of deteriorating the ecosystems. Other wooded sections still lay outside of public lands and, given their location near the Delaware River and other State Parks, should be conserved as much as possible. *The Woodlands of Hopewell Valley* (Douglas White, 1990), a study prepared for the Friends of Hopewell Valley Open Space, identifies and characterizes woodland plots throughout the Township, and suggests priorities for conservation efforts.

Freshwater Wetlands

The regulatory framework for the identification and protection of freshwater wetlands in New Jersey was established by the Freshwater Wetlands Protection Act (FWPA) in 1987. Among the unique values of wetlands are the purification of surface water and groundwater resources; the mitigation of flood and storm damage through the storage and absorption of water during high runoff periods; the retardation of soil erosion; the

provision of essential breeding, spawning, nesting, and wintering habitats for the State's fish and wildlife; and, the maintenance of critical base flows to surface waters through the gradual release of stored flood waters and groundwater. The method for identifying and designating wetlands includes three parameters, hydrology, soils and vegetation. The hydrological factor relates to the degree of flooding or soil saturation found through soil borings; the soil factor relates to the presence of hydric soils; and, the vegetation factor relates to the presence of hydrophytes, or plant species adapted to hydric conditions.

One of the requirements of the FWPA was that the N. J. Department of Environmental Protection (NJDEP) provide a comprehensive mapping of wetlands in the State. The attached map (Figure 8) of Freshwater Wetlands is a composite of the quarter-quad maps prepared by the NJDEP to satisfy this mandate. The categories of freshwater wetlands shown on the map include the following:

- Agricultural wetlands (Modified)
- Artificial lakes
- Coniferous wooded wetlands
- Deciduous scrub/shrub wetlands
- Deciduous wooded wetlands
- Disturbed wetlands (Modified)
- Herbaceous wetlands
- Managed wetlands (Modified)
- Mixed forested wetlands (Deciduous dominate)
- Natural lakes
- Streams and canals
- Wetland rights-of-way (Modified)

The greatest concentrations of wetlands occur in four parts of the Township: in the southeast part of the Township; along the Stony Brook; in the Sourlands and foothills; and, in the north central part of the Township around Route 518. Wetlands also occur along the main stem and tributaries of the major streams in the Township, including Jacob's Creek, Fiddler's Creek, Moore Creek, Shabakunk Creek and Bedens Brook. The most common type of wetland found in the Township is the deciduous wooded wetlands, followed by agricultural wetlands (modified), deciduous scrub/shrub wetlands, and streams and canals. Although the NJDEP mapping of wetlands and the soils' map of hydric soils can provide guidance as to the location of wetlands, only a field investigation can substantiate the presence or absence of wetlands and the associated buffers. In the future the Township's GIS system will incorporate actual field locations of delineated wetlands.

Trout Maintenance and Non-Trout Waters

The streams found in the Township fall within two major categories set by the NJDEP. These are Trout Maintenance and Non-Trout waters (Figure 9). The first, Trout Maintenance streams, indicates streams that have been identified as being able to support the long-term health and life of trout. The second category, non-trout waters, indicates

streams that are not generally suitable for trout, given their physical, chemical or biological characteristics, but are suitable for a wide variety of other fish species.

The majority of streams in the Township fall under the second category, non-trout production. These streams tend to have a lower flow due to their location as headwaters and natural seasonal variations. This means that pollutants or stream degradation easily affects these streams. According to biological surveys, the streams on the western portion of the Township, which flow into the Delaware River, are in large part non-impaired, while the streams in the eastern part of the Township, which flow to the Raritan River, are moderately impaired.

There are two streams in the Township that are classified as trout-maintenance streams. These are Moores Creek, located in the western corner of the Township, and Fiddler's Creek, which is just south of Moores Creek. These two streams flow into the Delaware River and are also listed as non-impaired. However, these streams face the same issues of degradation as the other streams in the Township and should be properly maintained and protected in order to keep their current status as non-impaired.

Agricultural Soils

The current classification system used throughout the State was established by the State Agricultural Development Committee (SADC) in 1990 under the auspices of the Agriculture Retention and Development Act of 1983 (Figure 10). This system refines the agricultural capability classifications established by the USDA, NRCS, which had been the norm for 20-30 years, by rating agricultural soils for their specific applicability to New Jersey. While the USDA classification system provided ratings of agricultural soils based on an eight-part system (Agricultural capability classes I-VIII), the classification system developed under the above legislation established a five-part system: prime farmlands, soils of statewide importance, farmland of local importance, unique farmlands, and other. This system is used in the mapped representation of Agricultural Soils.

Despite the pressures for and commitments to residential and non-residential development that have impacted the Township through its recent history, agriculture remains the predominant land use in the Township, reflecting the Township's earlier agrarian roots and current conditions. Approximately half of the Township remains in agricultural use, according to the farmland assessment classifications and reports.

Agricultural soils are not necessarily critical areas; they are, however, or at least they are becoming, an endangered resource. In the Township where development pressures are so great, more and more agricultural soils are lost every year for non-agricultural development. This is because the very same attributes that make soil good for agriculture, i.e. level ground, good drainage, fertility, etc., also make them attractive for residential and non-residential development. Productive agricultural soils are, however, a finite resource and irreplaceable; once committed to other forms of development, it is unlikely that these areas will be redeveloped for agricultural use.

The value of agricultural soils, and the land use and industry they support, is widespread. In addition to providing a source of income to farmers and other landowners, the unique combinations of fields, forests and topography create much of the visual environment that is so highly prized by residents and visitors to the Hopewell Valley. Agricultural soils also provide the basic resource to supply food and forage to man and other species. The protection and retention of this resource helps to assure the long-term stability of these species.

The following descriptions of prime farmlands, soils of statewide importance, and farmland of local importance are taken from the “New Jersey Important Farmlands Inventory”, prepared by the SADC in 1990. Not included in this description is the category of unique farmlands, which are generally poorly drained soils used for specialty crops such as cranberries and blueberries, and which do not occur in the Township.

Prime Farmlands-Prime Farmlands include all those soils in Land Capability Class I and selected soils from Land Capability Class II. Prime Farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops and is also available for these uses. It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed according to acceptable farming methods. Prime Farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding.

Soils of Statewide Importance-Farmlands of statewide importance include those soils in Land Capability Classes II and III that do not meet the criteria as Prime Farmland. These soils are nearly Prime Farmland and economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce yields as high as Prime Farmland if conditions are favorable.

Farmland of Local Importance-Farmland of local importance includes those soils that are not prime or statewide importance and are used for the production of high value food, fiber or horticultural crops.

A review of the map of Agricultural Soils indicates that Prime Farmland occupies approximately 44 percent of the Township’s land surface, and the combination of Prime Farmland and Soils of Statewide Importance cover more than 77 percent of the Township, with only the diabase ridges and stream corridors not included in these categories. As the Township pursues the development of a Farmland Preservation Plan Element, and additional opportunities for agricultural preservation, in the future, the use of these data in combination with the farmland assessment tax data provide the basic information for identification of priority areas for preservation.

Limitations for the Onsite Disposal of Sewage Effluent

The map of Limitations for the Onsite Disposal of Sewage Effluent (Figure 11) is an interpretive map that applies the two prior factors, and other soil properties, to provide a

composite representation of environmental limitations. Important soil properties represented in this depiction are percolation rate, depth to seasonally high water, slope, amount of stone, depth to and kind of bedrock, and flood hazard. While this map layer does not have regulatory implications given the current regulatory programs, it provides an illustrative composite of limitations based on soil properties because it incorporates such a wide variety of factors. The classifications and the factors which contribute to the classifications are described below.

Severe Limitations-The severe limitations category identifies soil phases which indicate that soil properties are so unfavorable or so difficult to overcome that the soil is unsuitable for development, or requires special design, significant increases in construction costs, and intensive maintenance. The factors identified in the Soil Survey of Mercer County (USDA, NRCS) which contribute to the severe limitations category are listed below:

- High water table (0-1' below the surface)
- Water table moderately high (1-2 ½' below the surface)
- Frequent stream overflow
- Slow permeability
- Very stony
- Depth to bedrock (½ - 6')
- Moderately steep slopes (12-18%)
- Steep slopes (18-30%)

Moderate to Severe Limitations-The moderate to severe limitations category identifies soil phases that exhibit variable characteristics such that a definitive ranking cannot be established. These soil phases have one or more limitations that cannot be overcome without considerable cost, or have one limitation or more that can normally be overcome at moderate cost by careful design and construction. The factors identified in the Soil Survey that contribute to the moderate to severe limitations category are the following:

- Depth to bedrock (3-6")
- Moderately slow permeability
- Strong slopes (6-12%)

Moderate Limitations-The moderate limitations category identifies soil phases which indicate that soil properties are unfavorable but that the limitations can be overcome by careful planning and design, careful construction and good management. The factors identified in the Soil Survey that contribute to the moderate limitations category are the following:

- Depth to bedrock at 4-6' or 5-10'
- Stream overflow hazard
- Strong slopes (6-12%)

Slight Limitations-The slight limitations category includes soil phases which have soil properties that are generally favorable for the onsite disposal of sewage effluent or, in other

words, limitations are minor and easily overcome. Only one of the approximately 80 soil phases in the Township is categorized by a slight limitation for the disposal of sewage effluent.

Approximately 62% of the Township is identified as having severe limitations for the onsite disposal of sewage effluent, and approximately 95% of the Township is identified as having severe or moderate to severe limitations. The only areas not exhibiting these limitations are along the Delaware River, on Baldpate and Pennington Mountains, in the Sourlands, and along the diabase intrusion on Crusher Road. As indicated previously, because this classification system incorporates such a wide variety of factors relating to soils, geology and hydrology, it provides an excellent composite of the severe environmental limitations prevalent in most of the Township.

Depth to Bedrock

The Township's land is comprised of approximately 80 different soil phases according to the classification system established by the U. S. Department of Agriculture (USDA), Soil Conservation Service, now Natural Resource Conservation Service (NRCS). Depth to bedrock is the measure of the thickness of the soil above rock and fractured rock material. Bedrock occurring within 5' of the surface has associated with it problems of foundation placement, grading, location of utilities, and lack of soil volume necessary to filter sewage effluent.

The attached map of Depth to Bedrock (Figure 12) utilizes four categories, and water, to describe bedrock conditions in the Township. The 0-5' category identifies those areas with generally shallow soils, which may have rock outcrops, and which generally have severe limitations for development; this category includes approximately 80 percent of the Township's land area, and occurs throughout the Township. While the bedrock conditions in the generally moderate category of 3.5-7' are less limiting, these conditions restrict the location of foundations, basements and septic systems; this category accounts for approximately 12 percent of the land area.

The areas with the greatest depth to bedrock (the variable category, 4.5-10'), or the deepest soils, are located on the ridge tops of Pennington and Baldpate Mountains, in the Sourland Mountains, and along the ridge at Crusher Road. All of these areas are underlain by the diabase geological formation, and include approximately 6 percent of the land area. While identified as having a deep depth to bedrock, these soil phases are very stony. In fact, the description for the soil phases in the Sourlands states "Rounded boulders of diabase that are more than 24 inches in diameter cover 50 to 90 percent of the surface of this land type". Thus, conditions in the Sourlands and along portions of the Crusher Road diabase ridge are highly variable.

Depth to Seasonal High Water Table

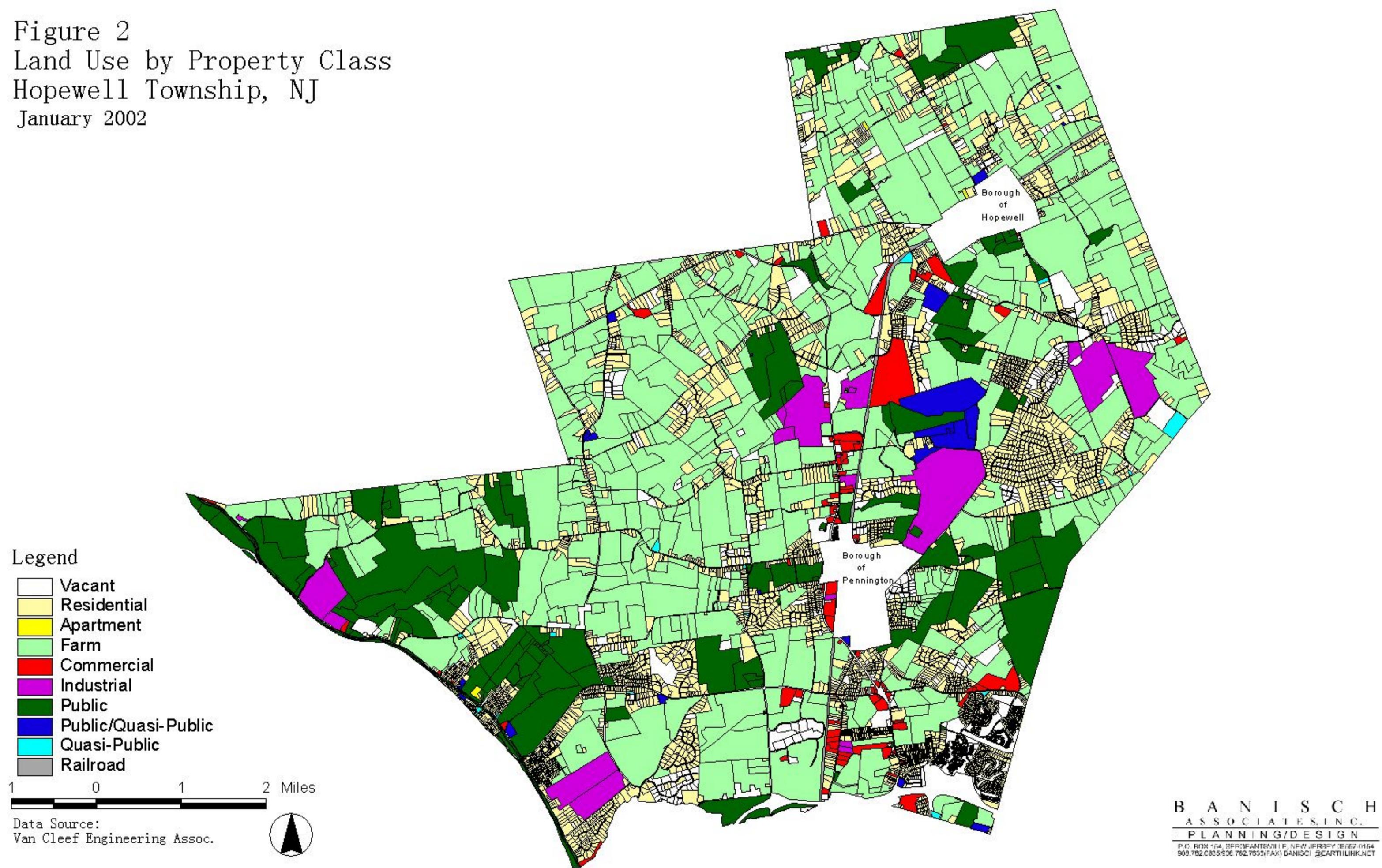
The depth to seasonal high water table is the distance from the surface of the soil to the highest level that groundwater reaches in the soil, and is referred to as seasonal because

the groundwater generally reaches its highest level in the soil between December and April. The depth to seasonal high water table is an important determinant of the limitations and opportunities for development. On the one hand shallow depths to the water table severely limit the location of buildings and septic systems and are associated with wetlands, but on the other hand these same areas often support more diverse vegetation and wildlife communities. Thus, their protection benefits the environment by both preserving areas of high resource value, and by avoiding areas where problems can occur.

The attached map of Depth to Seasonal High Water (Figure 13) identifies five categories of soil phases, plus variable and water. The generally shallow 0-3' category identifies poorly drained soils with water tables at the surface; somewhat poorly drained soils; soils with moderate to moderately slow permeability; and, includes hydric soils associated with wetlands, flood hazard areas and floodplains, depressions, drainage ways and the lower part of slopes. This category generally presents severe limitations for development. The category of generally moderate, 3-6' below the surface, is generally found where impervious layers impede drainage and along the Delaware River and other stream terraces. Depending on which end of the spectrum they fall, these soils can be very constraining or relatively unconstrained.

The analysis of land areas in each category indicates that approximately 45 percent of the Township has seasonal high water tables of 0-3', approximately 49 percent of the Township has seasonal high water tables between 3 and 6', and that 4 percent of the Township has seasonal high water tables which are greater than 10'. The latter category is concentrated on the ridge tops of Baldpate and Pennington Mountains, and in small areas in the northeast portions of the Township.

Figure 2
Land Use by Property Class
Hopewell Township, NJ
January 2002



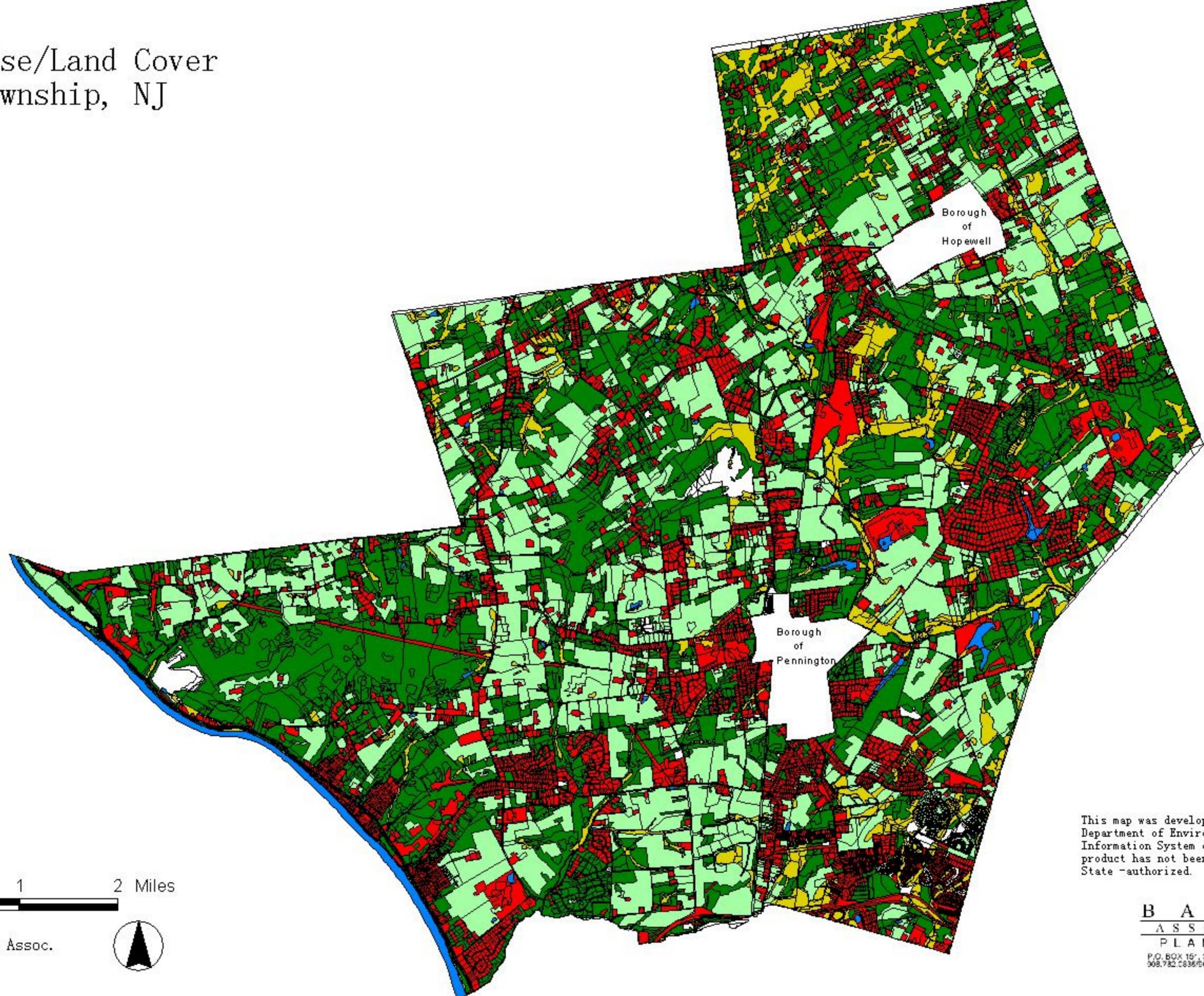
- Legend
- Vacant
 - Residential
 - Apartment
 - Farm
 - Commercial
 - Industrial
 - Public
 - Public/Quasi-Public
 - Quasi-Public
 - Railroad

1 0 1 2 Miles

Data Source:
Van Cleef Engineering Assoc.



Figure 3
1995 Land Use/Land Cover
Hopewell Township, NJ
January 2002



- Legend**
- Agriculture
 - Barren Land
 - Forest
 - Urban
 - Water
 - Wetlands

1 0 1 2 Miles

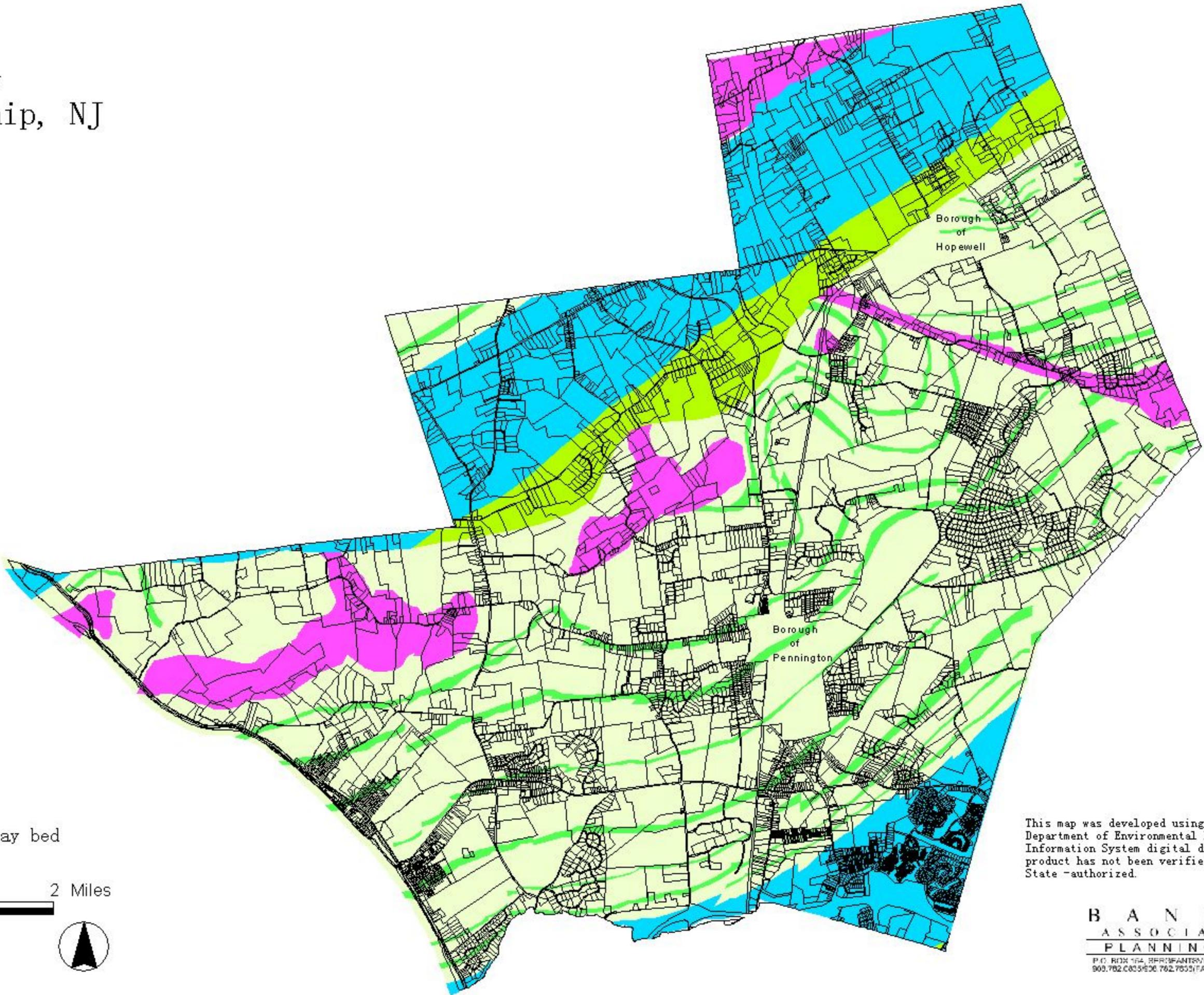
Data Sources:
Van Cleef Engineering Assoc.
NJDEP



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

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Figure 4
 Bedrock Geology
 Hopewell Township, NJ
 January 2002



- Legend**
- Jurassic Diabase
 - Lockatong Formation
 - Passaic Formation
 - Passaic Formation Gray bed
 - Stockton Formation

1 0 1 2 Miles

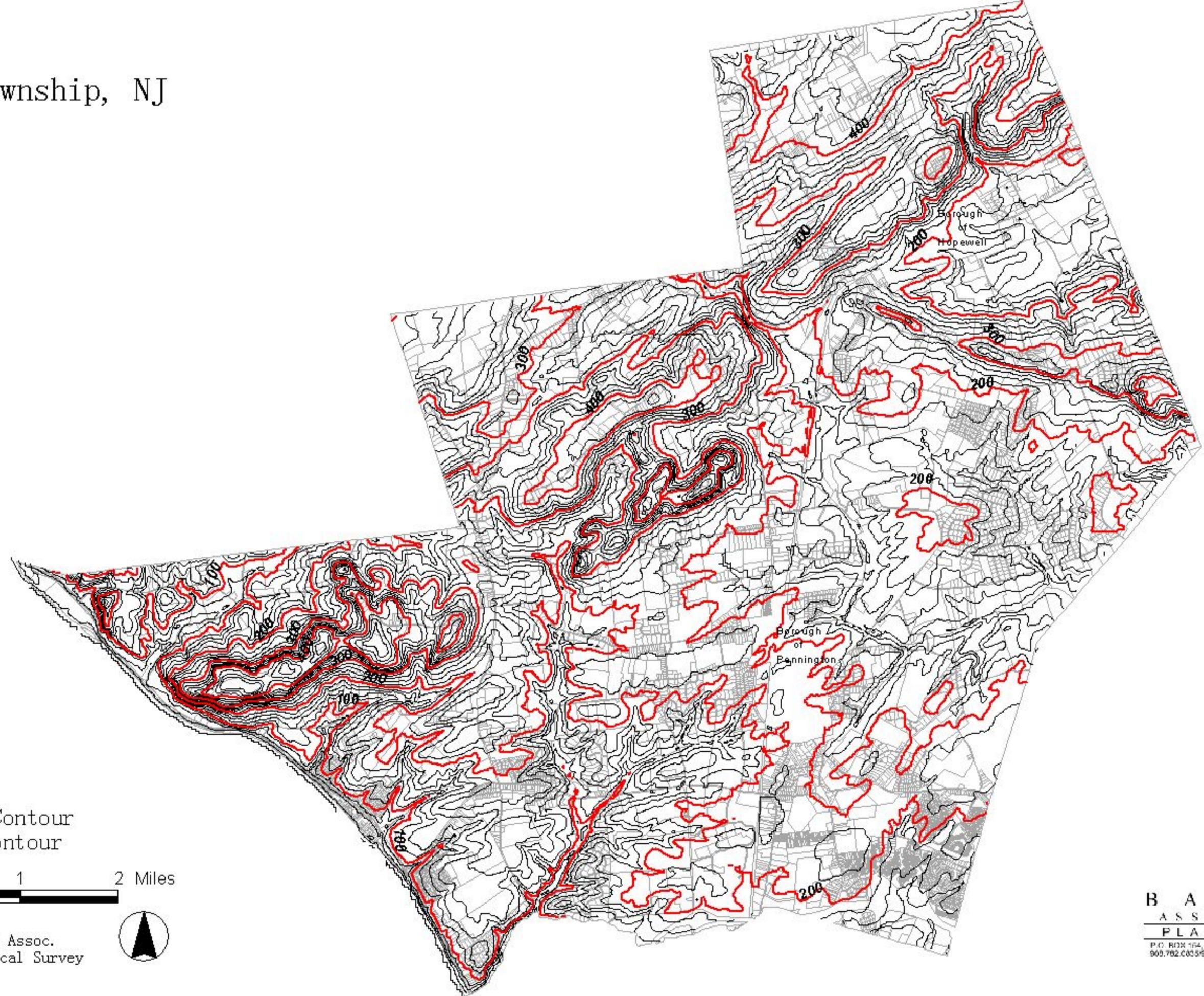
Data Sources:
 Van Cleef Engineering Assoc.
 NJDEP



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

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Figure 5
Topography
Hopewell Township, NJ
January 2002



Legend
100 Foot Contour
20 Foot Contour

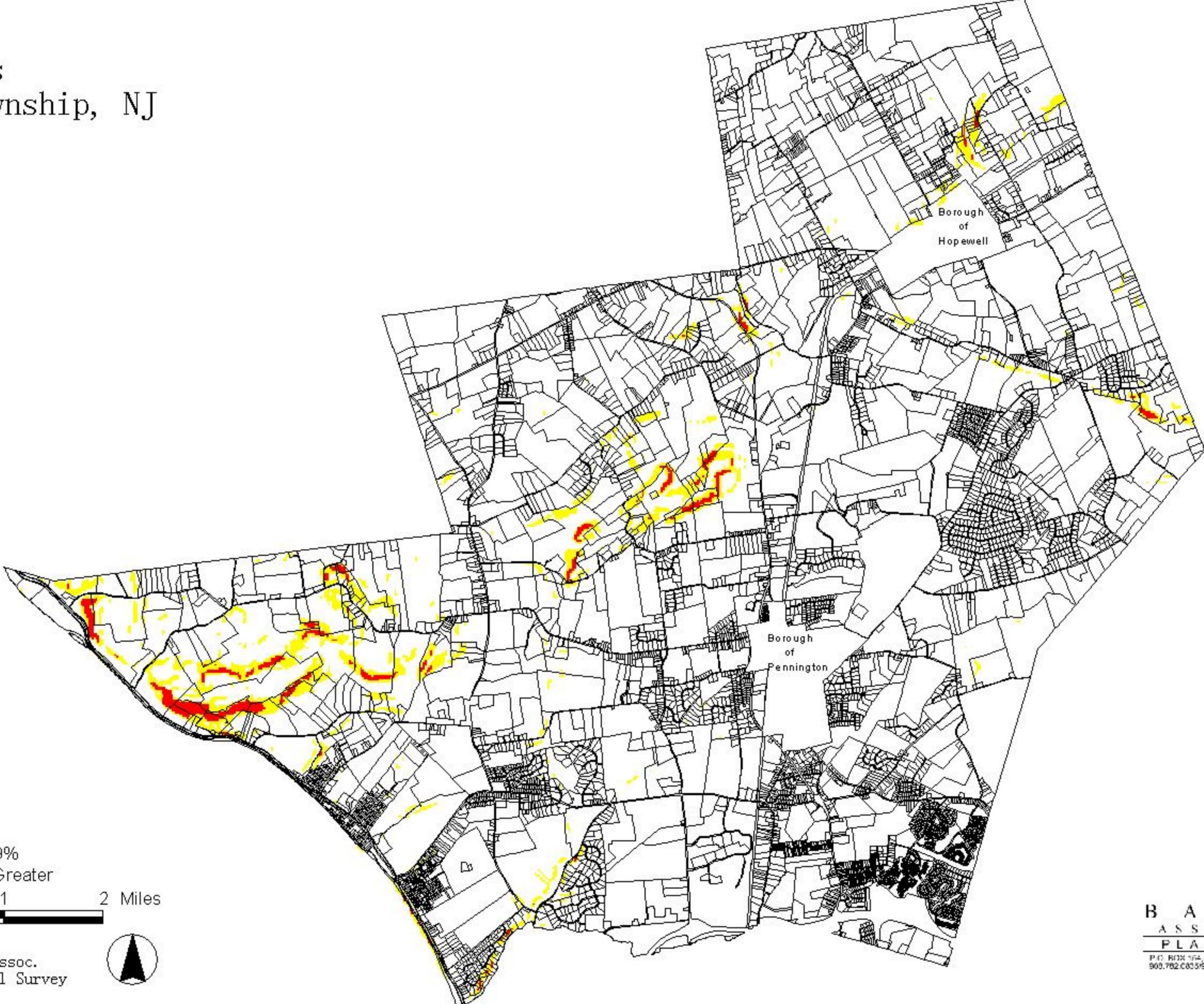


Data Sources:
Van Cleef Engineering Assoc.
United States Geological Survey



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Figure 6
Steep Slopes
Hopewell Township, NJ
January 2002



Legend
Slopes 15%-24.99%
Slopes 25% and Greater

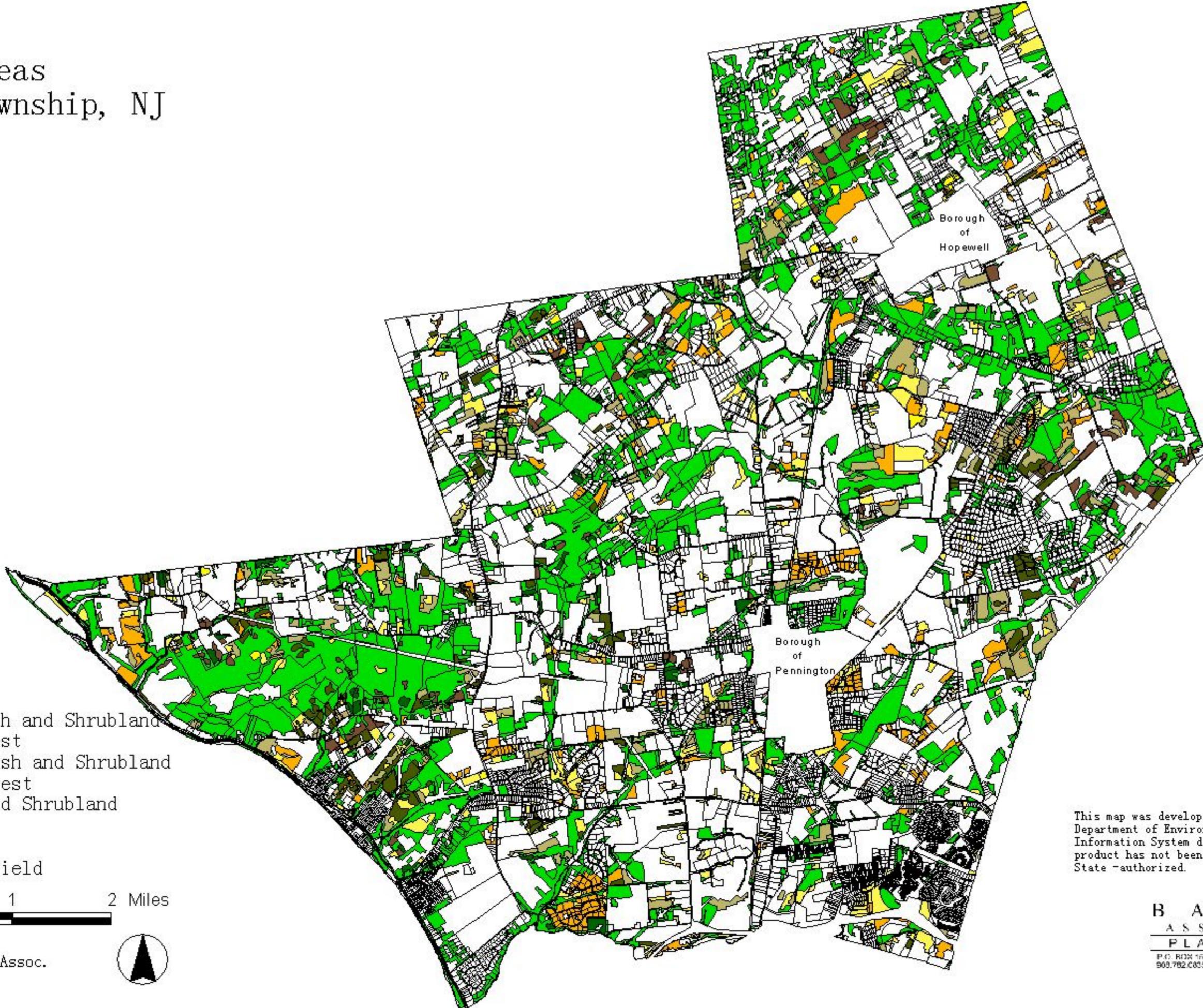
1 0 1 2 Miles

Data Sources:
Van Cleef Engineering Assoc.
United States Geological Survey



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Figure 7
Forested Areas
Hopewell Township, NJ
January 2002



- Legend**
-  Deciduous Brush and Shrubland
 -  Deciduous Forest
 -  Coniferous Brush and Shrubland
 -  Coniferous Forest
 -  Mixed Brush and Shrubland
 -  Mixed Forest
 -  Plantation
 -  Successional Field

1 0 1 2 Miles

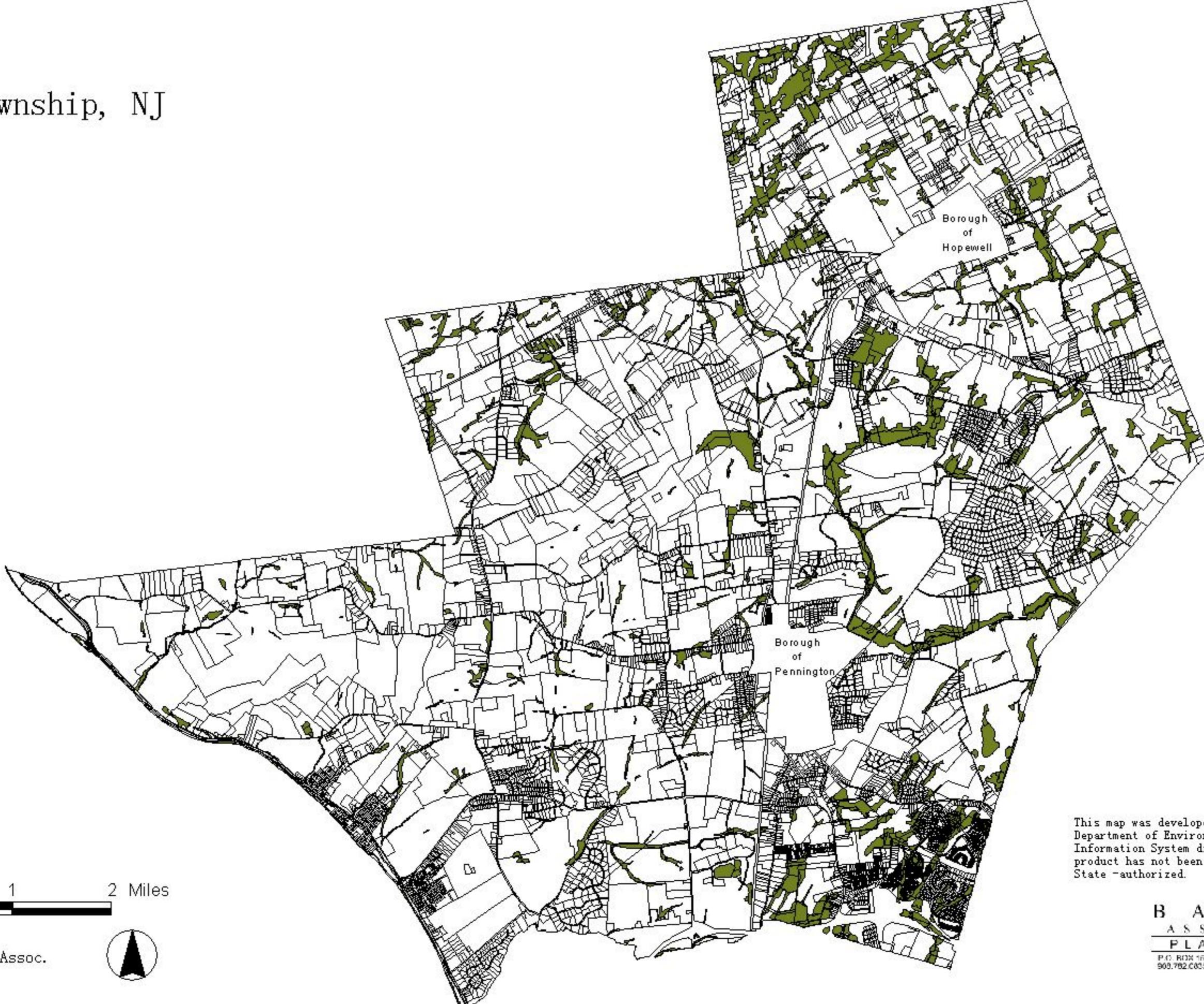
Data Sources:
Van Cleef Engineering Assoc.
NJDEP



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Figure 8
Wetlands
Hopewell Township, NJ
January 2002



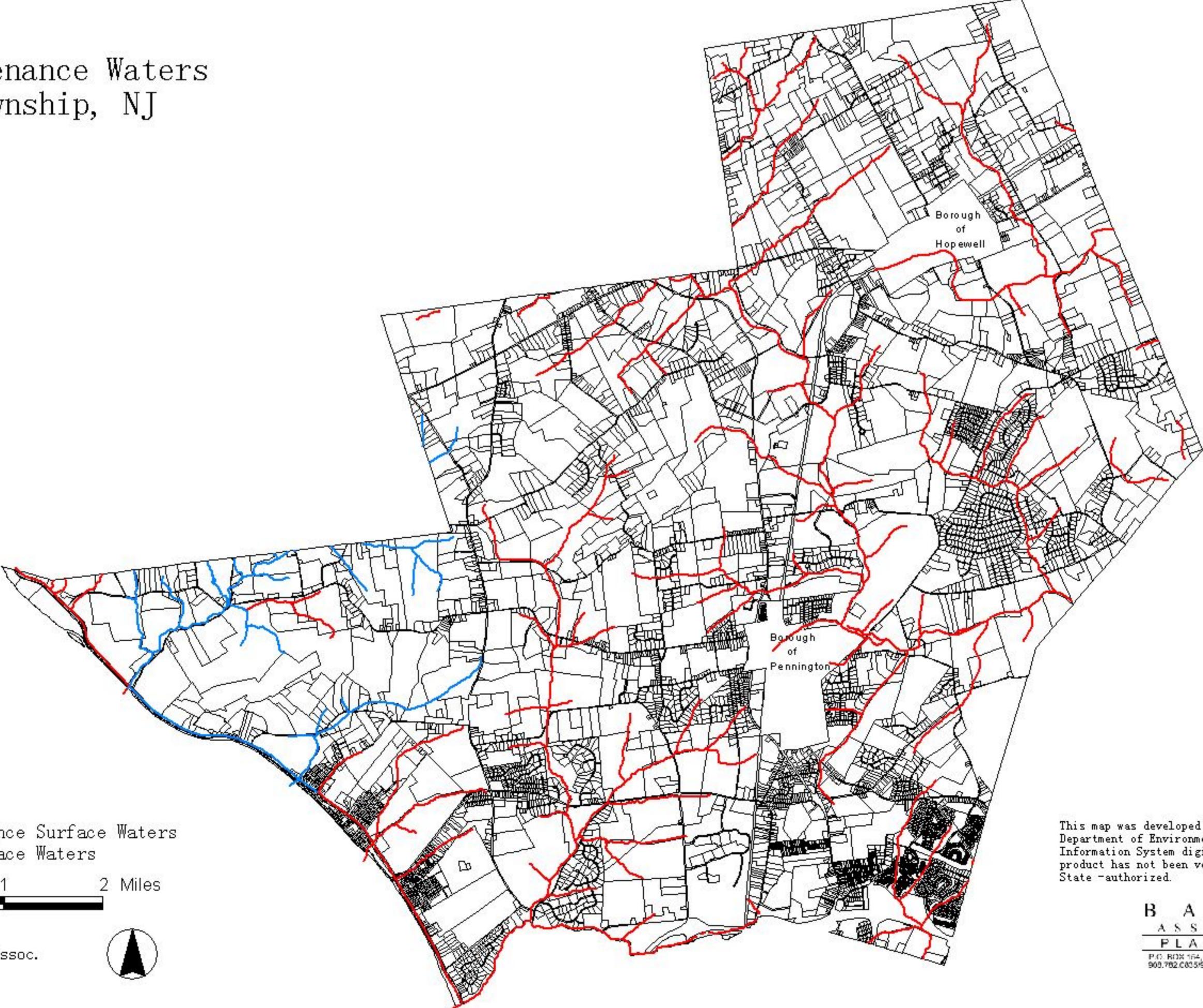
Data Sources:
Van Cleef Engineering Assoc.
NJDEP



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

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Figure 9
Trout Maintenance Waters
Hopewell Township, NJ
January 2002



Legend

-  Trout Maintenance Surface Waters
-  Non-Trout Surface Waters

1 0 1 2 Miles



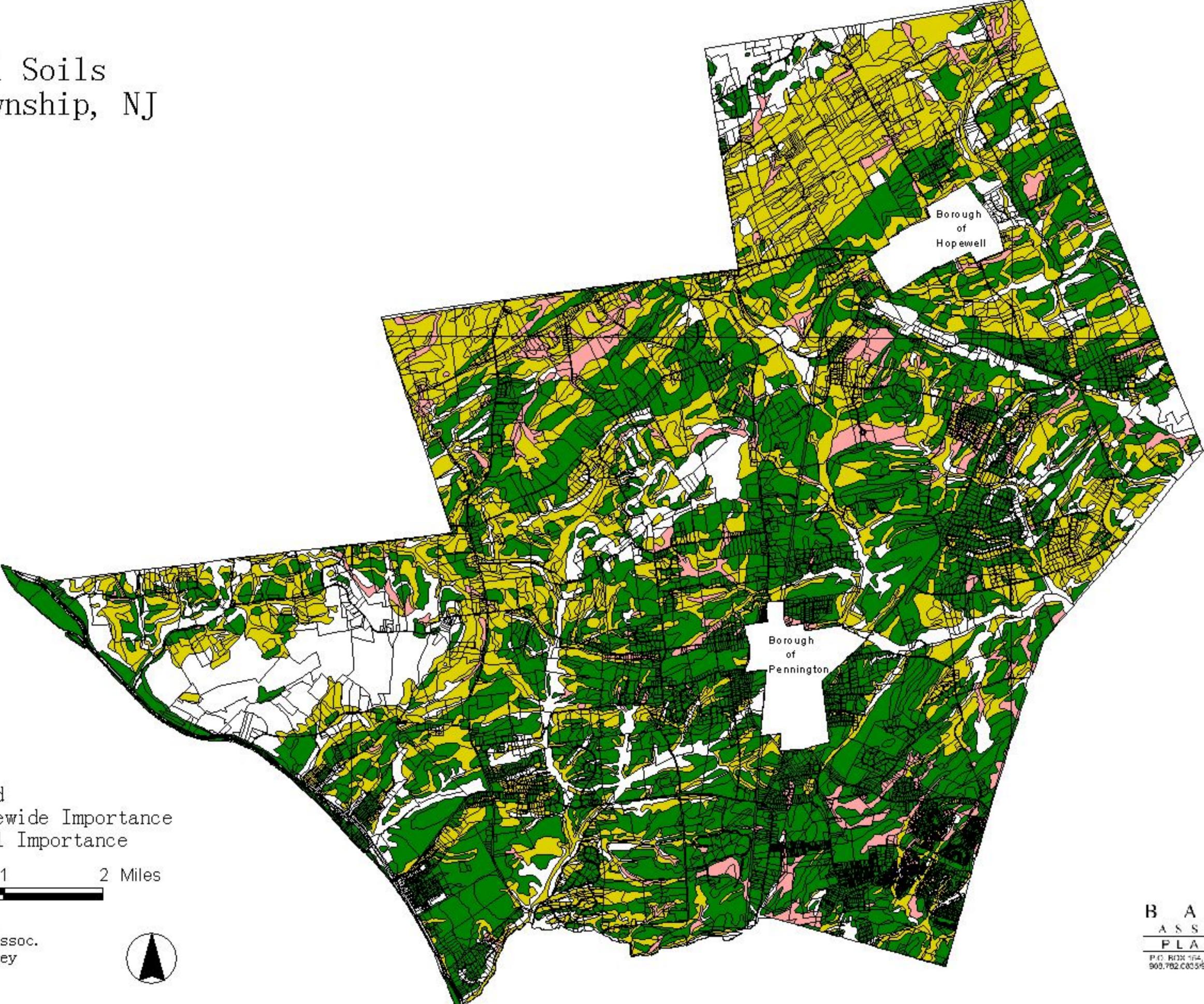
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Figure 10
Agricultural Soils
Hopewell Township, NJ
January 2002



Legend
Prime Farmland
Soils of Statewide Importance
Soils of Local Importance

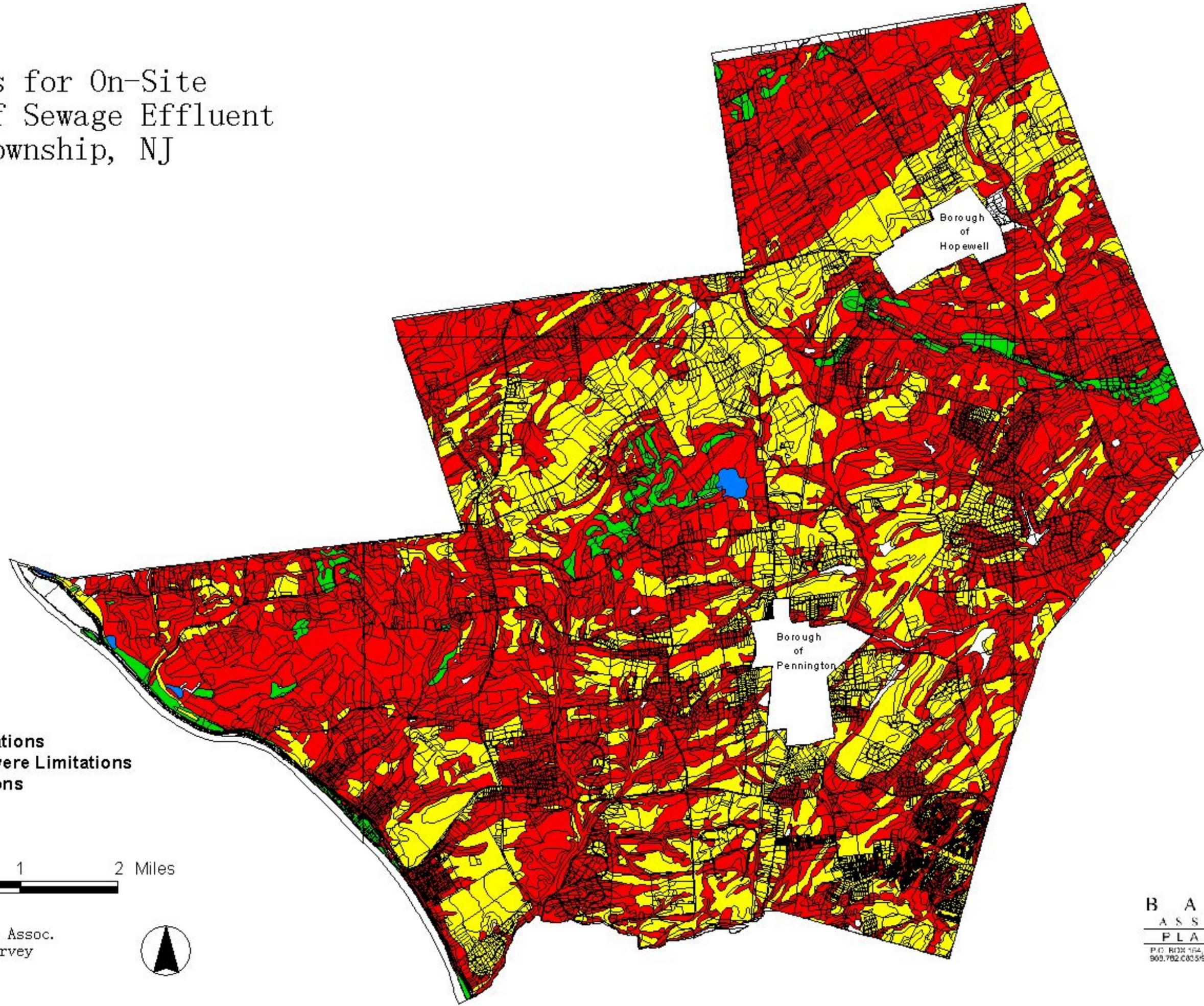


Data Sources:
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Mercer County Soil Survey
USDA NRCS



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Figure 11
Limitations for On-Site
Disposal of Sewage Effluent
Hopewell Township, NJ
January 2002



- Legend
- Moderate Limitations
 - Moderate to Severe Limitations
 - Severe Limitations
 - Variable
 - Unclassified

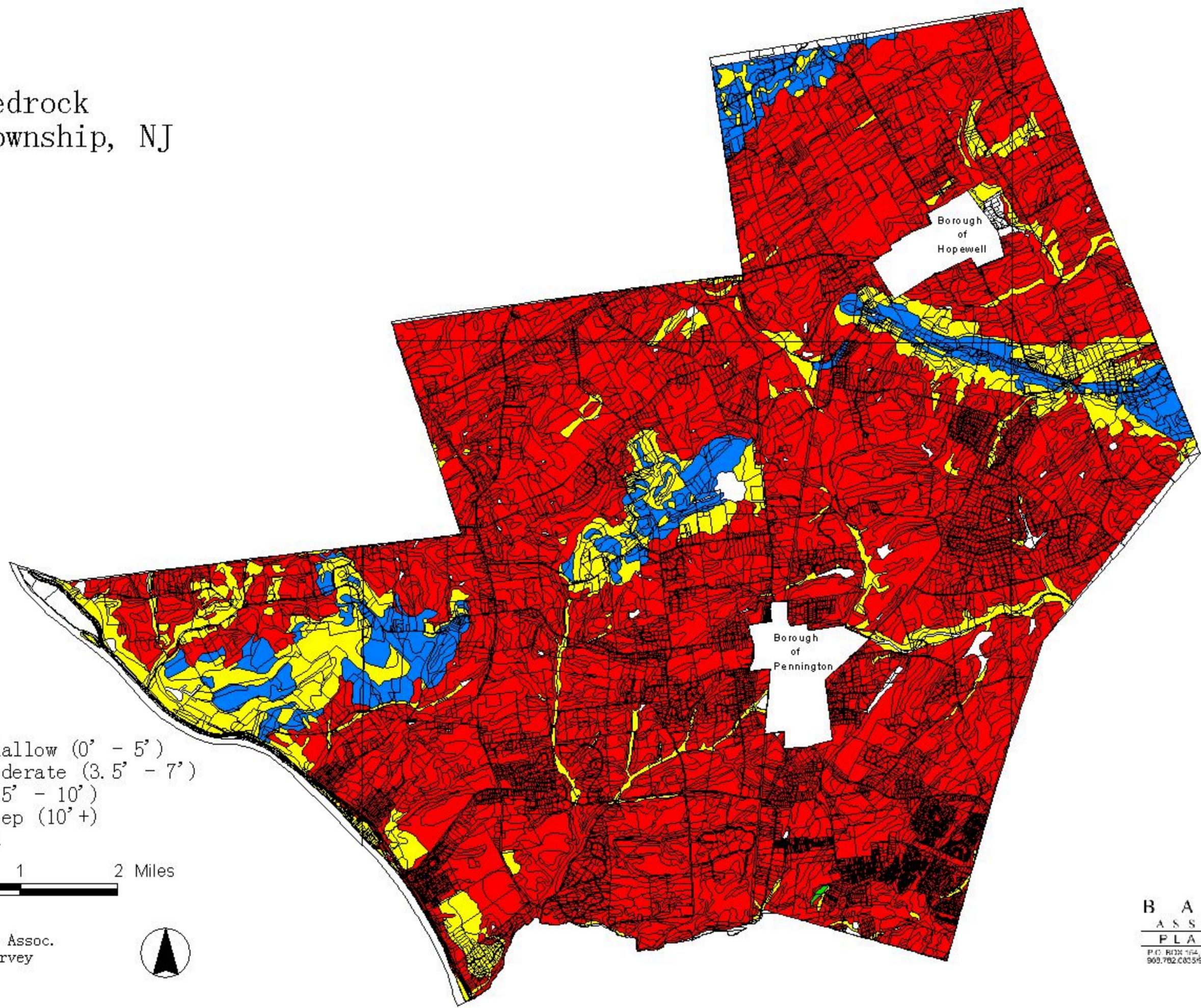


Data Sources:
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Mercer County Soil Survey
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Figure 12
Depth to Bedrock
Hopewell Township, NJ
January 2002

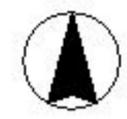


Legend

- Generally Shallow (0' - 5')
- Generally Moderate (3.5' - 7')
- Variable (4.5' - 10')
- Generally Deep (10'+)
- Unclassified

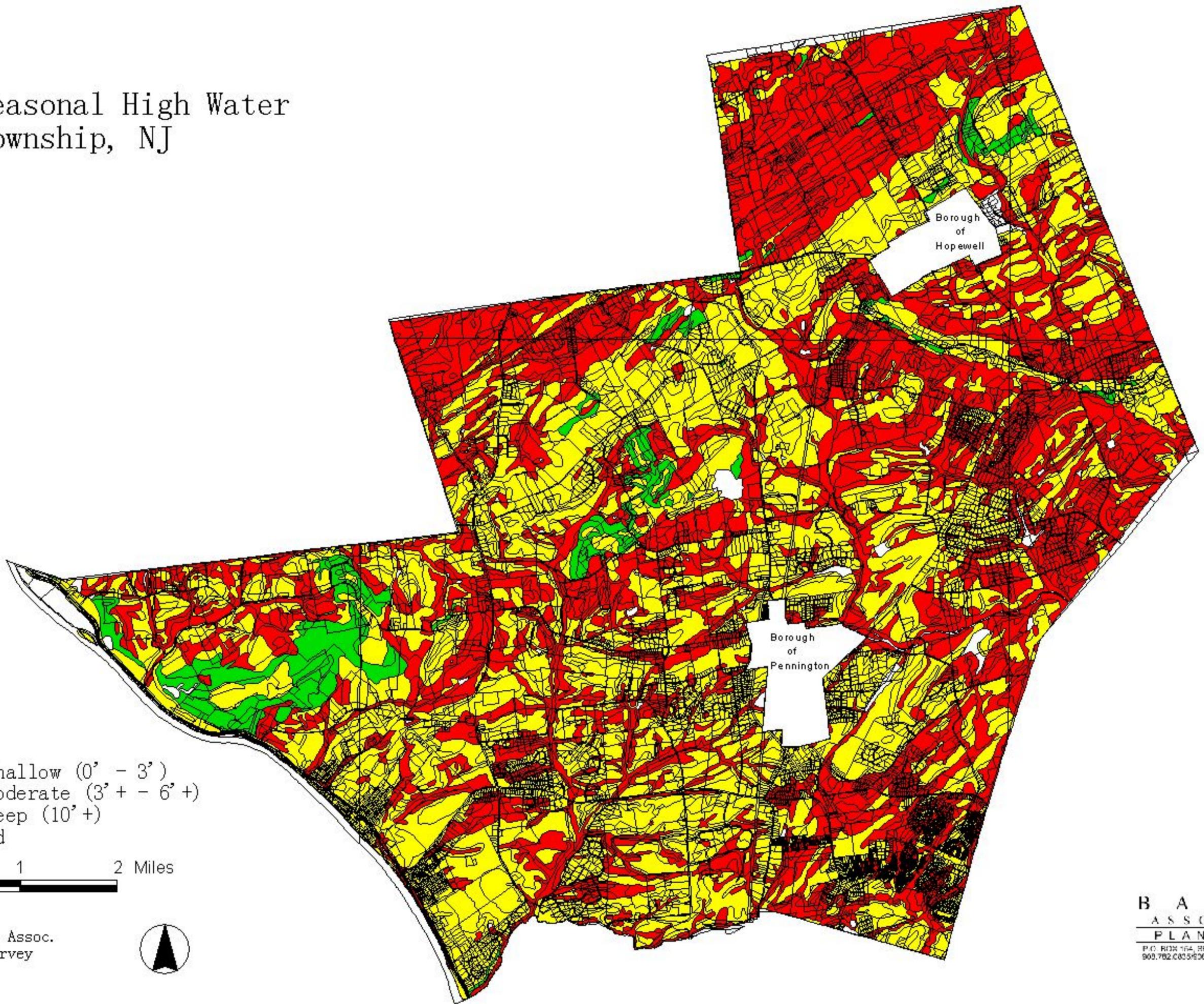
1 0 1 2 Miles

Data Sources:
Van Cleef Engineering Assoc.
Mercer County Soil Survey
USDA NRCS



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Figure 13
Depth to Seasonal High Water
Hopewell Township, NJ
January 2002



Legend
■ Generally Shallow (0' - 3')
■ Generally Moderate (3' + - 6' +)
■ Generally Deep (10' +)
□ Unclassified

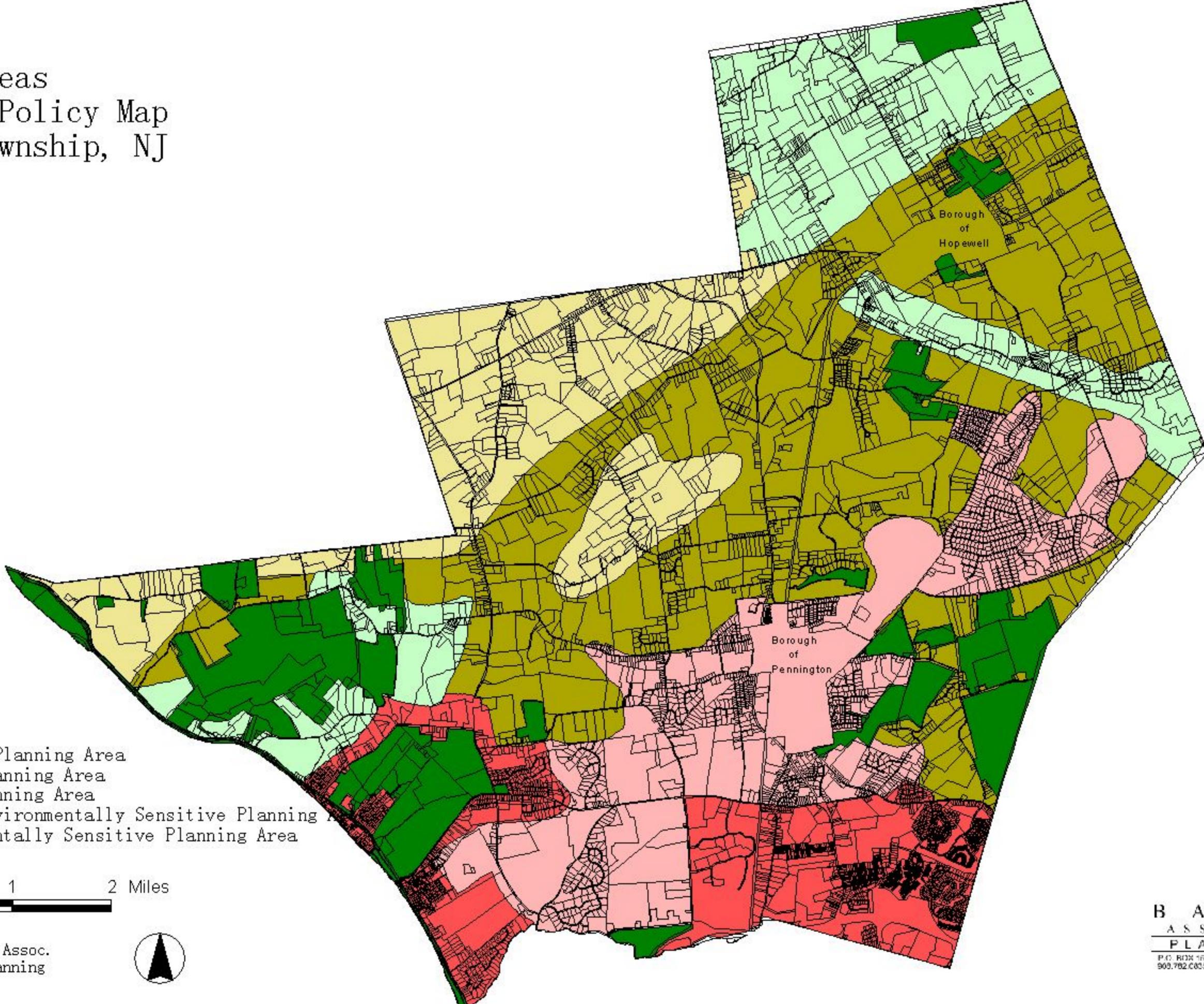
1 0 1 2 Miles

Data Sources:
Van Cleef Engineering Assoc.
Mercer County Soil Survey
USDA NRCS



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Figure 14
 Planning Areas
 State Plan Policy Map
 Hopewell Township, NJ
 January 2002



- Legend**
- PA-2 Suburban Planning Area
 - PA-3 Fringe Planning Area
 - PA-4 Rural Planning Area
 - PA-4B Rural/Environmentally Sensitive Planning Area
 - PA-5 Environmentally Sensitive Planning Area
 - Park

1 0 1 2 Miles

Data Sources:
 Van Cleaf Engineering Assoc.
 NJ Office of State Planning



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Review of Municipal, County and State Plans

The Municipal Land Use Law (MLUL) requires that a municipal Master Plan include a statement concerning the relationship of the Plan to the plans of contiguous municipalities, the master plan of the county in which the municipality is located, the State Development and Redevelopment Plan (SDRP), and the district solid waste management plan of the County (*N.J.S.A. 40:55D-28d.*). The purpose of this analysis is to ensure that the general welfare of adjoining municipalities, the County and the State as a whole is addressed in the local planning process. Towards this end, this review of other agency plans addresses the plans of adjoining municipalities, Mercer County and the State of New Jersey.

Plans of Contiguous Municipalities

Hopewell Township's adjoining municipalities include Ewing and Lawrence Townships, Mercer County to the south; Princeton Township, Mercer County and Montgomery Township, Somerset County, to the east; and, East Amwell and West Amwell Townships, Hunterdon County, to the north. Pennington and Hopewell Boroughs are entirely within the Township's limits.

Ewing Township, Mercer County

Hopewell Township shares its southern border with Ewing Township. Beginning in the west, the adjacent land use district is low density residential, which permits single family dwellings on a minimum lot size of 18,750 square feet. This low density residential district is contiguous with Hopewell's medium density residential (Existing Single Family - ½ acre) district, with similar lot sizes. Moving east along the common border the adjacent district changes to public/private recreation. This district includes the Mountain View Golf Course. East of Interstate 95 the adjacent district changes to the Airport Related/Economic Development district, which includes the Mercer County Airport and some commercial uses. These districts are contiguous with Hopewell's office park, low density residential and medium density residential districts. East of Scotch Road the adjacent districts includes office, open space and low density residential, where the contiguous districts in Hopewell include office park, special industrial and medium density residential.

Lawrence Township, Mercer County

The southeastern border of Hopewell Township is shared with Lawrence Township. South of Interstate 95 the adjacent district includes a small portion of high density residential (R-4), where 4.5 to 7 units per acre are permitted. Moving north along this border the adjacent district changes to low density residential (R-2), where 1.5 to 2.5 units per acre are permitted. This district is contiguous with Hopewell's high density residential district, which permits 5 units per acre. North of Lawrenceville-Pennington Road the adjacent district includes a small portion of Environmental Protection 1 (EP-1), where agricultural and single family uses are permitted on lots 4 acres or greater. The district to the north of

the EP-1 district changes to open space where parkland and passive recreational uses are permitted. Moving north along the border the adjacent land use is characterized by the Environmental Protection 2 (EP-2) district, which permits agricultural and single family use on lots 3 acres or greater. The EP-1, OS and EP-2 districts in Lawrence Township are contiguous with Hopewell Township's Valley and Mountain Resource Conservation low density residential districts.

Princeton Township, Mercer County

The common boundary with Princeton Township includes a low density residential zone where single family dwellings are permitted on a minimum lot size of 5 acres. This district is contiguous with Hopewell Township's low density residential Mountain Resource Conservation district.

Pennington Borough, Mercer County

The Borough of Pennington is located entirely within the limits of Hopewell Township. The Borough is situated in the southeastern quadrant of Hopewell Township east of Route 31. As the entire Borough is surrounded by Hopewell Township, all of its districts are contiguous with districts in Hopewell Township. Those districts include; Public/Semi-Public, Recreation/Open Space, Special Use, Regional Office, Highway Business, Office/Limited Business, Multi-Family residential and Single-Family residential. The northern, eastern and southern border of Pennington Borough is almost entirely comprised of the single family residential district with a small recreation/open space district along the northeastern border; these districts are contiguous with low and medium density residential districts in the Township. The remaining districts listed above are located along the western border and are contiguous with Hopewell's Shopping Center, Medium Density residential, Age Restricted Residential, Office, Industrial/Commercial, Valley Agriculture and Research Office districts. According to the 1998 Master Plan Land Use Element the zoning ordinance is substantially consistent with the Land Use Plan.

Hopewell Borough, Mercer County

The Borough of Hopewell is also located entirely within Hopewell Township's limits. The Borough is situated in the northeastern quadrant of the Township. The 1997 Land Use plan includes the following uses; Low and Medium Density Residential, Residential Office, Business, Service, Public/Semi Public and Open Space. These districts are almost entirely contiguous to a mix of residential densities in Hopewell Township. A very small portion of the Borough's business district abuts a compatible neighborhood retail commercial district in Hopewell Township.

Montgomery Township, Somerset County

To the northeast, Hopewell Township abuts a mix of residential densities in Montgomery Township. These districts include the Residential 2 district (1 unit per 3 acres), the Residential 3 district (1 unit per 5 acres) and the Mountain Residential district (1 unit per 5

acres). These districts are contiguous with Hopewell's Mountain Resource Conservation and Valley Resource Conservation districts.

East Amwell Township, Hunterdon County

Hopewell Township shares its northern border with East Amwell Township. The adjacent low density residential land uses include the Sourland Mountain district, which permits 1 unit on a minimum of 5 acres and the Amwell Valley district, which permits 1 unit on a minimum of 3 acres. These districts are compatible with Hopewell's Mountain Resource Conservation district.

West Amwell Township, Hunterdon County

A majority of Hopewell Township's northwestern border from the Delaware River to Marshall's Corner -Woodsville Road abuts West Amwell's low density residential districts with the exception of a small Highway Commercial district along Route 29. The low density residential districts permits single family dwelling units on minimum lots sizes ranging from 2 acres to 3 acres. These districts are contiguous with Hopewell's Mountain Conservation district.

In general, the plans of Hopewell Township's adjoining neighbors include a mix of residential and non-residential districts. For the most part, the character of the development and planning and zoning in adjoining municipalities conforms to that in Hopewell Township. However, where potential conflicts exist, as in cases of non-residential and abutting residential development, careful site planning and design can minimize most impacts.

Mercer County 1986 Growth Management Plan

In accordance with the New Jersey County and Regional Planning Act of 1968 (N.J.S.A. 40:27-2) the Mercer County Planning Board prepared a Master Plan for the physical development of the County, entitled the Mercer County Growth Management Plan, 1986. The stated the need for growth management in a region experiencing strong pressures from development and established a vision for the future to meet the needs for development within the region while preserving and enhancing the existing communities, economy and quality of life in Mercer County. The Township of Hopewell's Master Plan is not in conflict with any enunciated County land use policy.

The 1986 Growth Management Plan for Mercer County is the operative County master plan. The Growth Management Areas Maps included in the Plan divide Mercer County into two general growth management areas, Growth Areas and Limited Growth/Agricultural Areas. Growth Areas are further divided into three subareas, Urban Growth, Regional Growth and Suburban Growth Areas. All lands not in Growth Areas are included in the Limited Growth/Agricultural Area. The Plan also includes two types of Special Areas, Conservation Areas and Village Centers.

The Growth Management Areas Maps include a map of Growth Management Areas for the year 1990, Growth Management Areas for the year 2000, and Conservation Areas. The extent of Growth Management Areas was determined based on the high range of forecasted demands for residential and non-residential development. The Conservation Areas map includes all of Titusville and portions of the I-95 and Marshall's Corner identified Centers. The 1990 Growth Management Area map includes Titusville as a Village Center and the I-95 area east of Scotch Road as a Regional Growth Area; these delineations are consistent with the Planning Area 2 designation in the State Plan. Marshall's Corner is shown as a Limited Growth/Agricultural Area, consistent with the Planning Area 4 designation in the State Plan. The Plan indicates that these Growth Management Areas will remain in effect until the Mercer County Planning Board determines that the level of forecasted population, employment and land development represented by the high range 1990 forecasts are attained. On the year 2000 Growth Management Areas map Titusville and Marshall's Corner are unchanged, and the Regional Growth Area has spread to the west side of Scotch Road.

State Development and Redevelopment Plan

The New Jersey State Planning Act was signed into law over fifteen years ago, providing for the first State Plan ever formally adopted with input from New Jersey's Counties, municipalities, and citizens. The State Planning Act of 1985 (*N.J.S.A. 52:18A-196 et. seq.*) recognized the intent of the legislature to provide for sound and integrated statewide planning in order to "conserve its natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development, and renewal...."

The State Planning Act established a process (Cross-acceptance) that invited the active participation of state agencies, and County and local governments as well as concerned citizens and private interests. Among the guiding principles of the State Planning Act are "the provision of adequate and affordable housing in reasonable proximity to places of employment" and the recognition that "the preservation of natural resources and environmental quality is vital to the quality of life in New Jersey".

The State Planning Commission, created under the State Planning Act, was empowered to effectuate its goals by promoting coordination among state agencies and local government, providing technical assistance to local governments, developing recommendations for a more efficient and effective planning process and recommending to the Governor and Legislature such actions as would improve the efficiency or effectiveness of the planning process.

The Cross-acceptance process is a collaborative, participatory process by which state agencies and local governments join in statewide planning to achieve full public participation in the process and a consensus among all levels of government. For this reason, the State Development and Redevelopment Plan (SDRP) carries with it the weight of a long and detailed process of comparison of planning goals, negotiation of differences, and resolution of issues, allowing for a coordinated set of public policies which resonate around central themes.

Additionally, N.J.S.A. 40:55D-28 (d) requires that municipal master plans include a statement indicating the relationship of the municipal master plan to the SDRP.

On March 1, 2001, the State Planning Commission adopted the Final State Plan. This document represents modifications that came about during cross-acceptance of the Preliminary State Development and Redevelopment Plan, which began in 1997 and came to a close in 1999.

While some of the policies and mapping in the Plan have changed, many have remained the same. What has also remained the same is the classification system that the State Planning Commission has used to map the entire State into appropriate "Planning Areas". The Planning Areas for Hopewell Township are shown on Figure 14.

Hopewell Township includes five Planning Area designations and areas designated as Park, as identified in the State Plan Policy Map in the Final State Plan. They are Planning Area 2, Suburban; Planning Area 3, Fringe; Planning Area 4, Rural; Planning Area 4B, Rural/Environmentally Sensitive, and Planning Area 5, Environmentally Sensitive and Parkland.

The significance of these Planning Area designations and the State Plan itself has been largely ceremonial to date, with no regulatory authority backing either. However, the State Plan has gained more clout as a regulatory tool amongst State agencies themselves over the past couple of years. Many state funding sources and discretionary awards have had State Plan compliance requirements built in, making use of the State Plan and its policies more attractive to municipalities throughout New Jersey.

Planning Area 2, the Suburban Planning Area, are areas intended to shoulder much of the future development throughout the State. These Planning Areas are often located near metropolitan areas and are delineated by non-congruent low-density patterns of development that are highly dependant on private transportation and still contain larger tracts of developable land. The portions of the Township that contain the Suburban Planning Area are confined to the area bounded by Scotch Road to the west, Washington Crossing-Pennington Road to the north, and the Township's borders to the south and east; and, the Washington Crossing and Titusville areas in the Township's southwest corner.

Planning Area 3, the Fringe Planning Area, is identified by its rural landscape and freestanding residential and commercial development. The Fringe Planning Areas are often located in regions that sit between the Suburban Planning areas and the Rural Planning areas, and thus act as a transition zone between the two. These regions are recognized by their rural character, which does not consist of prime agricultural soils or environmentally sensitive land. The Fringe Planning Area extends from Route 579 on the west, and then northeasterly through the municipal and school district properties, Pennington Borough, Bristol Myers-Squibb and Elm Ridge Park, terminating at Princeton Farms, Hopewell Hunt and a portion of the Townsend properties.

Planning Area 4, the Rural Planning Area, is describes as regions with large cultivated or open space surrounding centers that act as a distinguishable buffer between areas of development. The Rural Planning Areas are sparsely populated and are intended to act as greenways throughout the State. These often contain agriculturally prime soils, environmentally sensitive areas, and continuous portions of wooded tracts. The Rural Planning Areas in the Township can be found throughout the central portions of the Township, extending from Route 579 on the west through Hopewell Borough to the Township’s eastern boundary with Princeton and Lawrence Townships.

Planning Area 4B, the Rural/Environmentally Sensitive Planning Area, represents lands in the State that have environmentally sensitive features, yet still possess agriculturally productive soils or may have a prevalence of farming as an industry. The challenge in this Planning Area is the continuation of agriculture as a viable business, through continued funding of farmland preservation efforts, while balancing environmental resource protection. Planning Area 4B occurs in the north-central and northwestern portions of the Township.

Planning Area 5 possesses many of the State’s significant environmental resources, but lacks the farming and productive soils found in Planning Areas 4 and 4B. It is comprised mainly of land that has wetlands, forests, and steep slopes, and may also possess scenic views and other valuable qualities as well. The portion of the Township that is categorized as Planning Area 5 is found in the Sourland Mountains, near Baldpate Mountain, and along the diabase ridge that outcrops along Crusher Road and extends through Mount Rose.

Hopewell Township’s Land Use Plan evolved in response to the Cross-acceptance process and State Development and Redevelopment Plan. Hopewell officials participated in Cross-acceptance in order to assess the implications of the basic principles which guide the State Plan. The goals of the Township's Master Plan, which articulate the Township's vision for its future, have been formulated in response to these basic principles.

Significantly, under the adopted SDRP approximately 71% of the Township’s land area is classified as either PA-4, PA-4B, PA-5 or Park. The acreage figures by Planning Area are as follows:

Planning Area	Acreage
2	4,138
3	6,808
4	12,520
4B	4,879
5	5,406
Park	4,558

The Suburban Planning Area (PA 2) is described by the State Plan as:

- Land area that is contiguous to the Metropolitan Planning area

- Land area that is greater than one square mile
- Natural infrastructure and systems able to meet the needs of a growing population which includes, public water supply, sewage collection and treatment facilities, stormwater, transportation, public schools and parks.

The intent of the State Plan for PA 2 is to:

- Provide for much of the State's future development
- Promote growth in Centers and other compact forms
- Protect the character of existing stable communities
- Protect natural resources
- Redesign areas of sprawl
- Reverse the current trend toward further sprawl
- Revitalize cities and towns

The Fringe Planning Area (PA 3) is characterized in the State Plan as:

- Areas that are adjacent to metropolitan or suburban planning areas
- Regions that are lacking in major infrastructure investments, for example roads are mainly provided and maintained by the State or County and traffic is meant to move through the area
- Land that does not meet the criteria of Rural or Environmentally Sensitive Planning Areas

The intent of the State for PA 3 is to:

- Accommodate growth in centers
- Revitalize cities and towns
- Protect the character of existing stable communities
- Protect natural resources
- Provide a buffer between more developed Metropolitan and Suburban Planning Areas and less developed Rural and Environmentally Sensitive Planning Areas
- Confine programmed sewers and public water services to Centers

The Rural Planning Area (PA4) is described as:

- Land that is currently used for agricultural or natural resource protection activities where the soils are of state or local importance
- Vast contiguous tracts of wooded, vacant, or agricultural lands that lay outside of centers and are served by two lane roads and private sewers and public water

The intent of the State Plan for these areas is to:

- Maintain the Environs as large contiguous areas of farmland and other lands
- Revitalize cities and towns
- Accommodate growth in Centers

- Promote a viable agricultural industry
- Protect the character of existing, stable communities
- Confine programmed sewers and public water services to Centers

The Rural/Environmentally Sensitive Planning Area (PA 4B) is characterized in the State Plan by:

- Land currently in agriculture or natural resource production, or having a strong potential for production based on soil productivity for agriculture
- Undeveloped wooded tracts, vacant lands and large contiguous tracts of agricultural lands, and other areas outside Centers predominantly served by rural two lane roads and individual wells and septic systems.

The intent of the SDRP for PA 4B seeks to:

- Maintain the Environs as large contiguous areas of farmland and other lands;
- Revitalize cities and towns;
- Accommodate growth in Centers;
- Promote a viable agricultural industry;
- Protect the character of existing, stable communities; and
- Confine programmed sewers and public water services to Centers.

The Environmentally Sensitive Planning Area (PA 5) is characterized in the State Plan by:

- High quality surface waters and their watersheds
- Watersheds of potable water supply sources
- Aquifer recharge areas
- Valuable ecosystems and habitat for threatened and endangered species
- Contiguous freshwater wetlands systems
- Significant natural features or landscapes, including critical slope areas, ridge lines, important geological features and unique ecosystems.
- Prime forested areas

The SDRP cites PA 5 as “highly vulnerable to damage of many sorts from new development...including fragmentation of landscapes, degradation of aquifers and potable water, habitat destruction, extinction of plant and animal species and destruction of other irreplaceable resources .” These environmental sensitivities prompted concern in the SDRP that “new development (in PA 5) has the potential to destroy the very characteristics that define the area.”

The intent of the SDRP for PA 5 seeks to:

- Protect environmental resources through the protection of large contiguous areas of land
- Accommodate growth in Centers
- Protect the character of existing stable communities

- Confine sewers and programmed water services to centers
- Revitalize cities and towns

According to the SDRP, Planning Areas 4, 4B and 5 “are not currently nor are they intended to be urban or suburban”. The State Plan recommends protecting the rural character of the area by encouraging a pattern of development that is supportive of agriculture and other related economic development efforts that promote a stronger rural economy in the future while meeting the immediate needs of rural residents, and by identifying and preserving farmland and other open lands. The Plan also promotes policies that can protect and enhance the rural economy and agricultural industry, thereby maintaining a rural environment while also protecting valuable ecosystems or wildlife habitats.

The State Plan emphasizes that growth should be organized within existing or planned centers, and that the Environs, outlying areas of lower development intensity outside centers, should be protected from suburban sprawl. The State Plan does not include any designated centers in the Township, however, the current list of proposed centers includes the Pennington Existing Village, the Titusville Existing Village, the Marshall’s Corner Proposed Village, and the I-95 Proposed Regional Center. The Township has submitted a petition to the Office of State Planning to delete the Titusville, Marshall’s Corner and I-95 Centers from the State Plan, as the planning for these areas are better handled through the Plan Endorsement process, which entails a detailed analysis of the Township’s planning approaches in relation to the goals of the State Plan.

In order to accommodate State Plan goals for both the Environs and central places, development needs to be realigned along smart growth principles. A push-pull relationship should evolve where growth is directed away from the Environs and into the cities and older suburbs, where redevelopment opportunities abound. The redevelopment vision of the State Plan cannot be realized unless the economic force behind sprawl is redirected toward these redevelopment opportunities.

The State Plan vision for New Jersey in 2020 sees diverse and thriving cities and towns with a desirable quality of life where reinvestment and public/private partnerships have reclaimed brownfield sites. At the same time, this 2020 vision foresees rural areas where limited growth has been accommodated “while maintaining the rural character and large contiguous areas of farmland so important to all the citizens of New Jersey” and where “farmland and other open lands have been preserved to ensure the future viability of agriculture and maintain a rural environment.”

The State Plan is not mandatory; however, it is a comprehensive guide to land use planning for a better New Jersey built upon an inclusive cross-acceptance process, and the ultimate success of the endeavor is largely in municipal hands. Hopewell Township has incorporated local policies and strategies that respond to the basic premises, intent and purposes of the State Plan.

District Solid Waste Management Plan

Mercer County has adopted a Solid Waste Management Plan in accordance with the requirements of the State “Solid Waste Management Act”. The Solid Waste Management Act established a comprehensive system for the regulation of solid waste collection, recycling and disposal. The Act authorizes Counties to develop and implement comprehensive solid waste management plans that meet the need of municipalities within the County.

The Township adopted a recycling ordinance in 1989 in order to be consistent with the County’s Solid Waste Management Plan and the N. J. Statewide Mandatory Source Separation and Recycling Act. In the Hopewell Township program, the following material is to be separated for curbside collection in residential areas: acceptable glass, metal and plastic containers; acceptable mixed paper; tires; white goods; and, leaves. Curbside recycling occurs every two weeks, except for leaves, which are periodically picked up by the municipality and taken to the Township composting facility. General solid waste collection is handled by private waste haulers on a contractual basis with individual property owners.

Commercial, industrial and institutional establishments are to separate acceptable mixed paper; corrugated cardboard and office paper; acceptable glass and metal containers; tires; and white goods. Commercial, industrial and institutional establishments are to submit a recycling plan to the County in order to meet State requirements. This plan may be done jointly with others or separately by individual businesses. The plan is to identify each type of waste material generated, the volume of each type, whether the business has any agreement with a solid waste hauler, and describe recycling efforts for designated materials. If these businesses do not enter into a recycling plan, recycling services will be provided by the Mercer County Improvement Authority and the cost for those services will be billed to the business.

FARMLAND PRESERVATION PLAN ELEMENT



MAY 2003

**ADOPTED MAY 27, 2003
RESOLUTION ADOPTED JUNE 24, 2003**

**PREPARED BY THE HOPEWELL TOWNSHIP PLANNING BOARD AND
HOPEWELL TOWNSHIP AGRICULTURAL ADVISORY COMMITTEE
WITH THE ASSISTANCE OF BANISCH ASSOCIATES, INC.**

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Executive Summary

This Plan presents a description and assessment of the present agricultural situation in the Township, what it means to the Township, and a vision for the future of what agriculture can be in terms of the policies and programs that are suggested.

Hopewell Township is situated in Mercer County at the fringe of a rapidly developing area. Although the Township has been subject to large scale non-residential and residential development, it nonetheless maintains a rural character that is evident throughout the community. With almost half of the land in the Township under farmland assessment, agriculture is the most visible manifestation of the Township's character.

What is also evident in Hopewell Township is the decline of conventional crop production. According to the New Jersey Agricultural Statistics Service (NASS), overall production shows a declining trend. With the exception of corn and hay, most every other category reported to NASS showed considerable and sometimes significant decline with respect to acreage harvested or dedicated to agricultural endeavors.

In order to combat the decline of agriculture and protect its rural character and agricultural heritage, the Township formed an Agricultural Advisory Committee (AAC), and is proposing large scale farmland preservation efforts to support the work of the AAC. These efforts will utilize a variety of means to preserve as much land as possible over the coming five years. The primary focus of Hopewell's efforts will be a Planning Incentive Grant application to the State Agriculture Development Committee (SADC), as well as continuation of the traditional preservation programs of the Mercer County Agricultural Development Board and the SADC. This funding application seeks to preserve large contiguous masses of agriculturally productive land in the central and northwestern portions of the Township.

In addition to the PIG application, the Township will utilize a number of other means to preserve as much productive farmland as possible. These include the SADC Direct Easement Purchase program, use of option agreements, installment purchase of development rights, solicitation of easement donations and utilization of limited development approaches in order to preserve farmland. With this menu of preservation options, the Township can insure that land is available for the continuation of agriculture within the community.

Introduction

Hopewell Township's regional location, prime soils and access to densely populated markets combine to assure an agricultural future, if the farmland base can be preserved and agricultural viability maintained. To this end, the Township has set a high priority on retaining its agricultural land base. At present, almost half of Hopewell's land area is in farmland assessment and agricultural production. The objective of this Farmland Preservation Plan is to preserve as much viable farmland as possible in order to retain farming as an enduring legacy.

Farmland preservation pays dividends for all involved. While limiting the municipal service costs associated with new development, it can provide high-quality, locally grown produce. Additionally, farmland preservation allows farm families to continue a tradition of local agricultural production, and expand and diversify for the future. Recommended agricultural management practices play an increasingly important role in balancing the priorities of agricultural retention and environmental protection.

This Farmland Preservation Plan Element should serve as a guidance document for local action, and should be updated periodically to reflect continuing progress and evolving objectives.

This farmland preservation plan is prepared pursuant to Paragraph (13) of section 19 of P.L. 1975, c.291, the Municipal Land Use Law (C.40:55D-28). This section provides that a farmland preservation plan element shall include:

1. an inventory of farm properties in the entire municipality and a map illustrating significant areas of agricultural lands;
2. a detailed statement showing that municipal plans and ordinances support and promote agriculture as a business; and,
3. a plan for preserving as much farmland as possible in the short-term by leveraging monies made available by the Garden State Preservation Trust Act, N.J.S.A. 13:8-1 et seq., P.L. 1999, c. 152 through a variety of mechanisms including but not limited to utilizing:
 - i. Option agreements;
 - ii. Installment purchases; and
 - iii. Encouraging donations for permanent development easements.

Inventory of Farm Properties

Hopewell Township retains a major portion of its land area in agriculture. According to tax data from February of 2002, 17,782 of Hopewell Township's 37,699 acres (47%) are currently under farmland assessment (Classes 3A and 3B), as shown in Appendix 1. A review of Appendix 1 indicates that farm properties in Hopewell Township include lots as large as 289 acres, with six lots exceeding 200 acres and 30 lots exceeding 100 acres.

Figure 1 illustrates the locations of farmland-assessed parcels in Hopewell Township, as listed on the 2002 Assessor's Tax Duplicate. Some parcels shown qualify for farmland assessment on a portion of the lot. Figure 2 depicts the location of Agricultural Development Areas; preserved farms, as listed in Table 1; and, approved applications for farm preservation that are awaiting closing, as listed in Table 2.

Table 1 – Preserved Farmland

Block	Lot	Property Location	Owner Name	GIS Acreage
27	2	35 HARBOURTON MT AIRY RD	MARTINDELL	43.0
28	3	425 LAMBERTVL HOPEWELL RD	GOMEZ	54.2
28	11	HARB ROCKTOWN RD	GOMEZ	12.5
28	00002 03	42 HARBOURTON MT AIRY RD	BENIOFF	109.6
31	13	MARSH CORNER WOODSVILLE ROAD	COUNTY OF MERCER	139.5
31	00006 03	HARB WOODSVILLE RD	COUNTY OF MERCER	94.4
37	23	91 TITUS MILL RD	HART	15.2
37	00023 01	91 TITUS MILL RD	HART	58.0
37	00025 01	TITUS MILL RD	NIEDERER	14.5
37	00025 03	TITUS MILL RD	NIEDERER	6.4
44	00011 03	OLD MILL RD	CHOWDHURY	92.7
46	00004 01	TITUS MILL RD	NIEDERER	63.8
46	00005 01	TITUS MILL RD	NIEDERER	60.7
50	4	257 PENN HARBOURTON RD	HOLLINGER	32.2
52	5	121 PLEASANT VAL HARB RD	NEWHOUSE	213.6
52	54	1429 TRENTON HARB RD	WEIDEL	36.7
62	1	1310 BEAR TAVERN RD	FEDOR	60.9
62	4	1258 BEAR TAVERN RD.	SMITH	78.43
62	6	401 PENN.-TITUSVILLE RD.	BLACKWELL	58.65
62	24	349 PENN.-TITUSVILLE RD	BATCHA	143.76
72	00006 20	163 BLACKWELL ROAD	RADVANY	26.4
75	00001 01	164 BLACKWELL RD	HART	16.3
				1,431.44

Table 2 – 2003 Approved Applications/Closing Pending

Block	Lot	Property Location	Farm Name	GIS Acreage
4	00019 01	182 VAN DYKE RD	Faille	39.66
21	5	195 PENN HOPEWELL RD	Bluestone Farms	61.68
26	1	HARBOURTON MT AIRY RD	Princeton Research	50.04
26	2	HARBOURTON MT AIRY RD	Lanwin	108.44
26	3	1641 HARB ROCKTOWN RD	Quang Dong	80.34
26	16	LAMBERTVL HOPEWELL RD	Princeton Research	83.81
28	00002 01	46 HARBOURTON MT AIRY RD	Weidel (Jr.)	45.60
39	16	333 CARTER RD	Martin	95.15
39	17	333 CARTER RD	Martin	32.15
39	26	25 BAYBERRY RD	Martin	76.02
39	30	37 BAYBERRY RD	Martin	19.56
39	32	35 BAYBERRY RD	Martin	10.44
43	5	42 BAYBERRY RD	Martin	21.34
50	13	1412 TRENTON HARB RD	Gallo	54.44
50	00015 02	321 PENN HARBOURTON RD	Ferrette	42.51
95	3	1132 BEAR TAVERN RD	Kerr	267.40
				1,088.58

Municipal Support for Agriculture as a Business

In 2001 the Hopewell Township Committee established the Hopewell Township Agricultural Advisory Committee (AAC). The AAC is charged with the responsibility of promoting and preserving agriculture as a viable economic activity with the Township. The Committee serves as a forum for discussion of local agricultural practices and as an agent of change for public policies that may impact farming and the preservation of farmland. The AAC’s duties include making recommendations concerning municipal land use procedures that strengthen and sustain agriculture; undertaking studies to determine the potential for farmland preservation in the Township; making grant applications; and, performing other advisory duties for the Planning Board and Township Committee.

Hopewell’s Master Plan and Land Use and Development Regulations have consistently provided substantial support for farmland preservation and the continuation of agriculture as an industry in the Township. The following is a brief summary of the policies that demonstrate the historic and continuing support for agriculture in the Township.

Hopewell Township Master Plan (1992)

Hopewell’s 1992 Master Plan included goals that support agricultural retention. The Goal statement of the Master Plan indicates “The preservation of agriculture is encouraged...”, in areas with present and prospective agricultural uses, suitable soil conditions, and the absence of existing and proposed development and infrastructure. In addition, the goals advocate that the preservation areas should be consistent with the

plans of the Mercer County Agriculture Development Board (CADB), which includes most of the Township in Agricultural Development Areas (See Figure 2).

The Land Use Plan Element of the 1992 Master Plan includes a specific section titled Agriculture and Preservation of Rural Character. This section notes “This Plan proposes that the Township undertake efforts to preserve agriculture and the rural character throughout the valley and nearby mountain areas”. The Master Plan designates these areas as Valley and Agriculture and Mountain and Agriculture, respectively. The Plan then discusses the rationale for preserving farmland, planning and zoning approaches, acquisition programs, and transfer of development rights. The Plan advocates a concerted effort among State, County and municipal groups to preserve agriculture utilizing a combination of techniques.

Other Master Plan policies also support the retention of agriculture throughout the valley and mountain areas, where sewer service is not planned and where proposed road improvements are minimal.

Hopewell Township Master Plan, 2002

The 2002 Master Plan offers significant support for agriculture as a business in Hopewell Township, as evidenced in the Agriculture section of the Goals and Objectives, which includes the following:

- To encourage the preservation of agriculture through proactive planning where there are suitable conditions for the continued operation and maintenance of agricultural uses.
- To preserve a large contiguous land base to assure that agriculture remains a viable, permanent land use.
- To promote agricultural preservation activities with the Township’s Agricultural Advisory Committee, the State Agriculture Development Committee (SADC), the Mercer County Agricultural Development Board (CADB) and other open space preservation activities in the Township.
- To recognize agriculture as a significant economic industry in the community and to encourage economic opportunities in this industry.
- To provide financial incentives, financing mechanisms and enhanced opportunities for agricultural businesses that assist in maintaining agriculture as a viable economic activity.
- To encourage compatibility between agricultural operations and neighboring non-agricultural development through the right-to-farm ordinance.

In addition to specific goals related to agriculture, the Land Use Plan Element espoused the importance of retaining contiguous lands for agriculture and highlighted potential conflicts between agriculture and expanding suburban development. The Land Use Plan proposed the creation of two new zoning districts, the Mountain Resource Conservation (MRC) and the Valley Resource Conservation (VRC) districts. The VRC and MRC Districts were *“intended in part to reduce the amount of residential development so that agriculture is affected by fewer residences and more lands can be retained for agricultural use. Lower densities also mean that more water is available for agricultural needs, as agriculture is reliant on the availability of significant water resources.”* These districts permit open land, lot averaging and cluster subdivisions in order to promote the retention of large tracts of land for agricultural use.

Development Regulations (Chapter 17)

Ordinance provisions that support agriculture play an important role in the future of farming. Hopewell’s land use and development regulations permit farms and other agricultural uses as principal uses in all zoning districts. Barns, silos, sheds, farm stands, riding stables and other facilities that are customary for agricultural pursuits are permitted as accessory uses. Nursery outlets for the sale of trees and ornamental shrubs are permitted as conditional uses. The Township’s definition of “agricultural use/purpose” broadly defines agriculture as “land which is devoted to the production for sale of plants and animals”, and also defines “farm” as including five contiguous acres or more, plus acreage for the home if there is one.

The creation of the MRC and VRC Districts and their development regulations also provide support for agriculture. Development options within these two districts will maintain large contiguous tracts of farmland and other open lands by permitting an open lands development concept. Under the open lands provision, development is accommodated on 25% to 35% of the tract while the remaining land, consisting of prime and statewide agricultural soils and sensitive environmental features, is preserved. Use of the open lands option will promote continued agricultural use of prime agricultural lands.

In addition, the development regulations establish a method for the transfer of development from the Township’s rural, agricultural countryside into designated villages. Through this technique, the Township is seeking to retain agricultural uses with less intrusion by non-agricultural uses, while also providing a mechanism for the property owner to realize development potential through transfer to another site while also retaining the ability to pursue the agricultural use.

Right-to-Farm Protection

New Jersey has enacted a strong right-to-farm statute, which applies statewide. New Jersey’s Right-to-Farm Act provides commercial farm owners or operators with certain protection from restrictive municipal ordinances and public and private nuisance actions. Protected agricultural activities include production, processing and packaging of agricultural products, farm market sales and agriculture-related educational and farm-based recreational activities. Commercial farms are also protected from unduly restrictive municipal regulations and public and private nuisance lawsuits.

These protections are available to commercial farms which:

- are operated in conformance with federal and state laws, and agricultural management practices recommended by the New Jersey State Agricultural Development Committee (SADC), or is an accepted agricultural operation or practice as determined by the Mercer CADB;
- are not a direct threat to public health and safety; and
- are located in an area where agriculture was a permitted use under the municipal zoning ordinance as of December 31, 1997 or thereafter and is consistent with the municipal master plan.

Hopewell Township adopted the local Right-to-Farm ordinance (Ordinance # 93-957, Chapter 22 of the Township Code) in 1993. The Right-to-Farm ordinance puts the public on notice that agricultural activities are a land use priority within the Township, and permits wholesale and retail marketing of the agricultural output from a commercial farm, among other protections. The ordinance requires each contract and deed for subdivisions adjacent to farms to include a provision that waives the right to object to agricultural practices on the adjacent farm.

Mercer County Support for Agriculture

Mercer County has a history of promoting planning policies that favor agriculture. In 1983, in accordance with the enabling authority established by the N. J. “Agriculture Retention and Development Act” (the State Act), the Mercer County Agricultural Development Board (MCADB) was established to assist in the implementation and coordination of the Farmland Preservation Program in Mercer County. In 1984, the MCADB took the initial steps toward developing a county Farmland Preservation Program by adopting the Mercer County Agricultural Development Area (ADA) map.

The ADA map indicates areas that have the potential for continued agricultural use, but not necessarily for this exclusive use. The completed map was approved in April 1985 and amended in July 1990. The criteria used to determine inclusion of land areas within the ADA included proximity to other agricultural land, soil type and percentage of tillable acreage. The ADA map does not show exact property lines or boundaries, but rather shows the general areas in which farmland has the potential for continued use in the future.

The vast majority of the land area in Hopewell Township is designated an ADA (See Figure 2), and Hopewell Township represents a majority of all the ADAs in Mercer County. Other ADAs in Mercer County include a portion of Lawrence Township at the eastern boundary of Hopewell Township; southerly Hamilton Township; and, a contiguous area stretching from southern West Windsor Township through Washington Township to southern East Windsor Township. There are approximately 49,700 acres included in the Mercer County ADAs.

The Mercer County Farmland Preservation Program is funded through the Open Space Trust Fund. There are several methods available to finance the purchase of farmland in the Farmland Preservation Program, including easement purchase, easement purchase on an installment basis, and fee simple purchase. In addition, two types of Eight-year programs provide for short-term preservation without great expense.

Easement Purchase

Under this program landowners voluntarily agree to sell their development rights, after which a permanent deed restriction is placed on the property in order to ensure the land will not undergo non-agricultural development in the future. The landowner retains the ownership of the deed-restricted land, and the landowner is also extended the benefits of the Eight-Year Program. The cost to purchase the easement is shared by the State and County and can include the municipality, non-profit groups and the private sector.

Installment Purchase

This method also provides for the preservation of farmland through the purchase of development rights, but payment to the landowner occurs over a period of years.

Fee Simple Purchase

With this option the landowner sells the farm outright to the State or County, and the State or County then resells the land after placing a permanent deed restriction on the property that prevents future non-agricultural development.

Eight-Year Program

There are two types of Eight-Year farmland preservation programs available, both of which involve an agreement with the landowner to keep the farm in active agriculture for a period of at least eight years. In return, the landowner is eligible to receive 50% cost-sharing on soil and water conservation projects approved by the State Soil Conservation Committee. The second program is termed the municipally approved Eight-Year program, which requires a municipal ordinance endorsing the landowners' enrollment in the program, and provides greater protection from eminent domain takings as well as additional right-to-farm protection.

The MCADB has been most active in the easement purchase program, which is initiated when a landowner makes application to the MCADB. Applications are reviewed against eligibility criteria and the agricultural preservation goals of the County.

In a related activity, the Mercer County Open Space Plan has identified as an objective the provision of public access along stream corridors within the County. In accordance with this plan, any applicant to the MCADB that has a stream corridor running along its boundary is asked to either sell a public access easement to the County, or sell in fee land for a public access along the stream. The public will not have access to the preserved farm, and the County makes provisions for the farm to have continued access to any water supply which is used for agricultural purposes.

State Development and Redevelopment Plan Agriculture Policies

The State Development and Redevelopment Plan (SDRP), adopted in March 2001 by the New Jersey State Planning Commission, designated the following Planning Areas (PA) in Hopewell Township, listed in Table 3 and depicted on Figure 3:

Table 3- Planning Areas

Planning Area	Acres	% of Township
PA-2 Suburban	4,157.48	10.8%
PA-3 Fringe	6,808.63	17.7%
PA-4 Rural	12,511.02	32.5%
PA-4B Rural/Env. Sensitive	4,920.22	12.8%
PA-5 Env. Sensitive	5,406.91	14.0%
County Park	2,128.11	5.5%
State Park	2,554.60	6.6%
Total	38,486.97	100.0%

Nearly half of the Township's land area is classified as either PA-4 or PA-4B, accounting for 17,431 acres, mainly in the northern half of Hopewell. These two Planning Areas are the focus of most agricultural activity in New Jersey and contain the most productive agricultural lands. Yet the Township has a number of active farms and productive farmland outside of PA-4 and PA-4B, as an overwhelming majority of the Township is characterized by important agricultural soils. PA-3, the Fringe Planning Area, represents 10.7% of the Township's land area and is primarily found in the southern/central portion of Hopewell. While it does contain suburban development patterns, it also contains some of the larger undeveloped and actively farmed parcels.

The SDRP advances numerous statewide policies to support the long-term survival and health of the agricultural industry in New Jersey, many of which are consistent with Hopewell's objectives to preserve farmland, retain and diversify agricultural land uses in the community, and enhance the viability of the Township's agricultural economy. These policies have been reproduced from the SDRP below.

SDRP Statewide Policies¹

“Promote and preserve the agricultural industry and retain farmland by coordinating planning and innovative land conservation techniques to protect agricultural viability while accommodating beneficial development and economic growth necessary to enhance agricultural vitality and by educating residents on the benefits and the special needs of agriculture.”

Sustainable Agriculture and Comprehensive Planning²

¹ “The New Jersey State Development and Redevelopment Plan”, New Jersey State Planning Commission, March 2001, Page 159.

Policy 1 Agricultural Land Retention Program Priorities

Funds for farmland retention should be given priority in the following order, unless a county or municipal farmland preservation plan has been prepared and approved by the State Agriculture Development Committee (in which case, priority shall be based on said plan):

- (1) Rural Planning Area;
- (2) Fringe and Environmentally Sensitive Planning Areas;
- (3) Metropolitan and Suburban Planning Areas.

Policy 2 Preservation of the Agricultural Land Base

Consider the expenditure of public funds for preservation of farmland as an investment in a public capital asset (i.e. farmland as an item of infrastructure) and thereby emphasize the public's interest in maintaining long-term agricultural viability.

Policy 3 Coordinated Planning

Coordinate planning efforts of all levels of government to ensure that policies and programs promote agriculture.

Policy 4 New Development

Plan and locate new development to avoid negative impacts on agriculture.

Policy 5 Innovative Planning and Design Techniques

Encourage creative land planning and design through tools such as clustering, phasing, equity insurance and density transfers, purchase and donation of development rights, agricultural enterprise zones and districts and the provision of self-contained community wastewater treatment systems to serve Centers, to accommodate future growth in ways that maintain the viability of agriculture as an industry, and to achieve the Policy Objectives of the Planning Area while avoiding conflict with agricultural uses.

Policy 6 Agricultural Water Needs

Include consideration of the water needs of the agricultural industry in water supply planning at all levels of government.

Agriculture and Economic Development³

Policy 7 Provision of Capital Facilities

Provide adequate capital facilities including grain storage and food processing facilities to enhance agriculture in rural areas.

² Ibid, Page 160.

³ Ibid, Page 161.

Policy 8 Access to Capital

Improve access to capital funds, including rural revolving loan funds and rural venture capital networks, operating funds and portfolios that reduce the reliance on land as an asset for collateral or retirement.

Policy 9 Enhancing the Agricultural Industry

Promote economic development that supports the agricultural industry on local, county and statewide levels

Policy 10 Diversify the Rural Economy

Promote beneficial economic growth that recognizes the need to provide the essential facilities and infrastructure to diversify the rural economy. Provide opportunities for business expansion, off-farm employment, on-farm income generating enterprises such as agricultural-related educational or recreational activities and environmental activities such as leaf composting.

Policy 11 Enhance Agricultural Marketing

Enhance marketing programs to promote the sale of New Jersey agricultural products.

Policy 12 Simplify the Regulatory Process

Adapt the permitting, licensing and land use planning and regulation processes to be sensitive to agricultural needs to enhance the industry and to facilitate new agricultural development.

Policy 13 Local Ordinances and Building Codes Sensitive to Agricultural Use

Promulgate local ordinances and state building code and fee criteria which are sensitive to the special purposes of agricultural construction and seasonal use.

Policy 14 Right to Farm

Coordinate actions of state and local government to encourage the maintenance of agricultural production by protecting farm operations from interference and nuisance actions when recognized methods or practices are applied and to ensure that the numerous social, economic and environmental benefits of agriculture serves the best interests of all citizens in the state.

Policy 15 Aquaculture

Aquaculture is recognized as an agricultural activity.

*Agriculture and Environmental Protection*⁴

Policy 16 Promote Agricultural Management Practices

Encourage the use of agricultural management practices to ensure sustainable and profitable farming while protecting natural resources.

Policy 17 Incorporate Agricultural Land in Recycling of Organic Materials

Use appropriate agricultural lands for the recycling of non-farm generated biodegradable and organic materials.

*Human Resources*⁵

Policy 18 Housing Supply and Financing

Use federal and State funding to expand the supply of decent, safe and reasonably priced housing that will benefit those employed in agriculture.

Policy 19 Vocational and Technical Training

Create and expand access to training and technical assistance for agriculture and agriculture-related businesses.

Policy 20 Agricultural Education

Create and expand agricultural education and leadership opportunities through basic skills training, and vocational and entrepreneurial training on the secondary, county college and university levels.

Policy 21 Encourage Young and First Time Farmers

Coordinate federal, state and local financial incentives and tax and regulatory policies to encourage more individuals to enter agricultural business.

Policy 22 Promote the Value of Agriculture

Educate New Jersey residents on the economic and environmental value of sustainable agriculture in New Jersey and its important contribution to the State's quality of life.

Policy 23 Agro-tourism and Eco-tourism

Expand opportunities for agro-tourism and eco-tourism

The policies and recommendations of the State Development and Redevelopment Plan are meant to be considered in local planning initiatives, including planning for farmland

⁴ Ibid, Page 162.

⁵ Ibid, Page 162.

preservation, a key element of agricultural retention. Many of the policies above are woven into the Township's planning policies, providing a regional perspective on the beneficial aspects of agriculture and programs to promote agriculture's future while also making them a reality at the local level.

Hopewell's Agricultural Setting

Hopewell Township is characterized largely by productive agricultural soils (see Figure 4, Important Farmlands). Prime farmland comprises approximately 43% of the Township's land area, soils of statewide importance 34%, and farmland of local importance 5%. The following descriptions of prime farmland, soils of statewide importance and farmland of local importance are taken from the "New Jersey Important Farmlands Inventory", prepared by the SADC in 1990.

Prime Farmlands-Prime Farmlands include all those soils in Land Capability Class I and selected soils from Land Capability Class II. Prime Farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops and is also available for these uses. It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed according to acceptable farming methods. Prime Farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding.

Soils of Statewide Importance-Farmlands of statewide importance include those soils in Land Capability Classes II and III that do not meet the criteria as Prime Farmland. These soils are nearly Prime Farmland and economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce yields as high as Prime Farmland if conditions are favorable.

Farmland of Local Importance-Farmland of local importance includes those soils that are not prime or statewide importance and are used for the production of high value food, fiber or horticultural crops.

Hopewell includes large contiguous masses of farm parcels that dominate the central and northeastern portions of the Township. Hopewell's regional location, which has attracted fairly rapid suburbanization in some areas, poses unique challenges to maintaining the Township's agricultural land base and its rural character.

The SADC seeks to preserve agricultural viability, which it describes as an individual parcel's ability to sustain "a variety of agricultural operations that yield a reasonable economic return under normal conditions . ..". Both the SADC and the State Planning Commission seek to retain large contiguous masses of viable agricultural land. SADC policies recognize that agricultural parcels may become less viable if reduced in size. Thus, the substantial farmland areas that dominate central and northeastern Hopewell are important to the agricultural future of the region, since they represent the largest contiguous agricultural areas in the County.

Table 4 “Agricultural Production Units” identifies the extent of crop and animal farming in 1992, 1997, and 2002, the latest year for which figures are available for Hopewell. A review of this information reveals several interesting facts:

- Total acres of cropland harvested decreased from 6,783 acres in 1992 to 5,874 acres in 2002 (- 13.4%).
- Acreage devoted to corn for grain increased by roughly 24% to 1,069 acres while corn for silage increased from 42 acres to 71 acres (+ 69%). Alfalfa hay acres increased from 633 to 733 acres (+16%) while acreage devoted to other hay increased from 2,272 acres to 2,345 acres (+ 3%).
- Significant decreases were seen in acres harvested for oats (-90%), rye (-35%), soybeans (-51%) and wheat (-37%)
- Acres planted in trees and shrubbery dropped from 134 acres to 86 acres (-36%).
- While equine animals increased by 30% during the period from 400 to 518, livestock dropped from 488 head to 324 head (-34%). The number of sheep decreased from 487 to 484 (- 0.6%), while swine and chickens also dropped.
- A significant decrease was also registered in board feet of timberwood harvested, from 152,074 in 1992 to 76,033 in 2002 (-50%). Cords of fuel wood also decreased slightly, from 470 cords in 1992 to 425 cords in 2002 (-9%).

A majority of the categories presented in Table 4 indicate negative change.

Table 4 – Ag Production Units

Year	1992	1997	2002	% Change 1992-2002
Crop Acres Harvested				
Corn-grain	863	1,689	1,069	23.9%
Corn-silage	42	243	71	69.0%
Alfalfa hay	633	525	733	15.8%
Other hay	2,272	2,493	2,345	3.2%
Oats	19	49	2	-89.5%
Rye	127	135	83	-34.6%
Sorghum	0	0	17	
Soybeans	1,709	974	837	-51.0%
Wheat	1,104	844	698	-36.8%
Other field crops	14	80	19	35.7%
Total Crop Acres Harvested	6,783	7,032	5,874	-13.4%

Acres Planted				
Cover crop	30	46	0	-100.0%
Rye	0	0	3	
Barley	0	0	0	
Other cover	21	46	23	9.5%
Total Acres Planted	51	92	26	-49.0%
Acres Planted				
Apples	20	30	19	-5.0%
Blueberry			8	
Grapes	0	0	7	
Peaches	2	2	0	-100.0%
Trees & Shrubbery	134	177	86	-35.8%
Christmas trees	203	177	165	-18.7%
Other nursery	21	1	15	-28.6%
Other fruit crop	3	9	4	33.3%
(irrigated fruit crop)	3	0	0	-100.0%
Total Acres Planted	386	396	304	-21.2%
Animal Units				
Livestock	488	367	324	-33.6%
Equine	400	426	518	29.5%
Sheep	487	578	484	-0.6%
Swine	124	13	8	-93.5%
Bee colonies	48	54	52	8.3%
Ducks	95	41	28	-70.5%
Goats	11	47	82	645.5%
Meat chickens	222	167	134	-39.6%
Egg chickens	714	504	455	-36.3%
Turkeys	19	0	0	-100.0%
Other livestock	1,221	133	51	-95.8%
Total Animal Units	3,829	2,330	2,136	-44.2%
Total Acres in Vegetables	*	208	223	7.2%
Forestry				
Cords fuel wood	470	734	425	-9.6%
Board feet timberwood	152,074	203,967	76,033	-50.0%
Total Forestry	152,544	204,701	76,458	-49.9%

*Note: Information not available due to changes in reporting categories

Source: State of New Jersey, Agricultural Statistics Reports

Improving the Climate for Agriculture as a Business

Municipalities can be proactive in improving the economic viability of agriculture by understanding agricultural trends and the dynamics of emerging agribusiness. Planning and zoning can enhance opportunities and minimize deterrents to agricultural retention. Hopewell should continue to expand its range of agricultural support strategies, including the following:

1. Promote participation in the Eight-Year Municipally Approved Farmland Preservation Program. The Eight-Year program can be established by municipal ordinance and approved by the CADB. Participation in this program, the benefits of which were outlined previously, can improve the agricultural viability of lands. Establishment of an Eight-Year program also demonstrates the Township's support for the agricultural community, and offers an opportunity for smaller farms to combine and participate in this program.
2. Agriculture enhances the rural character of Hopewell Township and attracts seasonal visitors to the area. The beneficial aspects of tourism, which can support agriculture and be supported by agricultural sales and activities, should be explored.
3. Land use regulations should be reviewed and updated to minimize deterrents to agricultural activity, and provide increased opportunities for agricultural expansion. This may include expanded opportunities for direct marketing of locally grown produce which eliminates the middleman and makes agricultural activities more rewarding to the farmer, or additional uses that rely on or support agricultural activities. It may also involve such amendments as permitting undersized, conforming lots where a permanent farmland easement is recorded. The AAC is also reviewing the Township's Right-to-Farm Ordinance with the aim of improving its operation, and intends to address the issue of farm labor housing.
4. The AAC should continue its outreach initiative to foster communication directly with local farmers. This can provide a clearer understanding of agricultural trends and objectives, and farmers perceptions of current and future business opportunities. The Farm Forum hosted by the AAC to discuss the future of farming, the role of the Township and agricultural products that could be profitably grown and marketed is an excellent start. The AAC has suggested future Farm Forums to address property tax considerations, agricultural "niche" marketing, agricultural labor and water usage.
5. The AAC has outlined several "viability related" work items in its future work plan. The Committee has suggested the development of a promotional/public relations campaign and map to identify Hopewell Township as an agricultural "brand" and regional asset, which will reinforce the Township's Master Plan vision for continued agricultural viability and will communicate the message that the Township is serious about its agricultural asset. The AAC has also discussed the need for a statistically accurate survey of baseline agricultural activities, farm investments and attitudes toward the future. The results of the survey will be used to guide farmland preservation and future "agricultural viability" initiatives at the Township level.

Hopewell's Plan to Preserve Farmland

Virtually all except the mountainous portions of Hopewell Township consist of important farmlands—prime soils, soils of statewide importance and soils of local significance. Hopewell's plan for farmland preservation seeks to maximize the long term utility and viability of this resource by maintaining critical masses wherever they currently exist.

The Township is fortunate to have long-standing acquisition programs operating within its borders, and to have a core of increasingly interlocking preserved farmlands with common boundaries. In Hopewell the traditional agriculture of the last century, which generally involved the production of corn, grains, dairy, poultry and eggs, is gradually being replaced by hay production, specialty crops and equestrian uses as the dominant agricultural uses. Equestrian uses occur throughout the Township, and include the Hart Farm, Boxwood Farm, Duncraven and the Hopewell Valley Horsemanship Academy in the list of preserved farms.

A growing niche in the agricultural landscape in the community is occupied by organic farming. The Northeast Organic Farming Association of New Jersey (NOFA-NJ), which is based in Pennington, indicates that there are four certified organic farms in the Township. The organic farms offer vegetables, field crops, herbs, eggs, flowers, poultry, beef, hay and berries, all certified to be organic. The products are offered at farm stands, farmer's markets, and restaurants, and are marketed through direct marketing, cooperatives, wholesale and community supported agricultural programs. In 2002 Hopewell's first vineyard began production.

The Township also is blessed by the presence of public and non-profit agricultural uses in various parts of the Township that can serve as anchors for future preservation efforts, and which are contiguous to other preserved lands. Among these agricultural uses are the Howell Living History Farm (129 acres) on Pleasant Valley Road in the northwest corner of the Township; the Mercer County Equestrian Center (127 acres) on Federal City Road in the southeastern part of the Township; and, the Organic Farm at the Stony Brook Millstone Water Association property (785 acres) on Titus Mill and Wargo Roads in the east-central part of the Township.

The 17,782 remaining farmland-assessed acres can make farming a permanent part of the Hopewell landscape and economy. However, to accomplish this objective, multiple programs and priorities should be combined and innovative approaches should be developed to achieve significant preservation of remaining farms, and to facilitate the growth of the business of agriculture in the Township.

For planning purposes, it is useful to identify preservation objectives in order to establish funding priorities. Hopewell's farmland preservation approach will involve a range of preservation strategies with a number of options for the landowner. Significant planning issues relating to these lands are briefly summarized below.

1. The Township will continue its farmland preservation efforts through the traditional easement purchase program established by the MCADB and the SADC. Where

imminent threat of conversion is involved, preservation efforts may be enhanced if the Township can step in and quickly negotiate for easements. Readington and East Amwell Townships are nearby examples where lands have been preserved by municipal action and later submitted to the County and State for reimbursement. The SADC should be consulted as to appropriate procedures for this type of effort.

2. The SADC direct state acquisition program can also be an important part of Hopewell's Farmland Preservation Plan. This program is particularly useful because the SADC can take decisive action in an expedited fashion to acquire easements to large parcels.
3. The Township has submitted an application for a farmland preservation Planning Incentive Grant (PIG), a program established in the SADC by the State Legislature. The PIG program encourages municipalities to develop a Farmland Preservation Plan that uses a variety of methods such as installment purchase, donation, easement purchase and option agreements. To qualify for a farmland preservation PIG the Township must take the following actions, all of which will have been accomplished with the adoption of this Farmland Preservation Plan:
 - Adopt a Farmland Preservation Plan in accordance with the requirements of the MLUL in consultation with the agricultural advisory committee described below.
 - Establish an Agricultural Advisory Committee. The Mayor with the consent of the governing body must appoint the Agricultural Advisory Committee. The Committee shall consist of 3 to 5 residents of the Township, with a majority of the members actively engaged in farming and owning a portion of the land they farm. The Committee shall report to the Planning Board.
 - Establish and maintain a dedicated source of funding or alternative means of funding for agricultural preservation, such as repeated annual appropriations or repeated issuance of bonded indebtedness.
 - Identify project areas of multiple farms that are reasonably contiguous and located in an ADA authorized pursuant to the Agriculture Retention and Development Act.

The Township has identified two project areas which will be submitted as one PIG application. These project areas focus on the northwestern and central portion of Hopewell and will achieve stated objectives related to agriculture. Overall, 6,648 acres are targeted for acquisition at a cost of roughly \$83 million. The Township has identified a stable source of funding for the municipal cost share of the proposed project and has submitted the grant application to the County and State. The PIG is intended to address small- and mid-sized farms which often fall outside the traditional funding programs.

4. Option agreements provide an opportunity to reserve the right to acquire farmland at some time in the future. Such agreements can provide valuable assurances for both

the Township and the property owner that preservation can and will occur at some time in the future, based on agreed pricing and terms.

5. Installment purchases leverage public funds by extending the horizon for payment over a period of years. Rather than requiring a front-end commitment of cash to acquire all development rights at the outset, installment purchases allow the municipality and the owner to devise a payment strategy which meets their mutual objectives and needs.
6. Donations of permanent development easements can be particularly valuable to both the farmland preservation effort and the landowners involved. Donations of all or part of the development rights can provide substantial Federal income tax deductions, particularly for high-income landowners. Such donations also offer estate tax benefits, reducing the estate taxes that frequently force the sale of farm properties in order to pay the tax. Property owners and the Township can structure donation plans that minimize the tax consequences to landowners and increase the effectiveness of farmland preservation funds.
7. Limited development approaches can also preserve significant farmland areas, if the development is appropriately situated to minimize impacts on farming and the majority of prime soils are preserved.
8. A coordinated outreach effort should be initiated which promotes the farmland preservation program and solicits participation. This could be coordinated by the Agricultural Advisory Committee to establish a database that identifies the future ambitions of current farmland owners, and key elements affecting their ability to retain agricultural lands in farming use. Methods of educating the public could include targeted mailings, newsletter articles and informational town meetings, and a farmland preservation brochure would also be a useful tool for this purpose.

Appendix 1 - Farm Assessed Properties

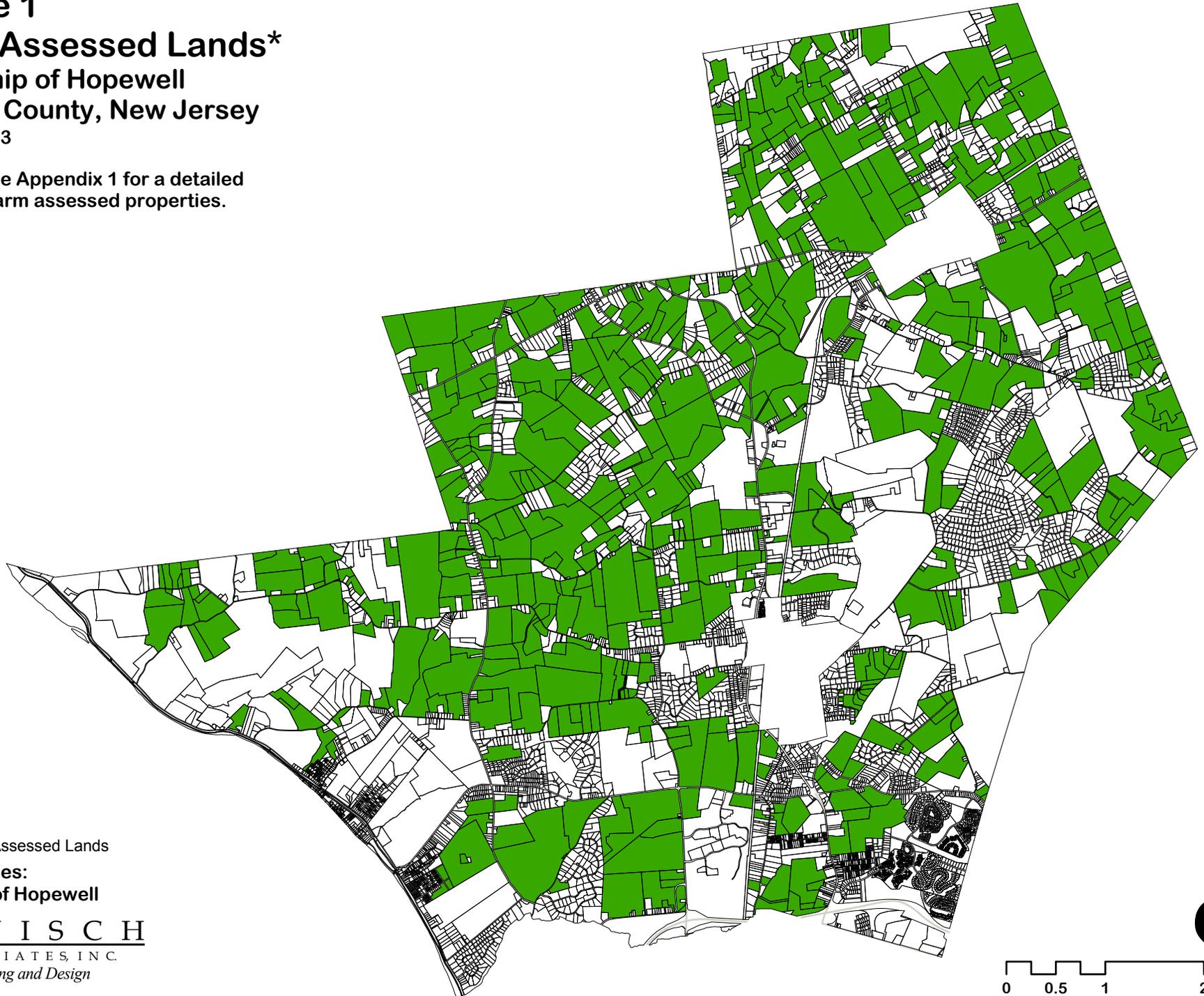
Appendix 2 - Figures

Figure 1

Farm Assessed Lands*

Township of Hopewell
Mercer County, New Jersey
March 2003

*Please see Appendix 1 for a detailed listing of farm assessed properties.



Legend

 Farm Assessed Lands

Data Sources:

Township of Hopewell

BANISCH
ASSOCIATES, INC.
Planning and Design

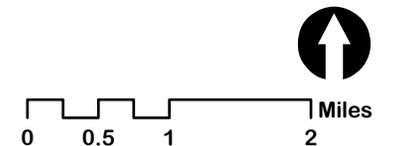


Figure 2
Agricultural Development Areas (ADAs),
Preserved Farms and Approved Applications
Township of Hopewell
Mercer County, New Jersey
March 2003

Legend

-  ADA
-  Approved Applications and Pending Closings
-  Preserved Farm
-  Central Preservation Area (PIG)
-  Panhandle Preservation Area Parcels (PIG)

Data Sources:
Township of Hopewell
Mercer County

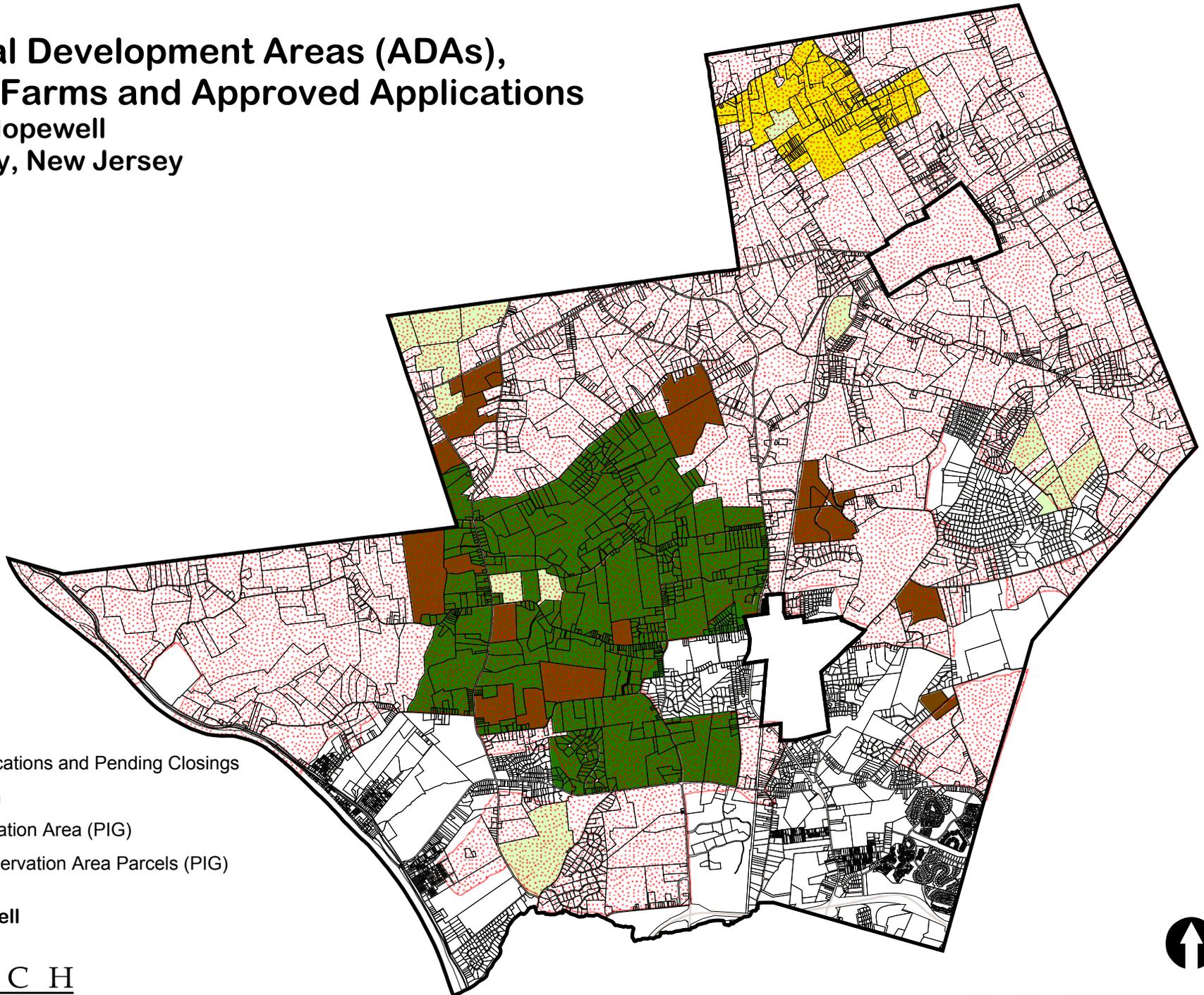


Figure 3
State Plan Policy Map
Township of Hopewell
Mercer County, New Jersey
March 2003

Planning Area	Acres	% of Township
PA-2 Suburban	4,157.48	10.8%
PA-3 Fringe	6,808.63	17.7%
PA-4 Rural	12,511.02	32.5%
PA-4B Rural/Env. Sensitive	4,920.22	12.8%
PA-5 Env. Sensitive	5,406.91	14.0%
County Park	2,128.11	5.5%
State Park	2,554.60	6.6%
Total	38,486.97	100.0%

Legend

-  PA-2 Suburban
-  PA-3 Fringe
-  PA-4 Rural
-  PA-4B Rural/Env. Sensitive
-  PA-5 Env. Sensitive
-  County Park
-  State Park

Data Sources:
Township of Hopewell
NJ Office of Smart Growth

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 ASSOCIATES, INC.
Planning and Design

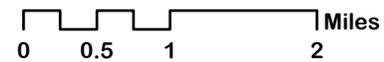
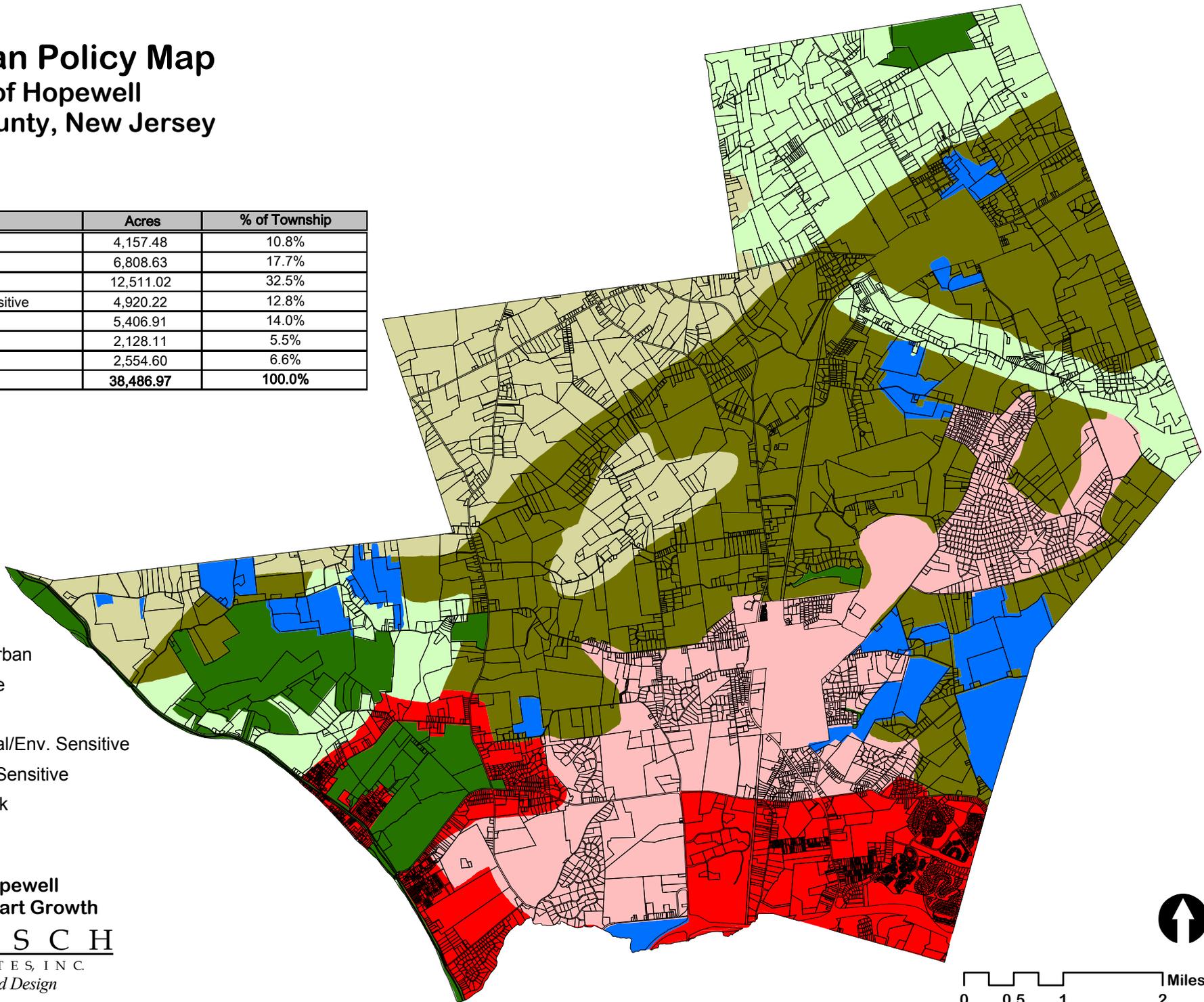
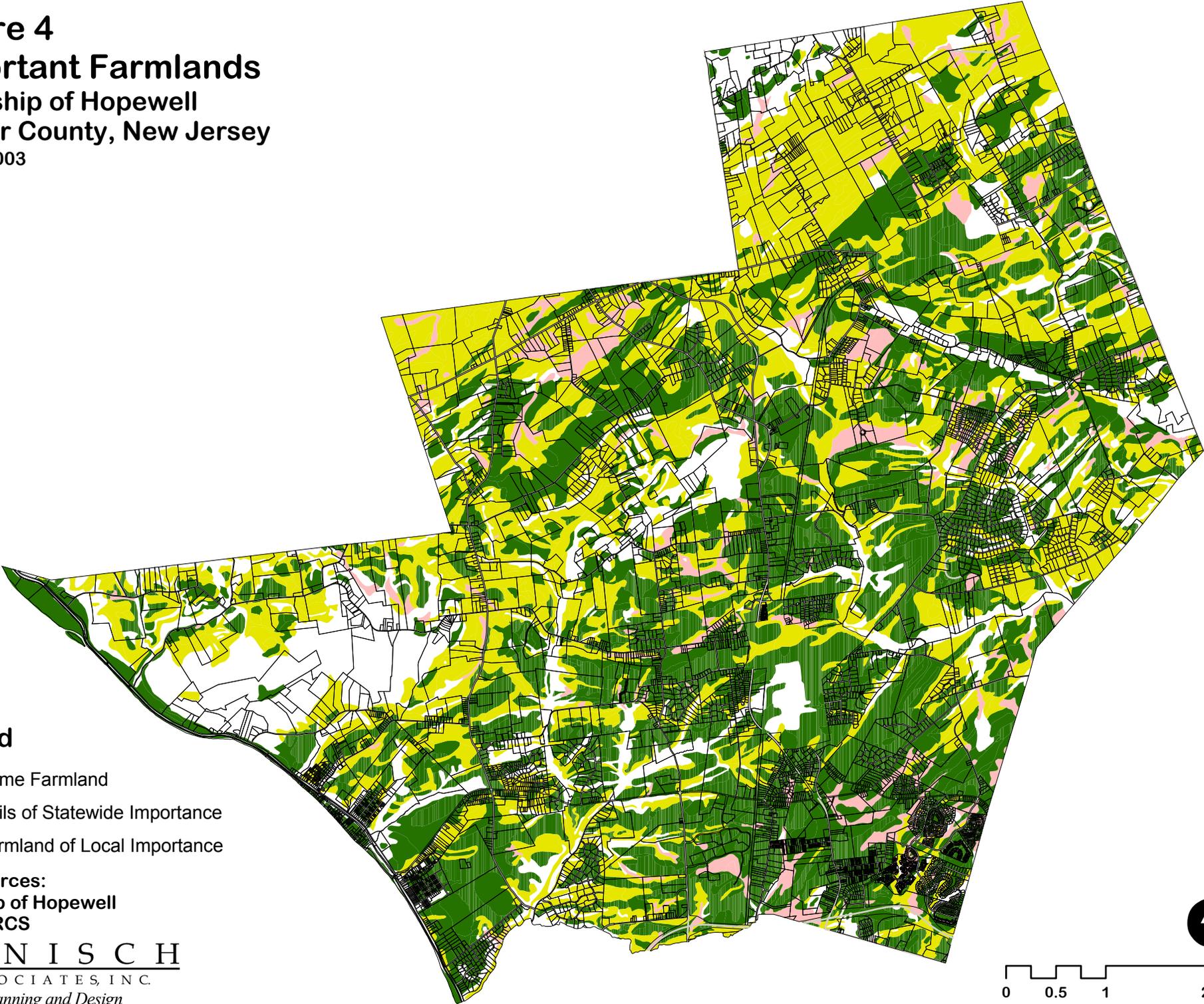


Figure 4
Important Farmlands
Township of Hopewell
Mercer County, New Jersey
March 2003

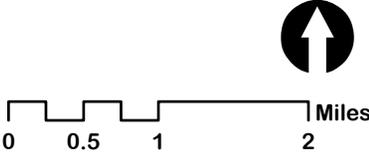


Legend

- Prime Farmland
- Soils of Statewide Importance
- Farmland of Local Importance

Data Sources:
Township of Hopewell
USDA NRCS

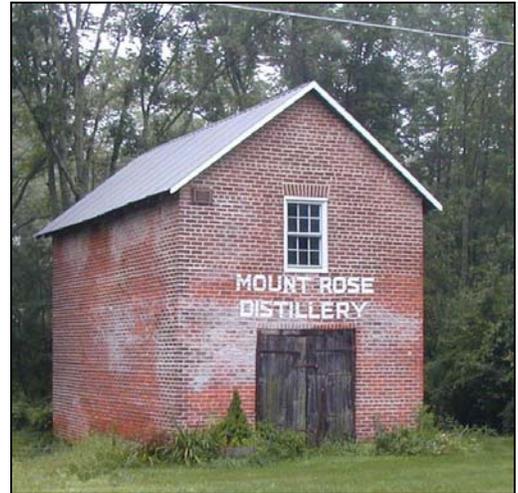
BANISCH
ASSOCIATES, INC.
Planning and Design



HOPEWELL TOWNSHIP HISTORIC PRESERVATION PLAN ELEMENT

Mercer County, New Jersey

November 2004



Adopted by the Planning Board on December 9, 2004

Prepared by:

The Hopewell Township Historic Preservation Commission

In Conjunction with:

The Hopewell Township Planning Board

With the Assistance of:

Banisch Associates, Inc. PO Box 154, Sergeantsville, NJ 08857-0154, (908) 782-0835

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I. Introduction

The Historic Preservation Plan Element of the Hopewell Township Master Plan is prepared pursuant to N.J.S.A. 40: 55D-28b(10) for the purposes of “(a) indicating the location and significance of historic sites and historic districts; (b) identifying the standards used to assess worthiness for historic site or district identification; and (c) analyzing the impact of each component and element of the master plan on the preservation of historic sites and districts.” Historic sites include buildings, structures, and archaeological sites. Districts include rural, residential, and industrial areas as well as historic transportation corridors including roads, railroad routes, and canals.

Hopewell Township (the “Township”) has a rich cultural heritage and an extensive historic legacy. The Township’s historic resources include several hundred historic sites identified through historic site survey activities conducted over the past quarter century. Among these are the following formally recognized historic entities: Washington Crossing State Park, a National Historic Landmark; 14 individual properties, three districts (Harbourton, Pleasant Valley and Titusville) and a segment of the Delaware and Raritan Canal Historic District, all of which are listed in the New Jersey and National Registers of Historic Places; and 21 individual properties and one district (Mount Rose) which have received an opinion from the New Jersey State Historic Preservation Officer that they meet the criteria of eligibility for listing in the New Jersey and National Registers of Historic Places. In addition, as of 2004, five properties have so far been admitted into the Hopewell Township Register of Historic Places under the Township’s recently created historic preservation ordinance (Ordinance No. 00-1142).

The designation of a property in the Hopewell Township, New Jersey and National Registers of Historic Places acknowledges its historical or cultural significance as a historic landmark or component within a historic district, and this public recognition may enhance the value of such properties. Inclusion in the New Jersey and National Registers of Historic Places has little effect on actions that are privately funded by the property owner and provides a measure of protection from publicly funded actions. Owners can sell, alter or remove historic structures and are under no requirement to

provide public access to their properties. Inclusion in the Hopewell Township Register of Historic Places may entail review under the Township's historic preservation ordinance of exterior alterations, demolitions, relocations and development applications affecting municipally designated historic landmarks and districts.

It is important to identify and take steps to preserve the historic and archaeological resources of the Township as part of the Township Master Plan, so that appropriate methods for protection and conservation can be pursued, consistent with the requirements of the Municipal Land Use Law (MLUL). To this end, under its historic preservation ordinance, the Township has created a Historic Preservation Commission, which conforms to the MLUL.

II. Township History

On March 30, 1688, Adlord Bowde, acting as agent for "Daniell Coxe Esqre., Governor & Chiefe Proprietor" of West Jersey, acquired from 11 Indians their rights to a tract of land that included all of what later became known as Hopewell. In 1689, the property acquired from the Indians in the previous year was formally surveyed for Coxe, establishing his ownership of the tract of land on the Delaware that was estimated (incorrectly) to include 28,000 acres. This survey created several boundary lines that remain today as boundaries of Hopewell Township. The tract's east line was described in 1689 as being the same as the Maidenhead line (the present boundary with Lawrence Township) and the Scotch line (or Province Line, laid out in 1687 to divide East and West Jersey, the current boundary with Princeton and Montgomery Townships). The Coxe tract's distinctive northern boundary survives as the present line with East and West Amwell Townships.

By the end of the seventeenth century, the 30,000 acre Coxe tract was sufficiently populated to warrant the establishment of Hopewell Township as a municipal entity within Burlington County. The new Township, as created by the Burlington County Court in 1699-1700, included within its bounds all of present day Hopewell Township, Hopewell and Pennington boroughs, most of Ewing Township, and much of the City of Trenton north of Assunpink Creek.

The in-migration of European settlers that began in the 1690s continued at a rapid rate through the first two decades of the eighteenth century. Virtually all who arrived during this period were farmers seeking agricultural lands no longer available in the region's older settlement areas. The settlement pattern that developed was one of dispersed farmsteads with individual settlers and their dependents living in relative isolation from their neighbors. The emergence of the dispersed settlement pattern – rather than the New England pattern of clusters of housing surrounded by farm fields – resulted from various factors, including the desire to live close to one's land and the absence of any substantial Indian threat. Hopewell Township's isolated farmsteads were linked by a network of primitive roads, many of which followed former Indian trails. During the early settlement period, these roads, along with the Delaware River, were the

principal means of transportation and communication among the farmsteads and between the Hopewell area and the other settlements in the region.

Population expansion prompted both county and municipal changes, and in 1713-14, the portion of Burlington County north of the Assunpink (including Hopewell Township) was set off and established as Hunterdon County. In 1719, Hopewell Township was reduced in size by the creation of Trenton Township (now Ewing Township and the northern half of Trenton). This division produced the present southern boundary of Hopewell Township, and the Township assumed its boundaries that remain today.

During the Colonial period, Hopewell Township remained an agricultural region. It continued to be dominated by the dispersed settlement pattern that had characterized the previous three decades. Population growth, however, produced an increased demand for farmland. This eventually caused the large farms to be subdivided. These subdivisions produced a larger number of farms of reduced size, while the movement onto marginal agricultural land involved a simple extension of the dispersed settlement pattern to areas that had previously been ignored.

This expansion of agriculture and population in conjunction with improved transportation facilities fostered the development of villages. Hopewell's villages were not planned, but evolved gradually. Hopewell's growing number of farmers required services such as processing facilities including gristmills for agricultural products, blacksmith and wheelwright shops for the manufacture and repair of farm equipment, and stores. Farmers and their families also had educational and religious needs which required the building of schools and churches. In addition, taverns and blacksmith and wheelwright shops provided important services for those traveling along Hopewell's growing network of roads. The present boroughs of Hopewell and Pennington both originated as settlements that provided these commercial, transportation, and community services during the Colonial period.

In December 1776, the Hopewell area, along with most of New Jersey, was under British occupation. This occupation was ended by the famous offensive launched by George Washington which began with the crossing of the Delaware on December 25, 1776, from what is now Washington Crossing, Pennsylvania (then McKonkey's Ferry) to what is now Titusville (then Johnson's or Slack's Ferry), and culminated with the victories at Trenton the next day and at Princeton on January 3, 1777. These events are often called the "ten crucial days of the Revolution." The Continental Army's stream bed crossing of Jacobs Creek on Bear Tavern Road was a prominent event of the march to Trenton on December 26. The view down at the crossing site today from the open, historic truss bridge, still conveys a feeling for the rugged patch of landscape over which tons of artillery, equipment, and supplies were moved with great labor over dangerous frozen ground and a flooding stream on that bitter winter morning. In 1778, Washington and his army were again in Hopewell. The Council of War that planned the strategy for the Battle of Monmouth was held in June of that year in a stone farmhouse (known today as the Joseph Stout House or Hunt House) in the Township's northeasternmost corner.

Many citizens of Hopewell figured prominently in civilian support of the Revolution. Many of the names of these revolutionaries are still familiar to the residents of the Township. One of the most notable was John Hart, born in Hopewell in 1713. After many years of public service, including 10 years in the New Jersey Assembly (1761 to 1771), he was elected to the Continental Congress and was a signer of the Declaration of Independence.

In 1783, as the Revolutionary era drew to a close and the newly independent United States debated where to place their seat of government, the New Jersey legislature offered the Continental Congress 20 square miles and 30,000 pounds towards the construction of the proposed new capital. What became known as the Federal City area of Hopewell Township was one of several locations offered to the federal government for consideration. By the end of the decade, the site of what is now Washington, D.C. had been selected, but the federal aspirations of southeastern Hopewell Township were memorialized in a road laid out in 1817 which soon became known as Federal City Road. By the mid-19th century, a small community known as Federal City had developed at the intersection of Federal City Road and Pennington-Lawrenceville Road.

Life and landscape in Hopewell Township changed very little between the Revolutionary and Civil Wars. Hopewell Township remained essentially agricultural. Significant transportation developments were construction of the Delaware & Raritan Canal and Feeder, and the Belvidere-Delaware Railroad along the Township's western edge.

Hopewell's cultural facilities continued to develop along the lines established in earlier periods. The settlement pattern remained rural and was still dominated by scattered, isolated farmsteads. Population growth continued to stimulate a demand for more farmland. Villages continued to develop with both Columbia (Hopewell) and Pennington gradually expanding. Other, smaller settlements such as Harbourton, Titusville, Mount Rose, Marshalls Corner, Woodsville, and Stoutsburg emerged as lesser centers of agricultural, transportation, and/or community services. There was also some industrial growth, but for the most part, "industry" was dominated by agricultural processing. Saw milling was an important new element, but it was relatively short-lived since by mid-century, most of Hopewell Township's woodland was depleted. A later and more long standing development was the establishment of a number of extraction industries that exploited the Township's rock and mineral resources. By the time of the Civil War, stone quarries, mines, sand pits, and a brickyard had all appeared in the northern half of the Township.

Although Hopewell Township has retained much of its rural, agricultural character, substantial modifications began appearing during the late nineteenth century. The completion of the Delaware and Bound Brook Railroad (which was formally absorbed into the larger Philadelphia and Reading in 1879) provided the impetus for Hopewell Township's first wave of "suburban settlement" chiefly around the villages of Pennington and Columbia (now Hopewell). There was also some industrial expansion in

both villages which fostered additional development and residential expansion. In 1890 and 1891, Pennington and Hopewell seceded from Hopewell Township and were established as independent boroughs. They attained their present configurations in 1915 through further annexations of additional land from the Township.

The Township experienced a brief period of more rapid population growth after World War I ended. Suburban development continued around both boroughs and in the Titusville-Washington Crossing area. The remainder of the Township retained its rural agricultural character. The Depression and World War II brought this period of growth to an end. The period between the World Wars also saw the expansion, straightening, widening, and paving of roads. State funded construction of New Jersey Routes 29 and 69 (now 31) facilitated the first heavy traffic through the Township. The new roads in conjunction with advances in automobile technology spurred the next, and still continuing, phase of population growth and new building construction.

III. Policy Statement

It is a policy of the Township to promote and encourage the preservation of those buildings, structures, districts, and archaeological sites that exemplify its cultural, social, economic, and architectural history. Rural agricultural districts, farm landscapes, village communities, Native American archaeological sites, historic architectural styles, historic transportation corridors, historic sites, and landmark commercial sites are among the types of properties the Township intends to preserve for the education, pleasure, and general welfare of its citizens and guests. Elements of this policy are to:

- safeguard the heritage of Hopewell Township by preserving resources which reflect elements of its historical significance
- identify, designate, and regulate historic landmarks and historic districts in order to preserve their historical significance
- encourage the continued use of historic landmarks and historic districts and to facilitate their appropriate use or reuse
- maintain and develop an appropriate and harmonious setting for historic landmarks and historic districts within the Township of Hopewell
- foster civic pride in the history and architecture of Hopewell Township
- promote appreciation of historic landmarks and historic districts for the education, pleasure and welfare of the local population
- encourage beautification and private reinvestment in historic landmarks and historic districts, and surrounding properties

- manage change of historic landmarks and historic districts by encouraging sensitive alteration and/or new construction
- discourage the unnecessary demolition of historic resources
- recognize the importance of historic landmarks and historic districts by urging property owners and tenants to maintain their properties in keeping with the requirements and standards of the Historic Preservation Commission ordinance
- encourage the proper maintenance and preservation of historic settings and landscapes

IV. Historic Preservation Commission

The Township established a Historic Preservation Commission via ordinance no. 00-1142. The duties and responsibilities of the Historic Preservation Commission per the ordinance are to:

- identify, record and maintain a survey of all buildings, structures, sites, objects, improvements and districts of historical significance within the Township
- recommend to the Township Committee the designation of buildings, structures, sites, objects, or improvements as historic landmarks, and to recommend the designation of historic districts
- monitor and recommend to the Township Committee any buildings, structures, sites, objects, improvements, or districts for inclusion in the New Jersey or National Register of Historic Places.
- make recommendations to the Planning Board on the historic preservation plan element of the master plan and on the implications for preservation of historic landmarks and historic districts of any other master plan elements. The Historic Preservation Commission may provide information to the Planning Board indicating the location and significance of historic landmarks and historic districts, and identify the standards used to assess worthiness for historic landmark or historic district designation.
- advise the Planning Board and Zoning Board of Adjustment on applications for development pursuant to N.J.S.A. 40:55D-1 10. [Historic Preservation Commission ordinance says H.J.S.A.]
- provide written reports pursuant to N.J.S.A. 40:55D-1 11 on the application of the Zoning Ordinance provisions concerning historic preservation to proposed construction

- review and render determinations regarding applications for Certificates of Appropriateness per the Historic Preservation Commission ordinance
- advise the Planning Board on the inclusion of historic landmarks and historic districts in the recommended capital improvement program
- monitor and recommend to the Township Committee the submission of any grants related to historic preservation
- carry out other advisory, educational, and informational functions as will promote historic preservation in the Township.

The Township Historic Preservation Commission also participates in the Certified Local Government (CLG) program administered by the National Park Service (NPS) through the New Jersey Historic Preservation Office (HPO). Participation in the CLG program affords the Township opportunities to review and comment through Section 106 of the National Historic Preservation Act as consulting parties on federally funded, licensed, permitted, or otherwise assisted projects having potential to affect historic properties in the Township. CLG status also makes the Township eligible to compete for matching fund grants for a variety of educational and preservation activities. Over the past two decades, the Township has been granted more than \$85,000 to compile and update survey information on historic properties and to prepare and print guidelines to assist citizens in rehabilitating and maintaining historic buildings in the Township.

V. Historic Sites Surveys

Hopewell Township was the subject of an intensive historic sites survey in 1984-85, carried out by the private consulting firm, Heritage Studies, Inc., under contract to the Township and funded in part by two federal survey and planning grants administered by the Office of New Jersey Heritage (the predecessor of today's New Jersey Historic Preservation Office). This survey also addressed resources in the Boroughs of Hopewell and Pennington. A comprehensive body of information on individual historic properties was compiled through a combination of historic map analysis, archival research and field survey leading to the completion of a series of historic sites survey forms, copies of which are today held by the Township and by the New Jersey Historic Preservation Office. The survey forms have also been digitally scanned and are accessible through the Township's geographic information system (GIS).

This survey aimed to identify historic properties within the Township and provide a preliminary evaluation of their historical significance. It provides a relatively complete accounting of extant historic resources within the Township dating from before 1875, although Native American and early historic archaeological sites were not systematically inventoried. Historic properties dating from the post-1875 era were also only selectively addressed, with attention being focused mostly on buildings within present-day villages.

The mid-1980s historic sites survey formed the basis for the book *Hopewell: A Historical Geography* by Richard W. Hunter and Richard L. Porter, published by the Township of Hopewell in 1990 (third printing with a new preface, 2003). This book described the survey methodology and used the survey data as a basis for a historical and geographical overview of the Township and two boroughs. The concluding chapter of the book provided a blueprint for historic preservation in the Township as viewed in the late 1980s. The book was incorporated by reference into the Master Plan in 1992 as part of the technical foundation for the historic preservation plan element. While the historical character of the Township has changed since 1990, *Hopewell: A Historical Geography* still has some validity as a historic preservation planning document and remains a useful planning tool for the future.

Historic sites surveys inevitably require updating as new discoveries are made, historic properties fall by the wayside and perceptions of historical significance evolve. A Township-wide update of the mid-1980s historic sites survey has not been undertaken, although the survey files have been maintained, corrected and added to over the past two decades. In 2002-03, however, with the assistance of a certified local government grant from the New Jersey Historic Preservation Office, the Township hired the firm of Wise Preservation Planning to undertake an “intensive-level” survey of 45 historic properties, focusing on two historic districts (Pleasant Valley and Harbourn) and 22 individual properties (including all of those individually listed in the New Jersey and National Registers of Historic Places). This survey was conducted with a view to developing a basis for designating these properties to the Hopewell Township Register of Historic Places, a process that is currently ongoing. The technical report and survey forms resulting from this survey are on file with the Township and the New Jersey Historic Preservation Office.

Currently (the fall of 2004) all historic properties identified in the mid-1980s and 2002-03 historic sites surveys have been mapped and a historic sites geographic information systems (GIS) layer has been created. Site locations are linked to the survey forms that provide detailed data on individual properties. The GIS and survey data area may be accessed through the Township’s local area network with the assistance of the Zoning Officer and Historic Preservation Commission.

VI. Municipally Designated Historic Landmarks and Historic Districts

The surveys offer firm indications of districts, buildings, structures, and archaeological sites worthy of municipal designation as historic landmarks and historic districts per the Historic Preservation Commission ordinance. These directions are expected to be generally in agreement with the National Register of Historic Places (National Register) criteria for evaluating and designating historic properties. The Historic Preservation Commission or any person may recommend designation of historic landmarks or historic districts that are in accordance with the National Register eligibility criteria or that possess one or more of the following attributes:

- character, interest, or value as part of the development, heritage, or cultural characteristics of the Township, State, or Nation; or
- association with events that have made a significant contribution to the broad patterns of our history; or
- association with the lives of persons significant in our past; or
- embodiment of the distinctive characteristics of a type, period, or method of construction, architecture, or engineering; or
- identification with the work of a builder, designer, artist, architect, or landscape architect whose work has influenced the development of the Township, State or Nation; or
- embodiment of elements of design, detail, material, or craftsmanship that render an improvement architecturally significant or structurally innovative; or
- unique location or singular physical characteristics that make a district or landmark an established or familiar visual feature; or
- ability or potential ability to yield information important in prehistory or history.

Persons wishing to nominate a historic landmark or historic district are directed to contact the Historic Preservation Commission secretary regarding consideration of the proposed designation. Whether initiated by a citizen at large or the Historic Preservation Commission, the Historic Preservation Commission is responsible for scheduling a hearing to review the proposed designation. The Historic Preservation Commission ordinance specifies the requirements for nominations including photographs, municipal tax map, location map, physical description, and statement of significance.

Following receipt of a nomination, the Historic Preservation Commission schedules a public hearing on the proposed designation following explicitly stated requirements for notification of property owners and the public at large, advising property owners of the significance and consequences of designation, and of the rights of the owner(s) to contest the designation. At the public hearing, the Historic Preservation Commission reviews the nomination and accompanying documents, and interested persons have opportunity to comment. Designations require approval by 50% of the property owners, a majority vote of the Historic Preservation Commission, and approval of the Township Committee pursuant to the procedures and statutes which apply to a change of a zoning designation and the adoption, revision, or amendment of any development regulation.

Upon adoption of an ordinance by the Township Committee designating a historic landmark or a historic district, the designation supplements rather than supersedes the existing zoning district in which the property is located. At that time, the designated

property or properties and zoning map modification(s) are incorporated into the master plan and zoning ordinance of the Township as required by the MLUL. Designated properties are identified in the records for those properties maintained by the planning and zoning offices, as well as the offices of the Construction Official, the Township Tax Assessor, and the Township Clerk.

Amendments to historic landmark or historic district designations are made in the same manner as they were adopted in accordance with the provisions of the Historic Preservation Commission ordinance.

Since the passage of the Historic Preservation Commission ordinance in 2000, five properties in the Township have been designated municipal historic landmarks. These are:

- Mount Rose Distillery, 192 Pennington-Rocky Hill Road (Block 39, Lot 8.32)
- Pennington Methodist Cemetery, Pennington-Titusville Road (Block 63, Lot 2)
- Bear Tavern Road Bridge over Jacobs Creek
- Mine Road Bridge over Stony Brook
- Smith/Hunt/Hill Farmstead (Woodward Farm), Marshalls Corner-Woodsville Road (Block 31, Lot 13.03)

This list is amended and supplemented as historic preservation considerations develop. The Historic Preservation Commission is currently working toward the designation of the Pleasant Valley Historic District and also individual landmarks. Individual historic properties and historic districts judged to be potentially worthy of consideration for inclusion in the Hopewell Township Register of Historic Places are itemized and discussed further in Section IX below. The Historic Preservation Commission solicits citizen input in suggesting, assisting, and/or taking the lead in preparing nominations and designations.

VII. Historic Properties Listed in the New Jersey Register of Historic Places and the National Register of Historic Places, or with State Historic Preservation Officer (SHPO) Opinions of Eligibility for Listing in the National Register of Historic Places

Historic properties listed or judged eligible for listing in the New Jersey and National Registers of Historic Places are identified in Table 1. This list, and the list of municipally designated properties, are amended and supplemented through time.

Table 1

HISTORIC PROPERTIES LISTED IN THE NEW JERSEY AND NATIONAL REGISTERS OF HISTORIC PLACES, OR WITH STATE HISTORIC PRESERVATION OFFICER [SHPO] OPINIONS OF ELIGIBILITY FOR LISTING IN THE NATIONAL REGISTER			
Name*	Address	Tax Parcel	State/National Register Status
Adams House [Fish Farmstead]	431 Federal City Road	Block 72, Lot 4	SHPO opinion** 6/23/1982
Enoch Blackwell Farmstead [Blackwell Farmstead]	167 Blackwell Road	Block 72, Lot 91.01	SHPO opinion 6/23/1982
Joseph P. Blackwell Farm [Stults/Drake/Blackwell Farmstead]	135 Blackwell Road	Block 72, Lot 9	SHPO opinion 6/23/1982
Thomas Blackwell House [Blackwell Farmstead]	93 Elm Ridge Road	Block 43.11, Lot 1	SHPO opinion 6/23/1982
Cider Mill [Mount Rose Distillery]	192 Pennington-Rocky Hill Road	Block 39, Lot 8.32	SHPO opinion 6/23/1982
Cool Meadows Farm [Mershon Farmstead]	2 and 4, Fabian Place; 6, 7 and 8 Meadows Court	Block 78.24, Lots 8, 9, 10, 16 and 17	SHPO opinion 6/23/1982
Delaware and Raritan Canal Historic District	n/a	Multiple	SR 11/30/1972; NR 5/11/1973
Nathaniel Drake House [Drake/Blackwell Farmstead]	200 Pennington-Rocky Hill Road	Block 39.02, Lot 22	SHPO opinion 6/23/1982
R.A. Drake House [Drake Farmstead]	171 Pennington-Rocky Hill Road	Block 20, Lot 21.021	6/23/1982
Gould House [Stout Farmstead]	266 Province Line Road	Block 15, Lot 3	SHPO opinion 6/23/1982
Harbourton Historic District	Harbourton-Rocktown and Harbourton-Mount Airy Roads	Multiple	SR 10/25/1974; NR 12/31/1974
Hart-Hoch House	147 Washington Crossing-Pennington Road	Block 89, Lot 12	SR 8/7/1972; NR 3/14/1973
John D. Hart House (Moore/Titus House)	54 East Curlis Avenue	Block 74, Lot 49	SR 3/17/1972; NR 10/18/1972
Hart/Winner Farmstead Archaeological Site [28Me246]	2485 Pennington Road (N.J. Route 31)	Block 85, Lot 13	SHPO opinion 3/20/1998
Hens Foot Corner/Terhune House [Terhune Farmstead]	105 Cleveland Road	Block 41, Lot 8	SHPO opinion 6/23/1982
Highfields	Featherbed Lane	Block 2, Lot 10	SR 8/1/1994; NR 9/23/1994
Blackwell House	164 Blackwell Road	Block 75, Lot 1.01	SHPO opinion 6/23/1982
Blackwell Farmstead	24 Elm Ridge Road	Block 44, Lot 18	SHPO opinion 6/23/1982
House [Hunt/Fitzpatrick House]	87 Federal City Road	Block 78.09, Lot 21	SHPO opinion 6/23/1982
Hunt Farmstead	Blackwell Road (Rosedale Park)	Block 44, Lot 7	SR 12/3/1987; NR 10/28/1998
Kahn House [Vandyke Farmstead]	7 Aqua Terrace	Block 43.17, Lot 8	SHPO opinion 6/23/1982
Ichabod Leigh House	953 Cherry Valley Road	Block 15, Lot 10	SR 11/1/1974; 3/4/1975
McDougal Farm and Barn [Chamberlain Farmstead]	23 Old Mill Road	Block 44, Lot 29	SHPO opinion 6/23/1982
Mount Rose Distillery Archaeological Site [28Me259]	192 Pennington-Rocky Hill Road	Block 39, Lot 8.32	SR 9/8/1995; NR 12/12/1996
Mount Rose Historic District	County Route 569 and Pennington-Rocky Hill Road	Multiple	SHPO opinion 6/23/1982

2004 Hopewell Township Historic Preservation Plan

TABLE 1. HISTORIC PROPERTIES LISTED IN THE NEW JERSEY AND NATIONAL REGISTERS OF HISTORIC PLACES, OR WITH STATE HISTORIC PRESERVATION OFFICER [SHPO] OPINIONS OF ELIGIBILITY FOR LISTING IN THE NATIONAL REGISTER			
Name*	Address	Tax Parcel	State/National Register Status
Old Cleveland Farm [Griggs Farmstead]	130 Cleveland Road	Block 40, Lot 35	SHPO opinion ** 6/23/1982
Old Voorhees Farmhouse and Tenant House [Weart Farmstead]	340 Province Line Road	Block 15, Lot 2.01	SHPO opinion 6/23/1982
Phillips Farm [Howell Living History Farm]	101 Hunter Road	Block 55, Lot 1	SR 12/1/1976; NR 5/2/1977
Pleasant Valley Historic District	Woodens Lane, Hunter Road, Pleasant Valley Road, Valley Road	Multiple	SR 4/12/1991; NR 6/14/1991
Somerset Roller Mills/Jacobs Creek Gristmill	1200 River Road (N.J. Route 29)	Block 99.01, Lot 6	SR 7/1/1974; NR 11/19/1974
Joseph Stout House/Hunt House	595 Province Line Road	Block 1, Lot 8	SR 7/1/1974; NR 10/29/1974
J. Thompson House and Barn [Willing/Thompson Farmstead] (Welling/Thompson Farmstead)	311 Pennington-Rocky Hill Road	Block 46, Lot 8.01	SHPO opinion 6/23/1982
Titusville Historic District	River Drive	Multiple	SR 1/7/1983; 3/17/1983
Upper Bellemont Farm	Valley Road and N.J. Route 29	Block 57, Lot 3; Block 59, Lot 1	SR 8/15/1980
Colonel John Van Cleve Homestead [Poor Farm] (Smith/Van Cleve House & Hopewell Township Poor Farm)	44 and 46 Poor Farm Road	Block 31, Lots 83 and 84	SR 12/21/1982; NR 2/16/1983
Jeremiah Van Dyke House [Andrew B. Hankins House]	87 Featherbed Lane	Block 4, Lot 76	SR 12/27/1973; 3/29/1978
Washington Crossing State Park National Historic Landmark	N.J. Route 29, County Routes 546 and 579, and Church Road	Multiple	SR 5/27/1971; NR 10/15/1966
John Welling House (Samuel Moore, Sr. House)	56 East Curlis Avenue	Block 74, Lot 47	SR 8/14/1972; NR 3/14/1973
Jeremiah Woolsey House	237 Washington Crossing-Pennington Road	Block 92, Lot 26	SR 11/8/1974; NR 1/27/1975
Bear Tavern Road Bridge over Jacobs Creek	County Route 579		SHPO opinions 4/30/1991
Hunter Road Bridge over Moore's Creek	Hunter Road		SHPO opinion 3/12/2001

Source: New Jersey Historic Preservation Office (NJHPO) historic properties listings on the Internet, the New Jersey Historic Bridge Survey, Hopewell Township Historic Sites Surveys (1984-85 and 2002-03) and Hopewell Township 2004 tax parcel and street address data.

* Where appropriate, NJHPO names are followed in brackets by names used in the Hopewell Township Historic Sites Survey. Names bolded and in parentheses are the Historic Preservation Commission's preferred names based on historical association.

** SHPO opinions are deliberated, substantiated findings signed by a State Historic Preservation Officer (SHPO) or Deputy SHPO that a district, building, structure, or archaeological site possesses integrity of workmanship, setting, and design, as well as significance per one or more of the four basic criteria for listing in the National Register of Historic Places.

VIII. Interface with Other Master Plan Elements

The historic preservation plan strives to integrate with other elements of the master plan. Historic districts, transportation corridors, buildings, structures, and archaeological sites are intimately and irrevocably linked with past, present, and future land use, housing, circulation, recreation and open space, and conservation in municipal planning and history. The historic preservation plan seeks to find a balance between, on the one hand, the preservation, maintenance and interpretation of the Township's critical historic resources and essential rural historic landscape, and on the other hand, the community's need for ongoing changes in land use.

Land Use Element. Historic landmarks and districts link with land use planning in a variety of ways. The land use plan lays out goals and policies that consider alternative residential, commercial, recreational, open space, and other forms of development within and proximal to historic landmarks and districts. Without such goals and policies, subdivision and zoning regulations over time tend to alter the historic pattern of development to a more regularized and uniform model than existed in the past. Historic landscapes tend to be characterized by great variability in lot sizes and building setbacks. The innate characteristics of the land itself, rather than uniform zone standards, were in the past the standard by which decisions were made about property subdivision and building placement. The uniformity and regularity of development built in conformance with many contemporary subdivision and zoning regulations can be at odds with historic integrity. In historic districts, variances from zoning standards and subdivision regulations which promote the preservation of historic structures and/or historic character of the landscape should be considered to be consistent with the Township's zone plan. For example, if ten new homes are planned on a 60-acre subdivided tract in a village residential zone within or adjacent to a rural historic district, siting of the houses might be considered collectively in the subdivision review process. The new home sites might be clustered in two or three groupings, or all of the homes might be set back as far as possible from the core of the district, to maintain as much openness as possible within the rural landscape viewshed. Thoughtful subdivision and siting are rapidly developing topics in areas where 21st-century suburban sprawl is spreading and destroying its host historic landscape.

Development in areas proximal to historic districts can have detrimental impacts on the historic character and integrity of the districts. In Hopewell Township, historic districts are closely associated with a rural landscape of dispersed farmsteads and small crossroad villages surrounded by countryside with low density population and land use. Examples of notable historic landscapes still surviving relatively intact in the Township today are: Pleasant Valley; the rolling countryside north and south of Harbourton along the County Route 579 corridor; the Stony Brook-Millstone Watershed lands; and the valley north of Hopewell Borough that lies between Pheasant Hill and the southeastern edge of the Sourland massif. Development that changes the historic rural context, even outside historic districts, will be detrimental to the historic character, integrity, and

significance of the districts. The land use plan strives to promote development activity within centers or towns in order to reduce sprawl and its attendant adverse effects on rural historic districts.

Research of building records in Mendham Township, a municipality similar in character to Hopewell, illustrates there is a traditional pattern of building size in relation to property size. Pursuant to recommendations in the land use plan, floor area ratio (FAR) standards could be adopted by the Township to promote the traditional scale of buildings by balancing the size of structures in relation to the size of the property they are on. The main purpose is to discourage new structures that are substantially larger in scale than has been traditional in the Township or which may overwhelm the scale and character of buildings on adjoining properties. This is particularly important in historic districts and for historic structures.

Historic landscape and archaeological features such as foundations, wells and other shaft features, millponds and millraces, field stone walls, and other historic built features of the landscape such as hedgerows can be impacted by application of a variety of planned activities within the Township. Township regulations should be flexibly administered in a manner that promotes the preservation of such features as noted in Historic Preservation Commission historic resource maps and files.

Through reviews of applications for Planning and Zoning Board approval, the Historic Preservation Commission has opportunity to assist planners design projects compatibly with character-defining features of nearby historic districts, buildings, structures, and archaeological sites in addition to municipally designated historic districts and landmarks.

Housing Plan Element. Historic housing stock is an important consideration in a housing plan. The Housing Plan element should consider historic buildings that can be saved by adapting them for low and moderate income housing. Sometimes it is also reasonable to consider adaptive re-use of farm, commercial, and industrial buildings for residential housing use.

In 1999, New Jersey implemented a new rehabilitation subcode, designed to relax code requirements for historic buildings in an effort to make rehabilitation a more affordable and more realistic alternative to demolition and new construction (www.state.nj.us/dca/cpdes/rehab). This program is now nationally recognized as a stimulus for historic preservation, especially in towns and villages. It has the potential in Hopewell to strengthen the historic fabric of villages and farmsteads, and to slow unnecessary demolition of historic buildings. Where appropriate, property owners in Hopewell Township should be made aware by Township officials of rehabilitation options under the new subcode.

In addition, limited state-level grant funding is available for rehabilitation and restoration of properties listed in the New Jersey and National Registers of Historic

Places. Future funding support for rehabilitation and restoration may also become available through the proposed Historic Property Reinvestment Act, currently under consideration by the New Jersey legislature, and through county-level historic preservation initiatives.

Circulation Plan Element. The Circulation Plan should include special consideration of some historic structures, residential and commercial historic districts, and historic transportation corridors. Scenic roadways are in some cases character defining features of rural historic districts, and maintaining that character may be a matter of general public welfare. N.J. Route 29, which parallels the Delaware River along the southwestern edge of the Township, is New Jersey's first designated "scenic byway," a classification that will help preserve and protect open space and historic resources along its route and also along the historic corridor of the Delaware and Raritan Feeder Canal.

The character of a community is maintained when scales of historic roadways are maintained as they pass historic landmarks, go through historic districts, and follow historic travel routes such as the route of George Washington's Continental Army as it marched to the Battle of Trenton. The Circulation Plan should delineate the locations of historic landmarks, districts, and transportation corridors warranting consideration in circulation planning.

Road design standards are an area of public policy that can profoundly affect historic preservation. Historic roadways are visually distinguishable from those designed to modern standards. They have an organic quality dictated and shaped by topographic and geographic features of the landscape. In Hopewell Township, many historic roadways are narrow, uncurbed, curvilinear, and closely follow the contours of the land, with open swales for drainage and pull off areas in level areas for loaded wagons. Examples include Pleasant Valley Road, Valley Road, Woosamonsa Road, Wargo Road, and County Route 579, portions of which in Hopewell Township are named Harbourton-Rocktown Road, Trenton-Harbourton Road, and Bear Tavern Road. In addition, a few regional turnpikes - straighter, more engineered roadways - traverse the Township, as for example County Route 518, which began life as the Georgetown and Franklin Turnpike, chartered in 1816, and which still retains considerable historic integrity in its alignment and surrounding terrain.

Roads designed to typical modern engineering standards, which ignore the historic integrity of an area, can unalterably damage this historic character. Today's engineers can, however, when encouraged to do so, design roads that achieve engineering goals without sacrificing historic qualities. The historic integrity of roads within historic districts and in the vicinity of historic structures should be preserved. This requires paying particular attention to historic roadway widths and to historic roadway intersections, such as those that define the settlements of Harbourton and Mount Rose.

Public bridges are also important, within or without historic districts. They contribute substantially to the scenic value of the Township. Some bridges, such as the

Washington Crossing metal truss bridge over the Delaware River (built in 1903), have historic significance in themselves because they are connected with a historic event or personality, and/or are representative of an era of engineering or transportation history.

Public Facilities Plan. Hopewell Township owns and uses some historic structures as public facilities. The Municipal Complex at the intersection of Scotch Road and Washington Crossing-Pennington Road includes the former farmhouse of the Pennington Presbyterian Church Parsonage Farm (office space) and the former Hart's Corner Schoolhouse (recently relocated and presently unused). Development plans for the municipal complex should be sensitive to the preservation and maintenance of these two properties and should seek suitably sensitive uses for them. If the Township sells historic properties to private sector entities, consideration should be given to safeguarding them with historic preservation covenants.

Historic preservation covenants generally take two forms: deed restrictions and easements. Both forms specify requirements for care of historic properties features such as hedgerows, building facades, interior room configurations, foundation ruins, or archaeological deposits. Deed restrictions are attached to and filed with deeds, and the property owner is responsible for meeting the specified requirements. Easements are also attached to and filed with deeds. However, with easements, the owner (grantor) designates a municipality or organization that can legally hold an easement (grantee) to be responsible for the historic preservation requirements. Usually the grantor pays a designated fee to the grantee for monitoring the terms and conditions of the easement.

Planning Board review of proposed new school and firehouse facilities should consider historic landscape, historic setting, and potential archaeological issues. Reference should be made to existing historic sites survey data and if necessary input should be sought from historical and archaeological surveys. Such surveys may be required in any event through state and/or /federal historic preservation review processes.

Utilities Services Plan. Planning Board review of new sewerage facilities, pipelines and transmission lines, and cell tower locations should be sensitive to historic landscape, historic setting, and potential archaeological issues. Reference should be made to existing historic sites survey data and if necessary input should be sought from historical and archaeological surveys. Such surveys may be required in any event through state and/or /federal historic preservation review processes.

Recreation and Open Space Plan Element. At root, open space and farmland preservation goals and practices should be largely compatible with those of historic preservation. Historic preservation planning can join forces with open space and farmland preservation in acquisitions and/or easements that aim to protect and preserve the rural qualities of the Township. When county, Township, and non-profit programs of open space acquisition and/or preservation are implemented, these frequently involve

acreage with historic properties. These programs carry an obligation to identify, maintain, and preserve historically important resources.

At the county level, this is not so much an issue with programs like the Howell Living History Farm which has a strong historical basis, but for other county properties, the Township should actively seek to assist the county in preserving historic structures and landscapes. Examples deserving such treatment include the Hunt House at Rosedale Park and historic resources on Baldpate Mountain. The Lawrence-Hopewell bike trail, a major county recreational project, also offers exceptional opportunities for interpretation of the historic landscape.

The Township also owns considerable open space acreage and has substantial recreational needs. In the case of the Mount Rose distillery property, the Township has attached a historic preservation easement to land surrounded by acreage protected by a conservation easement. Upcoming recreational development of publicly owned lands should seek, where practicable, to maintain, preserve, and adaptively re-use historic farm buildings and structures. Archaeological resources may also be a consideration if extensive land alteration is envisaged.

The Historic Preservation Commission can assist with the inventory and interpretation of historic resources within recreational/open space tracts. There is a need to delineate historically and archaeologically sensitive portions of these tracts so that they are adequately protected.

Conservation Element. Combined natural and cultural features of a property can result in a stronger consideration for preservation and/or community use than either set of features alone. For example, if a property holds important groundwater recharge areas as well as historic ruins, the two factors together should improve prospects for maintaining both features of the property.

IX. Future Directions

One of the principal duties of the Township's Historic Preservation Commission is the designation of historic properties and historic districts for inclusion in the Hopewell Township Register of Historic Places. The historic sites surveys of the mid-1980s and 2002-03 provide a strong basis for this task, which will be a high priority for many years into the future. A large number of individual properties and several districts are potentially eligible for inclusion in the local register, beginning with those properties and districts already designated or considered eligible for designation to the New Jersey and National Registers of Historic Places (see above, Table 1).

In addition to the State and federally recognized historic resources in the Township, all of which merit local designation, other properties worthy of consideration for local historic designation are itemized in Table 2. All of these properties may qualify individually for local historic designation; many may also be considered as key or

contributing components within potential historic districts. For the most part, these properties correspond to those identified as potentially eligible in Tables 10.2 and 10.3 in *Hopewell: A Historical Geography*. The list of properties provided in Table 2, however, is not all inclusive: it is based primarily on a comprehensive study of pre-1875 historic architectural resources; it has only selectively addressed post-1875 historic architectural resources; and it minimally addresses archaeological resources. As time goes on, other potentially eligible properties will undoubtedly surface. The list should be considered as a reasonably thorough attempt at identifying properties potentially suitable for listing in the local historic register and is subject to change.

The predecessor historic preservation plan element of the Hopewell Township Master Plan, prepared in 1992, referenced Washington Crossing State Park (a National Historic Landmark), three pre-existing historic districts (the Delaware and Raritan Canal Historic District, Titusville and Harbourton) and nine potential historic districts (Stony Brook, Pennington Mountain, Stout/Wear, Pleasant Valley, Burroughs, Dublin Road, Edgerly's Castle, Mercer County Workhouse and Woodsville). The nine potential historic districts were mapped and defined more explicitly in Chapter 10 of *Hopewell: A Historical Geography* and were based on land use conditions existing in the mid- to late 1980s. The Pleasant Valley Historic District has since attained the status of formal designation in the New Jersey and National Registers of Historic Places, but the historic integrity of some of the other eight potential districts (notably Stony Brook, Pennington Mountain and Burroughs) has been impaired as a result of development over the past decade and a half. To the potential historic districts referenced above, at least one other should be added for future consideration - the crossroads community of Mount Rose, which has previously received a State Historic Preservation Officer (SHPO) opinion of eligibility.

The Historic Preservation Commission will seek to designate local historic districts in the future, beginning with Pleasant Valley and Harbourton, which were both reconsidered in the 2002-03 historic sites survey conducted by Wise Preservation Planning. The boundaries of these two and other potential local historic districts will bear especially careful scrutiny to ensure that land use change of recent years has not invalidated the historic qualities that originally characterized these districts.

An important facet of defining viable local historic districts in the Township is quality of historic setting. Besides requiring high-caliber historic buildings, such as farmhouses and farm outbuildings, rural historic districts should in some cases be delineated to include expanses of historic landscape and historic vistas. For example, a locally designated Pleasant Valley Historic District should aim to preserve the fine views of the valley obtained looking west and north from Baldpate Mountain, south from the Sourland ridge, and east from Belle Mountain. Similarly, the locally designated Harbourton Historic District should strive to maintain the village's open, rural setting. Historic vistas will form an important component in defining other potential historic districts, notably the Stony Brook, Pennington Mountain, Stout/Wear and Burroughs districts.

Future historic district definition may also build usefully on the Township's many historic roadways. Pleasant Valley Road and Valley Road, for example, provide a historic roadway spine for the Pleasant Valley Historic District, and County Route 579 and Harbourton-Mount Airy Road serve a similar purpose for the Harbourton Historic District. Many other historic roads crisscross the Township and may bolster other historic districts, while some routes – for instance, County Route 518 (the Georgetown and Franklin Turnpike) and County Route 579 (the old "River Road;" part also supported Washington's march on Trenton on December 26, 1776) – may merit consideration as historic transportation corridors in their own right. The Township's historic railroads (the Belvidere Delaware, the Mercer and Somerset, and the Delaware and Bound Brook [Reading]) and, of course, the Delaware and Raritan Feeder Canal, are all also historic transportation corridors worthy of local historic designation.

The designation of historic properties and districts to the Hopewell Township Register of Historic Places is a specific area of activity in which the Historic Preservation Commission takes the lead role. This task does not occur in isolation, however, and the actions of the Historic Preservation Commission must always be viewed within the broader context of keeping the public informed and Township's land use planning goals. In terms of public information, for example, another set of tasks for the Historic Preservation Commission will be to develop maps and supporting historical data downloadable from the Township website for driving, biking, and walking tours of the Township's historic districts, roads, landscapes, buildings, and sites. Historically-oriented walking tours for classes from schools should also be included in these materials.

Different elements of Township government are focusing more attention on working together to build a more coherent and unified framework for community life. With reference to the governing context provided by the Municipal Land Use Law, the Land Use Ordinance is the document which provides the "teeth" to the various master plan elements and provides a legal basis for requiring development applications for major site plans and subdivisions to address the goals and objectives of a master plan. Clearly, if the purposes and goals of the Historic Preservation Plan element are important to the Township, then historic preservation considerations must be fully incorporated in the land use planning aspects of the Land Use Ordinance.

To better integrate historic preservation into the overall planning process, the application for development checklist, plus the elements of the Land Use Ordinance that operationalize the checklist, need to include specific references to historic districts and landmarks as defined in the Historic Preservation Plan and Historic Preservation Commission ordinance. In addition, if project development sites have not been previously surveyed for potential historic districts and landmarks, then the checklist and Land Use Ordinance should direct the applicant to have the project site surveyed to identify historic and/or archaeological resources eligible for listing in the New Jersey and National Registers of Historic Places and the Hopewell Township Register of Historic Places.. Requirements for reporting survey results should be specified. All of this can be done through reference to existing federal and state laws, regulations, and guidelines.

The Land Use Ordinance should outline the process for negotiations between applicants and the Township for avoiding, minimizing, and/or mitigating adverse effects to eligible historic and/or archaeological resources. Neighboring Princeton Township, for example, requires that, “approved plans must depict historic landmarks, historic districts, and other types of historic preservation areas that require consideration in executing project plans. The board of jurisdiction shall approve a major site plan or subdivision only if the plan as proposed or conditioned adequately specifies how historic sites and archaeological sites on the parcel are to be treated. The applicant (1) shall monitor construction to assure that all provisions of the approved plan as to the identification, preservation, or removal of historic features and historic or archaeological artifacts are complied with and (2) shall appoint an individual in the field with the responsibility therefor and retain a person with the necessary expertise in connection therewith.” In the case of unanticipated discoveries of archaeological resources that may be eligible for landmark designation, the applicant shall report the same forthwith to the administrative officer and cease all construction activity with respect thereto for two working days (Monday through Friday excluding holidays). The Historic Preservation Commission or, in the absence of a quorum, the chairperson or, in his/her absence, the vice-chairperson, may within such time order that the artifacts discovered be documented and removed under the supervision of [a professionally qualified archaeologist] identified in the approval and at the expense of the applicant. In the case of extraordinary finds, the HPC, chair, or vice-chair, as the case may be, may order that the work cease and that the plans be modified to reflect the find. Such order shall remain in effect only until the next meeting of the Township committee unless the Township committee at such meeting continues the order, with or without modifications [Princeton Township ordinance 10B-272.4 (e)].

To provide a stronger underpinning for identification and treatment of archaeological resources, Hopewell Township could usefully consider enacting an archaeological ordinance, as has been done effectively in some New Jersey municipalities, most notably Evesham Township in Burlington County. In Evesham, like Hopewell, a rapidly changing community under intense pressure from development and sprawl, an archaeological ordinance supplements a land use ordinance requirement for an environmental inventory report and provides specific guidelines for archaeological investigations to be conducted for large-scale development projects. A similar archaeological ordinance focused on major development activity, rather than the homeowner, could be crafted to ensure appropriate management of Hopewell Township’s non-renewable archaeological resources.

Princeton Township also has stabilization plans to limit demolition by neglect of historic buildings and structures on development sites. They require, “The board of jurisdiction, when approving a development application in an historic preservation district, shall require stabilization plan review and approval by the Township historic preservation officer. The plan must assure that (1) any historic structure on the property be made secure against theft and vandalism; (2) flammable materials not be stored therein except in a manner approved by the fire marshal; (3) emergency repairs sufficient to

protect against deterioration of the structure be undertaken and proof of inspection for insect and vermin infestations and of appropriate remedial work be submitted; (4) the structure be made structurally sound and its basic electrical, plumbing, heating systems be in adequate working order and free of hazards to ensure structural and architectural integrity or the winterization of the historic structure so as to protect against damage; (5) interior features of historic significance such as moldings, fireplace mantels, doors and fixtures not be removed except for preservation purposes and that any such features which are removed be put back in place; (6) the interior not be damaged and any damage be repaired; and (7) the exterior of the structure be restored in a manner consistent with the criteria set forth in the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Township government may also wish to consider specifying additional future directions regarding a variety of considerations related to historic preservation planning including, but not limited to, the following:

- Special land use considerations for farmsteads. “Our farmstead structures are a tangible link with the past. These structures are the physical materials that represent the ideas, skills and knowledge inherited from our ancestors. We cannot afford to waste these resources. We also have an obligation to preserve the past for the future, so that we, as a society, can learn and continue to develop.” “Historic structures provide a sense of continuity for local residents and add aesthetic quality to the rural landscape. Farmers who have preserved or restored older structures frequently comment on the symbolism of the building in the appearance of their farm. An older, traditional building seems to fit the image of farm or ranch, and makes it seem right” (<http://www.msue.msu.edu/msue/imp/modtd/33850115.html>).
- Buffer zones and/or historic preservation protection zones. Once again, within the context of New Jersey's compact historic geography, Princeton Township is in the national forefront of considering buffer zones around its historic districts: “Current property boundaries often do not encompass land historically related to designated sites. As a consequence development on adjacent properties could have an adverse impact on the setting of historic sites and buildings. The [Princeton] Township Historic Preservation ordinance therefore provides for historic preservation buffer zones in which design standards and landscaping requirements may be applied”.

A historic protection zone is a portion of a property designed to preserve the historic features of the property in their historic setting and respect the historic pattern of use. Such a zone also aims to safeguard the interrelationship of the historic features of the property and provide for an adequate visual buffer for the principal structures or structures in the event of a development of the property (Princeton Township ordinance 10B-2, 10B-27.5, 10B-272.4 *et seq.*).

- Working with existing hedgerows. Hedgerows sometimes mark historic property boundaries. They may also provide screening between neighbors, especially on smaller lots where privacy is an issue. Hedgerows in some cases may warrant

specific consideration as character-defining features of farmsteads and rural landscapes and might be specifically mentioned in the Historic Preservation Commission ordinance.

- Context sensitive design. CSD is defined by the Federal Highway Administration as “a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic, and environmental resources, while maintaining safety and mobility. CSD is an approach that considers the total context within which a transportation improvement project will exist” (<http://www.fhwa.dot.gov/csd/>). The historic preservation plan and circulation plan could together promote the CSD approach to planning road projects in the Township whenever appropriate.
- Some municipalities and historic districts have visually striking or evocative entry locations or gateways, e.g., the Brooklyn Bridge terminus in Manhattan, the Washington Road Elm Allee into Princeton, or the Washington Crossing bridge terminus entry into Hopewell Township. These gateways may contain a mix of historic and nonhistoric properties, but the entrance locality itself may be historic.

Table 2

HISTORIC PROPERTIES AND DISTRICTS POTENTIALLY ELIGIBLE FOR INCLUSION IN THE HOPEWELL TOWNSHIP REGISTER OF HISTORIC PLACES			
Block/Lot	Name	Street	Detail
1-1	Merrill/Wear/Updike Farmstead	Amwell Road	Stout/Wear HD; contributing property
1-2	Wear/Voorhees Farmstead	Amwell Road	Stout/Wear HD; contributing property
1-6	Wear/Stout Farmstead	Province Line Road	Stout/Wear HD; contributing property
1-8 & 5.01	Joseph Stout House/Hunt House and burial ground	Province Line Road	Stout/Wear HD; key property [NR/SR listed]
2-10	Highfields	Featherbed Lane	Stout/Wear HD; contributing property [NR/SR listed]
3-01	True/Stout House	Mountain Church Road	single property
3-10	Hopewell Mountain Christian Church	Mountain Church Road	single property
4-76	Andrew B. Hankins House [Jeremiah Van Dyke House]	Featherbed Lane	single property [NR/SR listed]
5-5.01	Golden Farmstead	Van Dyke Road	single property
6-5	Waters Farmstead	Hopewell-Wertsville Road	Edgerly's Castle HD; contributing property
6-7	Edgerly's Castle	North Greenwood Avenue	Edgerly's Castle HD; key property
8-2	Stout/Voorhees Farmstead	Amwell Road	Stout/Wear HD; contributing property
8-4	Merrill/Wear/Sheppard Farmstead	Amwell Road	Stout/Wear HD; key property
8-14	Stout/Bellis/Kise Farmstead	Dunwald Road	Stout/Wear HD; contributing property
8-26	Merrill/Cray/Voorhees House	Amwell Road	Stout/Wear HD; contributing property
8-27	Abbott Farmstead	Amwell Road	Stout/Wear HD; contributing property
8-32	Ralston Development House	Reservoir Road	Edgerly's Castle HD; contributing property
8-62.01	Stout/Skillman/McPherson Farmstead	County Route 518	Stout/Wear HD; contributing property
14-15.01	Stout/Hill Farmstead	County Route 518	Stout/Wear HD; contributing property
14-33	Wear/Voorhees Farmstead	Amwell Road	Stout/Wear HD; contributing property
14-40	Stout Farmstead	Amwell Road	Stout/Wear HD; key property
15-2.01	Wear Farmstead [Old Voorhees Farmhouse and Tenant House]	Province Line Road	single property [SHPO opinion]
15.3	Stout Farmstead [Gould House]	Province Line Road	single property [SHPO opinion]
15.10	Ichabod Leigh House	Cherry Valley Road	single property [NR/SR listed]
16-8	Conover Farmstead	Pennington Rocky Hill Road	Mount Rose HD; key property [SHPO opinion]
16-9	Drake House	Pennington-Rocky Hill Road	Mount Rose HD; contributing property [SHPO opinion]
16-10	Titus Hotel/Updike House	Pennington-Rocky Hill Road	Mount Rose HD; contributing property [SHPO opinion]
16-12	Cook House	Pennington-Rocky Hill Road	Mount Rose HD; contributing property [SHPO opinion]
16-21	Mount Rose Store	Pennington-Rocky Hill Road	Mount Rose HD; key property [SHPO opinion]
16-22	Reed House/Savage Store	Pennington Rocky Hill Road	Mount Rose HD; contributing property [SHPO opinion]
16-51	Van Kirk Farmstead	Aunt Molly Road	Mount Rose HD; contributing

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			property [SHPO opinion]
20-21.021	Drake Farmstead [R.A. Drake House]	Pennington-Rocky Hill Road	single property [SHPO opinion]
21-39.01	Moore Farmstead	Van Dyke Road	single property
23-4	Burroughs Farmstead	Marshalls Corner-Woodsville Road	Pennington Mountain HD; key property
23-13	Ege Store & Post Office	County Route 518	Woodsville HD; contributing property
24-3	Janney/Armitage House	Woodsville-Linvale Road	Woodsville HD; key property
24-8	Ege House/Hotel	County Route 518	Woodsville HD; contributing property
25-1	Post Office/Durling Hotel (Mountain House)	County Route 518	Woodsville HD; contributing property
25-3	Hunt Farmstead	County Route 518	single property
25-14	Hill/Holcombe Farmstead	County Route 518	Woodsville HD; contributing property
27-1.03	Wilson Farmstead	Harbourton-Mount Airy Road	single property
27-5	Hart/Van Dyke House	Harbourton-Rocktown Road	Harbourton HD; key property [NR/SR listed]
27-6	Harbourton Schoolhouse	Harbourton-Rocktown Road	Harbourton HD; contributing property
27-9	Ege/Dilts/Farley Farmstead	Harbourton-Rocktown Road	Harbourton HD; key property [NR/SR listed]
28-2.031	Matthews/Phillips Farmstead	Harbourton-Mount Airy Road	single property
28-10	Harbourton Village Store	Harbourton-Rocktown Road	Harbourton HD; key property [NR/SR listed]
28-17	Harbourton Parsonage (Roscoe/Rose/Lawrence House)	Harbourton-Rocktown Road	Harbourton HD; contributing property
28-18	Harbourton Creamery	Harbourton-Rocktown Road	Harbourton HD; contributing property
29-8	Stout/Hall Farmstead	Harbourton-Woodsville Road	Pennington Mountain HD; key property
29-13	Cornell Farmstead (Hart/Hunt Farmstead)	Harbourton-Rocktown Road	Harbourton HD; contributing property
29-15	Cornell/Hart Farmstead	Harbourton-Rocktown Road	Harbourton HD; key property [NR/SR listed]
29-16	Harbourton Baptist Church	Harbourton-Rocktown Road	Harbourton HD; key property [NR/SR listed]
30-9	Mrs. Snook House	Marshalls Corner-Woodsville Road	Woodsville HD; contributing property
30-10	Snook House	Marshalls Corner-Woodsville Road	Woodsville HD; contributing property
30-12	Field/Snook Farmstead	County Route 518	Woodsville HD; contributing property
31-17	Bird Farmstead	Poor Farm Road	Pennington Mountain HD; contributing property
31-24	Ege/Dallas House	Poor Farm Road	Pennington Mountain HD; contributing property
31-43 & 35	Hunt Farmstead and burial ground	Harbourton-Woodsville Road	Pennington Mountain HD; key property
31-48	Atchley/Burd Farmstead	Poor Farm Road	Pennington Mountain HD; contributing property
31-62	Barlow Farmstead	Poor Farm Road	Pennington Mountain HD; contributing property
31-83	Smith/Van Cleve House (Colonel John Van Cleve Homestead)	Poor Farm Road	Pennington Mountain HD; key property [NR/SR listed]
31-84	Hopewell Township Poor Farm	Poor Farm Road	Pennington Mountain HD; key property [NR/SR listed]

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33-1.02	Larison/Dean/Hill Farmstead	Pennington-Hopewell Road	single property
34-8	Marshall's Corner Schoolhouse	Pennington-Hopewell Road	single property
37-6	Moore Farmstead	Pennington-Hopewell Road	single property
37-23.01	Titus Farmstead	Titus Mill Road	Stony Brook HD; key property
37-25.01, 25.02 & 25.03	Titus Mills Site	Titus Mill Road	Stony Brook HD; contributing archaeological property
37-36	Blackwell Farmstead	Moore's Mill-Mount Rose Road	Stony Brook HD; contributing property
37-37	Stout Farmstead	Moore's Mill-Mount Rose Road	Stony Brook HD; contributing property
37-38	Stout Farmstead	Moore's Mill-Mount Rose Road	Stony Brook HD; contributing property
37-42	Drake Farmstead	Titus Mill Road	Stony Brook HD; contributing property
38-6	Blackwell/Stout/Voorhees Farmstead	Wargo Road	Stony Brook HD; contributing property
39-2	Moss/Savage House	Pennington-Rocky Hill Road	Mount Rose HD; key property [SHPO opinion]
39-3	Savage/Leigh House	Pennington-Rocky Hill Road	Mount Rose HD; contributing property [SHPO opinion]
39-4	Savage/Drake House	Pennington-Rocky Hill Road	Mount Rose HD; contributing property [SHPO opinion]
39.02-22	Drake/Blackwell Farmstead [Nathaniel Drake House]	Pennington-Rocky Hill Road	single property [SHPO opinion]
40-1	Golden Store & Post Office/Reed House	Pennington-Rocky Hill Road	Mount Rose HD; contributing property [SHPO opinion]
40-35	Griggs Farmstead (Grover Cleveland summer home)	Cleveland Road	single property [SHPO opinion]
41-8	Terhune Farmstead [Hens Foot Corner/Terhune House]	Cleveland Road	single property [SHPO opinion]
43.11-1	Blackwell Farmstead [Thomas Blackwell House]	Elm Ridge Road	single property [SHPO opinion]
43.17	Van Dyke Farmstead [Kahn House]	Aqua Terrace	single property [SHPO opinion]
44-2.07 & 3	Reuben Titus Sawmill Site	Elm Ridge Road	Stony Brook HD; contributing archaeological property
44-2.09	Titus Farmstead	Elm Ridge Road	Stony Brook HD; key property
44-3	Titus/Stout Farmstead	Elm Ridge Road	Stony Brook HD; key property
44-7	Hunt Farmstead	Blackwell Road	Stony Brook HD; key property [NR/SR listed]
44-14	Temple/Hook House	Federal City Road	Stony Brook HD; contributing property
44-18	Blackwell Farmstead	Elm Ridge Road	Stony Brook HD; contributing property [SHPO opinion]
44-28	Reed/Drake Farmstead	Elm Ridge Road	Stony Brook HD; contributing property
44-29	Chamberlain Farmstead [McDougal Farm and Barn]	Old Mill Road	Stony Brook HD; contributing property [SHPO opinion]
45-1.02	Cornell/Avard/Frisbie Farmstead	Pennington-Rocky Hill Road	Stony Brook HD; contributing property
45-2, 3 & 4	Reed's Mill Site	Old Mill Road	Stony Brook HD; contributing archaeological property
46-8.01	Willing/Thomson Farmstead [J.Thompson House and Barn]	Pennington-Rocky Hill Road	Stony Brook HD; key property [SHPO opinion]
49-1.12	Golden Farmstead	Yard Road	Pennington Mountain HD; contributing property
49-2	Stout Farmstead	Yard Road	Pennington Mountain HD;

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			contributing property
49-3.01	Saunders/Baldwin/Flemming Farmstead	Woosamonsa Road	Pennington Mountain HD; key property
50-3.01	Golden/Hart Farmstead	Burd Road	Pennington Mountain HD; contributing property
50-4	Corwin/Blackwell/Updyk Farmstead	Pennington-Harbourton Road	Pennington Mountain HD; contributing property
50-5	Hart/Lewis Farmstead	Woosamonsa Road	Pennington Mountain HD; contributing property
50-6	Stout Farmstead	Pennington-Harbourton Road	Pennington Mountain HD; contributing property
50-7	Bake Farmstead & Bake Mill Site	Pennington-Harbourton Road	Pennington Mountain HD; contributing property and contributing archaeological property
50-11 & 16	Hart Mill Site	Woosamonsa Road	Pennington Mountain HD; contributing archaeological property
50-15	Bake Farmstead	Pennington-Harbourton Road	Pennington Mountain HD; key property
50-16	Bake/Everingham House	Pennington-Harbourton Road	Pennington Mountain HD; contributing property
50-18	Phillips Farmstead	Woosamonsa Road	Pennington Mountain HD; key property
51-4	Hart/Voorhees Farmstead	Harbourton-Woodsville Road	Pennington Mountain HD; key property
51-5	Smith/Pullen/Stout Farmstead	Harbourton-Woodsville Road	Pennington Mountain HD; contributing property
51-8	Hunt Farmstead	Poor Farm Road	Pennington Mountain HD; contributing property
51-10	Woosamonsa Schoolhouse	Woosamonsa Road	Pennington Mountain HD; key property
51-11	Hart House	Woosamonsa Road	Pennington Mountain HD; contributing property
51-22.01	Hart Farmstead	Woosamonsa Road	Pennington Mountain HD; key property
51-23	Hart Farmstead	Woosamonsa Road	Pennington Mountain HD; key property
51-28	Cornell/Pierson Farmstead	Harbourton-Woodsville Road	Pennington Mountain HD; contributing property
52-1	Miller/Spicer/Muirhead House	Trenton-Harbourton Road	single property
52-54	Atchley/Titus Farmstead	Trenton-Harbourton Road	single property
53-2	Hunt/Phillips Gatehouse	Barry Road	Pleasant Valley HD; contributing property
53-3.01	Hunt/Phillips Farmstead	Barry Road	Pleasant Valley HD; contributing property
53-4	Smith House	Pleasant Valley Road	Pleasant Valley HD; contributing property
54-3	Holt/Hoff/Atchley Farmstead	Pleasant Valley Road	Pleasant Valley HD; contributing property [NR/SR listed]
54-4	Brewer/Atchley Farmstead	Pleasant Valley Road	Pleasant Valley HD; key property [NR/SR listed]
54-7	Holcomb/Ely Farmstead	Pleasant Valley Road	Pleasant Valley HD; key property [NR/SR listed]
54-8	Pleasant Valley Schoolhouse	Pleasant Valley Road	Pleasant Valley HD; contributing property [NR/SR listed]
54-9	Phillips Burying Ground	Pleasant Valley Road	Pleasant Valley HD; key property [NR/SR listed]
55-1 & 54-6	Howell Farm/Henry Phillips, Jr.	Hunter Road	Pleasant Valley HD; key property

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	Farmstead & Hunter Road Bridge		[NR/SR listed]
55-2	Phillips/Stewart/Sherman House	Valley Road	Pleasant Valley HD; contributing property [NR/SR listed]
56-1	Lanning/Hunt Farmstead	Valley Road	single property [NR/SR listed as part of Pleasant Valley HD]
57-3 & 59-1	Upper Bellemont Farm	Valley Road and Route 29	single property [SR listed]
59-1	Stout Farmstead, Mercer County Workhouse and Workhouse Quarry & Crusher	Route 29	Mercer County Workhouse HD; contributing properties
59-6	Smith Farmstead, Mill Site and Bridge	Pleasant Valley Road	Pleasant Valley HD; contributing properties [NR/SR listed]
59-7	Smith Farmstead	Valley Road	Pleasant Valley HD; key property [NR/SR listed]
60-4	Atchley Farmstead	Pleasant Valley Road	Pleasant Valley HD; key property [NR/SR listed]
60-5	Phillips Mill Site and Phillips and Hunt/Lawyer Farmstead Sites	Pleasant Valley Road	Pleasant Valley HD; contributing archaeological properties [NR/SR listed]
60-26	Hoff/Moore House	Pleasant Valley Road	Pleasant Valley HD; contributing property
61-15.01	Brown Farmstead	Church Road	single property
65-9.01	Calkin House	Dublin Road	Dublin Road HD; contributing property
65-10	Calligan House	Dublin Road	Dublin Road HD; contributing property
72-4	Fish Farmstead [Adams House]	Federal City Road	Stony Brook HD; key property [SHPO opinion]
72-9	Stults/Drake/Blackwell Farmstead [Joseph P. Blackwell Farm]	Blackwell Road	Stony Brook HD; key property [SHPO opinion]
72-33	Tindall/Rice/Hook Farmstead	Federal City Road	Stony Brook HD; contributing property
72-91.01	Blackwell Farmstead [Enoch Blackwell Farmstead]	Blackwell Road	Stony Brook HD; key property [SHPO opinion]
74-47	John Welling House (Samuel Moore, Sr. House)	East Curlis Avenue	single property [NR/SR listed]
74-49	John D. Hart House (Moore/Titus House)	East Curlis Avenue	single property [NR/SR listed]
75-1.01	Blackwell House	Blackwell Road	Stony Brook HD; key property [SHPO opinion]
78.09-21	Hunt/Fitzpatrick House	Federal City Road	single property [SHPO opinion]
78.24-8, 9, 10, 16 & 17	Mershon Farmstead [Cool Meadows Farm]	Pennington-Lawrenceville Road	single property [SHPO opinion]
85-13	Hart/Winner Farmstead	Pennington Road (Route 31)	single property; archaeological [SHPO opinion]
89-6	Hanlon House	Dublin Road	Dublin Road HD; contributing property
89-7	Sked House	Dublin Road	Dublin Road HD; contributing property
89-9	Donner House	Dublin Road	Dublin Road HD; contributing property
89-10	Donner/Tyman House	Dublin Road	Dublin Road HD; contributing property
89-11	Tyman House	Dublin Road	Dublin Road HD; contributing property
89-12	Hart-Hoch House	Washington Crossing-Pennington Road	single property [NR/SR listed]
92-26	Jeremiah Woolsey House	Washington Crossing-Pennington Road	single property [NR/SR listed]

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93-3	Smith/Mershon Farmstead	Washington Crossing-Pennington Road	Burroughs HD; key property
93-6	Burroughs Farmstead	Scotch Road	Burroughs HD; contributing property
95-3	Burroughs Farmstead	Bear Tavern Road	Burroughs HD; key property
95-6	Burroughs Farmstead	Washington Crossing-Pennington Road	Burroughs HD; key property
95-27	Hart Farmstead	Bear Tavern Road	Burroughs HD; contributing property
98-17	Burroughs/Moore Farmstead	Bear Tavern Road	Burroughs HD; contributing property
98-23	Phillips/Burroughs Farmstead	Route 29	Burroughs HD; contributing property
98-37	Burroughs Farmstead	Maddock Road	Burroughs HD; contributing property
98-46	Burroughs Farmstead	Bear Tavern Road	Burroughs HD; contributing property
99.01-5	Burroughs Farmstead	Route 29	single property
99.01-6	Somerset Roller Mills/Jacobs Creek Gristmill	River Road (Route 29)	single property [NR/SR listed]
133-14	Titus/Chambers Farmstead	Fiddlers Creek Road	single property
	Van Dyke Road over Rock Brook	Van Dyke Road	single property
	Old Princeton Road over Bedens Brook	Old Princeton Road	single property
	Pennington-Mount Rose Road over Honey Brook	Pennington-Mount Rose Road	single property
	Wargo Road Bridge	Wargo Road	Stony Brook HD; contributing property
	Route 29 Bridge over Moore's Creek	Route 29	Delaware and Raritan Canal HD
	Belvidere Delaware Railroad		historic transportation corridor
	Somerset and Mercer Railroad		historic transportation corridor
	Delaware and Bound Brook (Reading) Railroad		historic transportation corridor

Source: Hopewell Township Historic Sites Surveys (1984-85 and 2002-03), *Hopewell: A Historical Geography* (1990) and Hopewell Township 2004 tax parcel data.

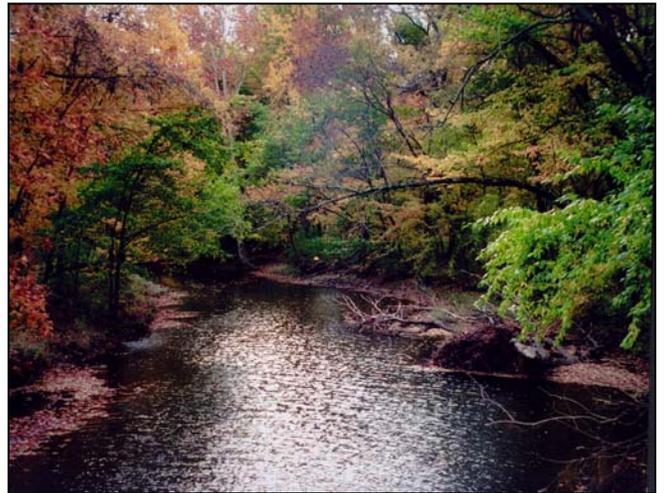
Abbreviations: NR – National Register; SR – State (i.e. New Jersey) Register; SHPO – State Historic Preservation Officer; HD – Historic District.

Notes:

1. This table excludes properties already listed in the Hopewell Township Register of Historic Places.
2. This table excludes properties included in the Titusville Historic District, the Delaware and Raritan Canal Historic District and Washington Crossing State Park as defined in the New Jersey and National Registers of Historic Places. These districts, if designated for inclusion in the Hopewell Township Register of Historic Places, would adopt the same boundaries as recognized by the New Jersey and National Registers.
3. This table identifies key and contributing properties within potential historic districts that contain standing historic buildings, historic structures and known archaeological resources; it does not identify non-contributing properties or parcels of open space.

OPEN SPACE AND RECREATION PLAN

Township of Hopewell
Mercer County, New Jersey
November 2004



Adopted by the Planning Board on December 9, 2004

Prepared by:

The Hopewell Township Planning Board

With the Assistance of:

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Executive Summary

Hopewell Township contains a rich ecological, historic, cultural and scenic diversity that gives rise to the rural character and sense of place cherished by residents and admired by visitors. The Township is flanked by the Sourland Mountains to the north, rich farmland to the south and, to the west, the federally designated Wild and Scenic Delaware River. The cultural landscape is represented by historic settlement areas and land use patterns that reflect this unique mix of resources. The Township's understanding of these valuable features has resulted in unified planning and management regulations to preserve environmentally sensitive lands.

Hopewell, like much of New Jersey, is faced with increasing development pressures that could potentially devastate the natural resources of the Township. Limited groundwater, critical habitat spaces for threatened and endangered species, high quality surface waters, and a host of other environmental indicators require preservation and conservation to ensure these features for future generations. To this end, the Township's goal of land management is to conserve resources, open lands and farmland.

The preservation and conservation of natural resources is furthered by the acquisition, use and maintenance of open space and recreation areas in the Township. The purchase of open space areas that expand current contiguous preserved land and create linkages of open space and recreation facilities can provide an additional safe guard to the Township's resources while helping to guide development to appropriate and suitable areas.

The Township is fortunate to contain a variety of both active recreation facilities and passive open space areas that are owned and managed by a variety of State, County, local and non-profit organizations. The combination of these lands allows residents to enjoy a large assortment of recreational opportunities from hiking, fishing and bird watching to organized athletic leagues, skate parks and educational activities. However, Township-owned resources currently do not meet the New Jersey Balanced Land Use Concept standards and therefore, acquisition of additional open space for both active and passive recreation should be addressed. It has been determined that the present need for additional active recreation fields for organized sports should be met by clustering fields and providing park-like amenities at these locations.

The goal of the Open Space and Recreation Plan is to identify the current inventory of active and passive recreational areas, identify the needs of the Township for these lands, highlight natural resources in need of preservation, and identify an action plan to acquire, manage and use open space and recreation facilities. Through careful planning and use of these lands, the Township can retain its bucolic character and natural resources while providing all Township residents with a variety of recreational opportunities.

Goals

The purpose of the Open Space and Recreation Plan (OSRP) is to provide guidance for current and future acquisition, preservation and management of open space and recreation areas in Hopewell Township. The following goals, taken from the Township's Master Plan and amplified in the development of this OSRP, are designed to offer guiding principles when considering the acquisition and use of open space and recreation areas in the Township. These goals, like the rest of the Plan, are to be viewed as an organic document that has the ability to be flexible to the future changes and needs of the Township.

- To promote the provision of appropriate and balanced public open space and recreational facilities, with priority to serve the greatest population, through public action and the Planning Board's development review process.
- To prepare and maintain recreation and open space master plans to establish and enhance recreational lands and public open space; to establish linkages of public spaces through the use of greenways, greenbelts, waterways, paths and bikeways; and, to establish as the highest priority for public acquisition, areas of critical recreational, scenic or environmental value.
- To encourage the public acquisition of areas of exceptional recreational or scenic value, or environmental sensitivity, at all levels of government, with priority given to acquisition and development of land to meet current and future recreation needs, as well as, acquisition of land to protect water supply and State endangered species.
- To continue the Township's commitment to work with the State, County, neighboring municipalities, the Hopewell Valley Regional School District and interested groups and citizens to establish and promote recreational opportunities through regional partnerships, for both active and passive recreation and for people of all ages.
- To promote cultural activities that provide recreational opportunities for a broad spectrum of residents and visitors.
- To assess and provide opportunities for active and passive recreation to meet the needs of all citizens.
- To devise appropriate strategies for the public and private ownership and maintenance of open space and recreation lands.
- To provide tax benefits for private owners who permit public use through participation in the State's open lands program.

Inventory

The Township contains several municipal, County, State and privately owned open space and recreational areas. These facilities offer a wide range of passive and active recreational opportunities from nature walks and hiking to active sport fields and playgrounds. All together, recreational and open space areas total 10,644.02-acres, or 29% of the Township's total land area. Of this, 9%, or 914 acres, are owned by the Township or the Board of Education. Of the 678.33 acres of Township-Owned lands, only 48 acres contain any developed recreational facilities. The attached map entitled, "[Figure 1: Open Space and Recreation System Map](#)" depicts the location of these various parcels. The following is a brief description of ownership, size and type of parcels available to the public.

Township Lands

Hopewell Township owns a variety of recreational and open space areas that provide an assortment of passive and active recreational opportunities for Township residents. The following section provides a summary of these lands. Where the Lot contains a recognizable facility, the facility name is identified under the Description column. Where the Lot is vacant, the location is listed under the Description column.

Table 1: Township-Owned Lands by Block and Lot

Block	Lot	Description	Acres
15	2.98	Hopewell-Rocky Hill Road	43.4
22	3	Stony Brook Road	2.33
22	18	Stony Brook Road	3.89
22	17	Stony Brook Road	6.26
28	11	Harbourton-Rocktown Road	12.04
31	64	Route 31	2.09
31	3	Route 31	4
32	6.09	Route 31	10.32
34	8	Old School/Lions' Club	0.76
37	19	Farmland (Else)	67.18
39	16,17, 26, 30, 32	Martin	234.1
43	5	Martin	23.5
58	4	Riparian Rights	4
58	69	Riparian Rights	0.08
63.01	1.01	Library	1.86
75	9		0.25
78.31	63.01	Independence Park	14.81
78.42	26	Independence Park	6.93
89	4.09	Michael Way (drainage)	1.9
92	5	Municipal Athletic Complex	52.37
92	6	Old School House	0.48
92	9	Alliger tract	167.3
92	46	Municipal Building	8.9
92	49	Municipal Athletic Complex	9.54
118	32	Vacant	0.02
118	33	Vacant	0.02
TOTAL			678.33

Facilities

Hopewell Township Municipal Athletic Complex

The Hopewell Township Municipal Athletic Complex offers a variety of active recreation facilities and is the main park for organized sport activities. It is situated on 54 acres and is located behind the Township Municipal Building. The site contains:

- 4 baseball fields (3 lighted)
- 1 baseball/softball field (lighted)
- 1 football/multi-purpose field (lighted with temporary fixtures)
- 1 playground
- Skate park
- Restrooms (limited access)
- Snack bar
- Storage buildings

Independence Park

Independence Park is located on 22 acres on Stephenson Road. This park is a fully developed park containing a variety of active recreation facilities including:

- 2 baseball/softball fields
- 2 soccer/lacrosse/hockey fields
- 2 outdoor basketball courts
- 4 tennis courts
- 2 playgrounds
- Walking/jogging trail
- Restrooms (limited access)
- Storage buildings

Alliger Tract

The Alliger tract is 167 acres of undeveloped land located adjacent to the Municipal Athletic Complex. The site offers the opportunity for a wide variety of both passive and active recreation.

Else Tract

The Else tract is another undeveloped site that has great potential for active and passive recreation. The parcel is located on Route 31, which offers easy accessibility for much of the Township. The site is home to a former farm operation and still has a farmhouse and barn along with several dilapidated outbuildings.

Berwind (Townsend) Tract

What was formerly referred to as the Townsend, or Lucent, Tract is now owned by Berwind Property Management. A conservation easement has been placed on the 175 acres on the west side of Carter Road, and the Township is slated to receive the property in fee simple according to a schedule related to the development of the tract.

Quarry Field

Quarry Field is leased to the Township by the Trap Rock Corporation and is located on the Trap Rock Quarry property. The site contains:

- 1 softball field (lighted)
- Restrooms (limited access)
- Picnic area

Merrill Lynch Recreation Area

The Merrill Lynch recreation area is currently available to the Township through a developer's agreement between the corporation and the Township. The site is located on the premises of the Merrill Lynch facilities and thus has limited access and availability during the weekdays. A useful site for accommodating any needed additional playtime created by overbooking, cancellations or for other reasons. The site has:

- 1 outdoor basketball court
- 2 tennis courts
- 2 sand volleyball courts
- 4 ballfields
- Walking/jogging path

School Lands

The Board of Education also provides a variety of recreational opportunities for Township residents. They are as follows:

Table 2: Board of Education Sites by Block and Lot

Block	Lot	Description	Acres
18	9	Hopewell School	3.52
18	64	Hopewell School	14.28
38	21	Vacant	30.31
62.01	72	Vacant	2.76
63	27	Timberlane School	43.08
63	4	Fields	62.44
63.01	1	Hopewell Valley Central High School	38.82
78.31	62	Stony Brook School	12.74
95	31	Bear Tavern School	27.32
TOTAL			235.27

Facilities

Central High School

The Central High School complex offers many recreational fields and facilities including:

- 1 soccer/lacrosse field
- 1 baseball field
- 1 softball field
- 2 field hockey/women’s lacrosse fields
- 1 outdoor basketball court
- 2 large gymnasium
- Weight/fitness room with limited free access for the public
- Auditorium

Timberlane Middle School

The Timberlane Middle school hosts a variety of indoor and outdoor active recreation facilities which include:

- 2 soccer fields
- 1 baseball field
- 1 lacrosse/field hockey field
- 1 multi-purpose/football field
- 1 outdoor basketball court
- 6 tennis court
- Running track
- Cross-Country course
- 2 gymnasiums
- 1 small gym
- 1 weight/fitness center
- 1 fitness trail

Timberlane also contains 62 acres of land in the rear portion of the site, often referred to as “Back Timberlane”. This area has long been held for future active recreation purposes and site plans have been reviewed to expand the School District’s and Township’s inventory of active recreation fields. The additional Back Timberlane Fields will include:

- 3 all-purpose fields (360’ x 225’)
- 2 all-purpose fields (330’ x195’)
- 2 baseball fields
- 2 softball fields
- 2 out buildings (storage, restrooms and concession)

Bear Tavern Elementary School

The Bear Tavern Elementary School complex has 27 acres and offers some recreational opportunities such as:

- 4 multi-purpose fields
- 2 playgrounds
- 1 outdoor basketball court
- 1 gymnasium
- 1 baseball field

Stony Brook Elementary School

This is a new school built in 2003 and consists of approximately 13 acres. The school has few available recreational facilities. Independence Park, which is adjacent to the school, largely provides the outdoor recreational facilities for the school. The school property contains the following:

- 1 playground
- 1 gymnasium

Toll Gate Elementary

The Toll Gate Elementary School sits on 11 acres in Pennington Borough and has the following facilities:

- 1 baseball field
- 1 soccer field
- 1 playground
- 1 gymnasium

Hopewell Elementary School

The Hopewell Elementary School is located on 29 acres (18 acres in the Township) and contains:

- 2 soccer fields
- 1 baseball/softball field (not adequate for competition use)
- 1 outdoor basketball court
- 1 playground
- 1 multi-use field
- 1 gymnasium

Hopewell Valley Regional School District Administrative Building

The Administrative Building is located on 8 acres in the southern portion of Pennington Borough and contains:

- 1 open field used for pee wee soccer and t-ball stations
- 1 gymnasium

Princeton Farm Site

The Princeton Farm site is currently undeveloped and is being held as a potential school site. It consists of 30 acres.

Table 3: Total Number of Facilities located on Township Owned Land by Type

Facility Type	Number of Fields/Facilities
Baseball/Softball Fields	17
Soccer/Lacrosse/Field Hockey Fields	11
Tennis Courts	12
Gymnasiums	10
Basketball Courts	7
Playground	8
Running Track	1
Walking/Jogging Trail	3
Football/Multi-purpose Fields	8
Volleyball Courts	2

County Lands

The Mercer County Parks Department and related entities own 3,033 acres of open space, farmland and recreational areas in the Township. These parks add to the recreational opportunities for Township and County residents. Where the Lot contains a recognizable facility, the facility name is identified under the Description column. The following is an inventory of County owned lands in the Township.

Table 4: County Owned Sites by Block and Lot

Block	Lot(s)	Description	Acres
60	5, 6, 7.01, 17, 18, 21, 23.01-23.03, 27, 31, 32, 37, 38, 43, 47, 50, 59	Baldpate Mountain	984.98
2	9.02, 29, 31, 32, 33, 35, 36, 37	Undeveloped	68
17	1	Joint Green Acres/vacant	16.85
18	2.02, 31	Joint Green Acres/vacant	59.84
20	11, 32, 77, 78, 85	Trails	136.81
44	6, 7, 9,10, 11.02, 12, 17.02	Rosedale Park	497.15
45	1.03	Undeveloped	78.26
52	8, 19.01, 32	Undeveloped	156.79
54	5, 6	Howell Farm	48.31
55	1	Howell Farm	82.65
59	2, 3	Former Belle Mountain Ski Area	144.56
72	4, 35	Riding Arena	239.84
77	1, 8	Northwest Park	319.07
94	1	Farm and golf course	89.79
94.01	3	Farm	17.22
31	6.03, 7.01, 13.03	Undeveloped (Woodward tract)	93.03
TOTAL			3,033.15

Facilities

Rosedale Park

Location: Hopewell Township, off Federal City Road, near junction of Blackwell Road.

Rosedale Park encompasses 472 acres that includes a 38-acre lake that is stocked with trout in the spring and fall. The family picnic area is situated alongside the lake and has over one dozen picnic tables and charcoal grills. This is a first come-first served area open to the public, seven days a week. Children's play equipment at this area includes a swing set, jungle gym and a teeter-totter. Boating and canoeing are allowed on the lake, however, gasoline engines are prohibited. Electric trolling motors may be used.

Environmental tours of Rosedale Park are available to groups by calling the County Naturalist, Joseph Schmeltz in Park Commission Office, at 989-6532.

Valley Road

Located in Hopewell Township on Valley Road, ½ mile east of Route 29, the Valley Road Picnic Area is available to groups on a reservation basis through the Park Commission Office at 989-6532.

The area is a 19 acre facility in its natural state comprised of picnic tables scattered under and around the pavilion. The pavilion area can accommodate up to 300 people and is available to reserve 7 days a week. The pavilion has 2 stationary cooking grills and one barbecue pit, as well as a beverage bin, electricity and running water. There is a softball field, volleyball court, basketball court, quiet area and children's play equipment. Ample parking, permanent rest rooms and trash/recycle containers are available.

Mountain View Golf Course

Mountain View Golf Course is an 18-hole golf course open to the public. A small portion of the course is in Hopewell Township. The course measures 6,220 yards with a par 72. Both pull carts and gas carts are available to rent at Mountain View. The Park Commission sponsors a series of tournaments throughout the year for Pee Wee's through Seniors at both golf courses.

The Clubhouse has a snack bar that is open daily during golfing hours. Both men's and women's locker rooms are also located in the clubhouse.

State Lands

State owned lands in the Township total 2,134 acres. While some of these areas are undeveloped lands, two significant parks exist in the Township, Washington Crossing State Park and the Delaware and Raritan Canal State Park. Washington Crossing State Park offers not only active and passive recreational opportunities but also contains resources of historic and cultural significance. The other significant State owned park is the Delaware and Raritan Canal State Park. The following is a summary of State-owned facilities.

Table 5: State Lands by Block and Lot

Block	Lot	Description	Acreage
2	9.01	Undeveloped	37.71
2	10	Highfields	182.43
18	8.02, 13	Undeveloped	16.85
23	11	Marshall's Corner-Woodsville Road	72.22
46	53.01	Baldwin Lake	47.05
58	1, 1.01	D & R Park	34.54
58	2, 2.01	D & R Park	115.39
58	3	D & R Park	30.80
58	3.01	D & R Park	6.69
58	3.02, 3.03, 3.04, 3.05, 4.01, 5, 6	D & R Park	346.33
58	62	D & R Park	17.27
60	29.03, 58	Baldpate Mt. Park	149.88
61	2	Pleasant Valley and Bear Tavern Roads (Undeveloped)	60.66
61	6.01	Church Road (Undeveloped)	32.80
92.03	13	Washington Crossing Park headquarters	9.00
97	3, 4, 5, 6, 12	Washington Crossing Park	193.47
117	68	Washington Crossing Park	0.75
121	3-14, 20-22, 24, 26.02, 27-29, 34-35, 40-42, 44, 48, 54, 59, 60	Washington Crossing Park	705.60
134	1, 1.01, 1.02, 1.03	Water Way/Undeveloped	4.42
135	2-5, 74	Water Way/Undeveloped	11.19
136	1, 2, 17	Water Way/Undeveloped	7.02
137	1.01, 3, 4, 7-9	D & R Park	52.20
TOTAL			2,134.27

Facilities

Washington Crossing State Park

Originally preserved for its historical significance, the park is also well known for its trails and wildlife habitat. A wide variety of migrating birds use the stream and ravine as a resting place and for nesting. Many bird species winter in the park, creating a perfect location for bird observation year round.

The park supports an interesting assortment of plants including mixed hardwoods, red cedar forests, plantings of Eastern white pine, Japanese larch, Norway spruce and red pine. A splendid variety of spring and summer wildflowers can be found throughout the park. Among the most notable species of wildlife are whitetail deer, fox, raccoon, great-horned owl, screech owl, red-tailed hawk, red-shouldered hawk and Eastern bluebird. The park also is popular for picnicking and, in the winter, for cross-country skiing on existing hiking trails.

- Museum / visitor center
- Johnson Ferry House
- Nelson House
- Swan Historical Foundation Collection of the American Revolution
- Interpretive center
- Picnic tables, picnic shelters, group picnic facilities, group picnic shelters
- Playground
- Fishing
- cross-country skiing, snowshoeing
- Hiking
- Nature trails
- Horseback riding
- Mountain biking
- Outdoor amphitheater
- Restrooms (limited access)

The Delaware and Raritan Canal State Park

The Delaware and Raritan Canal State Park is one of central New Jersey's most popular recreational corridors for canoeing, jogging, hiking, bicycling, fishing and horseback riding. The canal and towpath are part of the National Recreational Trail System. The 70-mile linear park is a valuable wildlife corridor connecting fields, forests and water habitats.

With its 19th-century bridges, bridgetender houses, past and present locks, cobblestone spillways and hand-built stone-arched culverts, the canal is a tremendous attraction for history lovers. The upper reach of the feeder canal wanders through quaint New Jersey towns along the Delaware River such as Stockton and Lambertville, and continues through Titusville and Washington Crossing in the

Township. The main canal passes the Port Mercer canal house, through the charming village of Griggstown to Blackwells Mills, ending up in New Brunswick. Canoes can be rented at Griggstown and Princeton from private concessionaires.

Most of the canal system remains intact today and is a reminder of the days when the delivery of freight depended upon a team of mules or steam tugboats. Nearly 36 miles of the main canal and 22 miles of the feeder canal still exist, with many historic structures along the canal.

Facilities & Activities:

- Cook Natural Area (South Brunswick, Middlesex County)
- Six Mile Run Reservoir site (Franklin Township, Somerset County)
- Trails
- Picnic tables
- Fishing
- Boating/Canoeing
- Cross-country skiing
- Hiking
- Horseback riding
- Mountain biking
- Biking

Semi-Public Recreational Facilities

Non-profit, semi-public, organizations have taken an active interest in purchasing property in the Township. These organizations purchase lands for the purpose of preservation and generally allow public, low impact access to the areas. The Stony Brook Millstone Watershed Association (SBMWA) properties offer a wealth of recreational opportunities to the Township, including interpretive programs, camps, trails and a fishing pond. The Delaware and Raritan Greenway also offers an extensive trail network through some of its properties. The following table depicts these organizations by acreage held in the Township.

Table 6: Semi-Public Recreational Facilities

Description	Acres
Stony Brook Millstone Watershed Association	785
Delaware & Raritan Greenway	532
Friends of Hopewell Valley	134
TOTAL	1,451

Conservation Easements

Conservation Easements are important tools in the preservation of significant agricultural and open space areas. Conservation easements prohibit or limit future development and generally consist of properties where the development rights to the property have been purchased or where the easement has been voluntarily placed by landowners. Easements are not open to public access but do provide further conservation and preservation efforts. The following is summary of easements held in the Township. In most cases the easement includes the entire property listed below; in some cases only a portion of the Lot is subject to the easement.

Table 7: Conservation Easements

BLOCK	LOT	ACRES
1	8	91
4	1, 11, 15.01, 24	88
5	12	42
8	2, 14, 35, 35.01, 41.02, 56	304
14	40	10
21	5	62
26	1, 2, 3 16,	323
27	2	40
29	6, 7, 13	246
30	16	29
31	6.03, 13.03, 43	251
37	23, 23.01, 25.01, 25.03	95
39	12, 14	175
44	2.08, 3, 4, 11.03	211
46	4.01, 5.01	124
50	4, 13, 15.02	133
52	5, 54	251
59	4, 5	113
60	28	139
62	1.01, 1.02, 4, 6, 24	341
72	6.20	26
75	1.01	18
TOTAL		3,112

Summary of Open Space and Recreation Areas

The preceding analysis indicates that the following acreage of open space and recreational lands exists in Hopewell Township:

Table 8: Summary of Open Space and Recreation Areas

Category	Acreage
Township Owned	678.33
County Owned	3,033.15
State Owned	2,134.27
Total Publicly Owned	5,845.75
Board of Education	235.27
Semi-Public	1,451
Conservation Easements	3,112
TOTAL	10,644.02

Needs Analysis

There are a number of standards that can be utilized to determine the recreation lands and facilities needed to continue to meet the requirements of the various programs and users in the Township. One is the Balanced Land Use Concept, endorsed by the New Jersey Department of Environmental Protection (NJDEP). The Balanced Land Use Concept, as outlined by the NJDEP, will be discussed and applied to the Township. Another Standard is the application of the National Recreation and Park Association (NRPA) "Park, Recreation, Open Space and Greenway Guidelines", published in 1996. In addition to these concept standards, the Township authorized a report entitled "A Recreation Report for Hopewell Township's Outdoor Recreation System" in 2003, by Kinsey Associates. This report also provides an extensive look at the current recreation system in the Township, and provides a series of recommendations. The following recreation needs analysis of the Township is conducted using the Balanced Land Use Concept and the report prepared in 2003 by Kinsey Associates.

Active Recreation Facility Needs Analysis

2003 Recreation Report

The Township, with the assistance of Kinsey Associates, prepared "A Recreation Report for Hopewell Township's Outdoor Recreation System" in 2003. This report sets out to not only document the Township's active recreation facilities, but also to identify each parks long term and short term needs and its ability to service the residents of the Township.

The report offered, and the Planning Board endorsed, the following goals and objectives as a guiding point for future decisions concerning the Township's recreation lands:

1. Maintain existing facilities to protect against deterioration caused by current over utilization.
2. Provide a variety of recreation facilities that meet diverse needs of the township's existing and future residents.
3. Enhance recreation facilities to improve service capabilities in the neighborhoods in which they are located.
4. Provide for adequate access, circulation, and compliance features so that the safety aspect for both residents and recreation participants is considered.
5. Complete the full range of improvements to the Back Timberlane.

6. Provide for multi-use facilities wherever possible.
7. Coordinate the most efficient use and scheduling of facilities between the Board of Education and Recreation Department with expanded emphasis on effective communication and joint planning.
8. Improve coordinated recreation efforts with those of Mercer County and the State of New Jersey to the extent that local objectives can be facilitated to the mutual benefit of all parties.
9. Persistently upgrade and increase plantings within existing sites, clearly identify entrances, and incorporate appropriate plantings, furnishings, and aesthetic improvements in new work. Landscaping between homes and active recreation fields should be maximized to reduce adverse effects on residents.

The report recommends that a variety of actions be undertaken in order to stabilize and improve the current active recreation facilities, noting that a systematic, rather than reactionary approach to active sites should be adopted. These strategies should include:

1. Stabilizing of existing infrastructure and facilities (update, repair, renovate existing features and maintenance systems and equipment).
2. Redevelopment of appropriate components of existing undeveloped sites to meet organized active recreation demand.
3. Introduction of new or additional features into existing undeveloped sites to respond to general (not organized) recreational activities.
4. Identification of future park sites which may be dedicated to local opportunity for active and passive pursuits in a balanced, comprehensive manner and with a far greater respect of and emphasis upon natural character and aesthetic quality.

Increased interest from residents for open space and nature preserve areas were also highlighted in the report. Public spaces that would provide trails for walking and hiking, as well as areas for nature study and education have been voiced. Proper signage and parking are needed for current and future trail locations.

Finally, recommended actions are broken out into task groups such as administrative, operational, planning, system compliance and renovation projects, capital projects, design projects. These actions were then further broken down into near and long term projects. For the sake of brevity, the following is a shortened list of these actions. For the complete recommendations, please review the entire Kinsey Associates report.

- Renovate and improve existing park areas where rigorous wear and tear have deteriorated fields and park facilities.
- Add necessary improvements to parks where necessary, such as improved access and signage.
- Develop the Back Timberlane park area.
- Identify and develop appropriate sites for future active recreation facilities.
- Identify and develop ½ acre “pocket parks” with appropriate facilities for the Titusville, Washington Crossing and Elm Ridge communities.
- Work with the Board of Education to examine the major school complex as a unit and identify the best future arrangement for the Timberlane/High School site complex.

After consideration of the Kinsey Recreation Report, the Planning Board prepared a series of recommendations and comments. The Board agreed and emphasizes the following recommendations seen in the Recreation Report:

- The Township is lacking in active recreation facilities and a plan should be instituted to respond to these deficiencies through identification, modification and construction of existing and future recreation areas.
- Reinforce and amplify existing relationships with citizen associations.
- Reinforce and amplify partnerships with Pennington and Hopewell Boroughs.
- Create nature areas, trails and passive open space on the Else and Alliger tracts, and active recreational facilities on the Else tract.
- Identify and address the need for adequate restroom facilities at all parks, especially in any new active recreation facility.
- Modify existing sites with attractive and appropriate plantings to make recreation areas more appealing. Develop a relationship with local operations to produce native plantings to effectuate this objective.
- Evaluate the need to construct a community swimming pool.
- Evaluate the need and ability to form or create a community center.

The Board disagreed with the following items:

- Funds raised through the open space tax should not contribute to development of Board of Education recreation facilities or to the purchase of properties abutting Board of Education properties and, instead, other cost sharing options should be investigated.
- The Board questions the need for pocket parks in the locations identified in the Recreation Report.

Other Planning Board recommendations include:

- The Back Timberlane fields to be constructed by the Board of Education will contribute to the Township's recreation facilities. The Planning Board recommends that the Board of Education take into consideration the planning efforts by the Township as well as producing recreation facilities mindful of the adjoining property owners. The Board does not agree with the recommendation to light these fields.
- The placement of recreational facilities should reflect and enhance the Township's diverse community needs, thus recreational facilities should be placed in locations that would garner the greatest use with the least amount of travel and distance to the user.
- Clarification of the Township access to the Merrill Lynch site should be documented in order to fully determine the recreation needs met at the facility.
- Clarification of the responsibilities between the Township and Board of Education regarding recreation facilities should be addressed in order to more accurately identify recreation needs, costs and liability questions.

Passive Recreation Needs Analysis

The Balanced Land Use Concept (BLUC) is a tool used to determine the minimum amount of open space that a municipality should set aside for recreation purposes. The BLUC is not intended to be a limitation on a municipality's independent determination of the amount of space that should actually be set aside for open space purposes. With the amount of land contained in County and State Parks within the Township, there does not appear to be a deficit of passive recreation lands; however, the BLUC identifies needs based on Township owned lands separately. Future acquisitions of passive recreation lands may include lands to link existing passive parcels. The Township may want to consider retaining a portion of one or more future acquisitions as a set aside for future active recreation amenities. These sites would need to be evaluated for their appropriateness for active recreation facilities and development.

NJDEP Balanced Land Use Concept

The New Jersey Department of Environmental Protection endorses a theory known as the “Balanced Land Use Concept”, which simply states that a minimum 3% of a municipality’s developed or developable land should be set aside for recreational use within the community. Land deemed developable is exclusive of slopes greater than 12%, wetlands, federal, state and county owned lands along with other environmentally sensitive land that is not suitable for development.

In order to apply the “Balanced Land Use Concept” (BLUC) to Hopewell Township, a variety of data sources were consulted and analyzed using a Geographic Information System (GIS). Data sources utilized for this analysis included the NJDEP 1995 Land Use/Land Cover information, a United States Geological Survey Digital Elevation Model and the Open Space and Recreation Inventory. GIS analysis was undertaken to provide information for input into the BLUC, the results of which are found in Table 9.

Table 9 - Balanced Land Use Concept

Item	Area in Acres
Developable land in Township ¹	26,519
Steep Slopes (greater than 15%) developable areas ² (subtract)	942
Land within County, State and Municipal Parks (subtract)	5,845
Developed land ³ (add)	7,221
Total Developed and Developable	26,953
3% of Total Developed and Developable	809

The BLUC indicates that 27,756 acres of developed and developable land remain, being agricultural, forest and barren land categories. Currently 5,845 acres are protected by the State, County and Township. Finally, 942 acres are removed from the calculation due to steep slope constraints. The BLUC calculation indicates that Hopewell Township should have a minimum of 809 acres of land set aside for recreation purposes, to include both active and passive recreation lands. Currently, the Township owns approximately 678 acres which could be applied toward this figure. Therefore, the Township is deficient by 131 acres for the minimum guidelines set by the State. However, these guidelines only depict a minimum set aside and are not indicative of the Township’s goals and objectives.

¹ NJDEP 1995 Land Use/Land Cover: cumulative sum of agriculture, forest and barren land categories

² USGS DEM approximation of slopes greater than 12% not including those located in protected open space.

³ NJDEP 1995 Land Use/Land Cover: urban category

Resource Assessment

Resource Management and Conservation

The Township's population continues to grow and change as development continues. The rural character of the area makes living in Hopewell Township attractive and desirable. Despite this growth the Township still retains many valuable natural resources and important habitats that will benefit substantially from conservation efforts. The benefits of acquiring open space go far beyond creating additional recreational facilities. Safeguarding open space ensures the viability of fragile ecosystems that support the high environmental quality, and quality of life, that residents associate with living in Hopewell Township. The forests, wetlands, edge habitats, stream corridors and other environmentally sensitive features are interconnected components that create an overall healthy environment. Hopewell also has a long history as a farming community and these activities are strongly supported by the Township and its residents. Thus, Hopewell Township is host to a variety of environments and habitats that make protection of these areas not just a recreational incentive but also an important step to maintain the future ecological and biological base of the region and the State.

Forested Areas

The New Jersey Department of Environmental Protection (NJDEP) publication titled "Protection and Care of Urban Forest" provides a detailed list of the resources that are protected and benefits offered by forested areas:

- Modify local climatic conditions near and within their boundaries
- Create a feeling of privacy
- Serve as recreational facilities
- Provide habitats for plants and animals
- Reduce surface runoff because of the high moisture holding capacity of the forest soils and tree canopy
- Enhance the visual characteristics of scenic corridors
- Reduce noise pollution
- Produce oxygen

The Township retains large tracts of contiguous areas, as seen in [Figure 2: Critical Environmental Features – Forests and Forested Wetland Areas](#). These contiguous areas of forested land provide an interconnected series of woodland habitat that allows for unrestricted movement for many wildlife species.

Larger patches of forested areas occur in the northeastern part of the Township, surrounding Hopewell Borough, and in the north central portion of the Township, west of Route 31.

Wetlands

The New Jersey DEP places a high priority on the protection of wetlands. Wetlands perform many valuable functions that help to maintain balance throughout surrounding ecosystems.

- Wetlands protect drinking water by filtering out chemicals, pollutants, and sediments.
- Wetlands soak up runoff from heavy rains and snow melts, providing natural flood control.
- Wetlands release stored floodwaters during droughts.
- Wetlands provide critical habitats for a major portion of the State's fish and wildlife, including endangered, commercial and recreational species.

Township wetland areas are depicted on [Figure 3, "Wetlands, Water Quality and Topography"](#). The largest areas of wetlands are found along most of the stream corridors with smaller isolated wetlands sprinkled throughout the Township.

Streams and Stream Corridors

Stream corridors are important features that provide aquatic habitat, semi-aquatic habitat, drinking and bathing water and allow for movement of various species throughout an ecosystem. Stream corridors are vital to the health of streams by protecting the watercourses through erosion control, pollution filtration and providing protected habitat for aquatic and semi-aquatic habitat. Stream corridors in the Township run through a variety of habitats including, forests, grasslands and residential areas ([Figure 3, "Wetlands, Water Quality and Topography"](#)).

There are a number of streams in the Township. All but one stream is classified as FW-2 or higher with Moore Creek being the only Trout Maintenance Stream. Trout Maintenance streams are able to support trout throughout the year. One tributary to the Delaware is classified as a Non-Trout C1 stream as is a portion of Baldwin's Creek.

Steep Slopes

Steep slopes are environmentally sensitive features that merit special protection. Forested steep slopes provide protection from many devastating environmental consequences. Loss of cover on slopes can:

- Increase soil erosion and sedimentation
- Decrease surface water quality
- Decrease soil fertility
- Increase overland flow and decrease ground water recharge
- Alter natural drainage patterns

Hopewell Township remains relatively flat with steep slopes less than 15%. However, steeper slopes occur near the Delaware and along stream corridors which creates a variety of viewsheds and character in those locations (Figure 3, “Wetlands, Water Quality and Topography”).

New Jersey DEP Landscape Project

In order to address habitat loss, NJDEP’s Endangered and Non-Game Species Program (ENSP) needed to grasp the extent and suitability of remaining resources in the State. To accomplish this, they partnered with the Center for Remote Sensing and Spatial Analysis (CRSSA) at Cook College, Rutgers University. Utilizing Landsat Thematic Mapper satellite imagery, CRSSA mapped land cover for the entire State of New Jersey, broken down into 20 different habitat/land cover types. After generalized cover types were classified, detailed methodologies were developed to address the habitat suitability issues for each focus category, including beach/dunes, emergent wetlands, forested wetlands, forested areas and grasslands.

After reclassifying data based on standards developed for each category, the habitat data was intersected or combined with the Natural Heritage Program’s Biological Conservation Database (BCD). This database is a Geographic Information System (GIS) coverage that provides information on the sighting of threatened and endangered species, based on the field-work of ENSP scientists and sightings reported by members of the public. It is the most comprehensive data available in digital form on the location of threatened and endangered species.

The combination of these two data sets resulted in the data that is depicted in Figure 2: Critical Environmental Features – Forests and Forested Wetlands and Figure 4: Critical Environmental Features – Grasslands and Emergent. The Landscapes Program data provides users with scientifically sound, peer-reviewed information on the location of critical habitat based on the conservation status of the species that are present. Habitats are ranked on a scale of 1 to 5, based on the following criteria:

Table 10: NJ Landscape Program Ranking System

Rank	Indication
1	Suitable habitat, no special concern, threatened or endangered species sighted
2	Habitat patch with species of special concern present
3	Habitat patch with State threatened species present
4	Habitat patch with State endangered species present
5	Habitat patch with Federal threatened or endangered species present

Hopewell Township is rich in species habitat that is suitable to support populations of threatened and endangered species. Four of the five Landscape Project habitat categories are represented in the Township including forested wetland, emergent wetlands, forest and grassland habitats. Most of these habitat types have documented

presence of State threatened and endangered species as well as federally listed threatened and endangered species.

There is one primary area of important habitat with the presence of state listed endangered species in Hopewell Township, located in the Rank 4 forested patch in the eastern portion of the Township, where the presence of Bobcat has been identified.

In addition to habitat with state endangered species, there is habitat in Hopewell Township with state threatened species documented, such as Bobolink, Barred Owl and Long Eared Owl. Again, these areas are most prevalent in the northeastern and eastern portion of the Township, with some important grassland habitat located in the central region. These lands do not coincide with a great number of properties already preserved, which threatens their protection and availability as a resource into the future.

The Landscape Program data was intended to aid municipalities, County and State governments, conservation agencies and citizens in determining the extent of critical habitat within their respective jurisdictions and communities. After identifying critical habitat, a variety of means can be employed to protect it, including the following:

- Prioritizing open space acquisitions based on the presence of habitat for threatened and endangered species
- Adopting regulations aimed at protecting critical habitat
- Adopting management policies for open space that are consistent with protection of critical habitat
- Permitting flexibility in development techniques that can accommodate the protection of critical habitat
- Promoting land stewardship practices that are consistent with the protection of critical habitat

Hopewell Township has chosen to utilize the New Jersey Landscape Project data to further define priorities for preservation, in keeping with the goals and policies of this plan.

Groundwater Resources

Hopewell Township has acknowledged that the protection of groundwater resources is a major priority. The Township contracted M² Associates, Inc to prepare an evaluation of the Townships groundwater resources⁴, which should be consulted for the complete findings. The conclusions reported in the study show that there are two distinct aquifer systems in the Township, the Lockatong/Diabase Zone and the

⁴ Mulhall, Matthew J. 2001. Evaluation of Groundwater Resources of Hopewell Township, Mercer County, New Jersey. M² Associates Inc.

Stockton/Passaic Zone. The Lockatong/Diabase Zone has well yields, capacities and transmissivities that are significantly less than the Stockton/Passaic Zone. The result of these lower yields means that the Township is nearing its dependable yield and that continued demands could adversely affect stream ecosystems, downstream consumers or current residents. The Township also encompasses nearly all of the headwaters for surface waters flowing in its boundaries. This means that the Township cannot rely on upstream sources or conservation measures to ensure long-term adequate water supply. Thus, it is up to the Township to determine appropriate measures to ensure the viability of water sources. The Township understands the needs of protecting groundwater systems for the longevity of local water needs and long-term natural resource protection. Protecting and preserving open space areas will help to maintain and protect groundwater systems by creating areas of groundwater recharge.

Sourland Mountain Region

The Sourland Mountain Region is a unique landscape noted for its water resources and mature forested areas and wetlands. The Sourland Mountain region encompasses approximately 94 square miles area in Hunterdon, Mercer and Somerset Counties and includes portions of Lambertville, East Amwell Township, Hillsborough Township, Hopewell Borough, Hopewell Township, Montgomery Township and West Amwell Township. Sensitive environmental features, like the vernal pools that support rare species, are highly susceptible to being lost or compromised. Increasing consumer demands for potable water can also have the effect of robbing the base flow from streams whose biota are indicative of high environmental quality. Limiting the demands placed on these resources will be essential to the long-term health of the region. The Township's northeastern portion is included in the Sourlands. This region is also where a majority of the Township's Rank 3 and 4 habitats from the Landscapes Data, as previously noted, are located. Protecting and preserving this area would contribute to not only local resources, but also the health and longevity of the entire Sourland ecosystem.

Action Plan

In order to carry out the objectives of this Open Space and Recreation Plan, a number of actions must be carried out by the Township and its officials. As stated previously, the Township does not meet the minimum requirements set by the Balanced Land Use Concept. The Township should evaluate this deficiency and assess appropriate measures to increase the recreation and open space holdings in the Township. There are a number of cost sharing options the Township can utilize to help manage the costs of acquiring and developing recreational lands. The following is a summary of acquisition criteria, potential acquisitions/conservation easements, and implementation approaches and resources that can be used as guidance to current and future decision makers.

Acquisition Criteria

Future additions to the open space and recreation inventory of the Township will need to be evaluated in order to determine continuity with the Open Space and Recreation Plan. The following criteria will help guide decision-making for future purchases.

Critical environmental features

Preserving critical environmental features is a mainstay of the Open Space Plan. Protecting a variety of interconnected systems, such as stream corridors, forested areas, wetlands, steep slopes, etc. is a key factor in the overall open space system. When evaluating potential purchases, properties containing multiple critical environmental features should be highly valued, especially when they adjoin other environmentally sensitive areas. When environmentally sensitive properties are acquired, passive recreation should be the end use, provided this is conducive to the preservation of the valued feature(s).

Development pressure

Development pressure can also expedite purchase of available lands. Available parcels may be attractive for potential development. If this is the case, and the parcel meets one or more of the criteria or goals of the Plan, acquisition priority should be given where it can provide a valuable addition for passive or active recreation, for preservation of water quality or for preservation of endangered species. Preservation and enhancement becomes increasingly important in locations of the Township where development density is high and no preserved open land exists.

Greenways/linkages

Parcels that connect existing or proposed open space or expand existing or proposed greenways/linkages are valuable additions to the overall open space system in the Township. A linear or contiguous system of open space that provides access for the greater population and preserves uninterrupted habitat, is a stated goal and important to protect. This criterion can be used to evaluate potential acquisition sites for both passive and active recreation facilities.

Increase contiguous holdings

The contiguity of parcels to existing or proposed preserved areas should be an influencing factor. Areas that can contribute to contiguous open space will help to achieve goals regarding expanding open space, preserving habitats and environmental features and maintaining the rural character of the Township. Both active and passive recreational facilities can be examined using this evaluation criterion.

Develop new linkages

As parcels become available and purchased over time, new or expanded linear opportunities may become evident. In this event, parcels that may add connectivity to a new system should be given priority for purchase. Passive and active open space assessments can use this as an evaluation criterion.

Cultural/historical lands

Preserving historically or culturally significant sites is also a consideration when purchasing properties. These significant lands can help to preserve the character and historically rich identity of the Township. Preservation of these lands should generally be geared towards an end use of passive recreation.

Scenic Viewsheds

Maintaining the rural character and vistas in the Township can also be a consideration when purchasing lands. Scenic viewsheds offer a sense of place and feel to a community, not only for residents but also for those traveling through an area, and are worthy of protecting. Preservation of these lands should be considered for passive recreation and open space, since development would most likely alter the scenic qualities.

Evaluation for active recreation

Purchase of lands for active recreational sites should consider the size of the parcel, topography, soil conditions, location and access to the site. If the parcel is well suited for active recreation, the next step is to determine the development potential of the

site for the proposed activities. A consideration for these sites would include proximity to populated centers or other regions where location would promote accessible use to the greatest proportion of the Township's residents. If the site is large enough to accommodate the proposed facility and meets the requirements set forth in the Action Plan it should be considered for purchase.

Other Recommendations

2001 Hopewell Township Open Space Plan

The Township prepared an Open Space Plan in 2001 which highlighted the importance of preserving appropriate open space for the benefit of residents and the environment. The Plan contains action items to create a series of unified greenbelt and stream corridor areas to protect valuable habitat, create contiguous networks of open space, and provide low-intensity recreational opportunities for residents. The greenbelts would connect the more populated portions of the Township. Stream corridor and other contiguous areas would include the Jacobs Creek, the Stony Brook, the Sourland Mountain region, and Baldpate Mountain. These greenbelt and stream corridor initiatives should have the participation of many stakeholders, including any local, county and non-profit organizations. The 2001 Open Space Plan is superseded by the 2004 Open Space and Recreation Plan, but still offers insight into the Township's desire to preserve and protect open space areas in the Township.

Active Recreation Facility and Open Space Management

Development of Township owned parcels is necessary to meet the active recreation needs in the Township. Management of Township-owned facilities and areas should be assessed for optimum benefit to users and habitat maintenance. As noted in the Kinsey Associates report better maintenance of some Township-owned recreation fields was considered an important initial step. Additionally, there is a need to set forth policy for the continuing maintenance of open space areas. For example, an open field purchased for preservation should be maintained by the Township to allow for continued grassland habitat and not be allowed to go fallow. Finally, a requirement for permanent site markers for privately held conservation easements should be instituted in order to assess if the easements are properly maintained. These steps will help to ensure proper long term care of the Township's open space and recreation areas.

YMCA

The YMCA is the nation's largest not-for-profit community service provider and is present in over 10,000 communities throughout the country providing people of all faiths, races, abilities and incomes an expansive list of programs and activities. The YMCA raises money through gifts, memberships and program fees. The Hopewell Valley YMCA was founded in the 1920's and currently has a membership of approximately 1,600 people. The Hopewell Valley YMCA proposes to build a new facility in the Township, north of Pennington. The facility would significantly increase the Townships recreational supply, especially for programmed courses and

indoor facilities. Efforts to expedite this process while conferring with the appropriate stakeholders will help to maximize the potential availability of recreational facilities throughout the region.

Lawrence Hopewell Trail Corporation

The Lawrence Hopewell Trail is a non-profit organization seeking to create a connected series of pedestrian oriented paths throughout the region. The main objective of these paths is to connect a variety of community centers, such as parks, school, businesses and recreational sites to each other. Currently, several paths exist in the region including the downtown Lawrenceville path, the Lawrenceville School path, and the educational Testing Services Campus path. The Bristol-Myers Squibb Hopewell Campus is a path under construction at this time. The Lawrence Hopewell Trail Corporation would like to expand on its current system and include a trail through the Stony-Brook Millstone Watershed Association Property, and ultimately connect to Rosedale Park, Mercer County Northwest Park, and Pennington Borough. The Township also has concepts for extending the trail through the Township's western portions to Washington Crossing State Park, Baldpate Mountain Park, and the D & R Canal Park. The overall goal of the trail network is to create long, interconnected trails that would allow for extended pedestrian access throughout the region. For more information on the Lawrence Hopewell Trail Corporation, visit their website at www.lhtrail.org.

New Jersey Trails Association (NJTA)

NJTA is a cooperative project of environmental organizations, dedicated to making free information conveniently available to the public about places to walk. NJTA assembles information on trails open to the public, and posts the information on their website (www.njtrails.org). NJTA works with state, county, local, and non-profit land preservation groups and parks agencies to plan more trails.

Crossroad of the Revolution Project Area

Green Acres, along with the National Parks Service, has been undertaking a variety of projects highlighting the rich historical role New Jersey played in the Revolutionary War. A variety of proposed project areas and trail systems to document significant Revolutionary War sites and events have been instituted. One such project is the Crossroad of the Revolution Project Area, which aims to preserve the landscapes and trail corridor system from Morristown National Historic Park, Washington's Crossing State Park, The Trenton Barracks, Princeton Battlefield State Park and the Monmouth Battlefield State Park.

Community Education

Educating residents on ways to preserve and conserve natural resources can be a valuable tool for expanding open space resources in the Township. Providing educational materials and informative seminars at a Township or neighborhood level may encourage residents to place conservation easements on their property or help to encourage others in the community to do so.

Implementation Approaches and Resources

A coordinated open space and recreation effort should integrate environmental, cultural and social protection strategies as core elements of the preservation effort. The Township will utilize this approach, as outlined in this plan. The programs and approaches outlined below represent a menu of implementation strategies which the Township will research in order to determine their merit and application in Hopewell Township's continued preservation efforts.

Open Space Tax

Hopewell Township had adopted an Open Space Tax in 1998, which generates four cents per hundred dollars of assessed value. These revenues can be used to fund the acquisition of land for open space preservation, farmland preservation, historic site preservation, and recreational purposes. The Open Space Tax generated \$675,366 in 2003.

New Jersey Department of Environmental Protection Green Acres Program

In 1999 the State Legislature passed the Garden State Preservation Trust Fund, securing funding for a state-wide open space plan for New Jersey. In order to provide support to local governments who have adopted an open space tax and prepared an Open Space and Recreation Plan (OSRP), the Green Acres Program developed the Planning Incentive Grant (PIG). This program provides 50% matching grants to local governments for the acquisition of land for recreation and conservation purposes. To be eligible for funding, local governments must have a Green Acres approved OSRP, and either an open space tax, or an approved alternative funding source which is stable and sufficient, such as an annual tax levy. The Township is a participant in the PIG program by virtue of its open space tax and 2001 Open Space Plan.

Mercer County Open Space Preservation Program

Mercer County provides two assistance programs for the acquisition of open space properties.

County-wide Regional Open Space

Land that provides regionally significant open space opportunities for a large majority of the County's residents is preserved, maintained, and operated by the County. The land must be consistent with the goals and criteria of the Open Space and Recreation Plan. There is a priority list of properties proposed for acquisition in the Plan, and conceptual long-range open space areas such as stream corridors, greenbelts, and expansions of existing facilities. The preservation of these lands is reviewed by the Mercer County Open Space Preservation Board. The Board recommends proposed properties to the County administration for acquisition.

Mercer County Open Space Assistance Program

Through municipal and non-profit initiatives, the County will assist non-profits and municipalities in acquiring County significant projects. Funding preferences for municipal and non-profit initiated projects will be based on their consistency with the Goals and Criteria of the Mercer County Open Space and Recreation Plan, the State Development and Redevelopment Plan, and local master plans. Municipal projects being considered for County assistance that are not included in the Mercer County Open Space and Recreation Plan shall be identified for preservation in the local Master Plan or local Open Space Plan. Non-profit projects shall be included in the county plan or the local plan. Projects should demonstrate efforts to leverage other governmental and private funds while providing regionally significant open space for the residents of Mercer County

The Environmental Infrastructure Trust Financing Program

This program provides low interest loans to municipalities, counties and authorities for clean water-related activities, including land acquisition when watershed management and water quality benefits are provided. With funding from both NJDEP and the NJ Environmental Infrastructure Trust, the program utilizes a Federal Priority System developed each year by NJDEP. Loans are made for 20-year terms at a blended interest rate. Local governments receive 0% interest rate for half of the allowable costs and market rate interest rates for the remainder.

National Recreational Trails Program

NJDEP provides financial assistance for developing and maintaining trails and trail facilities for non-motorized, motorized and multi-use purposes. The maximum grant award is \$25,000, and projects are funded on an 80% federal share and 20% matching share basis.

Conservation Easements

Recreational land, both passive and active, can be made more accessible with access provided through conservation easements. Conservation easements typically encompass some desirable environmental resource, such as a stream, floodplain or steep slope area, and provide a measure of protection against development to that resource. Limited access permitted through conservation easements is a means to make certain lands more accessible to the public. Access through conservation easements should promote the creation or expansion of linked open space corridors or other recreational areas to create or enhance a network of open space that can be accessed by means other than automobile, and should not impact the resource protected by the conservation easement. Conservation easements should be encouraged for all properties with habitats that support threatened or endangered species.

Partnering with Other Agencies

There are a number of agencies in Mercer County that are active in land preservation initiatives. The two most prominent are the County itself and the State of New Jersey. Both agencies have large parks and other land holdings in the Township and will likely continue to purchase land for both passive and active recreation facilities. The Township can work in concert with these two agencies in order to promote the preservation of key environmental resources identified in this plan and the Master Plan.

Non-profit and watershed groups have also become active participants in land preservation. Hopewell Township is fortunate to have two highly active land preservation groups, the Friends of Hopewell Valley Open Space and the D & R Greenway, operating within its borders. These groups can often provide leveraging funds to municipalities or other agencies and are critical to the overall process. There are few preservation deals made which don't involve at least one non-profit or watershed group whose project support was critical.

Summary of Action Plan

The Action Plan provides a toolbox for the Township to assist in the identification, selection, and implementation of acquiring open space and recreational areas. Identifying potential acquisition parcels can be attained by using the acquisition criteria which have been identified as features that are environmentally, socially or culturally significant to the Township. These include critical environmental resources, linkages, contiguous holdings and the like. Once the Township has identified potential parcels, these lands can be acquired or protected through a variety of means. Partnering with the State, County and private organizations and reaching out to private landowners helps to bolster open space preservation. Consequently, the Action Plan can be viewed as a guidebook to create a long lasting agenda of open space and recreation opportunities in the Township.

System Map

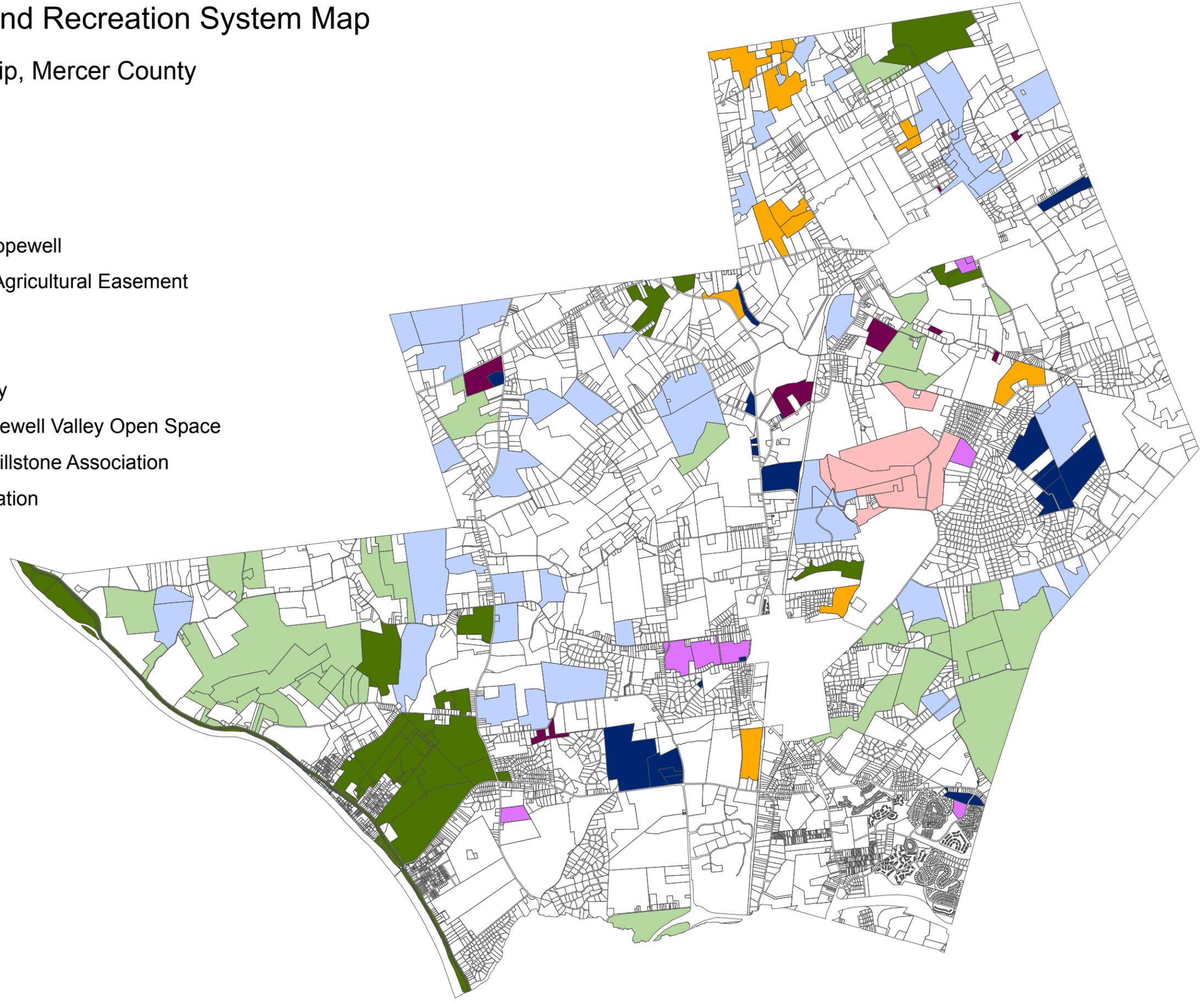
The Open Space System Map is depicted in [Figure 1: Open Space and Recreation System Map](#). This map includes existing open space lands at the municipal, county and state level and private and quasi-private areas. This map can be used to focus acquisition priorities.

Figure 1 Open Space and Recreation System Map

Hopewell Township, Mercer County
November 2004

Legend

-  Township of Hopewell
-  Conservation/Agricultural Easement
-  County Owned
-  State Owned
-  D&R Greenway
-  Friends of Hopewell Valley Open Space
-  Stony Brook Millstone Association
-  Board of Education



Data Sources:
Hopewell Township

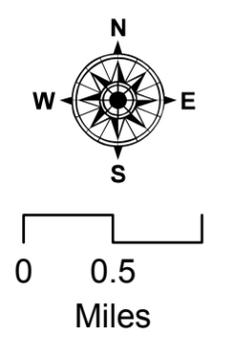


Figure 2 Critical Environmental Features - Forests and Forested Wetlands

Hopewell Township, Mercer County

November 2004

Legend

-  Township of Hopewell
-  County Owned
-  State Owned
-  Conservation/Agricultural Easement
-  D&R Greenway
-  Stony Brook Millstone Association
-  Friends of Hopewell Valley Open Space
-  Board of Education

Forest

-  Rank 1
-  Rank 2
-  Rank 3
-  Rank 4

Forested Wetlands

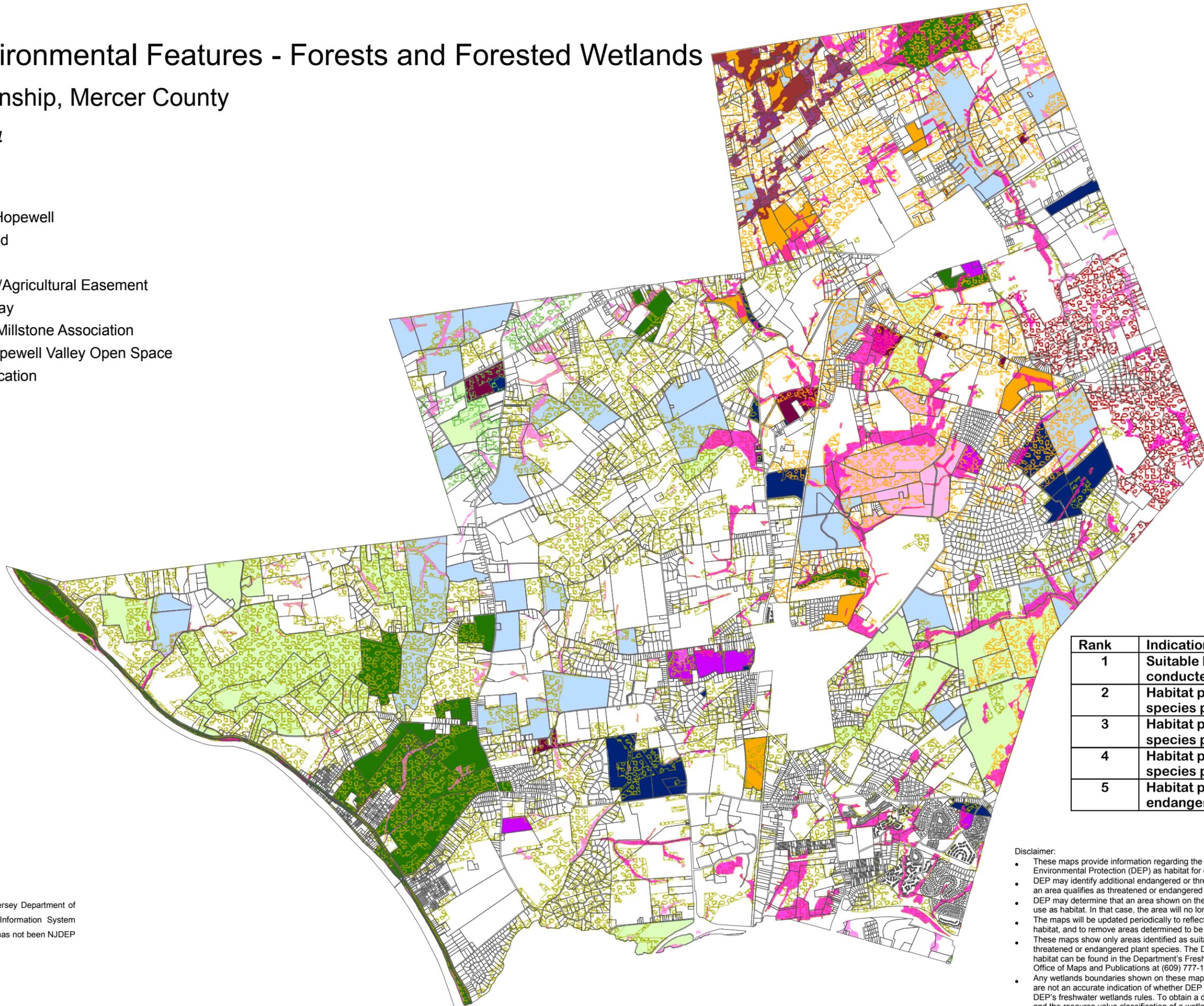
-  Rank 1
-  Rank 2
-  Rank 3



Data Sources:
Hopewell Township
NJDEP

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

BANISCH
ASSOCIATES, INC.
Planning and Design



Rank	Indication
1	Suitable habitat with no field survey conducted
2	Habitat patch with State special concern species present
3	Habitat patch with State threatened species present
4	Habitat patch with State endangered species present
5	Habitat patch with Federal threatened or endangered species present

Disclaimer:

- These maps provide information regarding the location of areas identified to date by the New Jersey Department of Environmental Protection (DEP) as habitat for endangered or threatened wildlife species.
- DEP may identify additional endangered or threatened species habitat at any time if there is sufficient evidence that an area qualifies as threatened or endangered species habitat.
- DEP may determine that an area shown on the maps as threatened or endangered wildlife habitat is not suitable for use as habitat. In that case, the area will no longer be classified as endangered or threatened species habitat.
- The maps will be updated periodically to reflect additional areas identified as threatened or endangered wildlife habitat, and to remove areas determined to be no longer suitable habitat for endangered or threatened wildlife.
- These maps show only areas identified as suitable habitat for threatened or endangered animal species, not threatened or endangered plant species. The DEP's method for identifying threatened or endangered plant species habitat can be found in the Department's Freshwater Wetlands Technical Manual, available from the Department's Office of Maps and Publications at (609) 777-1038.
- Any wetlands boundaries shown on these maps are approximate and are for guidance only. Therefore, these maps are not an accurate indication of whether DEP will classify an area as exceptional resource value wetland under the DEP's freshwater wetlands rules. To obtain a determination of whether or where wetlands are located on a property and the resource value classification of a wetland, contact the DEP and apply for a letter of interpretation under the freshwater wetlands rules, N.J.A.C. 7:7A-3.

Figure 3 Wetlands, Water Quality and Topography Hopewell Township, Mercer County

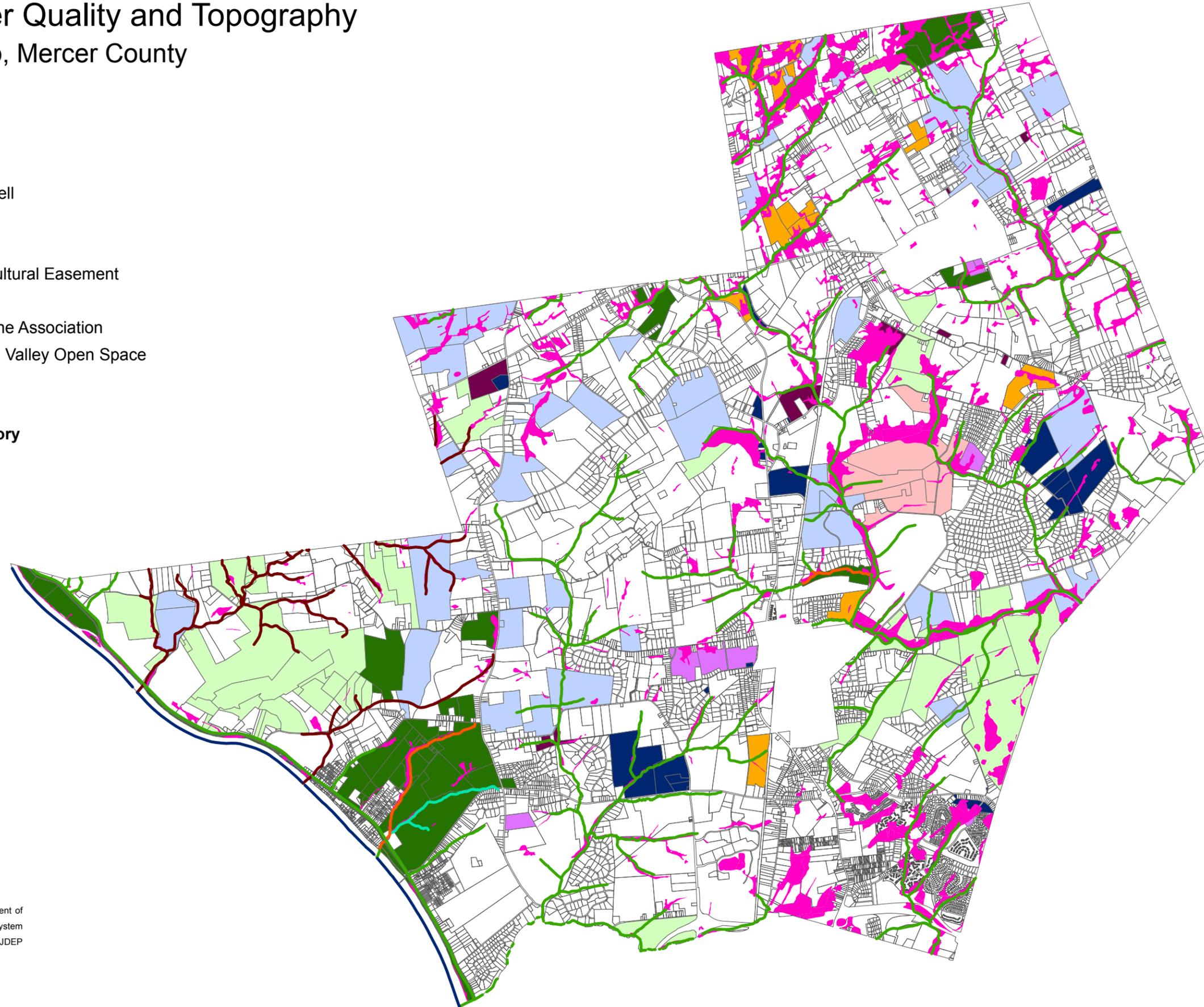
November 2004

Legend

-  Township of Hopewell
-  County Owned
-  State Owned
-  Conservation/Agricultural Easement
-  D&R Greenway
-  Stony Brook Millstone Association
-  Friends of Hopewell Valley Open Space
-  Board of Education
-  Wetlands

Surface Water Quality Category

-  DRBC-Zone-1E
-  FW1
-  FW2-NT
-  FW2-NTC1
-  FW2-TM



Data Sources:
Hopewell Township
NJDEP

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

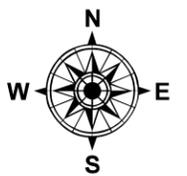


Figure 4 Critical Environmental Features - Grasslands and Emergent

Hopewell Township, Mercer County

November 2004

Legend

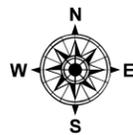
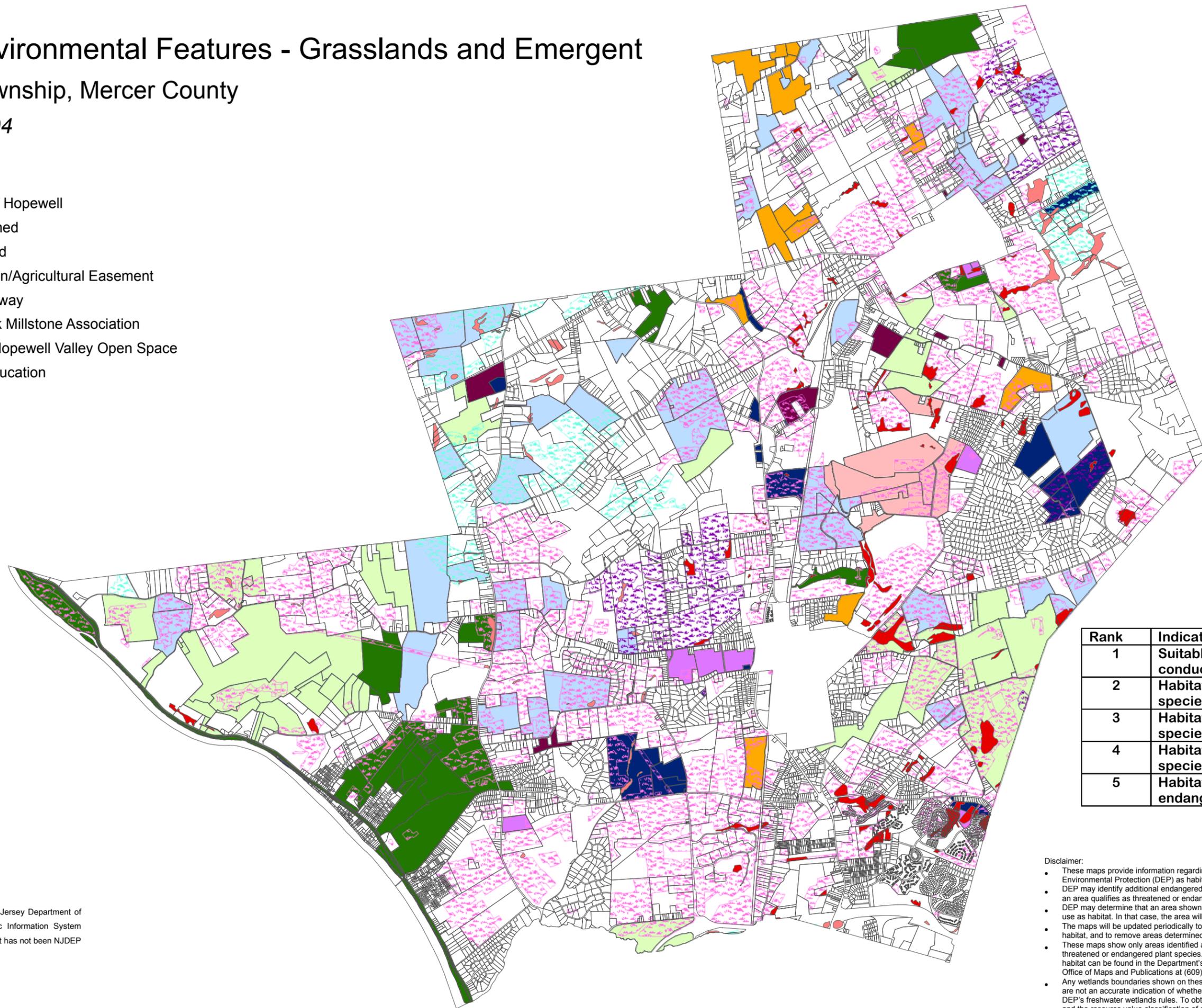
-  Township of Hopewell
-  County Owned
-  State Owned
-  Conservation/Agricultural Easement
-  D&R Greenway
-  Stony Brook Millstone Association
-  Friends of Hopewell Valley Open Space
-  Board of Education

Grasslands

-  Rank 1
-  Rank 2
-  Rank 3

Emergent

-  Rank 1
-  Rank 2



Rank	Indication
1	Suitable habitat with no field survey conducted
2	Habitat patch with State special concern species present
3	Habitat patch with State threatened species present
4	Habitat patch with State endangered species present
5	Habitat patch with Federal threatened or endangered species present

Data Sources:
Hopewell Township
NJDEP

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

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Community Facilities Plan Element

Township of Hopewell
Mercer County, New Jersey

April 2007

*Prepared by the Hopewell Township Planning Board
in consultation with Banisch Associates, Inc*

Adopted by the Hopewell Township Planning Board on April 12, 2007

The original of this report was signed and sealed
in accordance with N.J.A.C. 13:41-1.3

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COMMUNITY FACILITIES PLAN ELEMENT **BACKGROUND ANALYSIS**

Introduction

The Community Facilities Plan Element of the Master Plan is prepared in accordance with N.J.S.A. 40:55D-28b.

The object of a community facilities plan is to identify the existing and proposed location and type of a wide range of public and quasi-public facilities and services, including educational and cultural facilities, libraries, fire houses, police stations, municipal buildings and other related facilities. In order to assess the status of these services in a community it is necessary to establish the baseline condition relative to the location of facilities and the provision of services. The following inventory provides the background information on community facilities that provide the basis for subsequent recommendations concerning the adequacy of these facilities and their location.

Hopewell Township Municipal Complex

Municipal Services Building

The Hopewell Township Municipal Complex is located at 201 Washington Crossing-Pennington Road, Titusville. The administration building and The Farmhouse are situated on an 18 acre tract that is shared with the Municipal Athletic Fields; the public works building occupies a separate, contiguous 54 acre lot. The departments/functions housed at the administration building include the following: administration, finance, municipal clerk, tax collector, fire commission, zoning officer, planning, construction, health, animal control and municipal alliance, police and the courts. The public works department and the tax assessor currently occupy the public work building on the 54 acre tract.

The administration building has a gross floor area of approximately 32,700 square feet on two levels, with 18,000 square feet on the upper level and 14,700 square feet on the lower level. The building is served by three stairways and an elevator. Approximately one-half of the lower level is devoted to storage, supplies and mechanical equipment. The Farmhouse is currently vacant.

Public Works

The Department of Public Works provides maintenance services to all Township roads, storm sewers, and sanitary sewer distribution lines. Traffic and street sign posting, sight distance and road shoulder clearing, bulky waste, brush, leaf and white goods collection, street sweeping, road striping, pot hole patching, chip seal, snow and ice removal are among the services provided by the department. Public Works is

also responsible for the maintenance of the buildings owned by the Township and the lands surrounding them. Certain public works employees are shared with the regional recreation department to maintain Township parks and playing fields and assist with recreation activities.

The public works building is approximately 31,600 square feet, with 16 double bays and six mechanic bays. Approximately 24,800 square feet is devoted to storage (bays, shops, storage cages, indoor parking spaces), and 6,800 square feet devoted to office. The offices are occupied by the public works department and the tax assessor's office. The public works site also includes outdoor storage of materials and equipment and the Township's composting operation. The department maintains 88 vehicles or motorized pieces of equipment.

The Public Works Building, located at 203 Washington Crossing-Pennington Road, includes a vehicle maintenance facility where Township mechanics maintain the Township fleet and many pieces of public works' equipment. The department also has a sign making facility.

Fire Protection and Emergency Services

Hopewell Township Fire District

The Hopewell Township Fire District No. 1 (HTFD), Board of Commissioners was established in 1989 by voter referendum, and authorized to levy a tax and provide adequate and responsible fire protection to the Township. Over time the HTFD has added the responsibility to provide emergency medical services (EMS) and fire code enforcement for the Township.

Fire protection and emergency services are provided to the Township through the utilization of career and volunteer personnel. Large areas of the Township are protected under inter-local agreements with the fire districts of Hopewell Borough and Pennington Borough.

Currently, the HTFD occupies space at the Union Fire Company and at the Township Municipal Services Building. The current administrative offices located in the basement of the Municipal Services Building are on loan to the Fire District by the Township. The Township Police Department has expressed an interest in the office space.

The Township is divided into three geographic districts: the Titusville Fire District #53 with primary service over the area west of Route 579; the Pennington Fire District #51 with primary service from Route 579 east to the Watershed property and Bayberry Road and south of Harbourton-Woodsville Road; and, Hopewell Fire District #52, serving the northeast quadrant of the Township. Each of these districts

includes a fire station, with only the Union Fire Company and Rescue Squad located in the Township.

The Fire District and Boroughs operate through a complicated set of inter-local agreements. The HTFD provides EMS and code enforcement to Hopewell and Pennington Boroughs with career employees. The Hopewell Borough Fire District provides fire and EMS response to area 52 identified above, while the Pennington Borough Fire District provides fire response to area 51. The HTFD utilizes the services of the Pennington First Aid Squad, a non-profit organization that receives funding from the HTFD, to provide EMS services to area 51. The Union Fire Company is not owned by the Fire District, but the firefighting equipment housed within the building is the property of the Fire District, and the HTFD leases portions of the building. Lastly, career employees of the HTFD are also placed at Station 52 (Hopewell Borough) and Squad 151 (Pennington First Aid) to assist in emergency response.

Union Fire Company and Rescue Squad

The Union Fire Company and Rescue Squad is located at 1396 River Road, Titusville-Washington Crossing on the corner of River Road (Route 29) and Park Lake Avenue. The tract on which the Squad is located is approximately 1.3 acres and includes the equipment bays on the first floor accessing River Road and meeting rooms and a banquet hall on the second floor, accessed via Park Lake Avenue. The Fire Company's relationship to the HTFD is explained above.

Police Protection

The Hopewell Township Police Department is located at the Hopewell Township Municipal Complex at 201 Washington Crossing-Pennington Road, Titusville. The Township Police Department mission statement is:

“...to work in partnership with the community to provide service and in accordance with constitutional rights, enforce the law, preserve the peace, reduce fear and enhance the quality of life within our community.”

The Police Department is housed primarily on the main floor of the Municipal Service Building and operates 24 hours a day, 365 days a year. The department also utilizes areas of the basement of the municipal services building for an office, a work-out room, a back-up radio console, all primary radio equipment and a storage room. The Department utilizes garage storage space in the public works building, the “old” public works building, and a trailer behind the public works complex. The Department has a satellite office located in the Hopewell Borough Municipal Building. The police department firing range is located between the skate park, the football field, a baseball field and public works storage.

The department currently consists of 32 sworn officers, six civilian dispatchers and two clerical employees. The police department contains several departments geared toward public safety and community outreach. The following is a brief description of some of the programs the police department manages.

Administration

The Hopewell Township Police Department Administration is comprised of the Chief of Police, two Lieutenants and the Chief's Secretary. One of the Lieutenants is the department's administrative officer overseeing the detective bureau, while the other Lieutenant is the department's operations officer in charge of the patrol division.

Patrol Division

The Patrol Division is the main component of any police department. This department handles the day-to-day operations but also is called on to support the specialty units to achieve their particular goals. While specialty unit officers focus on a specific segment of law enforcement, the patrol officers need to know a lot about all segments of police work. The patrol officer is the first responders to all medical calls, motor vehicle accidents, burglar alarms, fires, domestic disputes, assaults and a myriad of other calls. Additionally, these are the officers that first come in contact with crime scenes, recognize potential evidence and secure the crime scene for evidence collection officers and crime scene teams.

Currently, the Patrol Division has twenty-three patrol officers organized in four squads with a patrol sergeant leading each. A lieutenant oversees the entire Patrol Division as well as the Community Action Response Team (a specialized unit).

Communications

Communications, also known as dispatch, is contact central for the Hopewell Township Police Department. The communications department is staffed by six full time civilians who work rotating shifts, 24 hours a day, including weekends and holidays. All phone calls to the police department come through dispatch.

Once a call is taken it is entered into CAD (computer assisted dispatch) and must be handled. Calls that come in on 9-1-1 that require fire or ambulance response are usually transferred to the proper agency to be dispatched, however the police department dispatchers are fully trained and have the capability to dispatch those calls from the Township's communications center. Communication with the various units and agencies is made via multiple radio channels, MDT's (mobile display terminals in the vehicles) and cell phones. On complicated calls or major incidents, many officers and agencies may be involved, and these calls can take hours to complete.

Record keeping is also an important facet of the communications office. Calls must be updated in a timely manner as officers relay information. Dispatchers research and

retrieve information to assist officers on calls and detectives conducting investigations. Each member of the dispatch staff also has other duties, including alarm and business registrations, correcting 9-1-1 information, keeping track of summonses and domestic violence orders, and updating phone and geographic information in our CAD system.

Community Action Response Team

The Hopewell Township Police Department Community Action Response Team (C.A.R.T.) encompasses several distinct responsibilities. These are community policing, traffic safety, special needs and services, and administrative duties. The Community Policing facet of the unit addresses specific ongoing non-criminal issues in the community. These issues could be related to neighbor disputes, traffic issues or requests from civic or educational organizations. The goal is to address any potential problem while it is still in the nuisance stage in an attempt to prevent it from escalating into a more serious or even a criminal problem. This may be accomplished by direct intervention by an officer to open a productive dialog between the people involved. It may also include a referral to the Hopewell Township Community Dispute Resolution Committee or to another appropriate agency.

The Traffic Safety responsibility of the unit is aimed toward targeted enforcement of known problem areas, heavy truck enforcement, investigation of serious injury and fatal crashes as well as working with the state, county and municipal traffic engineers to improve the design of local problem roadways. The unit also conducts traffic surveys to obtain statistics for traffic engineering and oversees the school crossing guards. Child safety seat inspection and installation services are provided to Township residents by the four (4) certified child safety seat technicians in the unit.

The special needs and services component involves several pieces of equipment: two variable message/radar trailers, one radar trailer, a portable radar board, the department incident command unit/mobile communication & management facility, quad all terrain vehicle and an emergency generator trailer. The portable radar board, radar trailer and both variable message / radar trailers are deployed by the unit to various locations throughout the township and Hopewell Borough to help educate and alert drivers to their speeds and driving habits. The Variable message trailers are also utilized for emergencies and special events to advise motorists of special conditions and traffic patterns.

The Hopewell Township Police Bicycle Patrol Unit is part of the Community Action Response Team. The officers involved in the bicycle patrol unit utilize mountain bikes equipped for Police use and are outfitted with lighting and storage for police forms as well as basic first aid supplies. The bike patrol is utilized primarily in the South and East portion of the township, Titusville and Hopewell Borough and is meant to increase officer contact with people and also give the officers better access to wooded areas and parks, as well as crowded areas like community events and parades.

Emergency Notification System

The Hopewell Township Police Department has the ability to make a phone notification to all residents of Hopewell Valley in the event of an emergency in the area. This system utilizes a number of computers connected to multiple phone lines which access a database of listed phone numbers. The listed numbers are very rapidly called and a recording detailing the specific emergency message is played when the phone is answered. If the alerting system computer receives no answer or a busy signal, the number is automatically called a second time after 10 minutes. The system is updated monthly with all phone numbers in Hopewell Valley.

This system is for emergency use only and all phone numbers are kept confidential. The system involves GIS mapping technology that enables the police department to contact the entire Valley or selected areas. Officers have the capability of instantly mapping out a particular area to be called specific to an emergency.

In the event of a large-scale emergency affecting the area, an approaching severe weather system for example, the department may wish to activate the system for the entire Valley with a warning message. However if there were a smaller scale incident, perhaps a lost child, officers can actually draw, on a computerized mapping system, a selected area to be called with emergency instructions. Key police personnel are the only people able to activate this system.

Office of Emergency Management (OEM)

The Office of Emergency Management (OEM) is responsible for planning for, responding to and coordinating efforts during major emergency events in the Valley. The office has developed and constantly updates a comprehensive emergency operations plan. Periodically the office conducts drills involving the police departments, fire departments, emergency medical units, communications centers and other government agencies such as the public works and health departments.

The OEM utilizes an emergency operations center located in the Hopewell Township police headquarters. This center is activated several times a year for incidents such major snowstorms, floods and other large scale events. The center was activated for several days in the aftermath of September 11, 2001, ready to send assistance to New York City and the surrounding area.

Hopewell Valley Regional School District

The Hopewell Valley Regional School District (HVRSD) has six schools that serve pre-kindergarten through 12th grade. The HVRSD receives children and young adults from Hopewell Borough, Hopewell Township and Pennington Borough, serving an estimated 2005 population of 22,300. There are four elementary schools containing grades K-5 (Bear Tavern, Hopewell, Stony Brook and Toll Gate), Timberlane Middle

School containing grades 6-8, and Central High School, which contains grades 9-12. Pre-kindergarten classes for children with special needs exist at both Hopewell and Bear Tavern Elementary Schools. A new tuition-based pre-kindergarten program (PEECH) for grade-level four-year olds has been established. The district provides a variety of in-house programs for students with educational disabilities for grades pre-K through twelve. These programs range from self-contained classes to full inclusion.

Enrollment

The current enrollment (October 2006 for 2006-2007 enrollment) in the school district is 4,018 students, an increase of approximately 30 percent from the enrollment of 3,070 students in 1996-1997. According to the demographic study provided by the School Board, the projected enrollment for 2010-2011 is 4,083 to 4,126 students (Grip, March 2006)

Elementary Schools

Bear Tavern Elementary

Bear Tavern School is located at 1162 Bear Tavern Road, Titusville. The school is situated on a 28 acre campus that includes the main building, temporary manufactured buildings, playgrounds and athletic fields used by the school and the Township's sports associations. The school classrooms range from kindergarten to fifth grade and the current enrollment, for 2006-2007, is 568 students. Along with the students there are 84 staff members.

Hopewell Elementary

Hopewell Elementary School is located at 35 Princeton Avenue, Hopewell. The school, playgrounds and athletic fields are located in Hopewell Borough, but the complex includes some back fields and wooded areas on the 17.8 acre tract in the Township. Hopewell Elementary holds classrooms for kindergarten to fifth grade with an enrollment of 498 in 2006-2007 and a staff of 64.

Stony Brook Elementary

Stony Brook Elementary is located at 20 Stephenson Road in the Township. The school is situated on a 12.7 acre tract that adjoins the 15 acre Independence Park, which provides athletic fields for the school use. The Stony Brook school conducts classes for those in kindergarten through fifth grade with a 2006-2007 enrollment of 518 students and 76 staff members.

Toll Gate Grammar

Toll Gate Grammar school is located at 475 South Main Street in Pennington Borough. This elementary school also conducts classes for kindergarten through fifth grade and has an enrollment of 321 students in 2006-2007 with 50 staff members. The school grounds include a playground and combination baseball/soccer field, and the school is located on a 9.5 acre tract.

Secondary Schools

Timberlane Middle School

Timberlane Middle school is located at 51 South Timberlane Drive in the Township. The Middle School is located on a 43.1 acre tract across South Timberlane Drive from the High School, and includes the school and athletic fields for the Middle and High Schools. The school holds classes for grades sixth through eighth and has an enrollment of 929 students and 130 staff members.

Hopewell Valley Central High School

Hopewell Valley Central High School is located on Pennington-Titusville Road in the central portion of the Township. The School is located on a 39.9 acre tract across South Timberlane Drive from the Timberlane Middle School and adjacent to the Mercer County/Hopewell Branch library and Pennington Borough. The 2006-2007 enrollment is 1,184 students with 142 staff members.

Library

The Hopewell Branch is one of nine library branches supported through the Mercer County Library System. The Mercer County Library System offers a wide variety of services and opportunities to the residents of the County including children and adult programming, internet access, audiovisual materials, ESL classes, and reference services. The Hopewell Branch in particular offers access to agendas, meeting minutes and video of the Hopewell Township Committee meetings as well as offers a community room to the Board of Health every month for a monthly blood pressure screening service. The Hopewell Branch also houses the collection of the Hopewell Valley Historic Society. The library system hosts an informative website at www.mcl.org. The following section inventories the size, location and services offered at the Hopewell Branch.

Location

The Hopewell Branch Library is located at 245 Pennington-Titusville Road, Pennington, NJ. The Library is in close proximity to the Hopewell Valley Central High School and Timberlane Middle School and has a sidewalk connection to downtown Pennington.

Size of Facility

The Hopewell Branch is currently 14,800 square feet following a recent addition that expanded the facility from 9,000 square feet.

Hours of Operation

The Hopewell Branch is open six days a week, closed on Sunday, for a total of 61 hours per week. Library hours are:

- Monday to Thursday: 9:30am to 9:00pm
- Friday and Saturday: 9:30am to 5:00pm

The online library catalog is available remotely before, during, and after library hours from the Library's website.

Number of Employees

The Hopewell Branch employs a total of 16 employees, 8 full-time, 5 part-time and 3 student-assistants (shelvers). Approximately 14 student volunteers also contribute throughout the year.

Services Offered

In addition to access to the library's collections the Branch offers a wide-variety of services to the community. These include:

- Reference service
- Adult and children's programming
- Meeting space
- Readers' advisory
- Wireless Internet access
- Free computer classes in many of the Microsoft Office programs and Library databases
- Income-tax assistance through the VITA program
- Free Notary service
- Outreach programming
- Staffing Q and A NJ, an online reference service
- Reference service through Instant Messenger
- Copy machine

Service Area/Number of Patrons

The immediate service area for the Hopewell Branch encompasses Hopewell Township, Pennington Borough and Hopewell Borough with a total population of

approximately 23,000 and an area of approximately 62 square miles. The Hopewell Branch currently has 10,567 registered patrons.

The Library offers an invaluable service to the community and is always interested in expanding its communication and connection with the Township on community matters.

Senior Citizens

The current Hopewell Valley Senior Advisory Board resulted from proposals by the Hopewell Valley Senior Center Planning Committee. The original proposal by the Planning Committee consisted of three parts. Part one was the appointment of a nine-member Senior Advisory Board, which has been accomplished. The Board consists of two members from Hopewell Borough, two members from Pennington Borough and five members from Hopewell Township. The functions of the Board include advisory assistance to the three municipalities in the hiring of a Senior Services Coordinator, assist the Senior Services Coordinator in developing programs, and play a leadership role in the creation of a Senior Center for Hopewell Valley.

Part two of the proposal was a recommendation for the three municipalities to promptly hire a part-time Senior Services Coordinator to consolidate and expand existing wellness and recreational programs, and to plan, develop and supervise a comprehensive program of activities and services to promote the dignity and independence of the older adult. The coordinator would also tap into the experience, talent and desire to serve that the Valley's older adults have demonstrated. Prior to the opening of a Senior Center, the position of Senior Services Coordinator may evolve into a full-time position. The position of the Senior Services Coordinator has been filled and the Coordinator is located at the Municipal Services Building.

The third part of the proposal is the construction of a Hopewell Valley Senior Center with a full time director. This proposal is further discussed in the recommendations section of this Plan Element. Currently there is a senior citizen facility located in Pennington Borough.

Youth Activities

In 2005 the Hopewell Township Committee established the Youth Advisory Committee, comprised of Township officials, educators, Township youth and the interested public. As part of its work the Youth Advisory Committee initiated the Youth Development and Teen Center Research Project, with the purpose of researching other communities that currently have teen/youth development initiatives, programs and/or centers. The goal of this project is to better understand the type of programs and facilities which are being provided to youth in other communities.

Another aspect of the Youth Advisory Committee's work included a Teen Center Survey of students in grades 8 through 12. This survey was conducted in May 2006. Among the results of the survey are the following:

- When asked what they usually do after school, 36% of the students responded sports and 28% responded stay home. 6% to 8% of the students responded take care of siblings, school activities or clubs.
- When asked how likely it is that they would attend a teen center, 8% responded very likely and 43% responded somewhat likely.
- When asked how likely they would attend a teen center if it was within walking distance to school, 17% responded very likely and 42% responded somewhat likely.
- Students were more likely to attend a teen center in Pennington Borough (45% very or somewhat likely) than in Hopewell Borough (26% very or somewhat likely)
- The activities students would like to see in a teen center are (rated highest to lowest) hang out with friends, café/snack bar, pool table, ping pong, TV, music, movie night, air hockey, sports activities, video games, dances, computer lab, karaoke night, homework lab, board games and poetry readings.
- When asked how often the student would use a teen center, 3% responded every day, 21% responded 2-3 times per week, and 31% responded a couple of times per month.
- When asked whether the student would use the teen center during school vacation, 6% responded very likely and 35% responded somewhat likely.
- When asked whether the student would use the teen center during the summer, 11% responded very likely and 37% responded somewhat likely.

COMMUNITY FACILITIES PLAN ELEMENT **DISCUSSION AND RECOMMENDATIONS**

General

The following includes a summary and recommendations concerning existing and future municipal operations and the school district.

As a basis for the analysis, the Township Municipal Services building was opened in the early 1980's, when the Township population was 10,893 persons (1980 Census). The year 2004 estimated population was 17,500 persons, and by 2006 the Township population probably exceeds 18,000 persons. The estimated build-out for the Township is 23,000 to 24,000 persons. The current population of Hopewell Valley (the Township and the Boroughs of Hopewell and Pennington) is approximately 23,000 persons.

Municipal Operations

In 2002 and 2003 the Township completed a study of municipal operations and the municipal complex, including the Municipal Services Building, Public Works and The Farmhouse. The study, prepared by the Vaughn Collaborative, included three options for the reorganization of physical space at the municipal complex. These options were never adopted or endorsed by the Township Committee.

Over the ensuing years the assumptions and conditions upon which the study was based have changed. The Township has reorganized its internal operations, and increasing regionalization, and State initiatives, has changed the context under which the prior analysis was performed. For example, the Township has entered into an agreement with Mercer County for a shared pistol range facility at a County property. It also is likely that more shared services will occur given the fiscal status of the State and the current emphasis on these arrangements.

The addition of more bays at the public works building is recommended, because the bays are undersized for some of the existing equipment and some equipment is stored outside. Given the size of the tract and its location, the public works site also presents further opportunities for expansion.

Township Fire District

The Fire District is developing a plan for the construction of a building to be located in the area of the Township Municipal Services Complex to house Fire District administrative offices, equipment storage, rescue vehicles and emergency response. Previous attempts to fund the project have been unsuccessful, but the project remains a major focus of the Fire District.

The Township also is likely to be impacted by a growing need for facilities to support emergency services. In general, the pool of volunteer emergency services responders has been shrinking. Additionally, the Township relies on a series of inter-local agreements, as identified in the Background Analysis. These relationships can change at any time. As residential and nonresidential development proceeds towards build-out, the Fire District may also need to reevaluate its operations and the need for additional facilities.

School District

Most of the Township schools are at or over the Facility Efficiency Standard Capacity (FES Capacity), a standard established by the N. J. Department of Education to direct school funding decisions, based on 2006-2007 enrollments. With continued growth in the District the deficit in capacity can only increase. The current Township population is estimated at 18,000, with a build-out population of 23,000 to 24,000. The Pennington Borough population of approximately 2,700 and the Hopewell Borough population of approximately 2,000 are expected to remain relatively static or grow slowly, based on changing demographics. The estimated build-out for the Valley communities is 28,400 persons.

The enrollments in the elementary schools, other than Toll Gate, exceed 500 students, which is considered a desirable maximum level for elementary schools. Toll Gate School has little area for expansion, and Stony Brook School has no area for building expansion. The Hopewell School has been expanded several times since its original construction in the 1920's, and has essentially optimized its expansion. The Bear Tavern School has the most undeveloped area, but includes numerous modular buildings that are reaching their useful life, and the sewage system may be a limiting factor to expansion.

In order to assess the possible enrollment in the school district as related to the projected population growth in the Valley, the following tabular analysis was prepared. This Table compares the Valley's population to the school district enrollment, dating to 1970, and identifies the school district enrollment as a percentage of the Valley population. The Table also includes the population projections established by the Delaware Valley Regional Planning Commission (DVRPC) from 2010 to 2025, and utilizes the DVRPC and school enrollment projections for 2010 to establish a baseline standard for future enrollment, as well as a baseline established by the estimated 2004 Valley population and actual 2004 school enrollment.

There are some interesting facts that can be deduced from these data. From 1970 to 1990 there was a startling change in the relationship of population to school enrollment, with the Valley population increasing by approximately 1,600 persons while the school enrollment was decreasing by approximately 1,300 students. In 2000 the trend had changed, with the Valley adding approximately 4,700 residents

with the school population increased by over 1,300 students, resulting in an enrollment/population ratio of nearly 28% for the 1990-2000 period. Based on the 2000 actual population and school enrollment, the 2004 estimated population and actual school enrollment, and the projected 2010 population and school enrollment, the trends seem to have stabilized.

The consistency among the 2000 actual population and enrollment percentages, the 2004 estimated population and actual enrollment percentages, and the 2010 projections for both population and enrollment is striking.

Comparison of Valley Population, School Enrollment and Projections

Year	Valley Population	HVRSD Enrollment		Enrollment/Population
1970	14,452	3,636 (1972)		25.1%
1980	15,003	2,823		18.8%
1990	16,095	2,329		14.5%
2000	20,836	3,644		17.5%
2004	22,346 (e)	3,895		17.43%
Projections				
2010	22,858	4,105		17.96%
		<u>17.43%*</u>	<u>17.96%*</u>	
2015	23,641	4,121	4,246	
2020	25,206	4,393	4,527	
2025	26,782	4,668	4,810	
Build-out	28,400 (e)	4,950	5,101	

(e) = Estimate

* Using 2004 estimated Valley population and actual enrollment, and projected 2010 population and enrollment percentages

The current High School population includes children born between 1989 and 1991, which was a period referred to by demographers as the “Baby Boom Echo”, during which births in the United States exceeded 4 million per year for the first time since 1957. How the aging of this population spike affects future enrollments, and how the turnover of existing dwellings from “empty nesters” to households with school-age children, will largely determine the adequacy of the school facilities.

To conclude this analysis, it appears that future school enrollments, combined with programmatic requirements established by the N. J. Department of Education (DOE), will create a need for a new school site or substantial reconfiguration of existing school sites. In the HVRSD planning process an early childhood center also is being considered.

The HVRSD envisions the need for the expansion of some schools and the acquisition of a site for a new elementary school. Ideally a new school site would have access to public sewer and water and be located near the Valley’s population centroid. Growth in enrollment and programmatic changes indicate that some accommodation for future needs is required. It is not clear what these needs may entail, but the HVRSD is required to look to the future, albeit constrained by a five-year time frame, in order to provide the desirable educational opportunities for its students.

The Planning Board suggests an evaluation of the existing school sites before committing to the acquisition of a new school site. Timberlane Middle School and Hopewell Central High School are one-story structures, which currently consume substantial land areas and which require substantial land area for expansion on one-story, but the current location is ideal. The development of a two-story school would consume less land, and may be accommodated on existing campuses. The closing of South Timberlane Road, with the ceding of the land area to the School District, is recommended to provide additional land area and capacity to the District, subject to regional traffic considerations. The adaptive reuse of buildings on existing sites is encouraged, and additional opportunities might be presented through collocation, such as combining some Board of Education and municipal facilities.

The Council of Educational Facilities Planners International (CEFPI) establishes school construction guidelines which often are utilized as a general indication of the land consumption need for different types of schools. These guidelines are referenced in both Planning and Urban Design Standards (APA, 2006) and Urban Land Use Planning (Berke, Godschalk, Kaiser and Rodriguez, 2006), and establish the following for different grade configurations:

Guidelines for School Sites

Grades	Developable Acreage
K-6	10 plus 1 acre per 100 students
5-8	15 plus 1 acre per 100 students
7-9	20 plus 1 acre per 100 students
9-12	30 plus 1 acre per 100 students

A high school may need an additional area of 10 acres or more if a stadium and spectator parking are anticipated. If on site water or sewer is required, substantial additional acreage may be needed.

The above guidelines assume a rural or suburban area with a one story building, room for expansion, desirable outdoor play areas and all parking, queuing and buses located on site. Urban sites and areas that follow the tenets of smart growth may find creative solutions on substantially smaller sites. This may involve off-site parking, bus loading only (no bus parking), limited play areas, multi-story construction and

sharing of certain facilities with other adjacent entities. (Facilities Guidelines, North Carolina Board of Education, 2003.)

A site of 25-100 acres in proximity to other school facilities and the population centroid is most desirable to the HVRSD. In addition, a site which links a new school facility to biking/pedestrian trails and other community activities (library, municipal facilities, athletic fields, open space) would promote the maximum use of community facilities.

Hopewell Valley Senior Advisory Board

The third part of the proposal by the Hopewell Valley Senior Center Planning Committee (later constituted as the Senior Advisory Board) recommended the construction of a Hopewell Valley Senior Center with a full-time director. The characteristics identified for the senior center include the following:

- A site of at least 3 acres with the ability to park at least 100 cars;
- A building of at least 10,000 square feet with the potential for expansion; and,
- A layout with a display area at the entranceway; a kitchen; a dining area; an exercise and dance area adjacent to the dining area that could be combined for larger events; a conference room; a computer lab; an arts and crafts area; a sitting room/library; a fitness room; a physical examination room; and, offices for the director and staff.

The Senior Center Planning Committee indicated that it was anticipated that all, or almost all, of the construction cost of a Center would be paid for through federal and state legislation, a small cities grant, a matching grant from Mercer County, and corporate sponsorship.

The proposal did not go so far as to identify a location or criteria for the location of a senior center. However, it appears that a central location, in or to the east of Pennington, and accessible to public transportation, would provide the greatest benefit. Currently there are concentrations of senior citizens in Four Seasons and Hopewell Crossing. The American Legion Post 339 building on Van Dyke Road has been suggested as a site, but the location is less than central, and the building would need extensive retrofitting and expansion.

Youth Activities and Youth Advisory Committee

It is recommended that the Youth Advisory Committee meet with interested parents, community leaders, government officials, health professionals and youth to determine the feasibility of a teen/youth center in Hopewell Valley. In addition, the Youth Advisory Committee and Hopewell Valley Senior Advisory Board should coordinate their activities, as the most effective and cost-efficient approach may be a shared

facility to serve the needs of seniors and youth. Under any circumstances the Boroughs and the Township should work on a regional location for any new facilities.

Among the topics to be discussed concerning a Teen Center or a joint Teen and Senior Center are the following:

- Location
- Funding
- Hours of operation
- Age group
- Budget
- Activities/programs
- Supervision/advisor
- Mission statement/purpose
- Web site
- Ownership (Private/501c3, municipal or county government)

Sustainability

The concept of sustainability, or sustainable development, is an underpinning of the 2002 Master Plan. The 2002 Master Plan indicates that “Sustainable development policies provide a land use framework that meets the needs of the present without compromising the ability of future generations to meet their own needs”; this definition of sustainable development is the most commonly accepted, originally appearing in a 1987 report by the U.N. World Commission on Environment and Development (UNCED). This approach, combined with the concept of capacity-based planning, is the basis upon which the Township’s master planning efforts have evolved.

Over the past 20 years the concept of sustainability has broadened and taken on new meaning. Simply put, sustainability includes environmental, economic and social components that contribute to a community’s well being. While the Township’s land use framework has endorsed and implemented the concept from an environmental, infrastructure and economic standpoint, sustainability has additional implications that affect energy use, building practices and, most importantly relative to this plan element, the social environment. A community facilities’ plan should not be viewed as a static document, but rather as an outline for the future.

The creation of a sustainable community has many facets. The Township’s Environmental Commission, building on interests expressed by other Township agencies, has identified as a goal to help generate ideas and develop a plan for guidelines for “green building” in new developments, and to develop options for energy sustainability for the Township facilities and for residents. This notion also has been articulated by the Planning Board, and should be an ongoing objective for the community.

The preceding discussion and recommendations concerning a combined Senior and Teen Center is another example of sustainable development. The advantages of a combined center, environmentally, fiscally and socially, are compelling. In addition, the senior population could benefit the youth population as mentors with their experience and knowledge, while the youth population could benefit the seniors through assistance in homes and on grounds. Another example that is particularly apropos to the community facilities' plan is the conjunctive use of Township areas for social, environmental and economic reasons. The recently dedicated Veterans Memorial on the Alliger tract could also be used as a community garden and community arboretum, with the resulting products made available to public or private entities that could use them to nurture the community and the environment.

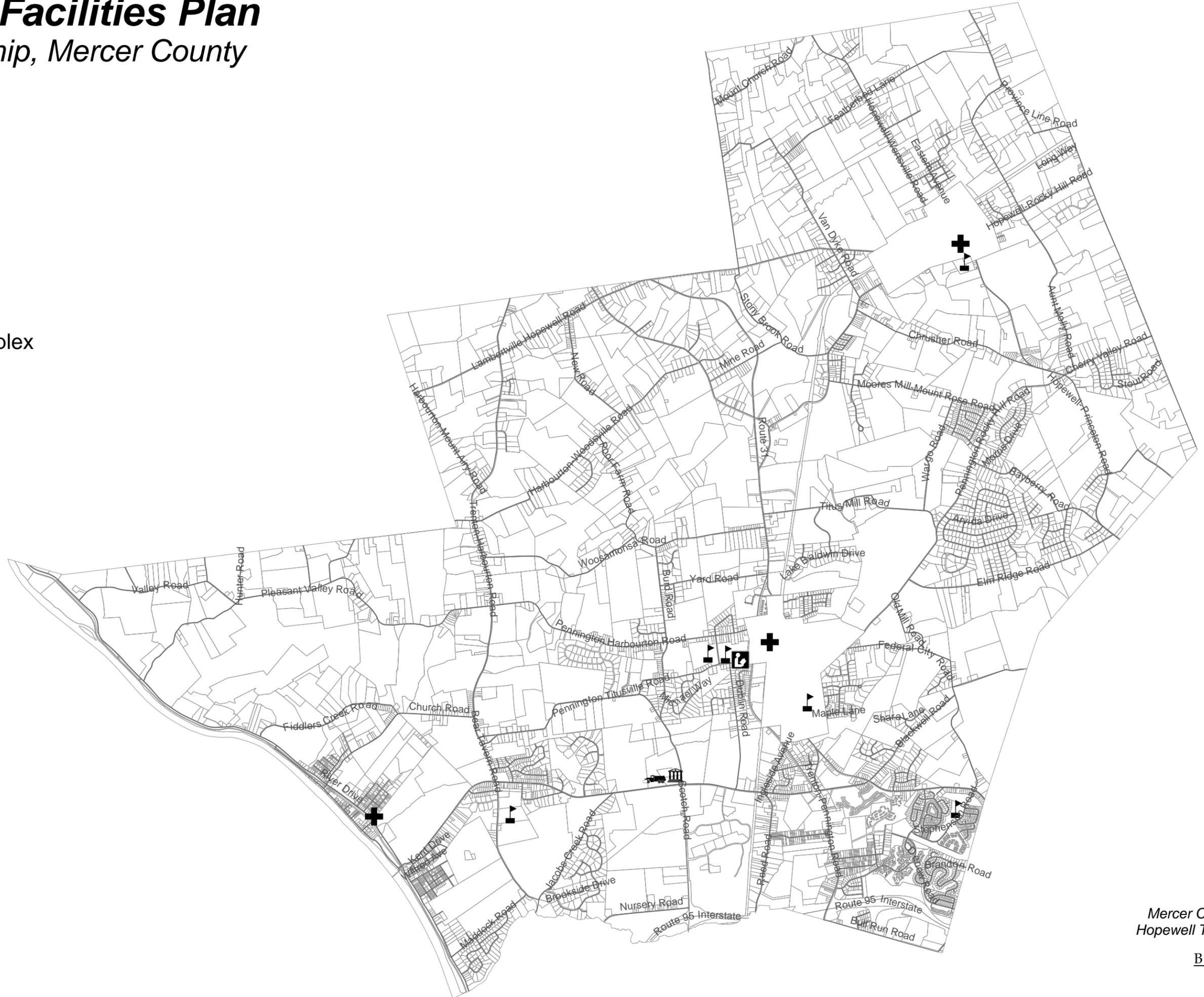
Community Facilities Plan

Hopewell Township, Mercer County

April 2007

Legend

-  Fire Station
-  Library
-  Municipal Complex
-  Public Works
-  School



Data Sources:
Mercer County Dept of GIS
Hopewell Township Engineer

Circulation Plan Element

Township of Hopewell
Mercer County, New Jersey

February 2006

*Prepared by the Hopewell Township Planning Board
in consultation with Banisch Associates, Inc*

Adopted on March 9, 2006

The original of this report was signed and sealed
in accordance with N.J.A.C. 13:41-1.3

**HOPEWELL TOWNSHIP
CIRCULATION PLAN ELEMENT**

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CIRCULATION PLAN ELEMENT

Introduction

Hopewell Township's Circulation Plan Element of the Master Plan is prepared in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-28b:

- (4) A circulation plan element showing the location and types of facilities for all modes of transportation required for the efficient movement of people and goods into, about, and through the municipality, taking into account the functional highway classification system of the Federal Highway Administration and the types, locations, conditions, and availability of existing and proposed transportation facilities, including air, water, road, and rail;

The Circulation Plan Element responds to the proposals outlined in the Land Use Plan Element, as well as the regional context in which Hopewell is located. It also addresses the Master Plan's goal and objectives for circulation and transportation.

Hopewell Township's goals and objectives for vehicular, pedestrian and alternative forms of transportation in the Township are designed:

- To create a circulation plan sufficient to accommodate planned development.
- To encourage proactive planning and regulation to ensure the adequacy of transportation facilities for planned future development, including the establishment of appropriate street design standards, the establishment of public/private partnerships for funding mechanisms, the coordination of transportation modes to accommodate changing commuter patterns, and the establishment of park and ride facilities and shuttle service.
- To coordinate with other municipalities, governmental bodies and corporate partners for a regional approach to transportation that respects and enhances the character of the community.
- To de-emphasize further highway development or extension into agricultural or scenic areas.
- To develop alternative routes in congested areas to improve safety.
- To establish transportation policies and programs that improve connections among housing, employment and commercial uses, including provisions for vehicular and pedestrian travel and bicycle paths.

- To promote transit alternatives in new and existing development to reduce traffic congestion, including ride shares, buses, mass transit, taxis, car/van pools, dial-a-ride, telecommuting and flextime.
- To control development in rural areas so that traffic will not exceed the capacity of the existing rural road network and historic bridges to provide safe, efficient and convenient traffic movements based on rural road service standards designed to maintain the character of the community.
- To recognize that roadways are public lands that deserve aesthetic design consideration as well as efficient movement of vehicles, and to carefully preserve view sheds and plan entrances to the Township because they represent a visitor's first impression of the Township.
- To promote the design and development of roadway improvements necessary to serve existing population and employment sectors of the Township.
- To encourage transportation funding for maintenance of the existing transportation system, rather than encouraging the development of new systems in rural areas.
- To establish highway access management plans for arterial highways.
- To provide for reverse frontage or service roads along congested or hazardous roadways.
- To minimize the impacts of transportation systems on the environment, including air and noise pollution.

To create this Element a background document was prepared. The background document includes the analysis of existing conditions and facilities which comprise the circulation network in the Township. This analysis addresses regional influences, roadway jurisdiction, existing road functions, street right-of-way widths, traffic accidents, road and bridge conditions, traffic counts, available rail and bus services, bicycle paths and trails, pedestrian systems and the transportation plans of Mercer County, Delaware Valley Regional Planning Commission and New Jersey Department of Transportation (Appendix A). In contrast, this Circulation Plan Element is the document that puts forward policies, programs, investments and plans to meet the objectives of the Master Plan.

Transportation Policies

The proposed actions in this Element are guided by the objectives of the Master Plan and the definition provided in the Municipal Land Use Law (MLUL). But beyond these factors many municipalities establish more specific policies which foster the municipality's actions in implementing the recommendations of the Element.

The Planning Board has identified the following six policies to guide this Element:

1. Preserve pavement widths. The intent is to minimize new impervious surfaces for environmental and aesthetic benefits. If not necessary to widen a road to advance an improvement then do not widen. Widening should only have a positive benefit.
2. Minimize impervious surface. The Planning Board advocates that new roadway design in the Township should maximize groundwater recharge by limiting impervious surfaces. Examples may be the elimination of curbs in certain instances in favor of swales, and the use of porous pavement on low intensity driveways and roads.
3. Advance safety improvements as required. Safety is of paramount importance, but these improvements should be analyzed in the context of all variables. (e.g. congestion, environmental impact, aesthetics, traffic calming, etc.)
4. Employ traffic calming measures when appropriate. Traffic calming devices can have significant benefits, but only should be utilized as part of a comprehensive plan.
5. Context Sensitive Design. The Planning Board supports the State's continued use of Context Sensitive Design in working with residents on mobility improvements in the Township. Context Sensitive Design (CSD) is an approach to planning and designing transportation projects based on active and early partnerships with communities. The Congestion Relief and Transportation Trust Fund Renewal Act signed into law in July 2000 requires the NJ DOT to have a CSD program. CSD involves a commitment to a process that encourages transportation officials to collaborate with community stakeholders so the design of the project reflects the goals of the people who live, work and travel in the area. Such collaboration results in creative and safe transportation solutions
6. "Freight on Rail". The Planning Board supports "Freight on Rail". The thrust of this policy is to get goods off roads and onto railways as an important step in developing a more sustainable distribution system, especially regarding trash and hazardous materials.

Roadway System

The system of roadways within a municipality is a significant part of the land use planning process, since it provides residents with their most basic means of making contact with their community. The Circulation Plan Background provided information on the jurisdiction of roads, street right-of-way widths and the incidents of accidents. This information as well as the plans of various jurisdictions and the Township's objectives and policies has been analyzed in order to determine those situations where the present

roadway system appears to be deficient or challenging; thereby helping to form the basis for recommendations.

Functional Classification

One of the requirements of the Municipal Land Use Law in constructing the Circulation Plan Element is to “take into account the functional highway classification system of the Federal Highway Administration (FHWA).” Each of the roadways in Hopewell Township performs a different function in the overall transportation network, and for purposes of planning is classified in three major types – arterial, collector or local.

Arterials

Arterials are vehicular rights-of-way with the primary function of carrying traffic in a continuous route across or through an area. Arterials are typically a principal part of the road network for through traffic flow, taking traffic from collector streets that serve neighborhoods and connecting to freeways, expressways or other limited access highways. Arterial roads also may be divided into principal and minor. Principal arterials are usually interstate such I-95 and other major highways that form an interconnected network of continuous routes serving regional corridors having the highest traffic volumes and the longest trip lengths (Routes 31 and 29). Minor arterials interconnect with and augment the principal arterial system, and include Routes 546 and 579.

Collectors

Collectors are roads that carry traffic between arterials and local streets as well as provide access to abutting properties. In Hopewell collectors are divided into primary or major and secondary or minor. The major or primary routes are those that carry higher volumes and are further divided into urban and rural. Quite often a road can be an urban minor arterial in the urban zone and changes to a rural major collector, as is the case with Route 579. The secondary or minor collector is the more typical collector type road connecting local streets with arterials or primary collectors.

Local

Local streets or roads provide the primary function of access to abutting properties. Usually fronted with single family units, these streets typically have low speeds and low traffic volumes. The local road system contains the largest amount of roadway in the Township, but a significantly small amount of traffic volume.

The Circulation Plan Background Report presents the functional classification that was developed by the FHWA in 2004 based on the 2000 census. Table 1 identifies the 2004 functional classification compared to the 1994 system (See Figure 4). There are a number of significant changes, many of which are a result of the increased development that has taken place over the last decade in the Township. The most significant change is

the decrease in the number of municipal roads as part of the classification. These changes are mostly likely a reflection of the Township’s land use decisions and policies during the decade. Several Rural Minor Collectors were eliminated, such as Church Road, Titus Mill Road and Woosamonsa Road, and a similar number of Urban Collectors, such as Denow Road, Stephenson Road and Van Brunt Road, also were declassified.

**TABLE 1
Comparison of 1994 and 2004 Federal Functional Classification**

Roadways	1994	2004
Interstate 95	Urban Interstate	Urban Interstate
Routes 31 & 29	Urban Principal Arterials	Urban Principal Arterial
Route 518	Rural Major Collector	Rural Major Collector
Route 546	Urban Minor Arterial	Urban Minor Arterial
Route 569	Rural Major Collector	Urban Collector/ Rural Major Collector
Route 579	Urban Minor Arterial & Rural Major Collector	Urban Minor Arterial & Rural Major Collector
Route 611 Scotch Road	Urban Minor Arterial	Urban Minor Arterial
Route 623 Pennington-Harbourton Road	Rural Major Collector	Rural Local
Route 624 Pennington-Rocky Hill Road	Rural Major Collector	Rural Major Collector
Route 625 Elm Ridge Road	Rural Major Collector	Rural Major Collector
Route 631 Ingleside Road	Urban Collector	Urban Collector
Route 637 Jacobs Creek Road	Urban Minor Arterial	Urban Collector
Route 654 Pennington-Hopewell Rd.	Rural Major Collector	Rural Major Collector
Bull Run Road	Urban Collector	Urban Collector
Burd Road	Rural Major Collector	Rural Local
Church Road	Rural Minor Collector	
Crusher Road	Rural Major Collector	Rural Local
Denow Road	Urban Collector	
Federal City Road ¹	Urban Minor Arterial	Urban Minor Arterial
Harbourton-Rocktown Road (579)	Rural Major Collector	Rural Major Collector
Hopewell-Wertsville Road		Rural Minor Collector
Moores Mill-Mount Rose Road	Rural Minor Collector	
Pennington-Rocky Hill Road (Municipal portion)	Rural Major Collector	Rural Major Collector
Pennington-Titusville Road	Rural Major Collector	Urban Collector ²
Pleasant Valley Road	Rural Minor Collector	Rural Local
Reed Road	Urban Collector	Urban Collector
Scotch Road	Rural Major Collector	Urban Collector ³
Stephenson Road	Urban Collector	
Titus Mill Road	Rural Minor Collector	

¹ Phase I from I-95 overpass to Bull Run Road

² From Scotch Road to Route 31

³ From Route 546 to Pennington-Titusville Road

Van Brunt Road	Urban Collector	
Woosamonsa Road	Rural Minor Collector	

Source: New Jersey Department of Transportation 1994 and 2004 Functional Classification System and Hopewell Township 2001 Road Inventory, Van Cleef Engineering Associates

Improvement Plans, Programs and Studies

State Highway System

The federal Transportation Equity Act for the 21st Century (TEA-21) requires that each state develop one multimodal Statewide Transportation Improvement Program (STIP) for all areas of the state. In New Jersey, the STIP consists of a listing of statewide line items and programs, as well as the regional Transportation Improvement Program (TIP) projects, all of which were developed by the three Metropolitan Planning Organizations (MPOs). (The Township is within the DVRPC region.) The TIPs contain local and state highway projects, statewide line items and programs, as well as proposed public transit projects.

This STIP conforms to and in many cases exceeds the specific requirements of the federal regulations:

1. It lists the priority projects programmed for each year of the first three years of the planning period.
2. It is fiscally constrained. Specifically, "planned federal aid expenditures" cannot exceed "projected revenues".
3. It contains all regionally significant projects regardless of funding source.
4. It contains all projects programmed for federal funds.
5. It contains, for information, state funded projects.
6. It contains expanded descriptive information (MPO, County, Municipality, Milepost, Sponsor and Program).

For federal fiscal years 2004 (beginning October 1, 2003) through 2006, there were a number of projects in the 2003 STIP, including the Van Dyke Road Bridge over the Trenton Branch; the Washington Crossing-Pennington Road Bridge over Conrail; the Route 31 and Route 518 Intersection Improvements; Route 29 Guiderail; and, Route 29 Roadside Enhancements. In the 2005 STIP for federal fiscal years 2006 through 2008 there are no projects specific to the Township, although there are some funds for the County to do minor improvements and restriping, generally reflecting the lack of funding and the emphasis on urban areas. The lack of funding jeopardizes the implementation of the Scenic Byways Management Plan for Route 29, which involved the acquisition of easements, removal of billboards and signs, and the encouragement of bicycle use to enhance the scenic qualities and enjoyment of Route 29.

The implementation of the Scenic Byways Management Plan is supported by the Planning Board, and the Planning Board recommends the inclusion of County and local

roads within the Route 29 Byway system. These are roads that intersect with Route 29 and share the rural character of Route 29, where pedestrian and bikeway improvements should be considered. Specific roads include the following:

1. Route 546
2. Maddock Road
3. Church Road
4. Pleasant Valley Road

Each of these recommendations extends from Route 29 and terminates at Bear Tavern Road (Route 579).

The Planning Board also recommends that the NJDOT coordinate its Byway efforts with the National Park Service and NJDEP. In 2000 the Delaware River and several segments of its Pennsylvania tributaries were designated as a Wild and Scenic Rivers. An example of a coordinating group is the Rivers, Trails and Conservation Assistance Program, also known as Rivers and Trails or RTCA, that works with community groups and local and State governments to conserve rivers, preserve open space, and develop trails and greenways. Rivers and Trails works in urban, rural, and suburban communities with the goal of helping communities achieve on-the-ground conservation successes for their projects.

Route 31

Building on work undertaken by the Planning Board and Master Plan Advisory Committee on Route 31 and the Mayor's Task Force on Traffic and Trucking, Hopewell Township and the Boroughs of Pennington and Hopewell initiated a study to analyze and possibly develop a shared community vision for the future character of Route 31. The main objective of the project was to identify ways of preserving parts of Route 31's character that are particularly valued by residents without creating a corridor of strip development with heavy traffic which would lose the "Main Street" character through Pennington and the Township.

With the involvement of the State and the County the study produced a number of recommendations which are supported by the Planning Board. Understanding that Route 31 is a State highway that extends from the City of Trenton and stretches through Hunterdon and Warren Counties, the consultant in the Route 31 Design Study, based on workshops and written comments, recommended:

- Preserve and enhance the existing character of Route 31's different segments by making this the character bench mark for all future improvements or development.
- The priority should be to keep through traffic on Route 31 rather than displacing it onto local or County roads.

- Prevent incremental development of an unbroken corridor of strip development dominated by vehicles and so sprawling as to require their use. Instead create nodes of development separated by protected intervals of open space, fields, woods and views that incorporate watershed drainages and existing or proposed trail linkages.
- Increase slow but steady traffic throughput as opposed to excessive speed to screaming stop conditions.
- Prioritize improvement or elimination of the many extended areas of dangerous conflicts in turning movements.

Beyond these conclusions by the consultant, the Planning Board makes the following recommendations:

- Route 31 between the Pennington Circle and I-95 should be evaluated for a three-lane roadway with median strips and turning lanes.
- Work with NJDOT to alter Route 31 south of North Main Street to create a pedestrian friendly “Main Street” for access to Pennington Borough and the school complex. Create single lane movement with a turning lane which have islands at specific intervals to act as a portion of a cross walk. Using buildings and trees close to the street will assist in giving the area a pleasing human scale features associated with the road will assist in calming through traffic.
- Any new roadway design for Route 31 should try to preserve and incorporate existing mature street trees in the area to the greatest extent possible. This is particularly true of Segment 1 from I-95 to the Conrail overpass where forms of residential development are set further back from the road. Careful attention in these areas can work the existing tree rows into areas of proposed future verges or street tree belts, thereby preserving a very important element of this area’s visual character. The removal of overhead utility lines should also be implemented.
- Lobby NJDOT to consolidate and eliminate curb cuts wherever possible along Route 31. Cooperate with them on the development of Highway Access Plan for Route 31.
- Work with NJDOT to redesign Pennington Circle to eliminate safety and speeding problems.
- Encourage NJDOT to work toward improvements at Route 31 and West Delaware Avenue by the creation of a roundabout or pedestrian overpass or tunnel.
- The Planning Board recommends safe, clear and convenient pedestrian crossings along Route 31.
- Preserve future right of way to provide bicycle lanes along Route 31.

- Parallel access/service roads should be considered to increase safety.

The NJDOT currently is undertaking a study of Route 31 south of the Pennington Circle, which is the least safe road segment in the Township, titled the “N.J. Route 31 Integrated Land Use Transportation Planning Study”.

County System

The Circulation Plan Background Report identifies the 19 County-maintained roadways in Hopewell Township. Several are significant 500 series routes (500 series County roads are inter-county; 600 series County roads are intra-county) which originate or terminate in other Counties beyond Mercer. A good example is County Route 579, which extends from Ewing Township to Bloomsbury in Hunterdon County.

Although a 500 series road, Route 579 is an example of roadway with split jurisdiction. Mercer County maintains Bear Tavern Road (Route 579) from the Ewing Township line to 497 feet northeast of Harbourton-Mt. Airy Road. The balance, approximately 2 miles, is maintained by Hopewell Township.

This is not the only case in the Township where there is a change in jurisdiction between the Township and County along a single road. Blackwell Road is a case where the Township maintains approximately 2 miles then the County assumes a portion (Route 632) of approximately 1,000 feet northeast of Pennington-Lawrenceville Road; and, Pennington-Rocky Hill Road (Route 624), which is a County road to Titus Mill Road and then a municipal road to the Montgomery and Princeton Townships border.

To overcome this jurisdictional confusion the Planning Board suggests that the Township explore equitable swaps with the County for these and possibility other roads. The advantages to the Township include the following:

- The reduction in major improvements that the Township might not desire.
- The elimination or reduction of truck traffic on certain roads.
- The implementation of traffic calming measures.

County Initiatives

The County’s Growth Management Plan was adopted by the County Planning Board in 1989. It has incurred incremental updating over the years, but it contains a number of projects involving County Routes in the Township which have been abandoned, such as the Pennington Bypass. In light of the age of the document the Planning Board is advocating that the Mercer County Planning Board develop an updated Plan which includes all of the County initiatives.

Two major Mercer County initiatives are the I-95/295 Transportation Development District (TDD) and the Access Management Code for County Roads. The TDD dates back to 1992 when it was approved by the New Jersey Department of

Transportation. The TDD is generally bounded by Pennington-Lawrenceville Road (Route 546) to the north, Federal City Road to the east, Upper Ferry Road to the south, and Scotch Road to the west. It impacts Ewing, Hopewell and Lawrence Townships.

The TDD plan identifies transportation infrastructure improvements that will be needed within the District to support anticipated development. The transportation goals of the TDD are to maintain acceptable traffic flows, protect quality of life for existing residents and make alternatives to single occupancy auto more attractive. The plan describes how these goals are achieved. It prioritizes the improvements and allocates a public and private sector share of the improvement costs. In addition, it established a trip based fee to be collected. The TDD plan is slated to be updated in 2006.

Although the Township sits on the Joint Planning Process Committee it has been at odds with the County about certain improvements on County roads. For example, the Township is proposing to maintain two-lane rural highways which are reflected in its transportation policies to maintain roadway widths and to reduce impervious surfaces. The Planning Board specifically supports the Township opposition to certain improvements to County Roads within the district, especially County Route 546.

The other initiative is the Access Management Code for County Roads. The goal of access management is to encourage the safe and efficient flow of traffic. This goal is achieved through the regulation of driveways, medians, median openings and traffic signals. Good access management results in fewer accidents, increased capacity and reduced travel time. Access management allows roads to handle more cars without decreasing the level of service, and reduces the need for new roads.

Mercer County is the first county to advance this concept for its highway system, which is authorized by the State Highway Access Management Act, P.L. 1989, c. 32. The County access code is being developed through a public process and will build on previous codes and adapted to address specific local needs and concerns. The Hopewell Township Planning Board is determined to work with the County in the implementation of its access management program for County roadways. By working with the County on this project the Township is interested in seeing the code applied to certain municipal roadways which function as Urban Collectors and Rural Major Collectors, for example Reed Road and Pennington-Rocky Hill Road.

Municipal System

Hopewell Township maintains approximately 133 miles of roadway. This mileage is spread out over 284 different roadways and segments.⁴ Right-of-ways vary from 60 feet (Denow Road) to 20 feet (Detour Avenue) with the majority 50 feet in width. The surfaces or cartways are mostly bituminous concrete. Oil and stone surfaces are found throughout the Township. An inventory of Township roads was conducted by Van Cleef

⁴ Certain roadways are divided into two or more segments based on type of construction and type of maintenance required or when they were last resurfaced.

Engineering Associates, which provides individual information and maintenance history for each municipally owned road (See Appendix A).

The most significant contribution to understanding the municipal and county road network was the formulation of the Hopewell Valley Traffic Management Coalition (HVTMC). This group was comprised of business, civic and local officials who formed to address traffic problems in the Township. As part of their effort a survey of the major employers in the Township, including Merrill Lynch, Jannsen and Bristol Myers Squibb, was conducted. Over 2,500 employees completed an on-line survey which traced their commuting patterns through 60 intersections. These data allowed the HVTMC to determine projected levels of service and intersection or roadway improvements.

The results of this effort are the basis for identifying traffic reduction strategies, roadway improvements, critical intersection improvements, a revised municipal classification and a monitoring program. The “Summary Report – Hopewell Valley Traffic Management Coalition, Volumes 1 and 2”, dated August 2005, is incorporated by reference into this document. The data in the HVTMC Report are a guide for future transportation improvements with the Township.

Traffic Reduction Strategies

Traffic reductions strategies are methods to reduce the number of vehicle trips on roadways. These strategies include a variety of techniques ranging from carpooling to the more complicated and costly mass transit options. The Greater Mercer Transportation Management Association (GMTMA) served as an excellent partner in the HVTMC and continually suggested ideas to reduce trips.

The traffic survey that was created as part of the HVTMC efforts incorporated many questions that focused on the desire of drivers in regard to options that would reduce trips. The questions in the survey specifically were geared toward the constraints on drivers that might prevent them from otherwise using methods that would reduce vehicle trips. The results of the traffic survey create inputs into the traffic model to analyze the benefits of trip reduction strategies to determine if the improvements suggested below are required after implementation of the specific strategy. The primary strategies suggested by the study are the following:

- Carpooling
- Van/Ride Share
- Mass Transit – Public Transportation/Private Transportation
- Employer incentive programs for vehicle trip reduction

Roadway Improvements

The HVTMC efforts revealed that existing roadways are of sufficient capacity to not require specific widening or the addition of lanes. No specific roadway

improvements were identified as part of the study outside of intersection improvements, although limited upgrades along existing roadways may be required.

A focus of the HVTMC was to manage traffic so that traffic volumes will not exceed the capacity of existing roadways. Another focus was to permit growth and utilize existing traffic patterns to avoid unnecessary roadway improvements. In order to achieve this, it will be necessary to perform limited upgrades along routes identified as the existing routes used by existing employee traffic volumes with Hopewell Valley destinations. These include but are not limited to Old Mill Road, Federal City Road between Old Mill Road and Route 546, Blackwell Road and Route 579 (Bear Tavern Road Harbourton-Rocktown Road).

Intersection Improvements

The following intersections will require improvements to meet demands from projected 2007 traffic volumes (See Figure 2 for proposed roadway and intersection improvements):

- Blackwell Road (Route 632) at Federal City Road
- Washington Crossing-Pennington Road (Route 546) at Scotch Road (Route 611)
- Pennington-Lawrenceville Road (Route 546) at Blackwell Road (Route 632)
- Scotch Road at Merrill Lynch North Drive
- Route 29 at Washington Crossing-Pennington Road (Route 546)
- Route 31 at Titus Mill Road
- Pennington-Rocky Hill Road (Route 624) at Hopewell-Princeton Road (Route 569)
- Scotch Road at Merrill Lynch South Drive
- Federal City Road at Bull Run Road
- Pennington-Lawrenceville Road (Route 546) and Federal City Road-Stephenson Road
- Pennington-Rocky Hill Road (Route 624) at Old Mill Road
- Pennington-Rocky Hill Road (Route 624) at Elm Ridge Road
- Washington Crossing-Pennington Road (Route 546) at Merrill Lynch Driveway
- Carter Road (Route 569) at Elm Ridge Road
- Route 31 at Diverty Road.

Municipal Classification System

Figure 1 establishes the municipal classification system for local roads. The roads that are identified as Primary Local streets serve a collector function in the Township. All other municipal streets are considered local roads. This terminology is consistent with the classification system utilized in the Land Use and Development Ordinance.

Monitoring

The monitoring program is a key component of measuring the success of the strategies applied in traffic reduction and the road and intersection improvements made to

the system. Certain indicators are required to maintain a successful monitoring system. The following program is recommended:

1. Establish a comprehensive system of conducting traffic counts and the reporting of accidents to the Planning Board.
2. Maintain and update the employee survey.
3. Add the Board of Education and other nonresidential tenants to the survey.
4. Develop a series of indicators and utilize the existing character of Route 31's different segments as a base for the establishment of future improvements.
5. Evaluate effectiveness of transportation management strategies using HVTMC model and updated traffic counts.
6. Use updated traffic counts to determine appropriateness of background growth projections vs. actual growth

Bridges and Culverts

Most bridges and culverts are maintained by the County and the State. In the case of Mercer County, there is a policy of not owning or maintaining any culvert that has an opening of less than 20 square feet, so a number of structures are maintained by the Township. The Planning Board is very supportive of the Township's efforts of inspecting and properly regulating structures such as bridges, culverts and other drainage facilities. This is especially important in the establishment of weight limits on certain facilities.

Another important aspect of bridges is the historic value they bring to the Township, especially in enhancing the rural character the Township seeks to maintain. NJDOT, using the services of a consultant, surveyed all bridges built before 1947 to assess eligibility for listing in the National Register of Historical Places. The survey was mandated by the 1987 Surface Transportation and Uniform Relocation Assistance Act.

Historic contexts had to be developed for the survey. Then, using the National Bridge Inspection Standards' definition of a bridge as a structure at least 20 feet long, the consultant collected data on 2,064 bridges in New Jersey and recommended eligibility for approximately 250.

Staff from the NJDOT's Environmental Services and the Federal Highway Administration's New Jersey Division Office reviewed these recommendations. The New Jersey State Historic Preservation Office also commented on the survey. The original survey was conducted in 1995 but was modified in 2001.

The following 18 structures were surveyed in Hopewell Township. Table 2 provides the street name, stream crossing, construction date and State/federal historic designation eligibility for each structure.

**Table 2
Hopewell Township Historic Bridge Data**

Name	Crossing	Construction Date	Eligibility
1. Hunter Road	Moores Creek	1889	Eligible ⁵
2. Pennington-Harbourton Rd.	Jacobs Creek	1915	Not Eligible
3. Mine Rd.	Stony Brook	1885	Eligible
4. Old Mill Rd.	Stony Brook	1937	Not Eligible
5. Federal City Rd.	South Branch of Stony Brook	1907	Not Eligible
6. Stony Brook Rd.	North Branch of Stony Brook	1915	Not Eligible
7. Van Dyke Rd.	North Branch of Stony Brook	1915	Not Eligible
8. NJ 29	Moores Creek	1832	Eligible
9. NJ 31	Branch of Stony Brook	1927	Not Eligible
10. NJ 31	Branch of Stony Brook	1929	Not Eligible
11. Co. Route 546	Railroad	1930	Not Eligible
12. Van Dyke Rd	Railroad	1918	Not Eligible
13. Co. Route 518	Stony Brook	1928	Not Eligible
14. Co. Route 518	Stony Brook	1905	Not Eligible
15. Co. Route 518	Bedens Brook	1933	Not Eligible
16. Bear Tavern Rd.	Jacobs Creek	1882	Eligible
17. Jacobs Creek Rd	Ewing Creek	1926	Not Eligible
18. Washington Crossing-Pennington Rd.	Woolseys Creek	1923	Not Eligible

With one structure in an historic district and one which has been locally designated, the Board recommends that the Township and the Historic Preservation Commission seek designation of the other two eligible structures.

Another important bridge in the Township is the Washington Crossing Bridge, which is a toll supported structure maintained by the Delaware River Joint Toll Bridge Commission (DRJTBC). The superstructure of the existing bridge, which connects Route 546 in Hopewell with PA Route 532 in Upper Makefield Township, Pennsylvania, was built in 1904. The bridge is a six-span double Warren truss structure, with a total length of 877 feet. The substructures, composed of rubble stone-faced masonry, are from the original construction in 1831. The open steel grid deck provides a clear roadway width of 15 feet between steel channel rub-rails. The downriver side of the truss supports a cantilevered, wood planked pedestrian sidewalk.

⁵ Part of Pleasant Valley Historic District

The flood of August 19, 1955 did considerable damage to the bridge. The bridge underwent an extensive structural rehabilitation in the fall of 1994. Many truss members were replaced with new fabricated galvanized steel. Floor system members and the open steel grid deck were replaced in the first three bays of each end span. All remaining structural steel was blast cleaned metallized and painted. A new wooden sidewalk was installed and renovations were made at both approaches to the bridge. The bridge is currently restricted to a 15-mile per hour speed limit, a 3-ton weight limit, and an 8 ft. vertical clearance.

The Planning Board supports the DRJTBC in its effort to maintain the Washington Crossing Bridge. The Board opposes any efforts to widen or alter the present bridge because the approaches are so close to a historic area, and the Board recommends it be maintained for pedestrian use.

Pedestrian Mobility

In the 2000 Census the Township of Hopewell had a total of 24 persons walking to work. This represents about a third of one percent of the population 16 and over included in the Township's resident work force. This is in stark contrast to the 83% that drive alone to their place of employment.

Part of the issue in Hopewell is the pedestrian system. The Township is mainly defined by the roadway network and the primary system of walking is along shoulders along streets, or along the few sidewalks. Because of its rural land use patterns there also are a limited number of sidewalks in the Township. Brandon Farms provides the largest concentration of sidewalks in the Township.

Despite the underdeveloped, existing pedestrian system, the Board offers the following recommendations to increase pedestrian mobility:

- Advance the inclusion of pedestrian friendly design elements in development and redevelopment plans
- Encourage land use patterns and walking environments that are safe and secure, and thereby reduce pedestrian deaths and injuries
- Identify Crossroads of the American Revolution through the use of signage
- Support programs to educate the public on the rights and responsibilities of pedestrians and the need for more pedestrian-friendly circulation systems in the Township
- Support government policies and funding initiatives that favor walking

The Planning Board has the authority to require the installation of sidewalks “in locations determined by the planning board to be in the interest of public safety and proper pedestrian circulation considering the probable volume of pedestrian traffic, the adjoining street classification where sidewalks parallel streets, school bus stops, recreation areas, schools, and the general type of improvement intended” (§17-104a). Considering this fact a recommendation of the Board is to advance a sidewalk program/plan as set forth in §17-104a. based on road classification and intensity of development. The Board also must consider the RSIS classification when acting on development applications.

As mentioned earlier in the section on the Route 31 Design Study, the Planning Board recommended safe, clear and convenient crossings along Route 31. The following are the specific recommendations of the Board:

- a. From the new Hopewell Crossing Shopping Center across Route 31 to the west.
- b. From Blackwell Road (CR 546) to Washington Crossing-Pennington Road across or around the “Circle”. (This recommendation is dependent on the development of a sidewalk plan for the area and future road design.)
- c. At Ingleside Road/Route 31.
- d. Most importantly, at the West Delaware and Route 31 intersection to allow safe pedestrian and bicycle crossings from the Pennington Borough core to the school and library core to the west of Route 31. This could be on grade with crosswalks whose materials extend the sidewalks across Route 31 and where adequate refuge islands are provided. If this is not possible then the Township should explore either an aesthetically designed overpass or even an underpass if it could be well lit, safe and deal with drainage problems at this low point intersection.
- e. At North Main Street and Route 31, in a way that creates refuges and also creates an attractive northern gateway to Pennington Borough via Main Street.
- f. From Titus Mill Road across Route 31 to the west if possible utilizing the railroad crossing. This is important to link the Stony Brook-Millstone Watershed Association farm and open space area with any new conservation land and beyond to the existing and proposed County Open Space network further to the west.

Bikeways

The bicycle is a low-cost and effective means of transportation that is quiet, non-polluting, extremely energy-efficient, versatile, healthy and fun. Bicycles also provide low-cost mobility to the non-driving public, including the young. In addition, pedestrian and bicycle routes can be designed to accommodate both forms of transportation. The

intent in recommending both pedestrian and bikeway plans is to ensure that the dual function is accommodated.

The State also has made a commitment to advance bicycling through technical assistance and funding. For example, the Statewide Bicycle and Pedestrian Master Plan is developing an inventory of bikeway locations in the State, but more importantly is fleshing out a list of priority locations for bicycle and pedestrian improvements, and is requiring opportunities for improving the bicycle or pedestrian compatibility of existing projects.

Within Hopewell a significant trail exists in the Delaware & Raritan Canal State Park. This 30 mile multi-use trail provides an excellent crushed stone surface for walking, mountain biking, horseback riding and hiking. The State has been promoting this system by making available a tour guide of the system for cyclists. This system can be altered by tying into another recreational biking facility in the Township at Washington Crossing State Park. The park provides a 3-mile paved surface for bicycling and hiking as well as connections to a picnic area, playground, nature center and museum.

Another State initiative in the Township is the “Last Covered Bridge Ride”. Using a tour guide for cyclists the route starts in East Amwell Township and extends approximately nine miles through the Township before concluding in Princeton Township.

At the local level the Lawrence Hopewell Trail (LHT) is a joint effort of the municipalities, Bristol Myers Squibb (BMS), Environmental Testing Service (ETS), the County, non-profit groups and the public to create a 20-mile loop in the two Townships. The trail would link the BMS and ETS campuses with the open space network using both off-street bicycle paths and on-street bicycle lanes. Lawrence Township and BMS have recently dedicated segments of the trail. The Township is also pursuing a pedestrian and bicycle link between the Boroughs of Pennington and Hopewell. The Planning Board supports these efforts, and emphasizes that pedestrian and bicycle paths should be designed to accommodate both forms of transportation.

Considering State initiatives to promote bicycling by providing technical and financial aid, the Planning Board recommends that the Township prepare a bicycle plan. The plan should link schools, public institutions, open space, recreational facilities, commercial activities, employment centers and neighborhoods. The plan should identify compatible streets and roadways for bicycle lanes and other segments for bicycle paths. The plan should suggest signage and recommend parking arrangements at public, commercial and employment locations. The plan also could include a financing element for the development of the system that is off existing roadways and other improvements.

Transit Opportunities

While there is no direct rail service to Hopewell Township, passenger service is provided on the Northeast Corridor, with stations in Princeton Junction, Princeton, Hamilton Township and Trenton. Frequent service is provided to Newark and mid-town Manhattan, with connecting service to and via the Port Authority Trans Hudson (PATH) lines, to Hoboken. Rail service to Philadelphia is provided on the R3 line and the R7 operated by the Southeast Pennsylvania Transportation Authority (SEPTA), The R3 has a station in Ewing Township (West Trenton) and Yardley, Pa. The R7 runs out of Trenton.

Commuter bus service within the Township is provided by New Jersey Transit with service between Pennington and Trenton via Route 31 and between Lambertville and Hamilton Township via River Road (Route 29). The latter service is limited to peak hour operations, but does provide a rail connection at Hamilton Station on the Northeast line and West Trenton for the R3 line. There is very limited peak hour service provide to the Berwind property from the Princeton area provided by New Jersey Transit.

Transportation Demand Management

Prompted largely by the worsening traffic conditions during the development surge in the mid-1980's, and the enactment of the Clean Air Act Amendments in November 1990, transportation demand strategies (TDMs) emerged as an important focus for reducing the quantity and impact of automobile traffic. As the name indicates, TDMs are alternative strategies designed to reduce the number of trips between residences and work places. They are typically implemented through a comprehensive traffic reduction ordinance (TRO), which establishes the goals and procedures as well as strategies.

Managing transportation demand is a complex undertaking as it involves not only a concerted administrative effort but also a fundamental change in personal habits. Since TROs involve an attempt to remove trips as well as to spread them, changes to commuting habits are inevitable, including the reduction of single-occupancy vehicles. Quantitative measurements to evaluate compliance with the goals of a TRO include the percent reduction in peak hour trips, percent participation rates, average peak hour vehicle ridership, and vehicle trip reduction to a desired level of service.

Greater Mercer Transportation Management Association

Hopewell Township is a member of the Greater Mercer Transportation Management Association. Greater Mercer TMA is a non-profit partnership of the public and private sectors, dedicated to reducing traffic congestion and improving mobility in and around Mercer County by providing a variety of commuter programs and services.

Greater Mercer TMA was established in 1984. Its members are large and small employers, local governments, authorities and state agencies who share the commitment to providing transportation choices through a multi-modal, balanced, transportation system.

Greater Mercer TMA offers its members a wide variety of services. The services include publications, such as the TMA's bi-monthly newsletter, which keeps employer representatives informed on the latest in transportation issues, and the publication *Crossroads*, which is a comprehensive, easy to read manual of step-by-step procedures for implementing and administering various transportation programs and services available to employees. The GMTMA also provides professional services, such as helping large employers, corporate centers, local and state government, community based organizations and non-profits establish and manage shuttle services. The organization also designs, conducts and analyzes a survey that will identify trends and opportunities for commute options such as ridesharing, transit or non-motorized transportation. In addition, the Greater Mercer TMA provides commuter services, such as programs like "Home Free", which is Greater Mercer TMA's guaranteed ride home program for eligible commuters who carpool or vanpool, take transit, or bike or walk to work and need an emergency ride home; and, "vanbuck\$" which is an empty seat subsidy program that gives groups of employees financial assistance when forming a new vanpool or to keep an existing vanpool on the road.

The Municipal Assistance Program provides selected Mercer County and member municipalities with technical assistance and support to implement demand management strategies or support strategies in areas with 'hot spot' congestion, rapid growth, safety or accessibility problems, or which offer little or no alternatives to automotive travel.

Specific services offered by Greater Mercer TMA include: bike/pedestrian facility planning, grant writing assistance, transit studies and grant assistance, park and ride assistance, municipal or neighborhood surveys, school and community events to promote commute options, and municipal workshops. The workshops for municipal officials address such topics as:

- TDM friendly municipal ordinances
- Transit oriented design
- Bikeable and walkable communities
- Traffic calming techniques and policies

Mercer County T.R.A.D.E

Another transportation demand service available in Hopewell is Mercer County T.R.A.D.E. The purpose of Mercer County T.R.A.D.E. (Transportation Resources to Aid the Disadvantaged and Elderly) is to provide a safe, efficient and economical para-transit service to all eligible Mercer County residents by trained drivers and staff. T.R.A.D.E provides transportation services to transportation-disadvantaged Mercer County residents

who are: senior citizens (60+) or persons with disabilities or economically disadvantaged. Trips are either subscription trips to employment, dialysis, nutrition sites, rehabilitation sites, radiation, etc. which are provided on an ongoing basis; or, demand response trips to doctors' appointments, out-patient clinics, beauty parlors, or shopping, which are provided on an as-needed basis.

Transit Demand Recommendations

The Planning Board can advance the adoption of traffic reduction plans by nonresidential developers to implement alternative strategies designed to reduce the number of trips between residences and work places. These may include:

- a. Ridesharing-park and ride, vanpools/carpools, vanpool/carpool lots (e.g. the NJDOT yard at Bear Tavern Road and Interstate 95 in Ewing Township)
- b. Flextime/compressed workweeks
- c. Shuttle services
- d. Subsidized transit and ridesharing
- e. Preferential parking
- f. Amenities for bicyclists and pedestrians
- g. Telecommuting

An example of such a project in Hopewell Township is the Hopewell Shuttle, which provides peak-hour commuter rides for Merrill Lynch employees between the Hamilton Rail Station and the Merrill Lynch Campus in Hopewell Township. The service is free – but riders must show their employee ID to ride.

Aviation

Hopewell Township physically is the home of a basic service airport, Twin Pine Airport. It is impacted by a non-hub commercial service airport, Trenton Mercer Airport (TTN) and the Princeton Airport in Montgomery Township, Somerset County.

The State Airport Systems Plan (SASP) identifies the primary role of TTN as a scheduled service airport. Scheduled service airports are intended to support commercial airline activities. Where capacity constraints do not limit, this functional level can also support general aviation activities including corporate/executive operations, personal business operations, recreational activities, and flight training.

Princeton Airport is a privately-owned, public use facility serving the Central Jersey region with a variety of services and products which meets the needs of the general aviation consumer – the pilot, the airplane owner, and the corporate user. The airport is located on Route 206 in Montgomery Township, Somerset County, on the border of Princeton, Mercer County. Whether the user is a corporate helicopter servicing the Route 1 corridor, a pilot flying a medivac aircraft or a charter pilot bringing visitors to Princeton University, the airport accommodates the traveling public. SASP identifies it as a General Service airport, which is intended to support smaller corporate aircraft, such as twin-engine aircraft, and the operation of general aviation aircraft for business and pleasure. This functional level is intended support a variety of uses, such as business, pleasure, and training, while providing the majority of the system’s operational and storage capacity for single- and multi-engine piston aircraft.

Three miles northeast of TTN is the basic service airport of Twin Pine. This facility is located on Route 546 and bases 28 aircraft. Two thirds of its usage is local general aviation; the balance is transient general operations. It has a turf runway of 2,200 by 100 feet. It has one business at the field, which provides flight training, aircraft rental, aerial tours and charters. The SASP identifies it as a Basic Service airport, which include facilities with paved or turf runways that support small single- and twin-engine general aviation aircraft. This functional level offers limited facilities and services.

The Planning Board is concerned about the growth and expansion of airports and the impacts they have on residents, quality of life and water quality. Therefore the Board opposes airport expansions that could adversely affect the quality of life.

Goods Movement

Moving freight, such as raw materials and finished products, is an area of increasing importance in New Jersey. Businesses, jobs and consumers all rely on it. The key is to devise regional goods movement strategies that will facilitate the flow of freight and minimize the impact on local communities like Hopewell Township. Freight movement by trucks through Hopewell Township is a significant issue. In 2001 legislative representatives were successful in enacting legislation which banned trucks over 13 tons from Route 29, the State’s only designated scenic corridor.

The State is taking steps to restrict large trucks (102-inch wide) to the “National Network” of highways in the state. These restrictions will not obstruct commerce in the State. All trucks doing business in the State of New Jersey will have access to all N.J. based businesses. The crucial difference is that the large trucks not doing business in New Jersey will be prohibited from using state and county highways. Given New Jersey’s high population density, high traffic density and older highway infrastructure, it is only natural that truck safety and truck routing issues would be more of a concern in New Jersey than they would be in most other less densely settled states. Route 31 though is an important link in the New Jersey’s access network to the national network (I-78 and I-95).

The Planning Board is quite concerned about the impact that trucks have on the community. The Board would like the elimination of not only 102” trucks in the Township but also 96” trucks, and strongly supports the utilization of freight on rails to get goods off roads and onto railroads. This would be the first step in building a more sustainable distribution system.

Another recommendation of the Board is its desire to see Township police expanding the inspection of trucks. Also, the Board is supportive of legislation which redefines local deliveries. The Board believes that local deliveries and pickups can be made by local businesses, but trucks should return to the National Network by the shortest route possible. A final recommendation from the Board is the development of a Truck Route Plan. The present Truck Route is depicted in the following table from the background document.

**Table 3
Truck Routes**

Route	Extent
Route 31	Ewing Twp – East Amwell Twp.
Washington Crossing-Pennington Road- Co. Route 546	River Dr.- Lawrence Twp.
Scotch Road- Co. Route 611	Ewing Twp- Washington Crossing- Pennington Road
Pennington-Hopewell Road- Co. Route 624	Route 31-Hopewell Borough
Lambertville-Hopewell Turnpike Co. Route 518	West Amwell Twp.- Hopewell Borough
Hopewell-Rocky Hill Road- Co. Route 518	Hopewell Borough-Montgomery Twp.
Hopewell-Princeton Road- Co. Route 569	Hopewell Borough-Pennington –Rocky Hill Road

Source: Truck Route and Ratings, Van Cleef Engineering, October 2002, modified in 2003

Implementation Plan

The development of the Circulation Plan requires the development of an implementation strategy. The three areas of implementation should focus on investments, regulations and assessment of success.

Investments

While the Planning Board recognizes the ultimate authority of the Township Committee in fiscal matters, the Board can provide advice to the Committee through the following methods:

- The development of an official map. The Municipal Land Use Law (N.J.S.A. 40:55D-32) in Article 5 authorizes the Township Committee to adopt by ordinance an official

map which reflects an appropriate provision of the municipal master plan. The map is deemed conclusive with respect to the location and width of streets, public drainage ways and the location of flood control devices and public areas, whether or not such streets, ways, basins or areas are improved or unimproved. Identification of certain improvements which require additional ROW or the consumption of land such as a bicycle path should be mapped on the official map. This then becomes a means of apprising property owners of the Township's plans for certain areas so there is no conflict if the owner wishes to improve his/her property before the Township acts on its plans for that area.

- A capital improvement program as authorized by Article 4 of the Municipal Land Use Law (N.J.S.A. 40:55D-29). With Township Committee authorization the Planning Board may prepare a program of municipal improvement projects over a term of at least six years. The program may encompass projects currently being undertaken or those in the future that may involve Federal, State, County and other public funds. It also should be classified by its urgency. This is a good method of programming desirable improvements from the Circulation Plan.

Regulations

Another method of implementing the Circulation Plan recommendations is through the review and approval process of subdivisions and site plans. The recommendations in this area are:

- The standards for right-of-way width, cartway width and traffic lanes contained in the Land Use and Development Ordinance should be revised. The standards currently provide for wide and over-developed roadways, which are not in keeping with the objectives of the Plan.
- The recommendations of the Summary Report of the Hopewell Valley Traffic Management Coalition should be incorporated into the development review and approval process.
- Reexamine existing spatial standards, architectural standards and design guidelines for the Route 31 Corridor, including signage.
- Integrate new standards following the detailed guidelines for different segments of the Route 31 Corridor included in Chapter 5 of the Route 31 Design Guidelines report into appropriate portions of the Zoning Code.
- Create incentives for more human oriented, streetscape type development and more appropriate development types, architectural scales and building/road relationships
- Create incentives and expedited permitting for those site plans which encourage coordinated planning, linkage, and through access easements between multiple property owners.

- Explore whether Pennington Borough and Hopewell Township should encourage a community initiative to create what in some states is called a “specific plan” for the Segment 2 area of the Route 31 corridor plan north and south of West Delaware and west of the Conrail tracks. This involves the entire community of property owners, residents, business people and municipal staff in developing an approved plan for an area involving multiple ownerships where if any one owner comes in with a proposal that meets the requirements of the plan then they are assured of incentives and an expedited and predictable approval process.

Monitoring

To determine the success of the Circulation Plan and capital improvement program a monitoring system should be developed. An implementation monitoring program identifies the adjustments and changes that may be required in the Circulation Plan’s recommendations. Targets and indicators are a method for monitoring implementation. Benchmarks could be the existing character of the different segments of Route 31 for all future improvements or development. The recommendations on monitoring by the HVTMC, as well as the continued analysis of accident locations, traffic levels and levels of service, play an important role in the ongoing analysis of circulation conditions.

Appendix A

CIRCULATION PLAN BACKGROUND REPORT

Introduction

Hopewell Township's goals and objectives for vehicular, pedestrian and alternative forms of transportation in the Township are designed:

- To create a circulation plan sufficient to accommodate planned development.
- To encourage proactive planning and regulation to ensure the adequacy of transportation facilities for planned future development, including the establishment of appropriate street design standards, the establishment of public/private partnerships for funding mechanisms, the coordination of transportation modes to accommodate changing commuter patterns, and the establishment of park and ride facilities and shuttle service.
- To coordinate with other municipalities, governmental bodies and corporate partners for a regional approach to transportation that respects and enhances the character of the community.
- To de-emphasize further highway development or extension into agricultural or scenic areas.
- To establish transportation policies and programs that improve connections among housing, employment and commercial uses, including provisions for vehicular and pedestrian travel and bicycle paths.
- To promote transit alternatives in new and existing development to reduce traffic congestion, including ride shares, buses, mass transit, taxis, car/van pools, dial-a-ride, and flextime.
- To control development in rural areas so that traffic will not exceed the capacity of the existing rural road network and historic bridges to provide safe, efficient and convenient traffic movements, based on rural road service standards designed to maintain the character of the community.
- To recognize that roadways are public lands that deserve aesthetic design consideration as well as efficient movement of vehicles, and to carefully preserve viewsheds and plan entrances to the Township because they represent a visitor's first impression of the Township.

- To promote the design and development of roadway improvements necessary to serve existing population and employment sectors of the Township.
- To encourage transportation funding for maintenance of the existing transportation system, rather than encouraging the development of new systems in rural areas.
- To establish highway access management plans for arterial highways.
- To minimize the impacts of transportation systems on the environment, including air and noise pollution.

The inventory and background contained in this report represents the analysis of existing conditions and facilities, which comprise the circulation network in the Township. This analysis addresses regional influences, roadway jurisdiction, existing road functions, street right-of-way widths, traffic accidents, road and bridge conditions, traffic counts, available rail and bus services, bicycle paths and trails, pedestrian systems and the transportation plans of Mercer County, Delaware Valley Regional Planning Commission and New Jersey Department of Transportation.

Regional Influences

In 1995, Congress designated a nationwide total of more than 160,000 miles of roads as the National Highway System (NHS). The purpose of the NHS is to provide an interconnected network of principal travel routes that serve major population centers, international border crossings, ports, airports, public transportation and other intermodal facilities; meet national defense requirements; and, serve interstate and interregional travel. The NHS was created to provide for the continued maintenance and repair of those roads most important for both commercial and defense-related purposes. The system consists of the entire Interstate Highway System plus other urban and rural principal arterial roadways. Dedicated funding is provided for these roads of national significance. The urban interstate of I-95 and the principal arterial highways of Route 29 and Route 31 in Hopewell Township are part of this system.

These highways have a significant regional influence on the circulation system of the Township. Route 31 provides north-south mobility. From the north Route 31 provides access to the employment centers in the Township. It also offers access into Hunterdon and Somerset Counties and eventually to two significant Interstate highways (I-78 and I-287). Southward it serves as a major link with employment in Trenton and Ewing Township. Traffic volumes range from 28,000 vehicles a day in the southern portion to 15,000 vehicles a day in the north as it enters Hunterdon County.

In addition, Route 31 is one of the five interchanges with Interstate-95, which supply access for the Township to part of the major north-south interstate system, connecting the major population and employment centers of the East Coast. Although I-95 sits at the southern edge of the Township it performs a major role in accessing the region and

influencing development within the Township. I-95 provides access north to the employment rich Route 1 corridor, and eventually connects with the New Jersey Turnpike. I-95 also connects to Interstate 295 towards the Camden metropolitan area, and to Interstate 195 extending to coastal New Jersey. To the south I-95 crosses the Delaware River and continues on to Philadelphia. Traffic volumes range from 55,000 to 65,000 vehicles a day.

Route 29 serves as a scenic connection with Trenton and the most western lands along the Delaware River of Ewing and Hopewell Townships while terminating in northern Hunterdon. Its scenic beauty has resulted in its designation as the State's first scenic corridor. While identified as a principal arterial in the State's classification system, it also serves to an extent as "Main Street" for areas of the Township such as Washington Crossing and Titusville.

Route 31 also serves as a Main Street as it flows through the western edge of Pennington Borough. This function is extremely complicated by the fact that, with the opening of Interstate 287 through Bergen County into New York, Route 31 has become the main route of preference for truck traffic connecting with I-95.

While there is no direct passenger rail service to the Township, service is provided on the Northeast Corridor, with stations in Princeton Junction, Princeton, Hamilton Township and Trenton. These stations provide frequent service to Newark and mid-town Manhattan, with connecting service to the Port Authority Trans Hudson (PATH) lines in Hoboken. Rail service to Philadelphia is provided on the R3 line operated by the Southeast Pennsylvania Transportation Authority (SEPTA), which has stations in Ewing Township and Trenton.

Commuter bus service within the Township is provided by New Jersey Transit, with service between Pennington and Trenton via Route 31 and between Lambertville and Hamilton Township via River Road (Route 29). The latter service is limited to peak hour operations, but does provide a rail connection at Hamilton Station on the Northeast line and West Trenton for the R3 line.

Trenton Mercer Airport (TTN) is a non-hub commercial service airport owned and operated by the County of Mercer, New Jersey. The airport terminal is located in Ewing Township, Mercer County; however, a small portion of vacant property extends into Hopewell Township. A Federal Aviation Administration designated primary commercial service airport, TTN provides facilities for limited scheduled commercial air carrier service and, in addition, serves as the home base for the corporate flight departments of several Fortune 500 companies, the United States Marine Corps, and the New Jersey Air National Guard. Other air service is accommodated by Philadelphia International Airport and Newark International Airport. Access to Philadelphia International Airport via I-95 is excellent, and Newark International Airport is accessible by Routes 31 and 202 to I-78.

Roadway Jurisdictions

There are four levels of roadway jurisdiction in the Township, including State, County, municipal and private. The primary highway system consists of the Interstate 95 and State highway routes 29 and 31. Roadway jurisdiction is depicted on the Jurisdiction of Roads map (Figure 3).

The secondary highway system includes most of the County road network and a few municipal streets serving inter-municipal traffic. The County road system in the Township consists of both 500 series roads, which are inter-county roads, and 600 series roads, which are intra-county roads. The County roads in the Township include the following, by County Route number and local names:

1. Route 518-Lambertville-Hopewell Road (west of Hopewell Borough)
2. Route 518-Hopewell-Rocky Hill Road (east of Hopewell Borough)
3. Route 546-Washington Crossing-Pennington Road (west of Route 31)
4. Route 546-Pennington-Lawrenceville Road (east of Route 31)
5. Route 569-Carter Road (south of Mt. Rose)
6. Route 569-Hopewell-Princeton Road (north of Mt. Rose)
7. Route 579-Bear Tavern Rd. (south of Pennington-Harbourton Road)
8. Route 579-Trenton-Harbourtown Rd. (north of Pennington-Harbourton Road)
9. Route 611-Scotch Road (to Route 546)
10. Route 612-Marshall's Corner-Woodsville Road
11. Route 623-Pennington-Harbourton Road
12. Route 624-Pennington-Rocky Hill Road (to Titus Mill Road)
13. Route 625-Elm Ridge Road
14. Route 631-Ingleside Avenue
15. Route 632-Blackwell Road
16. Route 637-Jacob's Creek Road
17. Route 640-Pennington Road
18. Route 647-Nursery Road
19. Route 654-Pennington-Hopewell Road

The New Jersey Department of Transportation 2004 Straight Line Diagrams categorize some of these roadways as urban minor arterials (Washington Crossing-Pennington Road, Pennington-Lawrenceville Road, Bear Tavern Road and Scotch Road). Others are categorized as urban collectors (Ingleside Avenue and Nursery Road) and rural major collectors (Lambertville-Hopewell Road) or rural local roads (Blackwell Road).

The remaining roadways in the Township are under municipal jurisdiction or are privately owned and maintained. There are a number of local roads that provide major circulation functions within the Township. For example, Pennington-Rocky Hill Road serves as a rural major collector, Pleasant Valley Road serves as a rural minor collector, Bull Run Road performs an urban collector function and a portion of Federal City Road acts as an urban minor arterial.

Existing Road Functions

In addition to classification by roadway jurisdiction, roadways commonly are classified by function (Figure 4). As indicated in the 1989 New Jersey Transportation Plan, Volume 1 (N.J. Department of Transportation), "The functional classification system is used to indicate the degree to which a facility provides mobility or land access or a combination of the two. Those roads, which are designed to provide the greatest degree of mobility and uninterrupted flow, are the Interstate and other principal arterials. Those roads designed to provide access to individual land uses are local roads and streets. In-between the two are minor arterials and major and minor collectors. Collector roads generally provide medium speed movements of vehicles from the local road system to the arterial system and for short distance movements through and between small communities."

Although there is not a direct relationship between the jurisdictional ownership and functional classification of a highway, generally the higher functional roads fall under State jurisdiction and the lower functional roads fall under local ownership. However, this generality is complicated by the fact that each level of government tends to view the function of a road from its own unique perspective. Thus, the comparability of functional road classification systems is compromised.

To illustrate this point, Table 4 provides the functional classification system by jurisdiction (State, county or municipal). The Table only identifies those roadways which have a status of arterial or collector. This does not include the approximately 103 miles of local roadway that are not classified in the Federal Highway Administration (FHWA) functional classification system.

The Township is required to consider the functional classification system in its transportation planning, as the Municipal Land Use Law (MLUL) indicates that a Circulation Plan Element must take into account the functional highway classification system of the FHWA.

TABLE 4
Comparison of Functional Classification by Roadway and Jurisdiction

Roadways	Level of Government		
	Hopewell Township	Mercer County	New Jersey
Interstate 95			Urban Interstate
Routes 31 & 29			Urban Principal Arterials
Route 518		Rural Major Collector	
Route 546		Urban Minor Arterial	
Route 569		Rural Major Collector	
Route 579		Urban Minor Arterial & Rural Major Collector	
Route 611 Scotch Road		Urban Minor Arterial	
Route 623 Pennington-Harbourton Road		Rural Major Collector	

Route 624 Pennington-Rocky Hill Road		Rural Major Collector	
Route 625 Elm Ridge Road		Rural Major Collector	
Route 631 Ingleside Road		Urban Collector	
Route 637 Jacobs Creek Road		Urban Minor Arterial	
Route 647		Urban Collector	
Route 654 Pennington-Hopewell Rd.		Rural Major Collector	
Bull Run Road	Urban Collector		
Burd Road	Rural Major Collector		
Cherry Valley Road	Rural Major Collector		
Crusher Road	Rural Major Collector		
Federal City Road	Urban Minor Arterial		
Pennington-Rocky Hill Road (Municipal portion)	Rural Major Collector		
Pennington-Titusville Road	Rural Major Collector		
Pleasant Valley Road	Rural Minor Collector		
Reed Road	Urban Collector		
Scotch Road	Rural Major Collector		

Source: New Jersey Department of Transportation 2004 Functional Classification System and Hopewell Township 2001 Road Inventory, Van Cleef Engineering Associates

Street Right-of-Way Widths

The right-of-way (ROW) widths of streets in Hopewell Township are reflective of the time period when they were established and, to some degree, the purpose they serve. The larger ROW widths of the Interstate and State highways reflect their position in the hierarchy of streets, while the smaller rights-of-way (33 feet) are on streets in the Township's largely rural sections. More recent subdivisions have the 50-foot ROW typical of the subdivision standard for local streets.

Table 5 summarizes the ROW widths for all public streets in the Township.

TABLE 5
Right-of-Way Widths

1000'-600'	Interstate 95
100'	Route 31 (Yard Rd. – Circle)
70'	Main Street
66'	Rt. 31 (518-Yard Rd. & Circle-Ewing Twp. Line), Bear Tavern Rd. (Co. Rt. 579), Hopewell-Lambertville Rd. (Co. Rt. 518), Hopewell-Rocky Hill Rd. (Co. Rt. 518 Spur), Marshall Corner-Woodville Rd. (Co. Rt. 612), Pennington-Harbourton Rd. (Co. Rt. 623), Scotch Rd. (Co. Rt. 611)
60'	Washington Crossing-Pennington Rd. (Co. Rt. 546), Pennington –Lawrenceville Rd.

	(Co. Rt. 546), Blue Ridge Rd., Brandon Rd. West, Denow Rd., Flower Hill La., Meadowbrook Farm Rd, Nedsland Ave., Park Lake Ave., Stephenson Rd., Timberlane Dr. North, Van Brunt Rd.
58'	North Main St., Pennington-Titusville Rd. Phase II
57'	Birch St., Maple La., Oak St.
51'	East Welling Ave.
50'	Elm Ridge Rd. (Co. Rt. 625), Ingleside Rd. (Co. Rt. 631), Alta Vista Dr., Apachee Dr., Applewood Dr., Aqua Ter., Arida Dr., Avalon Rd., Bailey Dr., Beech St., Beechtree La., Beechwood Dr., Benjamin Tr., Benson Rd., Bethany Ave., Blackfoot Rd., Blue Spruce Dr., Bonner Ct., Borroughs Ave., Bradford La., Bramble Dr., Brandon Rd., Brewster Ct., Brigham Way, Brookside Dr., Carey St., Caroline Dr., Cedar Brook Ter., Cedar Dr., Chase Hollow Dr., Cherokee Dr., Cheyenne Dr., Chicory La., Clarke Ct., Cleveland Rd. West, Coach La., Coburn Rd., Conanat Way, Continental La., Corrine Dr., Cortland Ave., Cotswald La., Coventry La., Creek Rim Dr., Crest Ave., Crestview Dr., Curliss Ave., Darrow Dr., Dionis Ct., Diverty Rd., Donovan Rd., Stanford Ct., Drummon Dr., East Acres Dr., East Prospect St., East Shore Dr., Eastern Ave., Elden Way, Echo Hill Dr., Ethan La., Fabian Pl., Fabrow Dr., Fairway Dr., Fanning Way, Fisk Ct., Flower Hill Dr., Flower Hill Ter., Flower Hill La., Forrest Blend Dr., Forrest Central Dr., Forrest Edge Rd., Forrest Hill Rd., Foster Rd., Fox Run Rd., George Washington Dr., Glenwood Dr., Grace Hill Ct., Grand View Ave., Grange Rd., Grenloch Dr., Harbourton Ridge Dr., Harrison Ave., Hart Ct., Harvest Dr., Haver St., Hedgecroft Dr., Henly Pl., Hessian Hill Dr., Hester Ct., Honey Brook Dr., Honey Lake Dr., Hope St., Hopewell-Wertsville Rd. Phase III, Hopkinson Ct., Howard Way, Hunters Ridge Rd., Independence Way, Jamieson Dr., Jefferson Pl., Johnstone Dr., Kentsdale Dr., Kunkel Ct., Lake Baldwin Dr., Larchmont Ct. Lewis Brook Dr., Linden La., Long Way, Lynnbrook Dr., Madaket La., Madison Ave., Manley Rd., Masters Way, McKonkey Way, Meadow La., Meadows Ct., Merrick Pl., Michael Way, Moorehead Rd., Morgan Ave., Morningside Ct., Morningside Dr., Morris Dr., Murphy Dr., Nathaniel Green Rd., Navesink Dr., Nelson Ridge Rd., Nobadeer Dr., North Star Ave., North Woods Dr., Old Scotch Rd., Orchard Ave., Overlook Rd., Palmer Rd., Patterson Ave., Penn View Dr., Pierson Dr., Pine Tavern Ct., Plymouth St., Pond View La., Red Maple St., Relgate Way, River Knoll Dr., Roosevelt Ave., Rosedale Way, Rumson Ct., Rustic Dr., Scotch Rd., Search Ave., Shara La. East, Shara La. West, Short Way, Sioux Rd., Skyfield Dr., Skyview Dr., Spring Hollow Dr., Spring Hollow Dr. West, Stanford Rd. East, Stanford Rd. West, State Park Dr., Stockton Rd., Stout Rd., Tanglewood Dr., Temple Ct., The Kings Path, Timberbrook Dr., Timkak La., Todd Ridge Rd., Tree Farm Rd., Tyburn La., Valley View Rd., Viewpoint Dr., Voorhees Way, Washington Ave., Weldon Way, Welwyn Ct., West Shore Dr., Westcott Blvd., Western Pine St., White Birch St., Willow Creek Dr., Woodlawn La., Woodmere Way, Wycoff Dr.,
46'	Butterfoss Ave., Cedar La., Wildwood Way, Wrick Ave.
45'	Autumn Ridge Road, Drummers Lane, Gatehouse Road, Kestrel Lane, Smoke Rise Road
40'	Grant St., Kent Dr., Wilfred Ave.
36'	Mercer St., River Dr.
35'	Lafayette Ave. Phase I, Lafayette Ave. Phase II
33'	Rt. 29, Pennington-Hopewell Rd. (Co. Rt. 654), Hopewell-Princeton Rd. (Co. Rt. 569), Nursery rd. (Co. Rt. 647), Pennington-Rocky Hill Rd. (Co. Rt. 624), Barry Rd., Cleveland Rd. East, Federal City Rd. Phase I, Goat Hill Rd., Hansen Pl., Hanson's Corner. Ingleside Ave., Old Mill Rd., Old Pennington-Lawrenceville Rd East, West Scotch Rd., Woodens La
30'	Brookside Ramble
26'	Rivera Ave., Trimmer Ave.
20'	Coleman La., Detour Ave.

Variable	Aunt Molly Rd., Bayberry Rd., Blackwell Rd. East & West, Bull Run Rd., Burd Rd., Cherry Valley Rd., Church Rd., Crusher Rd., Dublin Rd., Dunwald La., Feather Bed La., Federal City Rd. Phase II, Federal City Rd. Phase III, Fern Ridge La., Fiddlers Creek Rd., Harbourton-Mount Airy Rd., Harbourton-Rocktown Rd. Phase I, Harbourton-Rocktown Rd. Phase II, Harbourton-Rocktown Rd. Phase III, Harbourton-Woodville Rd., Hopewell-Amwell Rd., Hopewell-Wertsville Rd. Phase I, Hopewell-Wertsville Rd. Phase II, Jacobs Creek Rd., Lupin La., Maddock Rd., Mine Rd., Minnetown La., Moores Mill-Mount Rose Rd., Mountain Church Rd., New Rd., Old Washington Crossing-Pennington Rd., Pennington-Rocky Hill Rd. Phase I, Pennington-Rocky Hill Rd. Phase II, Pennington-Rocky Hill Rd. Phase III, Pennington-Rocky Hill Rd. Phase IV, Pennington-Titusville Rd. Phase I, Pennington-Titusville Rd. Phase III, Pleasant Valley Rd., Pleasant Valley-Harbourton Rd., Poor Farm Rd., Postley La., Province Line Rd. Phase I, Province Line Rd. Phase II, Province Line Rd. Phase III, Reed Rd., Reservoir Rd., Search Ave., Somerset St., Stony Brook Rd., Sunset Dr., Tara Way, Timberlane Dr. South, Titus Mill Rd., Valley Rd., Van Dyke Rd., Vannoy Ave., Wargo Rd., Woosamonsa Rd., Yard Rd.
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Traffic Accidents

The Bureau of Accident Records in the NJDOT compiles an annual summary list of motor vehicle accident locations, including data on the total number of accidents, fatal accidents, and accidents involving personal injury and property damage. The data presented in Table 6 addresses the period from 1998 to 2001 for I-95 and Routes 29 and 31, and Figure 5 identifies the number of accidents by location. Figure 6 depicts the overall number of accidents for other roads in the Township for the same 4-year period. Table 7 shows the data for County and Township roadways.

TABLE 6
State Highway Accident Locations 1997 To 2000

Roadway	Location	Accident Information				
		1997	1998	1999	2000	TOTAL
<i>Interstate 95</i>	Mile markers 2.37-5.59	47	46	54	34	181
<i>Route 29</i>	Mile marker 10.47-11.97	9	6	6	11	32
<i>Route 29</i>	Mile marker 11.97-13.11	12	12	8	16	48
<i>Route 29</i>	Mile marker 13.11-14.85	2	7	10	14	33
<i>Route 29</i>	Mile marker 14.85-17.03	7	23	9	13	52
<i>Route 31</i>	Mile marker 4.72-4.95	13	7	18	17	55
<i>Route 31</i>	Mile marker 4.95-6.24	38	87	84	71	280
<i>Route 31</i>	Mile marker 6.24-7.65	9	14	27	16	66
<i>Route 31</i>	Mile marker 7.65-8.14	13	17	23	32	85

Route 31	Mile marker 8.14-9.28	7	19	11	22	59
Route 31	Mile marker 9.28-10.28	9	16	16	4	45
Route 31	Mile marker 10.28-12.27	19	33	14	17	73

Source: Summary of Accident Rates on State Highways in Route and Milepost, NJDOT 1997-2000

There are several discernible trends and occurrences that bear noting. Overall, the number of accidents occurring on Route 29 has increased annually. On Route 31 the segments with the highest accident frequencies involve inappropriate or no control devices. They are Diverty Road, the Pennington Circle, Pennington Market, the light at Pennington-Titusville Road and the light at Route 518 and Route 31.

Table 7 provides a listing of municipal and county roadways and the number of accidents per segment of roadway for all roadways with four or more accidents in the four-year period. Significant county roadways for accidents are:

1. County Route 546
2. County Route 579
3. County Route 518

Each of these roadways is an urban minor arterial or rural major collector functioning as through routes in and out of the Township.

Significant Township roadways for accidents are Federal City Road and Bull Run Road, which are an urban minor arterial and urban collector, respectively. Other roads with frequent accidents are Pennington-Titusville Road, Pennington-Rocky Hill Road and Cherry Valley Road. Again, each of these roadways serves as a major rural collector to locations outside the Township or for access into the Township.

TABLE 7
County and Municipal Accident Locations 1998-2001⁶

Roadway	Accident Information				
	1998	1999	2000	2001	Total
Blackwell Road	2	3	1	2	8
Brandon Road	3	0	1	0	4
Bull Run Road	5	3	2	3	13
Cherry Valley Road	5	1	8	2	16
Church Road	2	1	0	1	4
Cleveland Road	1	0	2	2	5
CR 518	38	28	40	40	126
CR 546	40	47	62	52	201
CR 569	21	17	18	14	70
CR 579	26	26	37	43	132

⁶ Table does not contain accidents on private property (for example, parking lots).

CR 611	11	16	10	21	58
CR 612	3	5	8	2	18
CR 623	4	7	6	9	26
CR 624	8	4	10	5	27
CR 625	7	7	3	12	29
CR 640	4	0	1	3	8
CR 647	2	1	3	8	14
CR 654	5	4	17	17	43
Denow Road	0	2	1	1	4
Dublin Road	1	0	4	2	7
Federal City Road	9	2	8	5	24
Harbourton Rocktown Road	2	1	2	5	10
Harbourton Woodsville Road	2	1	1	2	6
Harbourton -Mt Airy Road	1	1	1	6	9
Hopewell-Amwell Road	2	2	2	2	8
Hopewell Wertsville Road	3	2	2	2	9
Old Mill Road	1	1	1	2	5
Pennington Rocky Hill Road	3	5	5	4	17
Pennington Titusville Road	10	9	10	14	43
Pleasant Valley Road	1	3	6	1	11
Province Line Road	3	2	0	3	8
Reed Road	2	4	0	3	9
River Drive	1	3	0	1	5
Stony Brook Road	1	2	1	2	6
Timberlane Drive	0	1	0	3	4
Titus Mill Road	3	3	3	3	12
Van Dyke Road	1	1	2	0	4

Source: NJDOT Raw Data Accident Records

Table 8 provides a snapshot of the three month period when most accidents occur. The time period from October through December has the highest number of accidents, accounting for 30% or more of those that occur annually.

TABLE 8
Accidents by Time of Year

	1998	1999	2000	2001
Winter (Jan/Feb/Mar)	117	151	179	169
Spring (Apr/May/Jun)	174	138	151	153
Summer (Jul/Aug/Sep)	148	145	129	111
Fall (Oct/Nov/Dec)	195	189	199	204
Annual Total	634	623	658	637

Source: NJDOT Raw Data Accident Records

Finally, Table 9 compares information from the 1992 Master Plan on accidents in terms of fatalities and injuries with the time period 1998 to 2001. Table 10 compares the same time periods by jurisdiction of roadways and for specific roadways.

TABLE 9
Accident Comparison 1987-1990 and 1998-2001 - Total, Fatalities and Injuries

	1987-1990			1998-2001		
	4-Year Range			4-Year Range		
	Number	% of Total	Avg. %	Number	% of Total	Avg. %
Total # of accidents	1878	469 Avg.	NA	2552	638 Avg.	NA
# with fatalities	0-6	0-1%	1%	0-4	0-0.6	0.3%
# with injuries	117-167	25-36%	31%	136-204	21 -32%	26 %

TABLE 10
Accident Comparison 1987-1990 and 1998-2001- Roadway Jurisdiction and Location

Location	1987-1990			1998-2001		
	4-Year Range			4-Year Range		
	Number	% of Total	Avg. %	Number	% of Total	Avg. %
I-95	24-34	4-6%	6%	34-54	5.2-8.7%	6.7%
Route 31	95-118	19-24%	22%	179-194	27-30%	30%
Route 29	24-60	5-11%	9%	33-54	5.3-8.2%	7.3%
Co. Rt. 518	26-42	5-9%	7%	28-40	4.5-6.3%	4.5%
Co. Rt. 654	13-25	3-5%	4%	4-17	0.6-2.7%	1.7%
Co. Rt. 546	44-65	8-14%	11%	40-62	6.3-9.4%	7.9%
State Highways	164-202	35-38%	36%	267-287	41-45%	44%
County Highways	185-203	37-43%	39%	162-227	26-36%	31%
Township Roadways	91-129	19-23%	22%	77-89	12-14%	13.2%
Private Property	12-14	2-3%	2%	39-104	6-17%	12%

Source: NJDOT Raw Data Accident Records

As demonstrated in the Tables, as the Township's population and employment have grown, accidents have increased by more than 35%. There has been a reduction in fatalities, injuries and accidents on municipal and county roadways, but there has been a significant increase in the number of parking lot and other private property accidents.

Road Conditions

In 2001, Van Cleef Engineering Associates performed a detailed inventory of 132.88 miles of municipal roads. This analysis assessed each section of municipal roadway in terms of its points of origin and termination, its length, current conditions, master plan information including classification, proposed right-of-way and proposed cartway. Using this information, the Township was divided into five sections for purposes of description, as follows:

1. Area North of 518,
2. Area South of 518 and East of Route 31 and North of Pennington-Rocky Hill and Elm Ridge Roads,
3. Area South of Pennington-Rocky Hill and Elm Ridge Roads and East of Route 31,
4. Area West of Route 31 and East of Route 579, and
5. Area from the River to Route 579.

In the area north of Route 518 (Table 11), the Township maintains approximately 14 miles of municipal roadway, or 11% of the total municipal system. Over nine miles is oil and stone with the balance in bituminous concrete, except for Somerset Street extending out of Hopewell Borough, which is a dirt (gravel) road. All new roadways are in bituminous concrete (i.e. The Kings Path and Longfield Farms).

**TABLE 11 - Road Conditions and Location
Area North of 518**

Area	Road	Condition	Mileage
	Feather Bed La.	Oil/stone	1.06
	Hopewell-Wertsville Rd.	Bituminous Concrete and Oil/stone	2.28
	Minnietown La.	Oil/stone	0.26
	Hopewell-Amwell Rd.	Oil/stone	2.4
	Mountain Church Rd.	Bituminous Concrete	1.22
	Dunwald La.	Oil/stone	0.42
	Benson Rd.	Bituminous Concrete	0.55
	Somerset St.	Gravel	0.04
	Stony Brook Rd.	Oil/stone	2.1
	The Kings Path	Bituminous Concrete	0.28
	Van Dyke Rd.	Bituminous Concrete and oil/stone	2.46
	Eastern Ave., Grand View Ave. (Portion undeveloped), North Star Ave., Reservoir Rd.	Bituminous Concrete and Oil/stone	0.9
Longfield Farms	Long Way, Short Way	Bituminous Concrete	0.47

In the area south of Co. Rt. 518, north of Pennington-Rocky Hill and Elm Ridge Roads and east of Route 31 (Table 12), there are approximately 35 miles, or 26% of the municipal system. The roadways are mostly bituminous concrete in this area accounting for almost 85% of the surfaces. A major portion of system is found within developments, such as Elm Ridge Park (8.94 miles), Princeton Farms (2.08), Hopewell Hunt (1.52 miles), Willow Creek (0.67 miles) and Applewood (0.4).

**TABLE 12 -Road Conditions and Location
Area South of 518 and East of Route 31 and North of Pennington-Rocky Hill
and Elm Ridge Roads**

Area	Road	Condition	Mileage
	Cedar Dr., Crestview Dr., Echo Hill Dr., Fairway Dr., Timberbrook Dr., Tyburn La., Viewpoint Dr.,	Bituminous Concrete and oil/stone	1.22
	Cherry Valley Rd., Pennington-Rocky Hill Rd.	Bituminous Concrete	2.88
	Cleveland Rd. East, Cleveland Rd. West	Bituminous Concrete	1.14
	Coventry La., Overlook Rd., Spring Hollow Dr., Spring Hollow Dr. West	Bituminous Concrete	0.87
	Crusher Rd.	Oil/stone	1.96
	Lake Baldwin Dr.	Bituminous Concrete	0.7
	Mine Rd.	Bituminous Concrete and oil/stone	0.83
	Moore's Mill-Mount Rose Rd.	Bituminous Concrete and oil/stone	1.79
	Province Line Rd.	Bituminous Concrete	3.3
	Sunset	Bituminous Concrete	0.23
	Titus Mill Rd.	Oil/Stone	2.0
	Wargo Rd.	Bituminous Concrete and oil/stone	1.22
Mount Rose	Cotswald La., Nelson Ridge Rd., Stout Rd.	Bituminous Concrete	1.57
Elm Ridge Park	Alta Vista Dr., Aqua Ter., Arida Dr., Beechtree La., Blue Spruce Dr., Cedar Brook Ter., East Acres Dr., East Shore Dr., Honey Brook Dr., Honey Lake Dr., Meadow La., North Woods Dr., Red Maple St., Rustic Dr., Skyfield Dr., Tara Way, West Shore Dr., Western Pine St., White Birch St., Woodlawn La., Bayberry Rd.	Bituminous Concrete	8.94
Applewood	Applewood Dr.	Bituminous Concrete	0.4
Willow Creek	Voorhees Way, Willow Creek Dr.	Bituminous Concrete	0.67
Hopewell Hunt	Bailey Dr., Caroline Dr., Morris Dr.	Bituminous Concrete	1.52
	East Prospect St.	Oil/stone	0.08

North Pennington	Hansen Pl. (Unimproved), Hessian Hill Dr., Jamieson Dr., Jefferson Pl., Lewis Brook Dr., Main St., Meadowbrook Farm Rd., Moorehead Rd., Murphy Dr., North Main St., Tree Farm Rd.	Gravel and Bituminous Concrete, Oil/stone	1.49
Princeton Farms	Bradford La., Conanat Way, Darrow Dr., Drummon Dr., Ethan La., Howard Way, Palmer Rd., Weldon Way, Westcott Blvd.	Bituminous Concrete	2.08

Approximately 17% of the municipal system is found in the area south of Pennington-Rocky Hill and Elm Ridge Roads and east of Route 31 (Table13). This area accounts for approximately 23 miles of roadway, in which there are limited areas of oil and stone surfaces, with some roadways that are unimproved paper streets. A significant number of housing developments are found in this area, such as Indian Village (1.08 miles), Brandon Farms (10.4 miles), Blackwell Farms (0.63 miles), Oak Ridge (0.77 miles) and Princeton Farms (2.08 miles). Finally, in this area are a number of roadways extending out of Pennington Borough to the east.

**TABLE 13 - Road Conditions and Location
Area South of Pennington-Rocky Hill and Elm Ridge Roads and East of Route 31**

Area	Road	Condition	Mileage
	Beech St., Crest Ave. (only partially improved), Orchard Ave., Plymouth St.	Bituminous Concrete and oil/stone	1.27
	Blackwell Rd. East	Oil/stone and Bituminous Concrete	0.81
	Blackwell Rd. West	Bituminous Concrete	1.21
	Bramble Dr., Brigham Way (only partially improved)	Bituminous Concrete	.12
	Bull Run Rd.	Bituminous Concrete	0.6
	Federal City Rd.	Bituminous Concrete	2.59
	Flower Hill Dr., Flower Hill La., Flower Hill Ter.	Bituminous Concrete	0.42
	Old Mill Rd.	Oil/stone	0.68
	Rosedale Way	Bituminous Concrete	0.36
Indian Village	Apachee Dr, Blackfoot Rd., Cherokee Dr., Cheyenne Dr., Sioux Rd.	Bituminous Concrete	1.08
Brandon Farms	Avalon Rd., Bonner Ct., Brandon Rd., Brandon Rd. West, Brewster Ct., Carey St., Chicory La., Coburn Rd., Denow Rd., Donovan Rd., Fabian Pl., Fanning Way, Fisk Ct., Foster Rd., Grange Rd., Haver St., Hedgecroft Dr., Henly Pl., Hester Ct., Hope St., Kentsdale Dr., Kunkel Ct., Larchmont Ct., Manley Rd., Masters Way, Meadows Ct., Navesink Dr., Old Pennington-Lawrenceville Rd East, Rumson Ct., Stanford Rd. East, Stanford Rd. West, Stephenson Rd., Temple Ct., Van Brunt Rd., Welwyn Ct., Wycoff Dr.	Bituminous Concrete	10.4
Blackwell Farms	Beechwood Dr., Shara La. East	Bituminous Concrete	0.63

Oak Ridge	Benjamin Tr., Merrick Pl., Shara La. West	Bituminous Concrete	0.77
Pennington East	Curliss Ave., East Welling Ave., Linden La., Madison Ave., Maple La., Oak St., Penn View Dr., Pierson Dr., Roosevelt Ave., Birch St., Woodmere Way	Oil/stone and Bituminous Concrete	2.25

The fourth area, the section west of Route 31 and east of Route 579, is shown on Table 14. This area contains approximately 36 miles of roadway, which represents approximately 27% of the local system. Over one-third of the system in this area is oil and stone.

**TABLE 14- Road Conditions and Location
Area West of Route 31, and East of 579**

Area	Road	Condition	Mileage
	Burd Rd., Scotch Rd., West Scotch Rd.	Bituminous Concrete and Oil/stone	2.06
	Chase Hollow Dr., Fox Run Rd.	Bituminous Concrete	0.59
	Timberlane Dr. North, Timberlane Dr. South	Bituminous Concrete	0.77
	Skyview Dr.	Oil/stone	0.2
	Coach Lane	Bituminous Concrete	0.3
	Poor Farm Rd.	Oil/stone	1.27
	Dionis Ct., Nobadeer Dr.	Bituminous Concrete	0.36
Washington Crossings Park Estates	Continental La., McKonkey Way, Nathaniel Green Rd., State Park Dr.	Bituminous Concrete	1.36
	Dublin Rd.	Oil/stone and Bituminous	1.36
Cooper's Corner	Elden Way, Lynnbrook Dr.	Bituminous Concrete	0.18
	Glenwood Dr., Morningside Ct., Morningside Dr., Pine Tavern Ct.	Bituminous Concrete	0.83
	Harbourton Ridge Dr.	Bituminous Concrete	0.53
	Harbourton-Mount Airy Rd.	Oil/stone	1.69
	Harbourton-Rocktown Rd.	Bituminous Concrete	2.01
	Harbourton-Woodsville Rd.	Oil/stone	2.94
	Hunters Ridge Rd.	Bituminous Concrete	0.44
	Madaket La.	Bituminous Concrete	0.21
	Michael Way	Bituminous Concrete	0.59
	New Rd.	Bituminous Concrete and oil/stone	1.24
	Old Scotch Rd.	Oil/stone	0.36

	Pennington-Titusville Rd	Bituminous Concrete and oil/stone	3.09
	Clark Ct., Hart Ct., Independence Way, Stockton Rd.	Bituminous Concrete	1.25
Baldwin's Corner	Corrine Dr., Harvest Dr., Ingleside Ave., Johnstone Dr., Search Ave., Vannoy Ave. (Boundary with Pennington)	Bituminous Concrete	1.70
	Reed Rd.	Bituminous Concrete	1.3
	Woosamonsa Rd.	Oil/stone	3.1
	Yard Rd.	Oil/stone	1.15
Bear Tavern	Fabrow Dr., George Washington Dr., Grenloch Dr., Hanson's Corner, Hopkinson Ct., Old Washington Crossing-Pennington Rd., Relgate Way	Bituminous Concrete and Oil/stone	1.59
	Brookside Dr., Grace Hill Ct., Pond View La., Tanglewood Dr., Todd Ridge Rd.	Bituminous Concrete	2.88
	Diverty Rd.	Oil/stone	0.61

The final area is located from the Delaware River to Route 579, which includes approximately 23 miles or 17% of the local system. Over half of the roadway surfaces are oil and stone. There also are a handful of dirt roads (gravel).

**TABLE 15 - Road Conditions and Location
Area from the River to West of Route 579**

Area	Road	Condition	Mileage
	River Dr.	Oil/stone and gravel	1.36
Titusville (North of Church Rd.)	Bethany Ave., Butterfoss Ave., Cedar La., Fern Ridge La., Fiddlers Creek Rd., Wildwood Way, Wrick Ave.	Bituminous Concrete and Oil/stone	2.62
Titusville	Detour Ave., Mercer St.	Gravel	0.1
	Valley Rd.	Oil/stone	1.89
	Barry Rd.	Oil and stone	0.49
	Church Rd.	Oil/stone	1.8
	Creek Rim Dr.	Bituminous Concrete	0.28
	Forrest Blend Dr., Forrest Central Dr., Forrest Edge Rd., Forrest Hill Rd., Lupin La. (private lane-partially maintained), River Knoll Dr.	Bituminous Concrete and Oil/stone	1.56
	Jacobs Creek Rd.	Oil/stone	1.34
	Maddock Rd.	Bituminous Concrete and Oil/stone	0.99
	Pleasant Valley Rd.	Oil/stone	4.26
	Pleasant Valley-Harbourton Rd.	Oil/stone	1.81
Titusville (South of Church Rd.)	Blue Ridge Rd., Grant St., Nedslan Ave., Park Lake Ave., Rivera Ave., Trimmer Ave., Valley View Rd.	Bituminous Concrete	1.49

Washington Crossing	Borroughs Ave., Cortland Ave. (partially undeveloped), Harrison Ave. (partially undeveloped), Lafayette Ave., Morgan Ave., Patterson Ave., Postley La. (private-partially maintained), Washington Ave., Wilfred Ave.	Bituminous Concrete and Oil/stone and gravel	2.38
Moore's Station	Goat Hill Rd., Woodens La.	Oil/stone and gravel	0.56

Traffic Counts

The Bureau of Transportation Data Development in the NJDOT maintains records of average annual daily traffic (AADT) on roads throughout the State. The Delaware Valley Regional Planning Commission likewise conducts traffic counts at various locations throughout the Township. Mercer County conducts counts on County routes, and Hopewell Township has embarked on conducting counts on its network. Table 16 indicates traffic counts on roads in Hopewell Township, with their locations depicted on Figure 7. While termed average annual daily traffic, these data usually represent the count from a single day in the identified year.

Traffic counts are provided for I-95 along its whole length in Mercer County. The counts from Mileposts 3.52 to 5.64 are most representative of the traffic along the Township's southern border, and show that the peak traffic on I-95 occurs near Federal City Road.

TABLE 16
Traffic Counts on Roads in Hopewell Township 1991-2001

Route/Street	Milepost	Location of Average Annual Daily Traffic Count	Year	Average Annual Daily Traffic
<i>I-95</i>	1.17		1999	50,690
<i>I-95</i>	3.52	Reed Road	2000	56,300
<i>I-95</i>	5.64	Federal City Road Interchange	2000	64,600
<i>I-95</i>	7.57	Route 546 Franklin Corner Rd.	2000	56,889
<i>I-95</i>	8.50		1999	44,005
29	10.51	Jacob's Creek	2000	11,762
29	10.70	River Knoll Dr.	1998	12,643
29	14.80	Fiddler's Creek	1999	9,708
29	16.40	Valley Rd.	2000	12,571
31	4.90	Traffic light at I-95	1994	13,740
31	5.27	Crest Ave.	1991	27,760

31	5.5	Diverty Road	1994	26,870
31	5.8	Between Diverty Road and Pennington Circle	1994	26,610
31	6.0	Pennington Circle	2000	25,171
31	6.24	Stream	1994	21,650
31	6.44	Search Ave.	1991	19,380
31	6.67	Ingleside Ave.	1996	26,510
31	10.5	North of Marshall's Corner-Woodville Rd.	1999	15,449
31	11.5	South of Co. Rt. 518	1995	14,780
518	9.09	Van Dyke Rd.	1999	6,348
546	0.38	Washington Crossing	1998	6,678
546	6.59	Municipal Line with Lawrence Twp.	1998	9,085
579	5.80	Co. Rt. 546	2000	7,368
579	8.90	My. Airy Rd.	1998	5,818
611 <i>Scotch Road</i>	2.29	Nursery Rd.	2000	9,732
637 <i>Jacobs Creek Road</i>	2.12	Stream	1997	1,290
647 <i>Nursery Rd.</i>	1.07	Stream	1999	1,777
654 <i>Pennington-Hopewell Road</i>	0.49	Co. Rt. 612 Marshall's Corner	1997	7,002
<i>Reed Road</i>	0.47	Diverty Rd.	1998	2,817
<i>Reed Road</i>	1.32	I-95 (Ewing)	2000	4,208
<i>Pleasant Valley Road</i>	1.73	Between Hunter Rd. and Barry Rd.	1999	452
<i>Federal City Road</i>	0.93	Between Bull Run Rd. and I-95	2000	14,560
<i>Harbourton-Rocktown Road</i>		Co. Rt. 518	2000	5,126
<i>Hopewell-Wertsville Road</i>		Minnietown Lane	2000	3,751
<i>Feather Bed Lane</i>		Between Van Dyke & Hopewell-Wertsville	1998	265
<i>Bayberry Road</i>		Between Honey Lake and Pennington-Rocky Hill Road	1999	303
<i>Poor Farm Road</i>		Between Woosamonsa Harbourton-Woodville Road	1997	1,372

Aviation

Hopewell Township is the home of a basic service airport, Twin Pine Airport. It is impacted by a non-hub commercial service airport, Trenton Mercer Airport (TTN), and the Princeton Airport in Montgomery Township, Somerset County.

State Airport Systems Plan

In 2000, the NJDOT Division of Aeronautics selected a team comprising Wilbur Smith Associates (WSA), Clough Harbour & Associates, DY Consultants and Reichman Frankle Inc. to analyze the current system of public-use airports.

The State Airport Systems Plan (SASP) is a multi-year project that comprised two phases. Major elements of the first phase of the SASP included the following:

- Collecting data (compilation of existing data sources)
- Conducting public participation activities
- Regional informational meetings
- Newsletter
- Strategic Advisory Committee (SAC)
- Web page
- Coordination with ongoing state transportation plan(s)
- Forecasting statewide aviation activity
- General aviation trends
- Aggregate activity indicators (registered aircraft, based aircraft, operations)
- Identifying the functional role of each airport within the system
- Measuring the performance of each airport relative to its functional role
- Preparing an overview of the adequacy of the state airport system

The goal of Phase I of the SASP, conducted in the spring of 2001, was to examine the existing airport system and identify adequacies and deficiencies in the system by evaluating measurable performance standards. The first phase of analysis culminated in a "report card" on New Jersey's aviation system. Areas of the State that are underserved were identified; in addition, regions that have several airports providing a duplication of services were identified.

In November 2001 a Recommended Plan was released. The Plan defined the State aviation system, and stratified a system of airports around the State. This stratification was based on four factors:

1. Volume of aviation activity and type of aviation demand served,
2. Perceived flexibility of the airport to be expanded in future years,
3. Proximity of the airport to major population and business centers, and
4. Historic investment made in the airport's infrastructure.

Utilizing these criteria the system was broken into four categories:

1. Scheduled service
2. Advanced service
3. General service
4. Basic service

Phase II of the SASP identified and recommended specific projects to help individual airports adequately realize their functional role within New Jersey's airport system.

Other specialty studies were conducted in conjunction with Phase II of the SASP. These specialty studies included:

1. System-wide economic impact study
2. Evaluation of runway safety areas at 34 airports
3. Land use compatibility guidelines
4. Airport Directory

As a response to these recommendations, in 2002 the System-wide Economic Impact Study and Airport Directory were undertaken.

The new SASP forecasts that the number of based aircraft in New Jersey is predicted to increase from 4,218 in 2000 to 4,848 by 2020, an average annual growth rate of 0.65%. Statewide airline operations (flights) within the system are projected to 2.39 million in 2020, an average annual growth rate of 0.94%.

Again, the SASP identifies the primary role of TTN as a scheduled service airport. Scheduled service airports are intended to support commercial airline activities. Where capacity constraints do not limit, this functional level can also support general aviation activities, including corporate/executive operations, personal business operations, recreational activities and flight training.

TTN is owned and operated by the County of Mercer. The airport terminal is located in Ewing Township; however a small portion of the property extends into Hopewell. Originally TTN was constructed in 1942 on approximately 440 acres and was leased to the U.S. Navy until 1952. Since that time it has acquired an additional 732 acres, paved and extended two runways, and constructed a terminal building and additional taxiways, aprons, airfield lighting, navigational aids and utilities for the airfield.

TTN's operations includes one commercial carrier, two flight schools, charter service, the New Jersey State Police, the New Jersey Air National Guard and a variety of private corporation aircraft, including such companies as Amerada Hess, GG Aircraft, Johnson and Johnson, Pfizer, Bristol Myers Squibb, Dow Jones and Merck & Co. In 1999, TTN had a total of 154,489 aircraft arrivals and departures and 64,695 passengers enplaned.

In November 2002 a final environmental assessment for proposed development at TTN was presented to the Federal Aviation Administration. The proposed project evaluated in this environmental assessment consisted of several elements, including

terminal building development and related actions (i.e., upgraded apron, additional automobile parking, and terminal access road realignment), taxiway improvement, and a snow removal equipment storage and maintenance building. The assessment addressed a 2005 Build Alternative 1, which calls for a two-gate, 44,000 square foot terminal as opposed to a four-gate, 64,000 square foot terminal, which was the County's original preference.

The 2005 Build Alternative 1 was addressed in light of the FAA concerns about potential noise impacts, air quality impacts and indirect impacts of a larger terminal facility. A citizen's group known as People Limiting Airport Noise and Expansion (PLANE, Inc.), involving many Hopewell residents, opposes the expansion or renovation of Trenton-Mercer Airport terminal until the environmental issues of noise pollution, safety, traffic and quality of life to the surrounding communities have been assessed and resolved. Some of the issues raised by PLANE, Inc are that the County has not disclosed how much the proposed airport expansion will cost (the airport currently has a \$1 million annual deficit and Shuttle America had a two-thirds drop in passengers from a year ago, resulting in a single route); the air quality in Mercer County has been graded an "F" by an American Lung Association study; and, there are 11 schools within the region that are in the approach paths of aircraft from TTN main and crosswind runways.

Three miles northeast of TTN is the basic service airport of Twin Pine. Located on County Route 546 and Federal City Road, this facility bases approximately 28 aircraft and has a turf runway of 2,200 by 100 feet. Two-thirds of its usage is local general aviation, and the balance is transient general operations. It has one business at the field which provides flight training, aircraft rental, aerial tours and charters.

Princeton Airport is a privately-owned, public use facility serving the Central Jersey region with a variety of services and products intended to meet the needs of the general aviation consumer--the pilot, the airplane owner, and the corporate user. The airport is located on Route 206 in Montgomery Township, Somerset County, on the border of Princeton, Mercer County. Whether the user is a corporate helicopter servicing the Route 1 corridor, a pilot flying a medivac aircraft or a charter pilot bringing visitors to Princeton University, the airport accommodates the traveling public.

Princeton Airport, which started as Newhouse Flying Service in 1929, is a General Service Facility in the New Jersey State Airport System Plan. General Service airports are intended to support smaller corporate aircraft, such as twin-engine aircraft, and the operation of general aviation aircraft for business and pleasure. This functional level is intended to support a variety of uses, such as business, pleasure, and training, while providing the majority of the system's operational and storage capacity for single- and multi-engine piston aircraft. Princeton offers hangars, flight school (Raritan Valley Flying School), maintenance and parts service.

After ten years of planning, Princeton Airport's major improvements were completed in 2001. The facility has doubled in size to 100 acres. A new 3500' by 75' paved runway was completed in August 2001, and the New Jersey Division of Aeronautics celebrated the construction of the first new runway in the State in over 30 years. To

brighten the airport at night, a new pilot-controlled lighting system was installed, making the airport much more visible. Princeton Airport is located in a noise sensitive area. Anyone wishing to operate a turbojet powered, fixed wing aircraft and land at Princeton Airport is, for safety and noise abatement reasons, required to contact the airport management for instructions.

Route 31 Design Study

Building on work undertaken by the Planning Board, Master Plan Advisory Committee on Route 31 and the Mayor's Task Force on Traffic and Trucking, Hopewell Township and the Boroughs of Pennington and Hopewell initiated a study to analyze and possibly develop a shared community vision for the future character of Route 31. The main objective of the project was to identify ways of preserving parts of Route 31's character that are particularly valued by residents without creating a corridor of strip development with heavy traffic, which would lose the "Main Street" character of Route 31 through Pennington and the Township.

Some of the important recommendations advanced by the study include:

1. Preserve and enhance the existing character of Route 31's different segments by making this the character benchmark for all future improvements or development.
2. The priority should be to keep traffic on Route 31 rather than displacing it onto local or County roads.
3. Prevent incremental development of an unbroken corridor of strip development dominated by vehicles and so sprawling as to require their use. Instead create and maintain distinct, compact nodes of development (neighborhoods, the "Center") separated by protected intervals of open space, fields, woods and views that incorporate watershed drainages and existing or proposed trail linkages.
4. Work to give the Route 31 south of Pennington Point the character of a pedestrian friendly "Main Street" or Boulevard using buildings and trees close to the street to give a pleasing human scale and to calm through traffic. It should not be a high-speed conduit for through traffic that cuts the community apart and requires screening and separation from the surrounding neighborhoods.
5. Increase slow but steady traffic throughput as opposed to excessive speed to screaming stop conditions. In this context three or four lane solutions with medians planted with trees could add extra capacity without increasing pedestrian/vehicle safety conflicts. Work to generally lower maximum speed to 35 m.p.h. with transition zones off of I-95 and down to intersections, circles, roundabouts, turning lanes, etc.

6. Preserve existing residential scale (and affordable) housing stock located directly on Route 31 from I-95 to Diverty Road and from the “Circle” north to the Railroad Overpass. Consolidate and eliminate curb cuts wherever possible in these stretches. Commit to adding no new curb cuts that are not consolidations in these areas.
7. Work to create clear and attractive gateways to Pennington Borough and its Central Business District off of the Route 31 corridor at the West Delaware intersection, especially for those traveling Route 31 for the first time or unfamiliar with the area. Pennington does not want its “face” on the road to be an uncoordinated and undervalued area of strip malls (although it does want it to be its contact area for regional vehicular traffic and high volume uses). The current area between the Conrail tracks and Route 31 to the west should be redeveloped over time to form a mixed-use center that is much more integrated into and part of the Main Street, Pennington core. Rather than providing competition to the Main Street businesses, this area could accommodate a central parking structure that would add commercial vitality and increase walk-in trade throughout the entire core.

This kind of opportunistic and uncoordinated strip is also at odds with encouraging a walkable and bikeable village area that incorporates both sides of Route 31 from Pennington Main Street in the east to the Schools and Library in the west. Enabling these alternative means of transit and a form of development that is compact enough to work with them will do its part in reducing congestion on the Route 31 corridor.

8. It is imperative to create a safe crossing at the Route 31 and West Delaware intersection. This could be on grade with crosswalks and adequate refuge islands. If this is not possible then there was much interest in the community in exploring either an aesthetically designed overpass or an underpass if it could be well lit, safe and deal with drainage problems at this low point intersection. As the area between the Conrail tracks and Route 31 (and including the former landfill site) is redeveloped as a mixed use area - possibly incorporating a garage and a new Pennington Station for future commuter train use – there may be possibilities for combining an overpass with a second floor “gallery” or “sky walk” connecting the second floors of businesses along West Delaware from the Conrail tracks west over Route 31 to the businesses and educational core of schools and library to the west. In this long term scenario the use of public elevators in the new garage or as part of new buildings closer to the Route 31 R.O.W. should be explored as an alternative to the long and divisive ramps necessary to reach an overpass deck height of 15 feet above the road while still meeting accessibility requirements.
9. In all areas of Route 31 it is imperative to limit new curb cuts and to consolidate old ones. In Segment 4 from Route 518 to the Trap Rock RR overpass this primarily involves limiting new residential curb cuts onto Route 31 and encouraging coordinated rear access lanes connecting to existing side roads instead. From 84 Lumber south all the way to I-95 this means continuous linked parking lots between neighboring commercial/retail as well as separate frontage or reverse frontage roads.

“Through access easements” should be required to link side and rear parking lots and service areas of different businesses and ownership parcels.

10. Investigate a divided “boulevard” approach , possibly combined with roundabouts as an alternative to a concrete Jersey Barrier median and excessive traffic lights as has been done further to the north.
11. The need for safe, clear and convenient Pedestrian Crossings was identified as of critical importance. From south to north these include:
 - From the new Hopewell Crossing shopping center across Route 31 to the west.
 - From Blackwell Road to Washington Crossing-Pennington Road across or around the “Circle”.
 - At the Ingleside Road/ Route 31 intersection.
 - Most importantly as mentioned above, at the West Delaware and Route 31 intersection to allow safe pedestrian and bicycle crossings from the Pennington Borough core to the school and library core to the west of Route 31.
 - At Pennington Point to link the Pennington Point East and West in a way that creates refuges for slow crossers and also creates an attractive northern gateway to Pennington Borough via N. Main Street or, possibly, Knowles Road.
 - From Titus Mill Road across Route 31 to the west. This is important to link the Stony Brook-Millstone Watershed Association farm and open space area with potential new conservation land near the Trap Rock Quarry and beyond to the existing and proposed County Open Space network further to the west.
 - At the Route 518 and Route 31 intersection at the extreme northern edge of the corridor, including provision for a trail crossing coming in from the west of Route 31 and along the southern edge of the wetlands south of the intersection and continuing east of Route 31.
12. The Borough and Township together with the large corporate employers in the area should make it a priority to link the proposed new 20 mile Lawrence Hopewell bike trail into the area between West Delaware Ave. and Broemel Place. Facilities for safe and convenient bicycle parking should be provided. This will bring commercial vitality to the whole area and help emphasize a single, unified “Center” stretching from the schools west of Route 31 all the way to the a Main Street core in Pennington.
13. Evaluate creating a low impact bicycle and walking trail link to the peripheral loop from a Stony Brook Crossing and through the area south of Lewis Brook to new or improved crossings of the Conrail tracks at either Broemel Place, West Delaware or

in between the two and connecting to the redeveloped former landfill site. It would be critical to do this in such a way as not to degrade the environmental quality of Lewis Brook.

14. Control signage with good and clear standards and bylaws supporting coordinated systems that give business owners an effective and attractive way to advertise closer to the traveled way without depending on large parking lots in front of the building as a form of advertising or on large signs at the face of deeply set back buildings.
15. Re-examine existing spatial standards, architectural standards, and design guidelines for the corridor. Integrate new standards following the detailed guidelines for different segments of the Route 31 Corridor included in Chapter 5 into appropriate elements of the Hopewell and Pennington Master Plans and Zoning Codes.
16. Adopt standards and guidelines that discourage the predominance of new drive-through establishments in an area where everyone acknowledges existing traffic congestion and safety problems. Create incentives for more streetscape development and more appropriate development types, architectural scales and building/road relationships.
17. Create incentives and expedited permitting for those site plans which encourage coordinated planning, linkage, and through access easements between multiple property owners. Explore whether Pennington Borough and Hopewell Township should encourage a community initiative to create what in some states is called a “specific plan” for the Segment 2 area north and south of West Delaware and west of the Conrail tracks. This involves the entire community of property owners, residents, businesspeople and municipal staff in developing an approved plan for an area involving multiple ownerships where if any one owner comes in with a proposal that meets the requirements of the plan then they are assured of incentives and an expedited and predictable approval process.
18. Any new roadway design for Route 31 should try to preserve and incorporate existing mature street trees in the area to the greatest extent possible. This is particularly true of Segment 1 from I-95 to the Conrail overpass where the existing R.O.W. might have to be widened, most probably along the west side of the roadway from I-95 to the Circle to allow new forms of residential development set further back from the road. Careful attention in these areas can work the existing tree rows into areas of proposed future verges or street tree belts, thereby preserving a very important element of this areas’ visual character.

Goods Movement

"Freight or Goods Movement" encompasses a wide spectrum of commodities, including such things as manufactured goods, agricultural and raw materials, various fuels and petrochemicals, as well as waste and recyclable products. The volume of goods,

and the way in which they are transported into, out of, and through New Jersey, combine to play a fundamental role in defining the state's economic and industrial character. Freight in New Jersey moves in a variety of ways -- by truck, rail, and air, as well as by ship to and from the state's ports.

New Jersey serves its citizens, and the rest of the nation, as a freight gateway at the center of the Northeast Corridor and a major conduit to the industrial Midwest. A hub for both interstate and international commerce, New Jersey is one of the few states on the Atlantic Seaboard that has successfully integrated growth in air, rail, maritime, and trucking into an expansive and diversified economic engine. New Jersey's maritime ports, airports, and distribution centers feed, clothe, and otherwise provide for the needs of more than 75 million people.

New Jersey's most active port facility is the Port Newark/Port Elizabeth complex. Handling in excess of 2.5 million containers per year, the Port Authority of New York and New Jersey projects a doubling of this volume to five million containers within the next ten years, and yet again to ten million by the year 2040. Farther south, the Port of Philadelphia and Camden handles a significant volume of break-bulk (non-containerized) cargo, with strong markets in iron and steel, fresh fruit and paper and projected increases in the future as well.

With growth in port commerce and air cargo continuing to spiral, there is an ever-increasing focus on New Jersey's roadway system, and its capacity to handle these increased traffic flows. Trucking continues to be the predominant mode of goods movement through New Jersey. While only 2% of all goods arriving or circulating throughout the region travel by rail, the recent acquisition of Conrail by Norfolk Southern and CSX Railroads may promote greater use of rail capacity through more competitive rail freight service.

Regional Considerations and Recommendations

The planning process places new emphasis on moving highway, rail, marine, and airfreight efficiently to and from the State and region. In addition, facilities in which freight is moved from one mode to another will be supported by public investment. Planning for these improvements will take place with the advice of the goods movement community. Incorporating the impacts of E-commerce will be essential in future planning.

Policies and strategy possibilities are:

1. Increase the level of public and private investment in transportation facilities that promote freight movement and economic development.
 - Encourage joint public/private programming of transportation improvements.

- Creatively apply public transportation programs and funds to maximize the effectiveness of goods movement.
 - Program and integrate needed freight movement projects into the Transportation Improvement Program.
 - Institute small-scale improvements through the Freight Forward program. (*Freight Forward* has been instituted by transportation agencies to benefit freight carriers and shippers in the Delaware Valley. The program centers on "small cap" projects, which can be easily and quickly implemented. Examples are: fixing a pothole; resurfacing a highway/railroad grade crossing; installing a directional sign; increasing turning radii; retiming traffic signals; striping pavement; and improving a railroad siding.)
2. Identify and build improvements which facilitate the flow of goods.
- Use the Delaware Valley Goods Movement Task Force to support and direct planning efforts.
 - Collect, analyze, and share goods movement data and trends leading to good planning and public education.
 - Identify needed improvements through the management systems, corridor and other technical studies, and NHS connector evaluations.
3. Improve the safety of operating conditions for the flow of goods
- Provide adequate rest areas.
 - Improve safety of highway/railway grade crossings and, where feasible, eliminate crossings.
 - Protect resident quality-of-life while pursuing goods movement objectives.

Freight movement by trucks through Hopewell Township is a significant issue. In 2001 legislative representatives were successful in enacting legislation which banned trucks over 13 tons from Route 29, the State's only designated scenic corridor. Route 31 is another link in the New Jersey's access network to the national network (I-78 and I-95).

State Actions

The State is taking steps to restrict large trucks (102-inch wide) to the "National Network" of highways in the state. These restrictions will not obstruct commerce in the state. All trucks doing business in the State of New Jersey will have access to all N.J. based businesses. The crucial difference is that the large trucks not doing business in New Jersey will be prohibited from using state and county highways. Given New Jersey's high population density, high traffic density and older highway infrastructure, it is only natural that truck safety and truck routing issues would be more of a concern in New Jersey than they would be in most other less densely settled states. Since 1983, the New Jersey Department of Transportation has adopted, readopted and updated its regulations

restricting the travel of the Federal STAA mandated 102-inch and double trailer trucks. New Jersey is now the nation's most prescriptive and restrictive state for large truck routing regulations. The purpose is to enhance safety while still providing for the delivery and distribution of goods and services. This "leadership" position has resulted in New Jersey being sued in Federal Court, to overturn New Jersey's large truck routing regulations, by the American Trucking Association (ATA). The American Trucking Association, Inc., and USXpress, Inc., a Tennessee based trucking company, suit in the United State District Court for New Jersey is challenging the statute and regulations, which restrict interstate through trucks wider than 96 inches to National Network highways.

Hopewell Township Truck Routes

Figure 8 identifies the truck routes in Hopewell Township. The list originally was prepared in 2002 and modified in 2003. All roadways within the Township are restricted to trucks except for local deliveries and are restricted to four-ton limits.

The following Table identifies the legal truck routes within the Township:

**TABLE 17
Truck Routes**

Route	Extent
Route 31	Ewing Twp – East Amwell Twp.
Washington Crossing-Pennington Road - Co. Rt. 546	River Dr. - Lawrence Twp.
Scotch Road - Co. Rt. 611	Ewing Twp - Washington Crossing-Pennington Road
Pennington-Hopewell Road - Co. Rt. 624	Route 31 - Hopewell Borough
Lambertville-Hopewell Turnpike - Co. Rt. 518	West Amwell Twp.- Hopewell Borough
Hopewell-Rocky Hill Road - Co. Rt. 518	Hopewell Borough - Montgomery Twp.
Hopewell-Princeton Road - Co. Rt. 569	Hopewell Borough - Pennington –Rocky Hill Road

Source: Truck Route and Ratings, Van Cleef Engineering, October 2002

Roads and structures with restricted weight limits are:

- | | |
|---------------------------------|------------------|
| 1. Jacob’s Creek Road | structure 214.02 |
| 2. Stony Brook Road | structure 234.9 |
| 3. Stony Brook Road & Mine Road | structure 230.4 |
| 4. Aunt Molly Road | structure 250.02 |

Travel to Work

To assist in evaluating the needs of residents in terms of mobility it is important to have a snap shot in time of where they work and how they get there. One method of doing this is to look at the survey conduct by the U.S. Census Bureau for “Journey to Work”.

Table 18 provides an analysis of where Hopewell residents work and a comparison of these data to the County. In reviewing the percentages Hopewell is comparable in terms of place of work between the Township and the County except for working within the municipality of residence, which sees a difference of over 10% between the Township and the County’s other municipalities.

TABLE 18
Place of Work for Workers 16 and Over

	Hopewell Township		Mercer County	
Total	7,435	100%	163,257	100%
Worked in state of residence	6,634	91.2%	148,860	89.2%
Worked in county of residence	4,847	68.9%	112,449	65.2%
Worked in Hopewell	1,130	25.7%		15.2%
Worked outside county of residence	1,787	22.3	36,411	24%
Worked outside state of residence	801	8.8%	14,397	10.8%

Source: U.S. Census Bureau, Census 2000 Summary

Table 19 addresses the means of transportation to work for workers. The automobile in the Township and the County are the means of choice. A difference is seen to some extent in the percentage that carpool, with twice as many County residents as Township residents carpooling. In terms of public transportation the percentages are similar, with the most significant means being the railroad. Finally, in the County 4.5% walk to work versus less then 1% in the Township, but in the Township almost 6% work at home as opposed to a little over 3% in the County.

TABLE 19
Means of Transportation to Work for Workers 16 Years and Over

	Hopewell Township		Mercer County	
Total	7,435		163,257	
Car, truck or van	6,603	88.8%	137,680	84.4%
Drove alone	6,194	83.3%	119,742	73.3%
Carpooled	409	5.5%	17,938	10.9%
Public Transportation	326	4.4%	11,236	6.9%
Bus or trolley	52	0.7%	4,664	2.9%
Streetcar or trolley car	7	0.09%	36	.02%
Subway or elevated	0	0%	157	.25%
Railroad	248	3.3%	6,122	3.75%
Ferryboat	0	0%	4	0.002%

Taxicab	19	0.26	253	0.55%
Motorcycle	7	0.09%	90	0.06%
Bicycle	0	0%	804	0.49%
Walked	24	0.32%	7,349	4.5%
Other means	37	0.50	937	0.57%
Worked at home	438	5.9%	5,161	3.16%

Source: U.S. Census Bureau, Census 2000 Summary

In the Washington to Boston corridor it is common when asked how far something is to have it responded to in terms of time rather than distance. Table 20 reflects this behavior by looking at travel time to work.

Approximately 65% of Hopewell residents have a 20-minute or more commute to their place of employment. This is in contrast to the County percentage of 55%. In both the Township and the County, the ranges of 15 to 24 minutes contains the largest cohorts. In Hopewell it accounts for approximately 32% versus the County figure of 37%.

TABLE 20
Travel Time to Work for Workers

	Hopewell Township		Mercer County	
Did not work at Home	6,997		158,096	100%
Less than 5 minutes	128	1.83%	4,790	3.03%
5 to 9 minutes	451	6.45%	15,818	10.01%
10 to 14 minutes	757	10.82%	24,337	15.39%
15 to 19 minutes	1,116	15.95%	27,191	17.20%
20 to 24 minutes	1,525	21.80%	24,347	15.40%
25 to 29 minutes	408	5.83%	8,978	5.68%
30 to 34 minutes	770	11.00%	17,268	10.92%
35 to 39 minutes	171	2.44%	3,412	2.16%
40 to 44 minutes	129	1.84%	4,156	2.63%
45 to 59 minutes	579	8.27%	9,974	6.31%
60 to 89 minutes	500	7.15%	9,792	6.19%
90 to more minutes	463	6.62%	8,033	5.08%

Source: U.S. Census Bureau, Census 2000 Summary

Another way to view travel time to work is to consider means of travel, as shown on Tables 21. In looking at the Township, only when trips extend an hour or more is there some significance in the use of public transportation. In comparing the Township to the County, while the increase of public transportation corresponds directly with the increase in travel time, County residents who use public transportation for a commute of 60 or more minutes approaches 40%, in contrast to 24% for Township residents. The average travel time for a Township worker is approximately 31 minutes as opposed to the County average of approximately 27 minutes. For those who use public transportation, the average travel time for Township residents is 76 minutes compared to the County figure of 27 minutes.

TABLE 21
Travel Time to Work by Means of Transportation
and Aggregate Travel Time in Minutes for Township

	Hopewell Township	Percentage of Travel Time by Mode	Percentage of Total Travel Time	Number of Minutes per Trip
Total	6,997		100	31
Under 30 minutes	4,385	62.7%	31.5%	15.6
Public transit	40	0.9%	0.2%	12.6
Other means	4,345	99.1%	31.2%	15.6
30 to 44 minutes	1,070	15.3%	15.8%	32
Public transit	55	5%	0.9%	34.8
Other means	1,015	94.9%	14.9%	31.9
45 to 59 minutes	579	8.3%	12.7%	47.5
Public transit	0	0%		0
Other means	579	100%	12.7%	47.5
60 or more minutes	963	13.8%	40%	90.2
Public transit	231	24.0%	10.3%	96.8
Other means	732	76.0%	29.7%	88.1

Source: U.S. Census Bureau, Census 2000 Summary

TABLE 22
Travel Time to Work by Means of Transportation and Aggregate Travel Time
in Minutes for County

	Mercer County	Percentage of Travel Time by Mode	Percentage of Total Travel Time	Number of Minutes per Trip
Total	158,096		100	27.1
Under 30 minutes	105,461	66.7%	34.3%	13.9
Public transit	1,989	1.9%	0.8%	16.1
Other means	103,472	98.1%	33.5%	13.9
30 to 44 minutes	24,836	15.7%	18.8%	32.4
Public transit	1,405	5.7%	1.1%	32.4
Other means	23,431	94.3%	17.7%	32.4
45 to 59 minutes	9,974	6.3%	10.9%	46.9
Public transit	766	7.7%	0.8%	47.0
Other means	9,208	92.3%	10.1%	46.9
60 or more minutes	17,825	11.3%	36%	86.5
Public transit	7,076	39.7%	15.3%	92.3
Other means	10,749	60.3%	20.7%	82.6

The impact of work trips on traffic congestion also relates to the distribution of the trips. Table 23 displays this information for Hopewell workers and compares them to their counterparts in the County. In reviewing the Table, almost 60% of Hopewell work trips take place between the hours of 7 to 9 am versus a County figure of 46% for the same time period. These data indicate that County trips are spread more widely throughout the day.

TABLE 23
Time Leaving Home To Go To Work for Hopewell Township and County Workers

	Hopewell Township	% of Total Township Trips	Mercer County	% of Total County Trips
Total	6,997		158,096	
12:00am to 4:59am	69	1.0%	2,983	1.9%
5:00am to 5:29am	105	1.5%	2,821	1.8%
5:30am to 5:59am	157	2.2%	4,135	7.1%
6:00am to 6:29am	479	6.9%	10,777	6.8%
6:30am to 6:59am	621	8.9%	15,584	9.9%
7:00am to 7:29am	1,321	18.9%	23,344	14.8%
7:30am to 7:59am	1,224	17.5%	27,157	17.2%
8:00am to 8:29am	1,216	12.6%	23,775	15.0%
8:30am to 8:59am	740	10.6%	13,895	8.8%
9:00am to 9:59am	348	5%	9,820	6.2%
10:00am to 10:59am	120	1.7%	3,688	2.3%
11:00am to 11:59am	84	1.2%	1,936	1.2%
12:00pm to 3:59pm	253	3.6%	8,802	5.6%
4:00pm to 11:59pm	260	3.7%	9,379	5.9%

Source: U.S. Census Bureau, Census 2000 Summary

Mercer County Transportation Plan

Mercer County Growth Management Plan – Highways

The Mercer County Growth Management Plan was adopted in January 1986. As part of its overall plan the County has developed functional plans for transportation, recreation, water quality management and other County responsibilities. In 1989 a Growth Management Plan for Highways was developed and adopted by the Mercer County Planning Board. This Plan only addresses highways, and sets forth immediate and long range intentions for physical improvements, including those to State highways, County arterials and collectors and certain existing roads to be reclassified as local roads.

There have been several amendments to this plan, most recently in January 2000. Some of the amendments included the East Windsor Traffic and Infrastructure Impact Analysis in 1992, the Allentown Regional Transportation Study in 1993 and the Transportation Development District for the I-95/295 Corridor in 1992. The most recent in 2000 was the addition of the Robbinsville-Mercer County College Connector in Washington Township.

The improvements recommended in the 1989 Plan are for State and County highways. The following State recommendations involve Hopewell Township either directly or indirectly.

1. Widening of I-95/295 and the Scudders Fall Bridge to a full six lanes.

2. The proposed interchange between I-95 and the Pennsylvania Turnpike in Bucks County to serve as an alternative into New Jersey in Burlington County to join the Turnpike and eliminate traffic using Scudders Fall Bridge and Route 1 to connect with the Turnpike in New Brunswick.

The following are County improvements from the 1989 plan which impact Hopewell Township.

1. Hopewell Bypass – This realignment of Co. Rt. 518 around Hopewell Borough would extend south of the Borough in the Township from Van Dyke Road to Aunt Molly Road while intersecting with Hopewell-Rocky Hill Road (Co. Rt. 654) and Hopewell-Princeton Road.
2. Rosedale Road-Route 31 Connector – In Hopewell Township this improvement uses Blackwell Road and would require the realignment of Blackwell and Federal City Road.
3. Pennington Bypass – The bypass Involving County Route 624 (Pennington-Rocky Hill Road) and 640 (South Main Street) was eliminated in the Plan in 1994.
4. Denow Road Extension – This would involve a connection from the Federal City interchange at I-95 to Scotch Road utilizing existing Denow and a new alignment.
5. Scotch Road Extension – This involves extending Scotch Road over a new alignment south into Ewing Township in the vicinity of the West Trenton rail Station.
6. Bear Tavern Road – This involves a bridge replacement and elimination of a sharp curve on Bear Tavern where it crosses Jacob’s Creek.
7. Harbourton-Rocktown Road – This involves the County acceptance of the street, thus extending Route 579 to the Hunterdon County line.

Transportation Development District Plan for the I-95/295 Corridor

Mercer County’s Transportation Development District (TDD) was the first to be approved in the State of New Jersey. It was developed in response to the development pressures in a relatively undeveloped area of the County. In late 1988, Mercer County initiated a comprehensive land use/transportation study designed to determine the appropriate development densities and infrastructure needs for the I-95/295 Corridor. This area, which included Hopewell, Lawrence and Ewing Townships, was under considerable development pressure. Mercer County officials, in anticipation of this future development, decided to provide a mechanism which could effectuate the necessary infrastructure improvements. The study process involved a cooperative effort between the County, municipalities and landowners. The resulting report, prepared by Wallace, Roberts and Todd and titled Comprehensive Development Plan and Infrastructure Impact Analysis for the Mercer County I-95/295 Corridor (WRT Study), formed the basis for the Transportation Development District and its accompanying plan. The TDD Plan was approved by the New Jersey Department of Transportation in October

of 1992, and in November of 1992 the Mercer County Board of Chosen Freeholders adopted Ordinance No. 92-17 to effectuate its implementation.

The current version of the TDD uses 1990 as a base year and has a horizon year of 2010. It describes the present conditions (1990) and future projections for the area. The overall goal of the TDD is to manage growth and coordinate and finance transportation infrastructure improvements in a regional growth area.

The TDD includes the area bounded by Pennington-Washington Crossing Road (Rt. 546) to the north, Federal City Road to the east, Upper Ferry Road to the south, and lots fronting on the west side of Scotch Road to the west.

The TDD plan identifies transportation infrastructure improvements that will be needed in the District to support anticipated development. The transportation goals of the TDD are to maintain acceptable traffic flows, protect quality of life for existing residents and make alternatives to single occupancy auto more attractive. The plan describes in detail how these goals are to be achieved, prioritizes the improvements and allocates a public and private sector share of the improvement costs. In addition, the TDD established a trip-based fee, which is collected from applicants in the designated area.

On April 2, 1990, New Jersey Department of Transportation (NJDOT) designated the I-95/295 Corridor in Hopewell, Ewing and Lawrence Townships as a Transportation Development District pursuant to NJSA 27:1C-1 *et seq.*, June 26, 1989. This action sets the Development Assessment Liability date at April 2, 1990.

Under the law, counties in cooperation with NJDOT may establish Transportation Development Districts (TDDs) to assess development fees for transportation improvements. Any development receiving preliminary approval after the Development Assessment Liability date is subject to the fee. The fee must be "reasonably related to the added traffic growth attributable to the development..." The fee structure was determined through a Joint Planning Process, which involved representatives of all levels of government and the private sector. This Joint Planning Process produced a Transportation Improvement Plan, which identified needed transportation improvements, established a fee formula and identified public resources available. This plan was adopted by the Mercer County Board of Chosen Freeholders and approved by NJDOT in 1992.

In 1994 an amendment was adopted concerning the manner in which right-of-way credits are calculated. In 1997, there was an amendment to address the increase in intensity at the Merrill Lynch site, which reduced the trip-based fee. Recognizing the significant changes in the TDD since it was proposed, the County in 2000 proposed updating and revising the TDD. After discussing the amendment with the affected municipalities the County formally submitted the amendment application in January 2001.

The County has retained a consultant to update and revise the Plan. The Joint Planning Process Committee was reconvened to assist in the effort. The update/revision is expected completion is the end of the year.

Mercer County Access Management Project

Mercer County is in the process of developing a County access code. The County access code will apply to roads under County jurisdiction, and will address the safety and efficiency concerns on roads under County jurisdiction. The County access code will be developed through a public process and will build on previous codes and adapted to address specific local needs and concerns.

The goal of access management is to encourage the safe and efficient flow of traffic. This goal is achieved through the regulation of driveways, medians, median openings and traffic signals. Good access management results in fewer accidents, increased capacity and reduced travel time. Access management allows roads to handle more cars without decreasing the level of service, and reduces the need for new roads.

Access management not only improves safety and traffic flows, it can decrease the costs associated with access accidents. Each year in the United States 11 million vehicles are involved in access accidents; 2.8 million people are injured; and 900,000 passengers are injured, 300,000 of which are children under 15 years. The cost (losses) of access related accidents are estimated at \$90 billion.

Access management regulates traffic movement by limiting the number of places where cars can cross. Each intersection of different driving movements is called a conflict point. Conflict points frequently occur at intersections, driveways on busy roads, or places where drivers make left hand turns across traffic. The more conflict points present on a road, the greater the number of accidents on the road. Access management reduces the number of conflict points and separates the remaining points so drivers have to deal with only one conflict at a time. This allows drivers more space to anticipate and react to conflicts.

Conflict points are controlled through permits for access to a main road, by road improvements, which result in better design, and by cooperation between local governments to plan for the safe development of their roads. New Jersey adopted the State Highway Access Management Code in April of 1992. This code applies the principles of access management to all State roads. It also allows County and municipal governments to work with the Department of Transportation to develop local access management plans. When the municipal, county and state institutions work together to develop access management plans or policy, the results are more likely to be coherent and effective. Access management must fit into the overall picture of planning, zoning and land use in order to achieve its goals. When the different levels of government agree on common goals and work together to develop plans, the overall planning process is more integrated. As more communities adopt access plans, the effects of good access management are seen across the State.

At present, two access management plans for State roads are being developed in Mercer County. The one in Hopewell Township for Route 31 involves design guidelines and access management. The Township is working with the State to address the present conditions and future vision of Route 31. The other is for Route 33 in Washington Township. When these plans are completed, decision makers will have the information and tools necessary to direct the development of well-managed roads for their Township.

Transportation Choices 2025

The NJDOT has a statutory requirement to prepare a new State Transportation Plan every five years. The most recent of these is Transportation Choices 2025.

Transportation Choices 2025 is both a process and a plan. It uses dynamic and interactive tools, including a web site, to involve the public in updating New Jersey's last long-range transportation plan, which was produced in July 1995 (Transportation Choices 2025). The updated plan sets forth transportation policies, strategies, and programs to guide New Jersey's transportation agencies for the next twenty-five years. The New Jersey Department of Transportation and NJ Transit, working closely with other state transportation organizations, regional agencies, and the public, developed the plan.

Transportation Choices 2025 is designed to:

- Update the State's vision, goals and objectives for its transportation system,
- Highlight current areas of concern,
- Anticipate future problems,
- Develop strategies to address both current and future problems, and
- Provide New Jerseyans with the best transportation system possible.

In addressing municipal governments, the Plan sets the following goals for 2010:

1. Build 2,000 miles of bicycle paths.
2. Empower counties so they can coordinate and expand community-based transit services.
3. Work with communities to create “transit villages” around rail stations that will maximize existing transportation services.

West Trenton Line

To meet the evolving transportation needs of New Jersey residents, NJ Transit has committed to many projects and identified potential new projects that would serve New Jersey and the metropolitan region. Table 24 provides a list of Committed Projects on the

NJ Transit Capital Improvement Program and Candidate projects which NJ Transit is committed to study.

**TABLE 24
NJ Transit Capital Improvement Projects**

Committed Projects	Candidate Projects
Hudson-Bergen Light Rail	Access to the Region's Core
Secaucus Junction	West Shore/Northern Branch/Bergen-Passaic Light Rail (Formerly Cross County)/Sports Complex Rail Spur
Newark City Subway Extension	Newark-Elizabeth Rail Link MOS3 (Union County Light Rail) Union County Cross-Country
Newark-Elizabeth Rail Link MOS1	Newark-Elizabeth Rail Link MOS2
Southern New Jersey Light Rail Transit System	Monmouth-Ocean-Middlesex
Montclair Connection	Cape May Seashore Lines
	West Trenton Line
	New York Susquehanna & Western Railroad
	Lackawanna Cutoff
	Southern New Jersey Light Rail Transit System Capitol Extension

One of the Candidate projects, the West Trenton Line, specifically impacts Hopewell Township. This project involves restoring commuter rail service for 21 miles on the West Trenton Line between Ewing Township, in Mercer County, and Bridgewater Township in Somerset County, where the line would connect with the existing Raritan Valley Line providing service into Newark.

The proposed project would include track and signal improvements, new stations, parking facilities, a train storage yard and acquisition of additional rail rolling stock. The projected estimate for the project is \$195 million. It is considered a Candidate Project, so construction of the project is not funded at this time. The Environmental Assessment is underway. Public open house information sessions were held in Mercer and Somerset

counties in March 2000. The next milestone will be the completion of the Environmental Assessment, expected in 2006.

Construction of the project would provide a new transit option in central New Jersey. There are two projected stations that impact the Township's circulation system. One is off of I-95 and the other is in Hopewell Borough.

Route 29 Scenic Byway

Route 29 is New Jersey's first designated Scenic Byway under a federal program that helps to preserve scenic corridors. Approximately 35 miles long, and bordering the Delaware River, the Route 29 Scenic Byway stretches from the historic areas of Trenton to the rural landscapes of Hunterdon County.

The US Department of Transportation recognizes certain roads as National Scenic Byways based on their archaeological, cultural, historic, natural, recreational and scenic qualities. There are 72 designated byways in 32 states. Route 29 is New Jersey's first and only Scenic Byway. It was designated by NJDOT through a plan it developed in conjunction with the Office of State Planning. The Scenic Byways Management Plan for Route 29 was completed in 1997.

The goals of the National Scenic Byway program are to expand public awareness of these corridors; improve the quality of the byways; provide quality locations for recreational endeavors; and to foster state and local partnerships with the federal government.

Many counties and municipalities have embarked on scenic corridor programs and have designated roadways of their own. One of the most comprehensive programs was that undertaken by Somerset County in 1992. There the County developed a set of criteria, surveyed their roadway system and designated roadways as scenic corridors. Several municipalities have incorporated scenic corridors or sites within their Master Plans and have developed standards to govern them through their land development regulations.

Delaware Valley Regional Planning Commission

The Delaware Valley Regional Planning Commission (DVRPC) is the Metropolitan Planning Organization (MPO) for the nine-county region of the Philadelphia area. Created in 1965, DVRPC is an interstate, intercounty and intercity agency that provides continuing, comprehensive and coordinated planning to shape a vision for the future growth of the Delaware Valley region. The region includes Bucks, Chester, Delaware, and Montgomery Counties, as well as the City of Philadelphia, in Pennsylvania; and Burlington, Camden, Gloucester and Mercer counties in New Jersey. DVRPC provides technical assistance and services; conducts high priority studies that respond to the requests and demands of member state and local governments; fosters cooperation among various constituents to forge a consensus on diverse regional issues;

determines and meets the needs of the private sector; and practices public outreach efforts to promote two-way communication and public awareness of regional issues and the Commission.

Each year, DVRPC oversees over \$1.4 billion in transportation investments (\$312 million for New Jersey). It evaluates and approves proposed transportation improvement projects. During the next three years it will develop and maintain a transportation improvement program covering some 200 projects in New Jersey at the value of \$936 million with \$506 million going to highways and \$430 million in transit going to DRPA/PATCO and New Jersey Transit.

DVRPC is the only MPO which maintains a land use plan and a transportation plan. The latter is required by US Department of Transportation as outlined in the Transportation Equity Act of the 21st Century (TEA-21). The land use element of the DVRPC 2025 Plan provides a vision of the region's future growth and development; determines regional plan consistency in order to locate and implement future transportation facilities and services; provides guidance and direction for municipal, county and state agencies to make infrastructure and conservation protection investments; and serves as the foundation for developing the region's Transportation Improvement Program (TIP), the short-range capital program of all federally funded transportation projects. The 2025 Regional Transportation Plan for the Delaware Valley provides a vision and a comprehensive long-range blueprint for moving people and goods safely and efficiently. It also advances and supports the region's land use plans and policies, and proposes strategies to carry out those policies. Further, it lists specific transportation improvement projects that are consistent with the policies. Some projects are nearing construction, while others are planned and may change before they reach the construction phase. The Transportation Plan also lists sites of congestion or other problems that require study.

The Regional Transportation Plan establishes corridors. Hopewell is within Corridor 9, which corresponds to Route 31 extending from south to north between Trenton and Hopewell. Within the Township, the Plan identifies various transportation recommendations. Those pertinent to Hopewell Township are:

1. Preserve right of way for future improvements and widening along Route 31 and county roads.
2. Business/Industrial parks should study, develop and implement TDM measures.
3. Provide for goods movement traffic on NJ Route 31 by improving the pavement performance and geometrics of roadway.
4. Develop a carpool/vanpool task force for those workers who reside in Hopewell/Pennington and work in Trenton/Princeton.

5. Remove difficult, unsignalized circles and provide a continuous travel flow along Route 31 within the study area.
6. Improve the roadway surface on Route 546.
7. Propose a bicycle route around Hopewell to reduce local traffic congestion.
8. Preserve future right-of-way to provide bicycle lanes along Route 31.

Bicycle And Pedestrian Circulation Considerations

The 1992 Circulation Plan Element failed to address bicycle and pedestrian mobility in Hopewell Township. The only reference was a recommendation for covering open ditches along some of the Township's rural roads to "provide a safer pavement width for motor vehicles while not changing the character of the road while eliminating a potential hazard for pedestrians, cyclists, and drivers of motor vehicles in the process".

Conversely, the 2002 Hopewell Township Master Plan includes the following objective:

"To establish transportation policies and programs that improve connections among housing, employment and commercial uses, including provisions for vehicular and pedestrian travel and bicycle paths."

To advance this objective, there are a number of resources available to the Township at the State, regional, county and local level. The following is a summary of these resources.

New Jersey Bicycle and Pedestrian Master Plan

The New Jersey Department of Transportation has made a commitment to encourage bicycling and walking in New Jersey. This commitment devotes resources to bicycle and pedestrian planning initiatives designed to improve the bicycle and pedestrian compatibility of the State's transportation network. The State's ultimate goal, beyond the scope of this project, is to develop an integrated statewide system of bicycle and pedestrian facilities and infrastructure.

The Department of Transportation completed Phase One of the Statewide Bicycle and Pedestrian Master Plan in June 1995. This established a vision and a set of targets for the future of bicycling and walking in the State.

Phase Two of the Master Plan updates the goals of the 1995 Plan and provides the following:

- An inventory of existing bicycle facilities,
- A list of priority locations for bicycle and pedestrian improvements, and
- Opportunities for improving the bicycle or pedestrian compatibility of existing projects.

Phase Two of the Master Plan will provide the Department with a database of existing, proposed and potential bicycle and pedestrian facilities throughout the State, which can be displayed on maps and be easily maintained. The Department has established a Project Management Team to guide the progress and products of the plan. The Project Management Team is composed of professionals from the Department, from each of the State's three Metropolitan Planning Organizations, and from the consulting team.

A Technical Advisory Committee (TAC), established by the Department and composed of State, regional, county and nongovernmental organizations interested in planning for bicycle and pedestrian travel, reviews the analytical methods and overall progress of the Master Plan.

A Year 2000 survey conducted on walking and cycling provides some important factors in planning and designing pedestrian and bicycling facilities. The factors include those that influence individuals to walk such as, sidewalk presence, condition and separation from traffic and why individuals cycle such as, convenience to a destination, recreation or scenic value and personal safety.

NJDOT Bicycle Resource Project

The Voorhees Transportation Policy Institute (VTPI), a unit of the Alan M. Voorhees Transportation Center, Edward J. Bloustein School of Planning and Public Policy, and the Center for Advanced Infrastructure and Transportation – Local Technical Assistance Program (CAIT-LTAP), both of Rutgers, The State University of New Jersey, under the authorization of NJDOT, have developed The New Jersey Pedestrian and Bicycle Resource Project. The project is in the process of establishing an information clearinghouse and technical resource center to identify significant bicycle and pedestrian policies, planning activities, implementation and construction of projects throughout the State, and also nationwide and internationally. It provides advisory assistance to NJDOT and other public agencies and organizations on pedestrian and bicycle topics and issues. Additionally, the project provides educational resources and directed research on the most current and challenging issues confronting the development and construction of bicycle and pedestrian compatible infrastructure. It is expected that this project will ultimately lead to effective policies and the development of efficient, safe and practical pedestrian and bicycle facilities and give New Jerseyans more travel options and an even better place to live and work.

Bicycle Compatible Roadways and Bikeways and Pedestrian Compatible Planning and Design Guidelines

Provisions for bicycling, with its potential for providing economically efficient transportation, became an important policy goal of ISTEA. The Secretary of Transportation was directed to conduct a national study that developed a plan for the increased use and enhanced safety of bicycling and walking. The National Bicycling and Walking Study - Transportation Choices for a Changing America presents a plan of action for activities at the Federal, State and local levels for meeting the following goals:

- To double the current percentage (from 7.9 percent to 15.8 percent) of total trips made by bicycling and walking; and
- To simultaneously reduce by 10 percent the number of bicyclists and pedestrians killed or injured in traffic crashes.

The potential for increasing the number of bicycle trips is evident in the National Personal Transportation Survey, which shows that more than 25 percent of all trips are one mile or less, and 40 percent are two miles or less. Almost half are three miles or less and two-thirds are five miles or less. Approximately 53 percent of all people live less than two miles from the nearest public transportation route. New Jersey residents have become aware of the energy, efficiency, health and economic benefits of bicycling for transportation and recreational purposes. In 1995, the NJDOT completed a statewide plan that established policies, goals and programmatic steps to promote safe and efficient bicycling for transportation and recreation in New Jersey. Through an extensive outreach effort, residents established a statewide vision for the future of bicycling and walking for all communities in New Jersey:

“New Jersey is a place where people choose to bicycle and walk. Residents and visitors are able to conveniently walk and bicycle with confidence and a sense of security in every community. Both activities are a routine part of transportation and recreation systems.”

In order to achieve this vision for New Jersey, and to enable people in every community of the State to bicycle with confidence and a sense of security, it is necessary to plan and provide appropriate facilities that will accommodate, encourage and promote bicycling. The manuals provide direction regarding how appropriate facilities for bicycling and walking should be provided.

New Jersey Pedestrian Task Force

Established in 1999, the NJ Pedestrian Task Force is a coalition with members from public, private and advocacy organizations that are concerned about the safety of the walking public in New Jersey. The group meets on a bimonthly basis at the Edward J. Bloustein School of Planning and Public Policy (Rutgers University) to discuss topics

related to pedestrian safety, mobility and access; and, serve as an advisory body to State, County and civic organizations. Their goals are:

1. To educate the public on the rights and responsibilities of pedestrians and the need for more pedestrian-friendly circulation systems.
 - a. Form a Pedestrian Task Force Bureau of topical speakers to present at upcoming conferences within the state.
 - b. Create a greater awareness of the existing resources for planning and implementing pedestrian-friendly transportation projects.
 - c. Promote educational venues that focus on pedestrian and/or human powered travel modes, traffic calming and safety measures.

2. To advance the inclusion of pedestrian friendly design elements in development and redevelopment plans.
 - a. Monitor performance of pedestrian projects and programs statewide.
 - b. Review and provide commentary on the AASHTO Pedestrian Guide currently under development.
 - c. Promote revisions to the Residential Site Improvement Standards (RSIS) and input to the Commercial Site Improvement Standards (CSIS) to create more walkable developments.
 - d. Sponsor awards for those who protect and/or enhance the pedestrian environment, through engineering, advocacy, design, or education.

3. To support government policies and funding initiatives that favor walking.
 - a. Recommend, monitor and support legislation that extends pedestrian rights, enhances the pedestrian environment or legitimizes walking as a transportation mode.
 - b. Recommend, monitor and support legislation that would require any project utilizing Transportation Trust Fund monies to include bicycle and pedestrian accommodations.
 - c. Recommend, monitor and support legislation that includes dedicated resources for pedestrian friendly transportation planning and projects.
 - d. Encourage state, county and municipal governing bodies to adopt pedestrian friendly programs and design standards.
 - e. Facilitate the coordination between public agencies and others in the implementation of pedestrian friendly projects and programs.
 - f. Support citizen advocacy groups that encourage local governments to adopt policies and programs that support walking.
 - g. To nurture favorable community attitudes towards walking.
 - h. Design and propose a new specialty motor vehicle license plate, such as "Share the Road" tags.
 - i. Organize a statewide effort to support "Walk Our Children To School Day" and the "Kids Walk-to-School" program within New Jersey.

- j. Develop and support additional public involvement programs that can encourage walking in the community.
4. To encourage land use patterns and walking environments that are safe and secure, and thereby reduce pedestrian deaths and injuries in the state.
 - a. Propose changes to the NJ Drivers Training Manual and driver education programs.
 - b. Disseminate information regarding tools that engineers and planners can use to make the walking environment safer.
 - c. Promote the use of traffic calming measures.
 - d. Encourage improved reporting and analysis of pedestrian crash data.

Southern New Jersey Bicycle and Pedestrian Mobility Plan

DVRPC as part of its 2020 planning process developed the Southern New Jersey Bicycle and Pedestrian Mobility Plan. The Bicycle and Pedestrian Mobility Plan covers the four counties located in southern New Jersey, including Mercer. The plan contains information about prevailing policies towards bicycles and pedestrians. It also provides information about current bicycle and pedestrian use, an inventory of existing and proposed bicycle and pedestrian facilities, and goals and objectives for improving bicycle and pedestrian conditions. This information provides the foundation for creating the Proposed Southern New Jersey Year 2020 Bicycle Network.

Bicycle Clubs

Advocates are an important component of any effort to initiate and establish bikeways within a community. According to NJDOT there are several bicycle clubs within and around Hopewell Township. Some of these organizations are:

- Century Road Club of America in Princeton
- Jaeger Wheelmen Club in Ewing
- Mercer-Bucks Cycling Club in Pennington
- Princeton Freewheelers
- Summit Cycling Club in Titusville

Use of Sidewalks and the Residential Site Improvement Standards

Ongoing national debate over methods to reduce costs of housing construction has focused on all types of required improvements, including sidewalks. Where sidewalks were once considered an automatic requirement in new residential developments, the costs of construction and the impervious coverage impacts have been cited as reasons to minimize sidewalk construction.

The "Guide for Residential Design Review" (Moskowitz & Lindbloom, 1976) notes, "Apart from the need for sidewalks for circulation and safety, sidewalks can be an important element in the recreational system of a community. They serve as walking and biking trails for all age groups ... and are also the primary informal and unsupervised recreational system for preschoolers ... (and) should be required as part of any large scale residential development." Others have gone even further, stating, "Sidewalks are a more important recreational facility than playgrounds" (Site Planning, Lynch & Hack, 1984). Finally, the State Development and Redevelopment Plan echoes this message by stating "New Jersey's communities are healthy, active communities where adults and children are living active, healthy lives because exercise and walking are a vital part of their daily lives. Communities are designed to promote walking and cycling for transportation and recreation".

It is generally accepted that sidewalks should be provided along streets used for access to schools, parks, shopping and transit stops (Model Subdivision and Site Plan Ordinance, NJDCA, 1987). The model ordinance also notes that "... sidewalk requirements should be based on the street classification system and on density of development as measured in terms of lot size, lot frontage or number of housing units per acre."

The model ordinance noted that street classification is particularly important to safety since traffic volumes and speeds increase as roads assume higher traffic circulation functions. Density affects the extent of pedestrian movements to be generated, and in higher density developments sidewalks are important for both convenience and safety.

Additional factors cited in the model ordinance in determining sidewalk locations are major pedestrian generators, the existing sidewalk system and probable future development. The model ordinance also provides the following guidelines for sidewalk placement. "Requirements for sidewalks vary depending on road classification and intensity of development".

Since the last Master Plan update, the Residential Site Improvement Standards Act (N.J.S.A. 40:55D-40.1 et seq., or RSIS) was adopted by the Legislature and signed into law. The act was largely based on the work found in the Model Subdivision and Site Plan Ordinance, NJDCA, 1987. The act authorized the establishment within the Department of Community Affairs of a committee charged with the responsibility of developing uniform standards that would be adhered to by municipalities in approving residential site improvements. These standards have been approved by the Commissioner of Community Affairs and been adopted in the New Jersey Administrative Code (N.J.A.C. 5:21-1-8).

The code covers a number of features such as water supply, sanitary sewers, stormwater management and streets and parking. The standards also address sidewalks. According to N.J.A.C 5:21-4.5, sidewalks and/or graded areas shall be required, depending on road classification and intensity of development. Sidewalks are required either on one side or both in the case of residential access roads, neighborhood streets, minor collectors and major collectors. Graded areas are required on rural streets or lanes as well as in the case of low intensity minor collectors and residential access roads. Exceptions from these rules are available only to municipalities that receive a waiver.

Delaware & Raritan Canal State Park

Within Hopewell, a significant trail exists in the Delaware & Raritan Canal State Park. This 30 mile multi-use trail provides an excellent crushed stone surface for walking, mountain biking, horseback riding and hiking.

With the designation of the parallel Route 29 as a Scenic Byway, there are improvements programmed for Route 29 which will complement the Canal State Park and likely increase its usage.

Washington Crossing State Park

Another recreational biking facility in the Township is Washington Crossing State Park. The park provides 3-mile paved surface for bicycling and hiking as well as connections to the D&R Canal, picnic area, playground, nature center and museum.

Transportation Demand Management

Prompted largely by the worsening traffic conditions during the development surge in the mid-1980's, and the enactment of the Clean Air Act Amendments in November 1990, transportation demand strategies (TDMs) emerged as an important focus for reducing the quantity and impact of automobile traffic. As the name indicates, TDMs are alternative strategies designed to reduce the number of trips between residences and work places. They are typically implemented through a comprehensive traffic reduction ordinance (TRO), which establishes the goals and procedures as well as strategies.

Managing transportation demand is a complex undertaking as it involves not only a concerted administrative effort but also a fundamental change in personal habits. Since TROs involve an attempt to remove trips as well as to spread them, changes to commuting habits are inevitable, including the reduction of single-occupancy vehicles. Quantitative measurements to evaluate compliance with the goals of a TRO include the percent reduction in peak hour trips, percent participation rates, average peak hour vehicle ridership, and vehicle trip reduction to a desired level of service.

TDM strategies that are typically permitted as alternatives in a TRO include the following:

1. Ridesharing-park and ride, vanpools/carpools, vanpool/carpool lots
2. Flextime/compressed workweeks
3. Shuttle services
4. Subsidized transit and ridesharing
5. Preferential parking

6. Amenities for bicyclists and pedestrians
7. Telecommuting

Greater Mercer Transportation Management Association

Hopewell Township is a member of the Greater Mercer Transportation Management Association. Greater Mercer TMA is a non-profit partnership of the public and private sectors, dedicated to reducing traffic congestion and improving mobility in and around Mercer County by providing a variety of commuter programs and services.

Greater Mercer TMA was established in 1984. Its members are large and small employers, local governments, authorities and state agencies who share the commitment to providing transportation choices through a multi-modal, balanced, transportation system.

Greater Mercer TMA offers its members a wide variety of services. The services include publications, such as the TMA's bi-monthly newsletter, which keeps employer representatives informed on the latest in transportation issues, and the publication "Crossroads", which is a comprehensive, easy to read manual of step-by-step procedures for implementing and administering various transportation programs and services available to employees. The GMTMA also provides professional services, such as helping large employers, corporate centers, local and state government, community based organizations and non-profits establish and manage shuttle services. The organization also designs, conducts and analyzes a survey that will identify trends and opportunities for commute options such as ridesharing, transit or non-motorized transportation. In addition, the Greater Mercer TMA provides commuter services, such as programs like "Home Free" which is Greater Mercer TMA's guaranteed ride home program for eligible commuters who carpool or vanpool, take transit, or bike or walk to work and need an emergency ride home; and, "vanbuck\$" which is an empty seat subsidy program that gives groups of employees financial assistance when forming a new vanpool or to keep an existing vanpool on the road.

The Municipal Assistance Program provides selected Mercer County and member municipalities with technical assistance and support to implement demand management strategies or support strategies in areas with 'hot spot' congestion, rapid growth, safety or accessibility problems, or which offer little or no alternatives to automotive travel.

Specific services offered by Greater Mercer TMA include: bike/pedestrian facility planning, grant writing assistance, transit studies and grant assistance, park and ride assistance, municipal or neighborhood surveys, school and community events to promote commute options, and municipal workshops. The workshops for municipal officials address such topics as:

- TDM friendly municipal ordinances
- Transit oriented design

- Bikeable and walkable communities
- Traffic calming techniques and policies

An example of a project in Hopewell Township is the Hopewell Shuttle, which provides peak-hour commuter rides for Merrill Lynch employees between the Hamilton Rail Station and the Merrill Lynch Campus in Hopewell Township. The service is free but riders must show their employee ID to ride. As a result of the work of the GMTMA and the HVTMC the shuttle service recently was expanded to include Janssen employees.

Mercer County T.R.A.D.E.

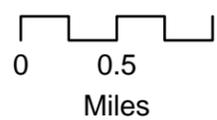
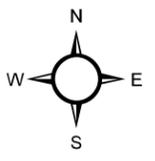
Another transportation demand service available in Hopewell is Mercer County T.R.A.D.E. The purpose of Mercer County T.R.A.D.E. (Transportation Resources to Aid the Disadvantaged and Elderly) is to provide a safe, efficient and economical para-transit service to all eligible Mercer County residents by trained drivers and staff. T.R.A.D.E provides transportation services to transportation-disadvantaged Mercer County Residents who are: senior citizens (60+) or persons with disabilities or economically disadvantaged. Trips are either subscription trips to employment, dialysis, nutrition sites, rehabilitation sites, radiation, etc. which are provided on an ongoing basis; or, demand response trips to doctors' appointments, out-patient clinics, beauty parlors, or shopping, which are provided on an as-needed basis.

Figure 1 Municipal Classification

*Hopewell Township
Mercer County
February 2006*

Legend

-  Primary Local Roads
-  Secondary Local Roads



Data Sources:
NJDOT
Hopewell Township

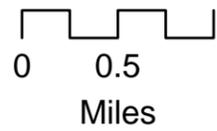
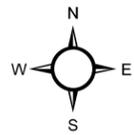
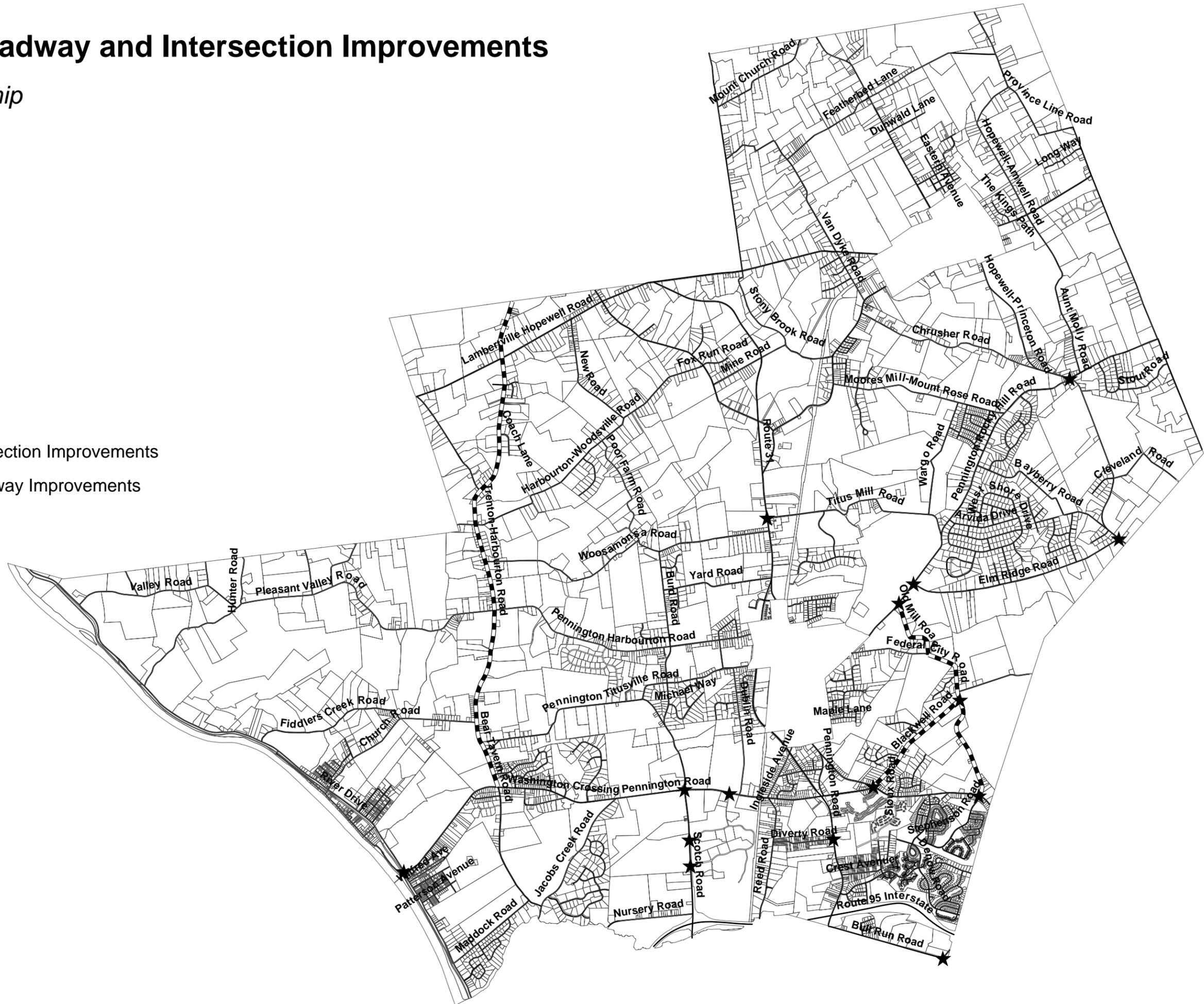
*This map was developed using
New Jersey Department of Transportation
data, but this secondary product has not
been NJDEP verified and is not State-authorized.*

Figure 2 Proposed Roadway and Intersection Improvements

Hopewell Township
Mercer County
February 2006

Legend

- ★ Proposed Intersection Improvements
- ▬ Proposed Roadway Improvements
- Roads



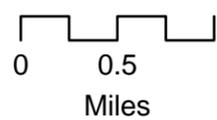
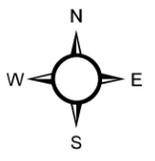
Data Sources:
Hopewell Township

Figure 3 Jurisdiction of Roads

*Hopewell Township
Mercer County
February 2006*

Legend

- Municipal
- - - County
- • • State



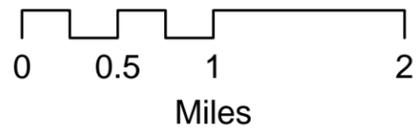
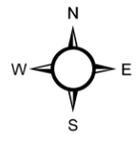
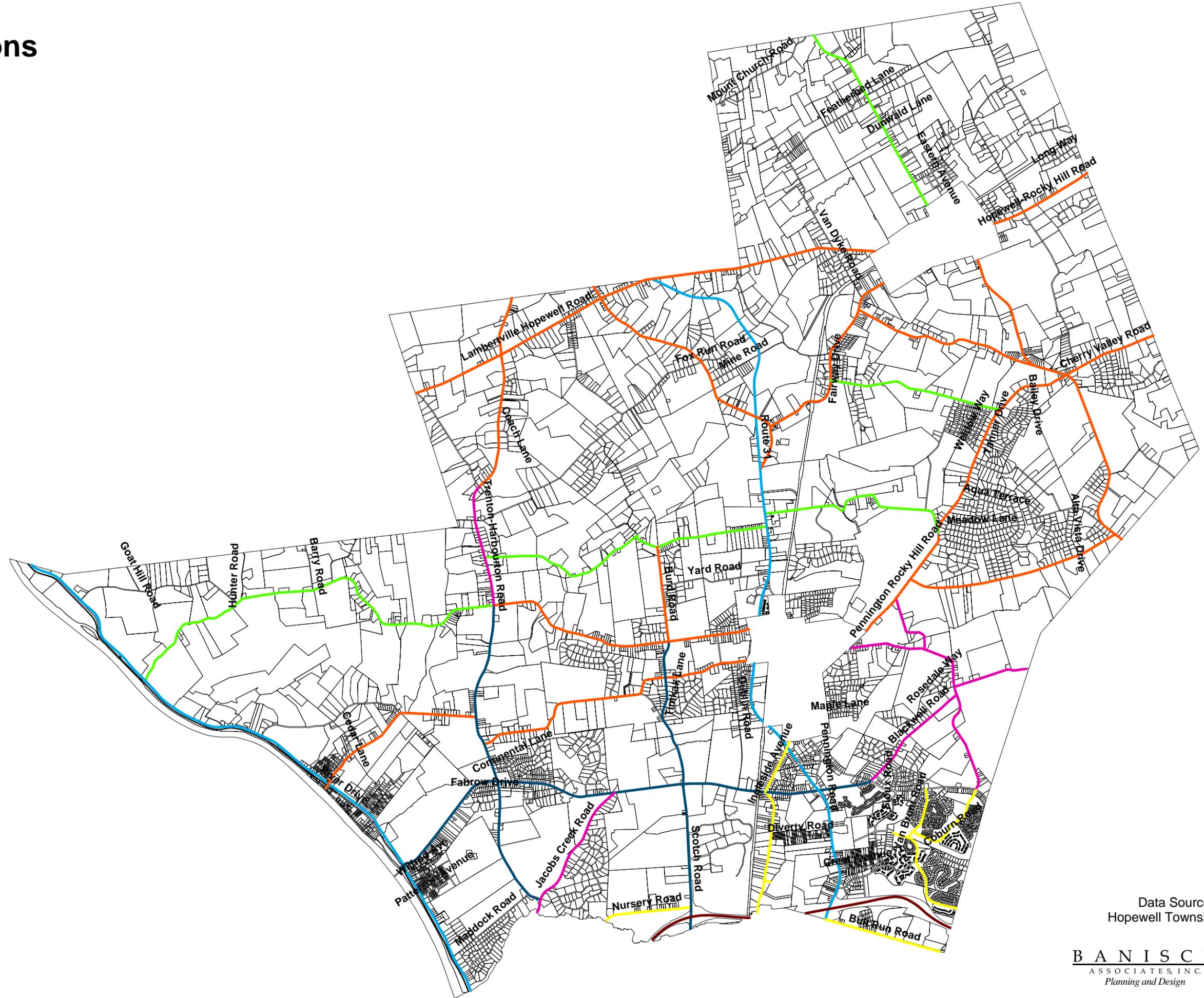
Data Sources:
NJDOT
Hopewell Township

*This map was developed using
New Jersey Department of Transportation
data, but this secondary product has not
been NJDEP verified and is not State-authorized.*

Figure 4 Functional Classifications

Hopewell Township
Mercer County
February 2006

- Legend**
- Rural Major Collector
 - Rural Minor Collector
 - Urban Collector
 - Urban Interstate
 - Urban Minor Arterial
 - Urban Minor Collector
 - Urban Principal Arterials



Data Sources:
Hopewell Township

Figure 5 State Highway Accident Locations

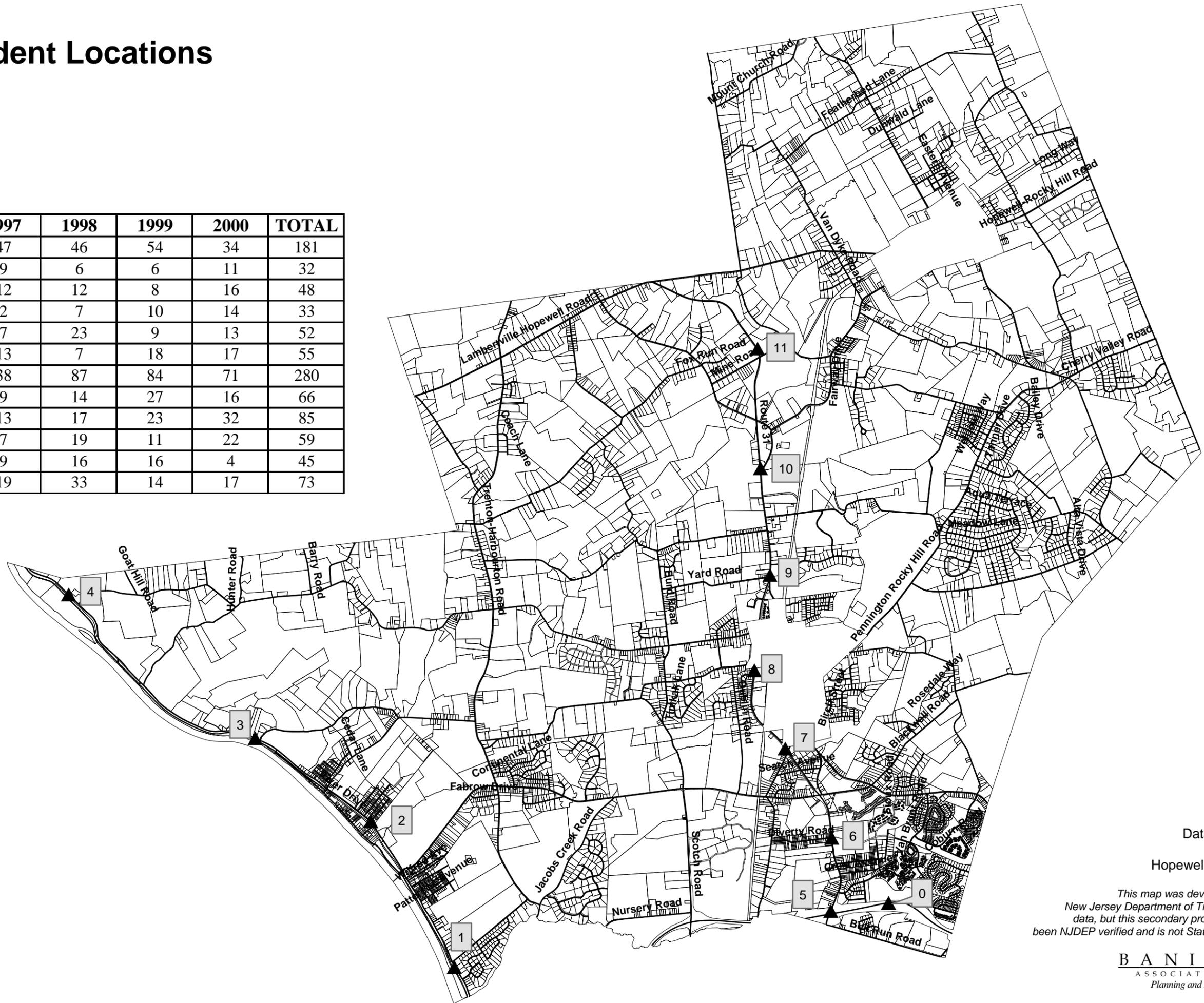
Hopewell Township
Mercer County
February 2006

ID	Roadway	1997	1998	1999	2000	TOTAL
0	Interstate 95	47	46	54	34	181
1	Route 29	9	6	6	11	32
2	Route 29	12	12	8	16	48
3	Route 29	2	7	10	14	33
4	Route 29	7	23	9	13	52
5	Route 31	13	7	18	17	55
6	Route 31	38	87	84	71	280
7	Route 31	9	14	27	16	66
8	Route 31	13	17	23	32	85
9	Route 31	7	19	11	22	59
10	Route 31	9	16	16	4	45
11	Route 31	19	33	14	17	73

Legend

- ▲ Accident Locations
- Roads

0 0.5 1
Miles



Data Sources:
NJDOT
Hopewell Township

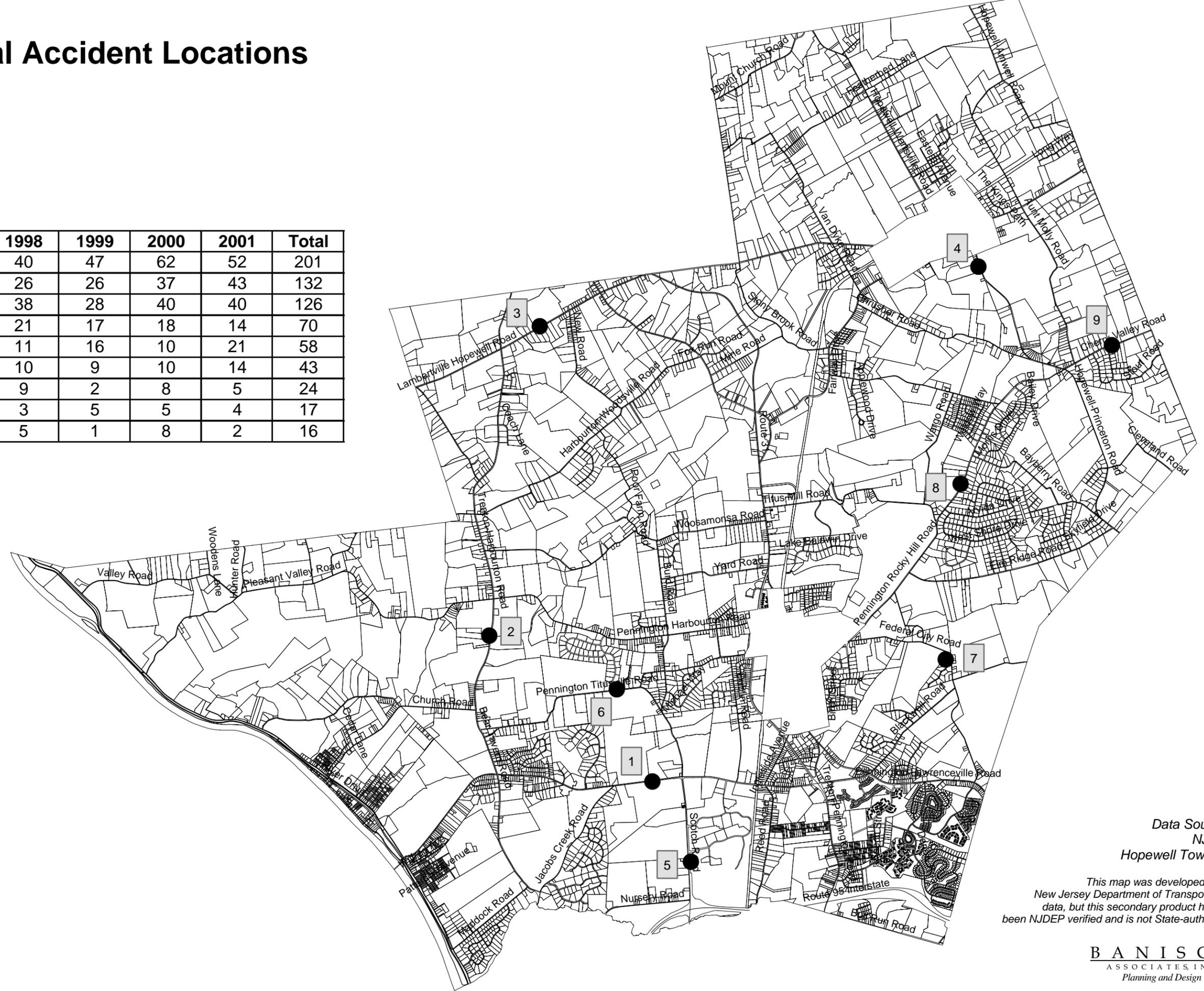
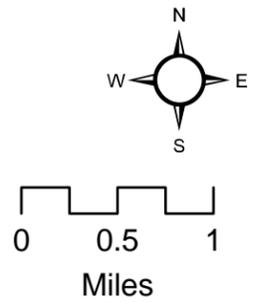
This map was developed using New Jersey Department of Transportation data, but this secondary product has not been NJDEP verified and is not State-authorized.

Figure 6 County and Municipal Accident Locations

*Hopewell Township
Mercer County
February 2006*

ID	Roadway	1998	1999	2000	2001	Total
1	CR 546	40	47	62	52	201
2	CR 579	26	26	37	43	132
3	CR 518	38	28	40	40	126
4	CR 569	21	17	18	14	70
5	CR 611	11	16	10	21	58
6	Pennington-Titusville Road	10	9	10	14	43
7	Federal City Road	9	2	8	5	24
8	Pennington Rocky Hills Road	3	5	5	4	17
9	Cherry Valley Road	5	1	8	2	16

Legend
 ● Accident Locations
 — Roads



*Data Sources:
NJDOT
Hopewell Township*

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New Jersey Department of Transportation
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been NJDEP verified and is not State-authorized.*

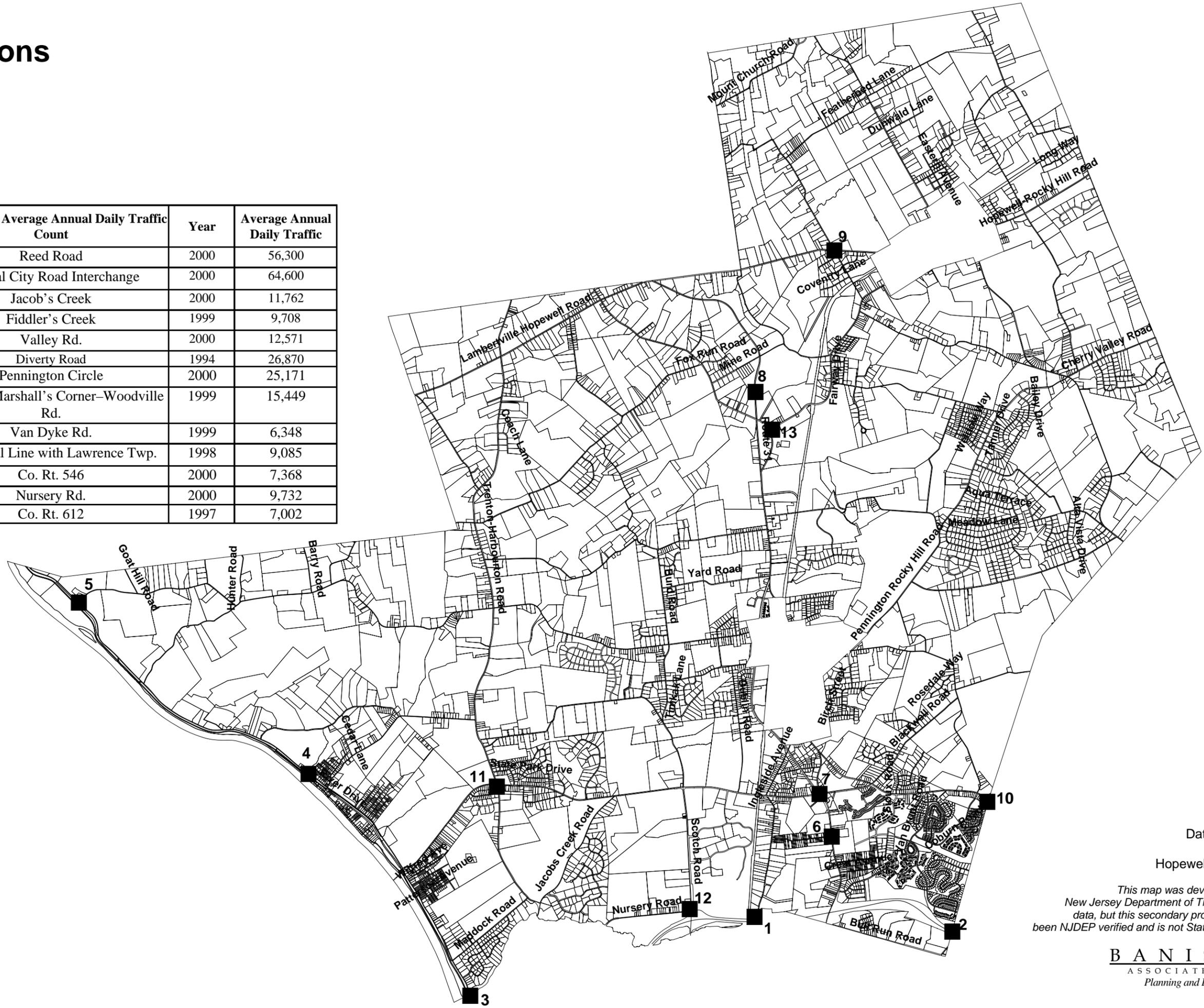
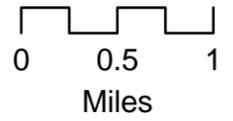
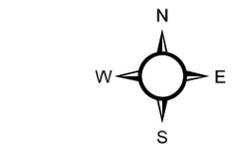
Figure 7 Traffic Count Locations

*Hopewell Township
Mercer County
February 2006*

ID	Route/Street	Location of Average Annual Daily Traffic Count	Year	Average Annual Daily Traffic
1	I-95	Reed Road	2000	56,300
2	I-95	Federal City Road Interchange	2000	64,600
3	29	Jacob's Creek	2000	11,762
4	29	Fiddler's Creek	1999	9,708
5	29	Valley Rd.	2000	12,571
6	31	Divery Road	1994	26,870
7	31	Pennington Circle	2000	25,171
8	31	North of Marshall's Corner-Woodville Rd.	1999	15,449
9	518	Van Dyke Rd.	1999	6,348
10	546	Municipal Line with Lawrence Twp.	1998	9,085
11	579	Co. Rt. 546	2000	7,368
12	611	Nursery Rd.	2000	9,732
13	654	Co. Rt. 612	1997	7,002

Legend

- Traffic Count Locations
- Roads



Data Sources:
NJDOT
Hopewell Township

This map was developed using New Jersey Department of Transportation data, but this secondary product has not been NJDEP verified and is not State-authorized.

Township of Hopewell

COUNTY OF MERCER
STATE OF NEW JERSEY

Chapter XVII

Land Use and Development

CODED SYSTEMS LLC
120 MAIN STREET
AVON, NEW JERSEY 07717

ARTICLE I PURPOSE, ADMINISTRATION, OFFICIAL MAP, PERMIT PROCEDURES

17-1 PURPOSE.

The intent and purpose of this chapter is:

- a. To guide the appropriate use of development of all land in Hopewell Township in a manner which will promote the public health, safety, morals, and general welfare;
- b. To secure safety from fire, flood, panic and other natural and man-made disasters;
- c. To provide adequate light, air and open space;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well being of persons, neighborhoods, communities and regions and preservation of the environment;
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangements;
- j. To promote the conservation of open space and valuable natural resources and to prevent urban sprawl and degradation of the environment through improper use of land;
- k. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land. (Ord. #528)

17-2 ORDINANCES.

- a. Changes in Zoning. The township committee may amend or adopt the zoning ordinance as provided in N.J.S.A. 40:55D-62.
- b. Referral to Planning Board of Proposed Development Regulations. Prior to the adoption of a zoning ordinance or any other development regulation or any revision or amendment thereto, the township committee shall refer the proposal to the planning board, as provided in N.J.S.A. 40:55D-26.
- c. Notice of Hearing on Ordinance.
 1. Notice by personal service or certified mail shall be made to the clerk of an ad-joining municipality of all hearings on the adoption, revision or amendment of a development regulation involving

property situated within 200 feet of such ad-joining municipality at least ten days prior to the date of any such hearing.

2. Notice by personal service or certified mail shall be made to the county planning board of all hearings on the adoption, revision or amendment of any development regulation at least ten days prior to the date of the hearing. Any notice provided hereunder shall include a copy of the proposed development regulation, or any proposed revision or amendment thereto, as the case may be.
3. Notice of hearings to be held pursuant to this section shall state the date, time and place of the hearing and the nature of the matters to be considered. Any notice by certified mail pursuant to this section shall be deemed complete upon mailing.
- d. Filing of Ordinances. The zoning, subdivision, site plan review ordinances or any revision or amendment thereto shall not take effect until a copy thereof shall be filed with the Mercer County Planning Board.
- e. Filing of Development Regulations. Copies of all development regulations and any revisions or amendments thereto shall be filed and maintained in the office of the township clerk.
- f. *Administrative Officer.* Pursuant to N.J.S.A. 40:55D-3, the planning coordinator is hereby designated as the administrative officer. The planning coordinator may also serve as planning board secretary.
(Ord. #528; Ord. #94-982)

17-3 MASTER PLAN.

- a. The planning board may prepare and, after a public hearing, adopt or amend a master plan, or component parts thereof, to guide the use of lands within the township in a manner which protects public health and safety and promotes the general welfare, as provided in N.J.S.A. 40:55D-28.
- b. *Notice Concerning Master Plan.* The planning board shall give notice of each hearing on the master plan as provided in N.J.S.A. 40:55-13.
- c. *Notice of Adoption.* The planning board shall give notice of adoption, revision or amendment of the master plan as provided in N.J.S.A. 40:55D-13.
- d. *Periodic Re-examination of Master Plan and other Development Regulations.* The planning board shall undertake, at least every six years, a general re-examination of the master plan and development regulations and shall prepare a report thereon, as provided in N.J.S.A. 40:55D-89.
(Ord.#528)

17-4 OFFICIAL MAP.*

The township committee may, by ordinance, adopt an official map as provided in N.J.S.A. 40:55D-32.

- a. *Notice of Action on Official Map.* Such notices shall be given as provided in N.J.S.A. 40:55D-15.
- b. *Change or Addition to Official Map.* The approval by the township of provisions affecting the official map shall be subject to the provisions of N.J.S.A. 40:55D-33.
(Ord. #528; Ord. #95-1010)

17-5 ISSUANCE OF PERMITS FOR BUILDINGS OR STRUCTURES PROHIBITED IN CERTAIN PLACES; EXCEPTIONS.

- a. For the purpose of preserving the integrity of the official map, if any, no permit shall be issued for any

building or structure in the bed of any street or public drainage way, flood control basin or public area reserved pursuant to section 17-100 as shown on the official map, or shown on a plat filed before adoption of the official map, if any, except as herein provided.

- b. Whenever one or more parcels of land, upon which is located the bed of such a mapped street or public drainage way, flood control basin or public area reserved pursuant to section 17-100 cannot yield a reasonable return to the owner unless a building permit is granted, the board of adjustment may, in a specific case, by an affirmative vote of a majority of the full authorized membership of the board, direct the issuance of a permit for a building or structure in the bed of such mapped street or public drainage way or flood control basin or public area reserved pursuant to section 17-100 which will as little as practicable increase the cost of opening such street, or tend to cause a minimum change of the official map, if any, and the board shall impose reasonable requirements as a condition of granting the permit so as to promote the health, morals, safety and general welfare of the public.
(Ord. #528)

17-6 BUILDING LOT TO ABUT STREET; EXCEPTIONS.

- a. No permit for the erection of any building or structure shall be issued unless the lot abuts a street giving access to such proposed building or structure. Such street shall have been duly placed on the official map, if any, or shall be (1) an existing State, county or municipal street or highway, or (2) a street shown upon a plat approved by the planning board, or (3) a street on a plat duly filed in the office of the county recording officer prior to the passage of an ordinance which required prior approval of plats by the planning board or other authorized body. Before any such permit shall be issued, such street shall have been certified to be suitably improved to include underground utilities and base course at a minimum, and the remaining improvements shall have been assured by means of a performance guarantee, in accordance with standards and specifications for road improvements approved by the township committee as adequate in respect to the public health, safety and general welfare of the special circumstance of the particular street.
- b. Where the enforcement of this section would entail practical difficulty or unnecessary hardship, or where the circumstances of the case do not require the building or structure to be related to a street the board of adjustment may, upon application or appeal, vary the application of this section and direct the issuance of a permit subject to conditions that will provide adequate access for firefighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety and that will protect any future street layout shown on the official map, if any, or on a general circulation plan element of the master plan.
(Ord. #528)

17-7 CAPITAL IMPROVEMENTS PROGRAM.

- a. The township committee may authorize the planning board to prepare a program of municipal capital improvement projects as provided in N.J.S.A. 40:55D-29.
- b. *Notice of Action.* Notice by personal service or certified mail shall be made to the Mercer County Planning Board of the adoption, revision or amendment of the township's capital improvement program including a copy thereof, not more than 30 days after the date of such adoption, revision or amendment. Any notice by certified mail shall be deemed complete upon mailing.

- c. *Review of Capital Projects.* Public agencies shall refer proposed capital projects to the planning board for review and recommendations, as provided in N.J.S.A. 40:55D-31.
(Ord. #528)

17-8 to 17-12 RESERVED.

***Editor's Note:** For the official zoning map see section 17-138, Zoning Districts and Appendix B of this chapter.

ARTICLE II PERMITS AND CERTIFICATES; ENFORCEMENT*

17-13 BUILDING PERMITS.

No one shall erect, construct, alter, repair, remodel, convert, remove or destroy any building or structure without first obtaining a building permit from the construction official except as expressly provided in these ordinances or by State law. Building permits shall be issued only upon compliance with all applicable requirements, including but not limited to any requirements imposed by the municipal planning board, zoning office, zoning board of adjustment, department of health, department of public works, and any other municipal, State or Federal requirement imposed by ordinance, regulation or statute. Where applicable, a building permit will only be issued after the full width of the bituminous stabilized base course and all curbs, drainage systems and utility crossings within the full right-of-way are constructed, inspected, and approved by the township engineer up to and along the frontage of the lot on which the building or structure is to be erected. Builder and/or developer may enter into a developer's agreement, acceptable to the township engineer and approved by the township committee, which may modify via a construction phasing plan the requirement that the aforementioned public improvements be constructed prior to the issuance of a building permit.

17-14 ZONING PERMIT.

- a. A zoning permit shall be required as a condition precedent to the commencement or change of a use or the erection, construction, reconstruction, alteration (except interior alterations which do not affect use), conversion or installation of a structure or building.
- b. A zoning permit may be obtained for the convenience of the owner or prospective user of a property to acknowledge that such use, structure or building complies with the provisions of the Hopewell Township Land Use and Development Law or variance therefrom which has been duly authorized by the proper municipal agency.
- c. All requests for zoning permits shall be made to the zoning official in writing, specifying the lot or building involved, and the proposed use and such other information as may be required. A zoning permit shall not confer upon the applicant the right to build, construct or alter a building, but shall pertain only to the use thereof.

If it shall appear at any time to the zoning officer that any erection, construction, alteration, repair, or conversion is being performed upon the premises or any use conducted thereon differing materially from that permitted by a duly issued zoning permit, he shall forthwith revoke the zoning permit.

17-15 CERTIFICATES OF OCCUPANCY.

A certificate of occupancy must be obtained pursuant to the Uniform Construction Code for all new constructions, reconstructions, alterations, conversions or installations of a structure or building.

No certificate of occupancy shall be issued until all applicable requirements of the Uniform Construction Code and the regulations adopted thereunder, the site plan, subdivision, and plot plan have been complied with, including all underground utilities, bituminous stabilized base course for the roadway, and grading within six inches of approved finished grade which shall be shown on an as-built survey certified by a New Jersey licensed land surveyor. Said as built grading survey shall not be a requirement for the issuance of a certificate of occupancy for the construction of an addition to existing single family residences when said addition does not exceed 25 percent of the gross floor area of the existing structure and does not require any bulk variance(s).

A certificate of occupancy shall be issued when unfinished site work, such as parking, landscaping, drainage and lighting, is covered by a performance guarantee. The performance guarantee shall be posted with the township committee, in an amount approved by the township engineer and form approved by the township attorney, to ensure the completion of the unfinished site work. (Ord. #05-1340, § 1)

17-16 TEMPORARY CERTIFICATE OF OCCUPANCY.

- a. In extraordinary or exceptional situations, where construction or alterations have been delayed due to weather or other conditions beyond the owner's control, the construction official may authorize the issuance of a temporary certificate of occupancy to enable the use and occupancy during completion. No such temporary permit shall be authorized if the use of occupancy would constitute a health or safety hazard or would be detrimental to the public welfare. A temporary certificate of occupancy must reflect the approximate length of time needed to complete the work, as determined by the construction official in consultation with the appropriate subcode officials or with the agency governing the incomplete approval, as appropriate. A temporary certificate of occupancy shall not be issued when any of the following items that are part of a construction project have not yet been provided: health and life-safety systems; sewer or septic system connection; water supply connection or well certification; electric utilities connection; gas utilities connection; New Home Warranty; rooming and boarding home license; elevation certificate in flood hazard plain; where required, an accessible route must be provided, although the accessible route provided under a TCO may be temporary; or emergency vehicle access.
- b. No temporary certificate of occupancy permit shall be authorized unless a performance guarantee shall be posted with the township committee in an amount approved by the construction official and form approved by the township attorney, to insure the completion of all erection, construction, alteration, repair, or conversion and attendant requirements for which application has theretofore been made. Such bond may be waived upon good cause shown, by the township committee.
(Ord. #05-1340, § 2)

17-17 CONSTRUCTION TRAILER AND SHED PERMITS.

- a. The temporary use of readily portable construction sheds and construction trailers may be permitted in any district during the period of, and in connection with the actual construction of a permanent structure on the lot upon which such shed or trailer is located as determined by the zoning officer.
- b. No such shed or trailer shall be used or suffered to be used for dwelling or living purposes at any time.
- c. The location of any shed or trailer shall conform to the requirements for locating buildings in a flood hazard area (Chapter XII).
- d. Permits for such sheds or trailers shall be issued by the construction official only for the reasonably anticipated period of the construction at which they are to be used and shall, in no event, be issued for more than one year.
- e. Such permits may be renewed by the construction official for periods not longer than six months, if construction activity is continuing.
- f. Any such shed or trailer shall, in any event, be removed immediately upon substantial completion of the construction at which it is used.

17-18 TEMPORARY RESIDENTIAL LIVING UNIT.

Where a building permit has been issued to restore, reconstruct or alter an existing residence made uninhabitable due to a disaster such as a fire, the construction official may issue a temporary permit for a temporary living unit which unit shall not be permanently affixed to either the land or utilities thereon but may be used by the owners of the property in question as a residence during the reconstruction of the residence. This permit shall be valid for a period not to exceed six months and may be extended for one additional period of not more than six months if the construction official finds that construction has been diligently pursued and that justifiable circumstances require such an extension. Such type of living unit shall be situated upon the land for which the building permit has been issued and be approved by the construction official and the department of health prior to occupancy.

17-19 TEMPORARY ACTIVITIES PERMIT.

- a. For the purpose of this section, temporary activities shall be defined as sporadic, seasonal or infrequent activities which, because of their exigent, charitable, or beneficial nature are so required or conducted that they contribute materially to the health, welfare or economic advantage of the township and of its citizens.
- b. Temporary activities shall be permitted, provided that the township committee shall find that the temporary activity requested is such as to come within the above definition and directs the zoning officer to issue a temporary activity permit.
- c. Notwithstanding any of the provisions hereinabove set forth, a temporary activity permit shall be issued for a period not to exceed 14 consecutive days. Such permits may be renewed by the zoning officer without further application to the governing body for one additional period of up to 14 consecutive days. Any such permit shall expire upon the date specified therein.
- d. The receipt of a temporary activity permit shall create no permanent right in the applicant nor any right of the applicant to conduct such activity at any time in the future beyond the time limited by the terms of such permit, whether by way of estoppel, acquiescence, sufferance or otherwise.
- e. In the event that any temporary activity is permitted or suffered to depart from the terms of the permit under which it is purportedly conducted, the zoning officer shall forthwith revoke the same and the applicant shall cease all such activities as well as all temporary activities for which a temporary activity permit was given.

17-20 CERTIFICATES AS TO APPROVAL OF SUBDIVISION OF LAND.

- a. A prospective purchaser, prospective mortgagee, or any other person interested in any land which forms part of a subdivision, or which formed part of such a subdivision on or after August 1, 1973, may apply in writing to the township administrator for the issuance of a certificate certifying whether or not such subdivision has been approved by the planning board. Such application shall contain a diagram showing the location and dimension of the land to be covered by the certificate and the name of the owner thereof. The township administrator shall make and issue such certificate within 15 days after the receipt of such written application and the fees therefor. The administrator shall keep a duplicate copy of each certificate, consecutively numbered, including a statement of the fee charged, in a binder as a permanent record of his office.

- b. Each such certificate shall be designated a "certificate as to approval of subdivision of land," and shall certify:
 1. That there exists in the township a duly established planning board and there is an ordinance controlling subdivision of land adopted under the authority of State law.
 2. Whether the subdivision, as it relates to the land shown in the application, has been approved by the planning board, and, if so, the date of such approval and any extensions and terms thereof, showing that subdivision of which the lands are a part is a validly existing subdivision.
3. Whether such subdivision, if the same has not been approved, is statutorily exempt from the requirement of approval as provided under the Municipal Land Use Law.
- c. Any person who shall acquire for a valuable consideration an interest in the lands covered by any such certificate of approval of a subdivision in reliance upon the information therein contained shall hold such interest free of any right, remedy or action which could be prosecuted or maintained by the municipality pursuant to the provisions of section 17-29c.
- d. If the township administrator fails to issue the same within 15 days after receipt of an application and the fees therefor, any person acquiring an interest in the lands described in such application shall hold such interest free of any right, remedy or action which could be prosecuted or maintained by the municipality pursuant to section 17-29c.

17-21 ENFORCEMENT.

In case any building or structure is erected, constructed, altered, repaired, converted, or maintained, or any buildings, structure or land is used in violation of these ordinances or other regulations, the proper authorities of the township or an interested party, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of such building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises. (Ord. #528)

17-22 to 17-28 RESERVED.

***Editor's Note:** Former subsection 17-1.8a-h was renumbered as sections 17-13 through 17-20. Sources contained herein include Ordinance Nos. 528, 556-80, 723-86, § 1, 741-87, 745-87 § 2, 756-88, § 1 and 821-89.

ARTICLE III SUBDIVISION AND SITE PLAN APPROVALS, PROCEDURES*

17-29 REQUIRED APPROVAL OF SUBDIVISIONS AND SITE PLANS.

- a. Every subdivision plat must be approved by the planning board (or by the board of adjustment if it has jurisdiction pursuant to section 17-53g.) as a condition for the filing of the plat with the county recording officer.
- b. Every use, other than those exempted below, shall receive site plan approval by the planning board (or by the board of adjustment if it has jurisdiction pursuant to section 17-53g.) as a condition for the issuance of a building permit if the work to be done involves (i) a new structure, or a conditional use or use variance, or new parking area or new egress to a public right-of-way; or (ii) the alteration of a structure which would increase the total floor area or any outside dimension of the structure; or (iii) the alteration of a structure which would facilitate a change in the nature of the use resulting in different parking, drainage, and/or other design criteria as required by this chapter; or (iv) the alteration of a residential structure or its parking area or driveway in order to initiate or expand any home occupation or office or professional use of the premises. Except that planning board approval shall not be required for any work on premises which are to be used exclusively for agricultural purposes or exclusively for one-dwelling unit or two-dwelling unit residential purposes.
- c. Sale of Land before Final Subdivision Approval. Any sale or transfer of land, or agreement to sell or transfer land, prior to the subdivision approval, shall be subject to the provisions of N.J.S.A. 40:55D-55.
- d. Filing of subdivision applications (including lot line changes) shall be received for official processing by the township no later than 20 working days prior to the date of the meeting.

17-30 EXCEPTIONS BY PLANNING BOARD FROM SUBDIVISION OR SITE PLAN REQUIREMENTS.

The planning board when acting upon applications, shall have the power to grant such exceptions from the subdivision and site plan requirements of this chapter as may be reasonable and within the general purpose and intent of the provisions for subdivision/site plan review and approval if the literal enforcement of one or more provisions of this chapter is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.

The planning board when acting upon an application which includes provisions for lower income housing, may waive those portions of the design standards that do not create health and safety concerns for the township or for the future residents of a development, provided such exemption from these standards will reduce construction costs so that the savings therefrom will be passed on to the buyers and renters of lower income housing in the form of reduced housing costs.

17-31 GRANT BY PLANNING BOARD OF VARIANCES AND DIRECTIONS TO ISSUE PERMITS.

Whenever the proposed development requires approval pursuant to this act of a subdivision, site plan or conditional use, but not a variance pursuant to section 17-53d., the planning board shall have the power to grant to the same extent and subject to the same restrictions as the board of adjustment:

- a. Variances pursuant to section 17-53c.;

- b. Direction for issuance of a permit for a building or structure in the bed of a mapped street or public drainage way, flood control basin or public area reserved on the official map; and
- c. Direction pursuant to N.J.S.A. 40:55D-36 for issuance of a permit for a building or structure not related to a street.

Whenever relief is requested pursuant to this section, notice of the hearing on the application for development shall include reference to the request for a variance, or direction for issuance of a permit as the case may be.

The developer may elect to submit a separate application requesting approval of the variance or direction of the issuance of a permit and a subsequent application for any required approval of a subdivision, site plan or conditional use. The separate approval of the variance or direction of the issuance of a permit shall be conditioned upon grant of all required subsequent approvals by the planning board. No such subsequent approval shall be granted unless the approval can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and zoning ordinance.

17-32 NOTICE OF HEARING.

Whenever relief is requested pursuant to this article, notice of the hearing on the application for development shall include reference to the request for a variance, or direction for issuance of a permit, as the case may be.

17-33 TIME PERIODS.

Whenever an application for approval of a subdivision plat, site plan or conditional use includes a request for relief pursuant to section 17-31, the planning board shall grant or deny approval of the application within 120 days after submission by the developer of a complete application to the township administrator or within such further time as may be consented to by the applicant. In the event that the developer elects to submit separate consecutive applications, the aforesaid provision shall apply to the application for approval of the variance or direction for issuance of a permit. The period for granting or denying and subsequent approval shall be as otherwise provided in this chapter. Failure of the planning board to act within the period prescribed shall constitute approval of the application and a certificate of the township administrator as to the failure of the planning board to act shall be issued on request of the applicant and it shall be sufficient in lieu of the written endorsement or other evidence of approval, herein required, and shall be so accepted by the county recording officer for purposes of filing subdivision plats.

Minor site plan approval shall be granted or denied within 45 days of the date of sub-mission of a complete application to the administrative officer, or within such further time as may be consented to by the applicant. Failure of the planning board to act within the period prescribed shall constitute minor site plan approval.

17-34 APPROVAL BY MERCER COUNTY PLANNING BOARD.

The applicant shall be responsible for submitting a copy of the plat to the county planning board for review. Every subdivision which might affect a county road or drainage facilities and every site plan involving land along a county road shall be approved by the Mercer County Planning Board. The planning board may approve a subdivision or site plan subject to receipt of a favorable report by the county planning board, or approval by the county planning board by its failure to report within 30 days from date of mailing by certified mail or personal delivery of plans for such subdivision.

17-35 SUBMISSION OF COPIES OF APPLICATION FOR DEVELOPMENT TO ENVIRONMENTAL COMMISSION.

The planning board shall make available to the environmental commission an informational copy of every application for development submitted to the planning board. Failure of the planning board to make such informational copy available to the environmental commission shall not invalidate any hearing or proceeding.

17-36 CERTIFICATE OF OWNERSHIP OF CERTAIN APPLICANTS.

Every corporation or partnership applying for (a) permission to subdivide a parcel of land into six or more lots, or (b) a variance to construct a multiple dwelling of 25 or more family units or (c) approval of a site plan for a site to be used for commercial purposes, shall list the names and addresses of all stockholders or individual partners owning ten percent or more of its stock in any class or ten percent or more of the interest in the partnership. If any such stockholder or individual partner is a corporation or partnership, the names and addresses of all stockholders or individual partners owning ten percent or more of its stock or ten percent or more of the interest in the partnership shall be listed; and this requirement shall be followed for every corporate stockholder or partner in a partnership until the names and addresses of the noncorporate stockholders and individual partners, exceeding the ten percent ownership criterion, have been listed. No application subject to this section may be approved unless this section is complied with.

Any corporation or partnership which conceals the names of the stockholders owning ten percent or more of its stock, or of the individual partners owning a ten percent or greater interest in the partnership, as the case may be, shall be subject to a fine of one thousand (\$1,000.00) dollars to ten thousand (\$10,000.00) dollars which shall be recovered in the name of the municipality in any court of record in the State in a summary manner pursuant to "The Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.).

17-37 PROCEDURE FOR MINOR SUBDIVISION APPROVAL.

- a. The planning board or its subdivision committee is authorized to waive notice and public hearing for an application for development if the planning board or its sub-division committee find that the application for development conforms to the definition of "minor subdivision" except that the subdivision committee is not hereby empowered to act on applications involving variances which must be referred to planning board. Minor subdivision approval shall be deemed to be final approval of the subdivision by the board. The board or the committee may require, as a condition for approval, compliance with such of the standards for subdivisions set forth in Articles V, VI and VII as it deems appropriate.
- b. Minor subdivision approval shall be granted or denied within 45 days of the date of submission of a complete application to the township administrator, or within such further time as may be consented to by the applicant. Failure of the planning board to act within the period prescribed shall constitute minor subdivision approval and a certificate of the township administrator as to the failure of the planning board to act shall be issued on request of the applicant; and it shall be sufficient in lieu of the written endorsement or other evidence of approval, herein required, and shall be so accepted by the county recording officer for purposes of filing subdivision plats.
- c. Approval of a minor subdivision shall expire 190 days from the date of municipal approval unless within such period a plat in conformity with such approval and the provisions of the "Map Filing Law" P.L.

- 1960, c. 141 (C. 46:23-9.9 et seq.), or a deed clearly describing the approved minor subdivision is filed by the developer with the county recording officer, the township engineer and the township tax assessor. Any such plat or deed accepted for such filing shall have been signed by the chairman and secretary of the planning board, or the vice chairman or assistant secretary in their absence. In reviewing the application for development for a proposed minor subdivision the planning board may accept a plat not in conformity with the "Map Filing Act," P.L. 1960, c. 141 (46:23-9.9 et seq.), provided that if the developer chooses to file the minor subdivision by plat rather than deed such plat shall conform with the provisions of such act.
- d. The zoning requirements and general terms and conditions whether conditional or otherwise, upon which minor subdivision approval was granted, shall not be changed for a period of two years after the date of minor subdivision approval; provided that the approved minor subdivision shall have been duly recorded as provided in this section.
 - e. The approved plan shall be submitted for signature to the appropriate officers of the planning board within 30 days of the date of approval or within such additional period of time as the planning board may determine. Failure to submit the plan for signature within the above mentioned period of time shall render the approval void. Copies of executed preliminary plans shall be furnished by the applicant to the planning board secretary, tax assessor, the zoning officer, the construction official, the township engineer and the county planning board.

17-38 PROCEDURE FOR PRELIMINARY SITE PLAN APPROVAL.

- a. The developer shall submit to the township in tentative form for discussion purposes a site plan together with an application form containing the information prescribed by the planning board, the required fee and such other engineering documents and other materials as may be reasonably necessary, in the judgment of the planning board, to make an informed decision as to whether the requirements necessary for preliminary site plan approval have been met. If architectural plans are required to be submitted for site plan approval, the preliminary plans and elevations shall be sufficient. If the application is part of the implementation of an approved general development plan, the preliminary site plan shall be prepared in conformance with the requirements and conditions of the approved general development plan.

Filing of the site plan application shall be received for official processing by the township no later than 20 working days prior to the date of the meeting.

- b. Upon the submission to the township administrator of a complete application for a site plan, which involves ten acres or less, and ten dwelling units or less, the planning board shall grant or deny preliminary approval within 45 days of the date of such submission or within such further time as may be consented to by the developer. Upon the submission of a complete application for a site plan, which involves more than ten acres, or more than ten dwelling units, the planning board shall grant or deny preliminary approval within 95 days of the date of such submission or within such further time as may be consented to by the developer. Otherwise, the planning board shall be deemed to have granted preliminary approval of the site plan.
- c. If the planning board requires any substantial amendment in the layout of improvements proposed by the developer that have been the subject of a hearing, an amended site plan shall be submitted and proceeded upon, as in the case of the original application. The planning board shall, if the proposed site plan complies with this chapter, grant preliminary site plan approval.
- d. The approved plan shall be submitted for signature to the appropriate officers of the planning board within 30 days of the date of approval, or within such additional period of time as the planning board may

determine. Failure to submit the plan for signature within the above-mentioned period of time shall render the approval void. Copies of the executed preliminary plans shall be furnished by the applicant to the planning board secretary, the tax assessor, the tax collector, the zoning officer, the construction official, the township engineer, and the county planning board.

17-39 PROCEDURE FOR PRELIMINARY MAJOR SUBDIVISION APPROVAL,

- a. The developer shall submit to the township administrator in tentative form for discussion purposes, a plat together with an application form containing the information prescribed by the planning board, the required fee and such other engineering documents and other materials as may be reasonably necessary, in the judgment of the planning board, to make an informed decision as to whether the requirements necessary for preliminary major subdivision approval have been met. If the application is part of the implementation of an approved general development plan, the subdivision plat shall be prepared in conformance with the requirements and conditions of the approved general development plan.
- b. Upon the submission to the township administrator of a complete application for a major subdivision of ten or fewer lots, the planning board shall grant or deny preliminary approval within 45 days of the date of such submission or within such further time as may be consented to by the developer. Upon submission of a complete application for a major subdivision of more than ten lots, the planning board shall grant or deny preliminary approval within 95 days of the date of such submission or within such further time as may be consented to by the developer. Otherwise, the planning board shall be deemed to have granted preliminary approval to the major subdivision.
- c. If the planning board requires any substantial amendment in the layout of improvements proposed by the developer that have been the subject of a hearing, an amended application shall be submitted and proceeded upon, as in the case of the original application. The planning board shall, if the proposed subdivision complies with this chapter, grant preliminary approval to the subdivision.
- d. The approved plan shall be submitted for signature to the appropriate officers of the planning board within 30 days of the date of approval, or within such additional period of time as the planning board may determine. Failure to submit the plan for signature within the aforementioned period of time shall render the approval void. Copies of executed preliminary plans shall be furnished by the applicant to the planning board secretary, the tax assessor, the tax collector, the zoning officer, the building inspector, the township engineer, and the county planning board.

17-40 EFFECT OF PRELIMINARY APPROVAL OF SITE PLAN OR MAJOR SUBDIVISION.

Preliminary approval of a site plan or major subdivision shall confer upon the applicant the following rights for a three year period from the date of the preliminary approval:

- a. That the general terms and conditions on which preliminary approval was granted shall not be changed, including but not limited to use requirements; layout and design standards for streets, curbs and sidewalks; lot size; yard dimensions and off-tract improvements; except that nothing herein shall be construed to prevent the township from modifying by ordinance such general terms and conditions of preliminary approval as relate to public health and safety.
- b. That the applicant may submit for final approval on or before the expiration date of preliminary approval the whole or a section or sections of the preliminary plat or site plan, as the case may be;

- c. That the applicant may apply for and the planning board may grant extensions on such preliminary approval for additional periods of at least one year but not to exceed a total extension of two years, provided that if the design standards have been revised by ordinance such revised standards may govern.
- d. In the case of a subdivision of, or site plan for, an area of 50 acres or more, the planning board may grant the rights referred to in paragraphs a, b, and c, above for such period of time, longer than three years, as shall be determined by the planning board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under preliminary approval, (2) economic conditions, and (3) the comprehensiveness of the development. The applicant may apply for thereafter and the planning board may thereafter grant an extension to preliminary approval for such additional period of time as shall be determined by the planning board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under preliminary approval and (2) the potential number of dwelling units and nonresidential floor area of the section or sections awaiting final approval (3) economic conditions and (4) the comprehensiveness of the development; provided that if the design standards have been revised, such revised standards may govern.

17-41 FINAL APPROVAL OF SITE PLANS AND MAJOR SUBDIVISIONS.

- a. The developer shall submit to the township administrator the plans, containing such details as may be required by rules and regulations of planning board, an application form containing the information prescribed by the planning board and the other materials required by this section and a report by the township engineer certifying that he has received plans showing all utilities, roads, drainage facilities and other improvements in exact location and elevation and identifying the portions already installed and those to be installed, and either (i) that all improvements have been installed in accordance with ordinances and regulations and the terms of the preliminary approval or (ii) that appropriate performance and maintenance guarantees have been posted with the township administrator in compliance with section 17-42 and in sufficient amount to assure the completion of all required improvements, and specifying that amount. The developer may then request final approval by the planning board of all or part of a major subdivision or site plan which had received preliminary approval. The planning board shall grant final approval if all conditions, engineering plans and other requirements set forth in these ordinances and in the terms of the preliminary approval have been completed or fulfilled, the required improvements have been installed or guarantees properly posted for their completion, or approval conditioned upon the posting of such guarantees, and proof submitted that no taxes or assessments on the property are due or delinquent. For a major subdivision, the standards prescribed by the "Map Filing Law," P.L. 1960, c. 141 (C. 46:23-9.9 et seq.) shall be complied with. In the case of a planned unit development, planned unit residential development or residential cluster, the planning board may permit minimal deviations from the conditions of preliminary approval necessitated by change of conditions beyond the control of the developer since the date of preliminary approval without the developer being required to submit another application for development for preliminary approval.
- b. Final approval shall be granted or denied within 45 days after submission of a complete application to the township administrator, or within such further time as may be consented to by the applicant. Failure of the planning board to act within the period prescribed shall constitute final approval and a certificate of the township administrator as to the failure of the planning board to act shall be issued on request of the applicant and it shall be sufficient in lieu of the written endorsement or other evidence of approval, herein required, and shall be so accepted by the county recording officer for purposes of filing subdivision plats. Final site plans and final subdivision plans shall be submitted to the appropriate officers of the planning board for signature within 60 days from the date of final site plan or subdivision approval. Failure to

submit the site plan or subdivision plan for signature within 60 days shall render the approval void.

- c. Whenever review or approval of the application by the county planning board is required, the planning board shall condition any approval that it grants upon timely receipt of a favorable report on the application by the county planning board or approval by the county planning board by its failure to report thereon within the required time period.
- d. Copies of executed final site plans and subdivision plans shall be distributed by the applicant to the planning board secretary, the tax assessor, the tax collector, the construction official, the township engineer, and the county planning board.

17-42 GUARANTEES AND INSPECTIONS RELATING TO REQUIRED IMPROVEMENTS; SURETY; RELEASE.*

As a condition of final approval of a site plan or major subdivision the planning board shall accept for the purpose of assuring the installation and maintenance of on-tract improvements.

17-42.1 Guarantees.

- a. The furnishing of a performance guarantee in favor of the township in an amount not to exceed 120 percent of the cost of installation for improvements it may deem necessary or appropriate including streets, grading, pavement, gutters, curbs, sidewalks, street lighting, shade tree, surveyor's monuments, water mains, culverts, storm sewers, sanitary sewers or other means of sewage disposal, drainage structures, erosion control and sedimentation control devices, public improvements of open space and, in the case of site plans only, other on-site improvements and landscaping. Such guarantees may consist of cash which shall be a minimum of ten percent of the total performance guarantee as recommended by the planning board. Performance guarantees shall be approved by the township attorney as to form, sufficiency and execution.
 - 1. A letter of credit shall be an acceptable form of performance guarantee if approved by the township attorney and only under the following conditions:
 - 2. It is irrevocable for an initial period of at least one year with automatic one year renewal unless the bank notifies the township in writing by certified mail at least 90 days before the initial date of expiration or each anniversary of such date that it will not be renewed;
 - 3. If the letter of credit is not renewed the township shall have the right to immediately draw a draft on sight if the developer's performance is not satisfactory as of that date, or to draw a draft 30 days after receipt of said notice if, after notification by the municipality that the letter of credit will not be renewed, the developer fails to submit a satisfactory replacement performance guarantee; and

The developer agrees to cease and desist all such work upon receipt of notification from the municipality that the letter of credit will not be renewed until such time as a satisfactory replacement performance guarantee is submitted; and
 - 4. The developer shall execute any agreement(s) required by the township attorney confirming the conditions set forth herein prior to the township's acceptance of said letter of credit.
- b. Provision for a maintenance guarantee to be posted with the township committee for a period not to exceed two years after final acceptance of the improvement, in an amount not to exceed 15 percent of the cost of the improvement. In the event that other government agencies or public utilities automatically will

own the utilities to be installed or the improvements are covered by a performance or maintenance guarantee to another governmental agency, no performance or maintenance guarantee, as the case may be, shall be required by the township for such utilities or improvements.

- c. The amount of any performance guarantee may be reduced by the township committee by resolution, when portions of the improvements have been certified by the township engineer to have been completed. The time allowed for installation of the improvements for which the performance guarantee has been provided may be extended by such body by resolution.

As a condition or as part of any such extension, the amount of any performance guarantee shall be increased or reduced as the case may be, to an amount not to exceed 120 percent of the cost of the installation as determined as of the time of the passage of the resolution.

- d. If the required improvements are not completed or corrected in accordance with the performance guarantee, the obligor and surety, if any, shall be liable thereon to the township for the reasonable cost of the improvements not completed or corrected and the township may either prior to or after the receipt of the proceeds thereof complete such improvements.
- e. Upon substantial completion of all required appurtenant utility improvements, and the connection of same to the public system, the obligor may notify the governing body in writing, by certified mail addressed in care of the municipal clerk of the completion, or substantial completion of improvements and shall send a copy thereof to the municipal engineer. Thereupon the municipal engineer shall inspect all improvements, of which such notice has been given and shall file a detailed report, in writing, with the governing body, indicating either approval, partial approval or rejection of such improvements with a statement of reasons for any rejection. The cost of the improvements, as approved or rejected, shall be set forth.
- f. The township committee shall either approve, partially approve, or reject the improvements, on the basis of the report of the municipal engineer and shall notify the obligor in writing, by certified mail, of the contents of such report and the action of the approving authority with relation thereto, not later than 65 days after receipt of the notice from the obligor of the completion of the improvements. Where partial approval is granted, the obligor shall be released from all liability pursuant to its performance guarantee, except for that portion adequately sufficient to secure provision of the improvements not yet approved; provided that 30 percent of the amount of the performance guarantee posted may be retained to ensure completion of all improvements. Failure of the township committee to send or provide such notification to the obligor within 65 days shall be deemed to constitute approval of the improvements and the obligor and surety, if any, shall be released from all liability pursuant to such performance guarantee for such improvements.
- g. If any portion of the required improvements are rejected, the approving authority may require the obligor to complete such improvements and, upon completion, the same procedure of notification, as set forth in this section shall be followed.
- h. Nothing herein, however, shall be construed to limit the right of the obligor to contest by legal proceedings any determination of the township committee or the township engineer.

17-42.2 Inspections.

- a. The obligor shall reimburse the township for all reasonable inspection fees paid to the municipal engineer for the foregoing inspection of improvements, as set forth in Chapter X, "Fees and Permits" of the Revised General Ordinances of the Township of Hopewell (1978), provided the township may require of the developer a deposit for all or a portion of the reasonable anticipated fees to be paid to the municipal

engineer for such inspection. In the event the obligor fails to reimburse the township within 30 days of receipt of a statement of professional fees paid by the township, interest shall accrue at the rate of one and one-half percent per month on the outstanding balance.

- b. No work shall commence without prior notification of the engineer and all work shall be inspected and approved by the township engineer. No underground installation shall be covered until inspected and approved. The municipal engineer's office shall be notified after each of the following phases of the work has been completed so that he may inspect the work: road subgrade; curb and gutter forms; curbs and gutters; road paving (after each coat in the case of priming and sealing); drainage pipes and other drainage structures before backfilling; shade trees and planting strips, street name signs; and monuments. (Ord. #93-949, § 1)

17-42.3 Approval.

In the event that final approval is by stages or sections of development pursuant to N.J.S.A. 40A:55D-38, the provisions of this section shall be applied by stage or section.

17-43 EFFECT OF FINAL APPROVAL OF SITE PLANS AND MAJOR SUBDIVISIONS.

- a. The zoning requirements applicable to the preliminary approval first granted and all other rights conferred upon the developer by the preliminary approval, whether conditionally or otherwise, shall not be changed for a period of two years after the date of final approval; providing that in the case of major subdivision the rights conferred by this section shall expire if the plat has not been duly recorded within the time period required. If the developer has followed the standards prescribed for final approval, and, in the case of a subdivision, has duly recorded the plat, the planning board may extend such period of protection for extensions of one year but not to exceed three extensions. Notwithstanding any other provisions of law, the granting of final approval terminates the time period of preliminary approval for the section granted final approval.
- b. In the case of subdivision or site plan for a planned unit development or planned unit residential development or residential cluster of 50 acres or more or conventional subdivision or site plan for 150 acres or more, the planning board may grant the rights referred to in paragraph a. of this section for such period of time, longer than two years, as shall be determined by the planning board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under final approval, (2) economic conditions and (3) the comprehensiveness of the development. The developer may apply for thereafter, and the planning board may thereafter grant an extension of final approval for such additional period of time as shall be determined by the planning board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under final approval, (2) the number of dwelling units and non-residential floor area remaining to be developed, (3) economic conditions and (4) the comprehensiveness of the development.

(Ord. #528)

17-44 APPROVALS ON CONDITION.

- a. In the event that during the period of approval heretofore or hereafter granted to an application for development the developer is barred or prevented, directly or indirectly, from proceeding with the development otherwise permitted under such approval by a legal action instituted by any State agency,

political subdivision or other party to protect the public health and welfare or by a directive or order issued by any State agency, political subdivision or court of competent jurisdiction to protect the public health or welfare and the developer is otherwise ready, willing and able to proceed with such development, the running of the period of approval under this chapter shall be suspended for the period of time such legal action is pending of such directive or order is in effect.

- b. In the event that a developer submits an application for development proposing a development that is barred or prevented, directly or indirectly, by a legal action instituted by any State agency, political subdivision or other party to protect the public health and welfare or by a directive or order issued by any State agency, political subdivision or court of competent jurisdiction to protect the public health and welfare, the application for development shall be processed in accordance with this chapter and, if such application for development complies with this chapter it shall be approved conditioned on removal of such legal barrier to development.
- c. In the event that development proposed by the application for development requires an approval by a governmental agency other than the planning board or zoning board of adjustment or township committee such municipal agency shall, in appropriate instances, condition its approval upon the subsequent approval of such governmental agency; provided that a decision on any application for development shall be made within the time period provided in this chapter or within an extension of such period as has been agreed to by the applicant unless the municipal agency is prevented or relieved from so acting by the operation of law.
(Ord. #528)

17-45 FILING AND EXPIRATION OF APPROVED PLATS.*

17-45.1 Filing of Subdivision Plats.

No subdivision plat shall be accepted for filing by the county recording officer until it has been approved by the planning board as indicated on the instrument by the signature of the chairman or vice chairman and secretary or assistant secretary of the planning board or a certificate has been issued in lieu thereof as provided by law. The signature of the chairman or vice chairman and secretary or assistant secretary shall not be affixed until the developer has posted the required guarantees. If the county recording officer records any plat without such approval, such recording shall be deemed null and void, and upon request of the township the plat shall be expunged from the official records.

17-45.2 Recording of Final Approval of Major Subdivision.

Final approval of a major subdivision shall expire 95 days from the date of signing of the plat unless within such period the plat shall have been duly filed by the developer with the county recording officer. The planning board may for good cause shown extend the period for recording for an additional period not to exceed 190 days from the date of signing of the plat.

17-46 to 17-52 RESERVED.

***Editor's Note:** Former subsection 17-1.10a-m was renumbered as sections 17-29 through 17-41. Sources contained herein include

portions of Ordinance Nos. 528, 556-80, 654-84, §§ 1, 2, 662-84, § 1, 686-85, §§ 3, 4, 695-85, 90-853, §§ 1, 2.

***Editor's Note:** Former subsection 17-1.11a-c was renumbered as section 17-42, subsections 17-42.1 through 17-42.3. Sources contained herein include Ordinance Nos. 528, 556-80, 673-85, § 1, 766-88, §§ 1, 2.

***Editor's Note:** Former subsection 17-1.14a, b. was renumbered as section 17-45, subsections 17-45.1 and 17-45.2. Sources contained herein include Ordinance No. 528.

ARTICLE IV VARIANCES, HEARINGS, TIME LIMITS, APPLICATION REVIEW

17-53 GRANT OF VARIANCES BY BOARD OF ADJUSTMENT.

The board of adjustment shall have the power to:

- a. Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative official or agency based on or made in the enforcement of this chapter.
- b. Hear and decide, in accordance with the provisions of this chapter, requests for interpretation of the zoning map or ordinance or for decisions upon other special questions upon which such board is authorized to pass by the zoning ordinance or official map, if any.
- c.
 1. Where: (a) by reason of exceptional narrowness, shallowness, or shape of a specific piece of property; or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property; or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to this chapter would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship.
 2. Where in an application or appeal relating to a specific piece of property the purposes of this act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from zoning regulations: provided, however, that no variance from those departures enumerated in section 17-53d. shall be granted under this section; and provided further that the proposed development does not require approval by the planning board of a subdivision, site plan or conditional use in conjunction with which the planning board has power to review a request for a variance pursuant to this chapter.
- d. In particular cases and for special reasons, grant a variance to allow departure from zoning regulations to permit:
 1. A use or principal structure in a district restricted against such use or principal structure;
 2. An expansion of a nonconforming use;
 3. Deviation from a specification or standard pursuant to section 17-56 pertaining solely to a conditional use;
 4. An increase in the permitted floor area ratio as defined in section 17-181;
 5. An increase in permitted density as defined in section 17-181 except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision. A variance under this section shall be granted only by affirmative vote of at least five members in the case of a municipal board.
- e. No variance or other relief may be granted under the terms of this section unless such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. In respect to any airport hazard areas delineated under the "Air Safety and Hazardous Zoning Act of 1983" (N.J.S.A. 6:1-80 et seq.) no

variance or other relief may be granted under the terms of this section permitting the creation or establishment of a nonconforming use which would be prohibited under the standards promulgated pursuant to that act except upon issuance of a permit by the Commissioner of Transportation. An application under this section may be referred to any appropriate person or agency for its report; provided that such reference shall not extend the period of time within which the zoning board of adjustment shall act.

- f. Referral to Planning Board or Others.
 - 1. The board of adjustment may refer to the planning board all applications for a use variance, for its comments and recommendations with respect to the compatibility of the proposal with the master plan and the zoning ordinance, applications for similar uses which have been and are currently being considered for other sites; and land use, traffic and other factors which the planning board deems pertinent. The board of adjustment may also refer to the planning board all subdivision and site plan applications, for its comments and recommendations. The township administrator shall distribute to both the board of adjustment and the planning board copies of all applications to the board of adjustment for a use variance and for subdivision or site plan approval.
 - 2. The board of adjustment may refer any application under this section to any appropriate person or agency, for its report.
 - 3. Reference to the planning board or to another person or agency shall not extend the period within which the board of adjustment shall act.
- g. The board of adjustment shall have the power to grant to the same extent, and subject to the same restrictions as the planning board, subdivision or site plan approval or conditional use approval pursuant to paragraph d. of this section, whenever the proposed development requires approval by the board of adjustment of a variance pursuant to section 17-53d. of this chapter. The developer may elect to submit a separate application requesting approval of a variance and a subsequent application for any required approval of a variance and a subsequent application for any required approval of a subdivision, site plan or conditional use. The separate approval of the variance shall be conditioned upon grant of all required subsequent approvals by the board of adjustment. No such subsequent approval shall be granted unless such approval can be granted without substantial impairment of the intent and purpose of the zone plan and zoning ordinance. The number of votes of board members required to grant any such subsequent approval shall be otherwise provided in this chapter for the approval in question, and the special vote pursuant to the aforesaid section 17-53d., of this chapter shall not be required.
- h. Time Periods. The board of adjustment shall render its decision not later than 120 days after the date (1) an appeal is taken from the decision of an administrative officer or (2) submission of a completed application for development.

Whenever an application for development requests relief pursuant to paragraph g. of this section, the board of adjustment shall grant or deny approval of the application within 120 days after submission by a developer of a complete application to the township administrator or within such further time as may be consented to by the applicant. In the event that the developer elects to submit separate consecutive applications, the aforesaid provision shall apply to the application for approval of the variance. The period for granting or denying any subsequent approval shall be as otherwise provided in this chapter. Failure of the board of adjustment to act within the period prescribed shall constitute approval of the application and a certificate of the township administrator as to the failure of the board of adjustment to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval, herein required, and shall be accepted by the county recording officer for purposes of filing subdivision plats.

- i. Lapse of Variances. Any zoning variance which involves activities requiring a building permit shall lapse and be of no effect two years from the date of approval of the variance unless such a building permit has been issued, except that the board of adjustment may extend such period for an additional period or periods not exceeding one year each.
- j. Procedure for Appeals and Applications to Board of Adjustment.
 1. Appeals to the board of adjustment may be taken by any interested party affected by any decision of an administrative officer of the township based on or made in the enforcement of the zoning ordinance or official map. Such appeal shall be taken within 20 days by filing a notice of appeal with the officer from whom the appeal is taken specifying the grounds of such appeal. The officer from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record upon which the action appealed from was taken.
 2. A developer may file an application for development with the board of adjustment for action under any of its powers without prior application to an administrative officer.
- k. Time for Decision.
 1. The board of adjustment shall render a decision not later than 120 days after the date (1) an appeal is taken from decision of an administrative officer or (2) the submission of a complete application for development to the board of adjustment.
 2. Failure of the board to render a decision within such 120 day period or within such further time as may be consented to by the applicant, shall constitute a decision favorable to the applicant.
- l. Modification on Appeal. The board of adjustment may take action on appeal as provided in N.J.S.A. 40:55D-74.
- m. Stay of Proceedings by Appeal; Exception. An appeal to the board of adjustment shall stay all proceedings as provided in N.J.S.A. 40:55D-75, except as provided therein.
(Ord. #528; Ord. #566-80; Ord. #662-84, § 1; Ord. #723-86 § 2)

17-54 HEARINGS.*

17-54.1 Planning Board or Zoning Board of Adjustment to Hold.

The planning board or the zoning board of adjustment, as the case may be, shall hold a hearing on each application for development, except as provided in sections 17-29 through 17-41 with respect to certain minor subdivisions.

17-54.2 Rules, Documents to Be Provided.

The planning board and the zoning board of adjustment shall make their own rules governing such hearings consistent with this chapter and other provisions of law. Any maps and documents for which approval is sought at a hearing shall be on file and available for public inspection at least ten days before the date of the hearing during normal business hours in the office of the township administrator. The applicant may produce other documents, records, or testimony at the hearing to substantiate or clarify or supplement the previously filed maps and documents.

17-54.3 Powers of Presiding Officer.

The officer presiding at the hearing or such person as he may designate shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and production of relevant evidence including witnesses and documents presented by the parties, and the provisions of the "County and Municipal Investigations Law," P.S. 1953, c. 38 (C. 2A:67A-1 et seq.) shall apply.

17-54.4 Testimony of Witnesses.

The testimony of all witnesses shall be taken under oath or affirmation by the presiding officer, and the right of cross examination shall be permitted to all interested parties through their attorneys, if represented, or directly, if not represented subject to the discretion of the presiding officer and to reasonable limitations as to time and number of witnesses.

17-54.5 Types of Evidence.

Technical rules of evidence shall not be applicable to the hearing, but the presiding officer may exclude irrelevant, immaterial or unduly repetitious evidence.

17-54.6 Transcript of Hearing.

The board shall provide for the verbatim recording of the proceedings by either stenographer, mechanical or electronic means. The board shall furnish a transcript, or duplicate recording in lieu thereof, on request to any interested party at his expense.

The transcript cost will not exceed the maximum permitted in N.J.S.A. 2A:11-15 (currently forty (\$.40) cents for each folio of original, ten (\$.10) cents for each copy). A de-posit representing an estimate of the cost of such transcript shall be paid prior to its preparation.

17-54.7 Findings.

The municipal agency shall include findings of fact and conclusions based thereon in each decision on any application for development and shall reduce the decision to writing. The municipal agency shall provide the findings and conclusions through:

- a. A resolution adopted at a meeting held within the time period provided in the act for action by the municipal agency on the application for development; or
- b. A memorializing resolution adopted at a meeting held not later than 45 days after the date of the meeting at which the municipal agency voted to grant or deny approval. Only the members of the municipal agency who voted for the action taken may vote on the memorializing resolution, and the vote of a majority of such members present at the meeting at which the resolution is presented for adoption shall be sufficient to adopt the resolution. An action pursuant to sections 17-189c. or 17-206 (resulting from the failure of a motion to approve an application) shall be memorialized by resolution as provided above, with those members voting against the motion for approval being the members eligible to vote on the memorializing resolution. The vote on any such resolution shall be deemed to be a memorialization of the action of the municipal agency and not to be an action of the municipal agency; however, the date of the adoption of the resolution shall constitute the date of the decision for the purposes of the mailings, filings and publications required by this section. If the municipal agency fails to adopt a resolution or memorializing resolution as hereinabove specified, any interested party may apply to the Superior Court in a summary manner for an order compelling the municipal agency to reduce its findings and conclusions to writing within a stated time and the cost of the application, including the attorney's fee, shall be assessed against the municipality.

17-54.8 Decision.

A copy of the decision shall be mailed by the board within ten days of the date of decision to the applicant, or if represented then to his attorney, without separate charge, and to all who request a copy of the decision for a reasonable fee. A copy of the decision shall also be filed by the board in the office of the township administrator. The township administrator shall make a copy of such filed decision available to any interested party for a reasonable fee and available for public inspection at his office during reasonable hours.

17-54.9 Notice of Decision.

A brief notice of the decision shall be published in the official newspaper of the township or a newspaper of general circulation in the township. Such publication shall be performed by the township administrator within ten days of the date of the decision.

The township may make a reasonable charge for its publication. The period of time in which an appeal of the decision may be made shall run from the first publication of the decision, whether arranged by the township or the applicant.

17-55 NOTICE OF HEARING.

- a. Applicant shall be responsible for giving notice under paragraphs a, b, c, e, f, g, and h. hereof at least ten days prior to the date of the hearing as provided in this section. Each notice shall state the date, time and place of the hearing, the nature of the matters to be considered, an identification of the property proposed for development by street address, if any, or by reference to lot and block numbers as shown on the current tax duplicate in the municipal tax assessor's office, and the location and times at which any maps and documents for which approval is sought are available for public inspection.
- b. Public notice shall be given, by publication in the official newspaper of the township or in a newspaper of general circulation in the township for a hearing on any application for development except regular site plan review, minor subdivisions for which a hearing is waived or for final approval of a major subdivision. Such public notice shall also be given for a hearing which involves a site plan or subdivision and also involves a request that the planning board grant a variance or direct the issuance of a permit for a building in the bed of a mapped street or other specified area or direct the issuance of a permit for a building not related to a street, pursuant to section 17-31, and in such cases the public notice shall include references to the subdivision or site plan as well as to the variance or other relief sought.
- c. Notice of a hearing requiring public notice pursuant to paragraph b. of this section shall be given to the owners of all real property as shown on the current tax duplicate located in the State and within 200 feet of all directions of the property which is the subject of such hearing; provided that this requirement shall be deemed satisfied by notice to the (1) condominium association, in the case of any unit owner whose unit has a unit above or below it, or (2) horizontal property regime in the case of any co-owner whose apartment has an apartment above or below it. Notice shall be given by: (1) serving a copy thereof on the property owner as shown on the current tax duplicate, or his agent in charge of the property, or (2) mailing a copy thereof by certified mail to the property owner at his address as shown on the current tax duplicate.

Notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its president, a vice president, secretary or other person authorized by

- appointment or by law to accept service on be-half of the corporation. Notice to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas located within 200 feet of the property which is the subject of the hearing, may be made in the same manner as to a corporation without further notice to unit owners, co-owners, or homeowners on account of such common elements or areas.
- d. Upon the written request of an applicant, and payment of the fee as set forth in Chapter X, "Fees and Permits" of the Revised General Ordinances of the Township of Hopewell (1978), the township administrator shall, within seven days, make and certify a list from the current tax duplicates of names and addresses of owners to whom the applicant is required to give notice pursuant to subsection 17-56.2. The applicant shall be entitled to rely upon the information contained in such list, and failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding.
 - e. Notice of hearings on applications for development involving property located within 200 feet of an adjoining municipality shall be given by personal service or certified mail to the clerk of such municipality. All required notices shall be given by the applicant.
 - f. Notice shall be given by personal service or certified mail to the county planning board of a hearing on an application for development of property adjacent to an existing county road or proposed road shown on the official county map or on the county master plan, adjoining other county land or situated within 200 feet of a municipal boundary.
 - g. Notice shall be given by personal service or certified mail to the commissioner of transportation of a hearing on an application for development of property adjacent to a State highway.
 - h. Notice shall be given by personal service or certified mail to the director of the Division of State and Regional Planning in the Department of Community Affairs of a hearing on an application for development of property which exceeds 150 acres or 500 dwelling units. Such notice shall include a copy of any maps or documents required to be on file with the township administrator pursuant to subsection 17-56.2.
 - i. The applicant shall file an affidavit of proof of service with the board holding the hearing on the application for development in the event that the applicant is required to give notice pursuant to this section. Any notice made by certified mail shall be deemed complete upon mailing.
 - j. The planning board may waive notice and public hearing for an application for development if the planning board or site plan subcommittee of the board appointed by the chairman finds that the application for development conforms to the definition of a "minor site plan." Minor site plan approval shall be deemed to be final approval of the site plan by the board, provided that the board or the subcommittee may condition such approval on terms insuring the provision of improvements.
 - k. Notice pursuant to paragraphs e, f, g, and h, of this section shall not be deemed to be required, unless public notice pursuant to paragraph a, and notice pursuant to paragraph c, of this section are required.
(Ord. #528; Ord. #566-80)

17-56 CONDITIONAL USES.*

17-56.1 Time Limit.

The planning board shall grant or deny an application for a conditional use within 95 days of submission of a complete application to the township administrator, or within such further time as may be consented to by the

applicant. The review of a new or expanded conditional use shall include any required site plan review. Failure of the planning board to act within the period prescribed shall constitute approval of the application and a certificate of the township administrator as to the failure of the planning board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval, herein required, and shall be so accepted by the county recording officer for purposes of filing subdivision plats.

17-56.2 Approval.

In approving a conditional use, a time limit of two years from the date of the approval shall be set within which time the owner shall secure a building permit, otherwise, the approval shall be null and void. In this two-year period, no conditions of the approval and no zoning changes shall affect the approval. The planning board may for good cause shown extend the period for securing a building permit for an additional period not exceeding one year, but not to exceed three extensions.

17-56.3 Review of Application.

In reviewing the conditional use application, the planning board shall exercise reasonable judgment in approving, denying, or approving with conditions the application, it being recognized that the imposition of conditions or the denial of an application are within the board's authority provided its conclusions are based on findings of fact as applied against the various zoning, planning and design standards set forth in this chapter and the adopted master plan. The board shall review the number of employees, customers or users of the property, that the use will not cause congestion or other unsafe conditions on any street, and shall be satisfied the applicant has complied with all reasonable elements which would affect the public health, welfare, safety, comfort, and convenience such as, but not limited to, the proposed use related to the character of the area, compatibility with other land uses in the area, the environmental impacts on the site and surrounding area, vehicular travel patterns highway access, traffic accident patterns, pedestrian ways, landscaping, lighting, signs, drainage, sewage treatment, potable water supply, utilities, and structural location(s) and orientation(s). Each conditional use shall be considered as an individual case. In all requests for approval of conditional uses, the burden of proof shall be on the applicant.

17-57 VOTING ELIGIBILITY.

A member of the municipal agency who was absent for one or more of the meetings at which a hearing was held shall be eligible to vote on the matter upon which the hearing was conducted, notwithstanding his absence from one or more of the meetings; provided, however, that such board member has available to him the transcript or recording of all of the hearing from which he was absent, and certifies in writing to the board that he has read such transcript or listened to such recording. (Ord. #662-84, § 1)

17-58 WHEN APPLICATION FOR DEVELOPMENT DEEMED COMPLETE; WAIVER OF DEFECT'S.*

An application for development shall be complete for purposes of commencing the applicable time period for action by a municipal agency when so certified by the municipal agency or its authorized committee or designee. In the event that the agency, committee or designee does not certify the application to be complete within 45 days of the date of its submission, the application shall be deemed complete upon the expiration of the 45 day period for purposes of commencing the applicable time period unless:

- a. The application lacks information indicated on a checklist adopted by ordinance and provided to the applicant; and
- b. The municipal agency or its authorized committee or designee has notified the applicant, in writing, of the deficiencies in the application within 45 days of submission of the application. The applicant may request that one or more of the submission requirements be waived, in which event the agency or its authorized committee shall grant or deny the request within 45 days. Nothing herein shall be construed as diminishing the applicant's obligation to prove in the application process that he is entitled to approval of the application. The municipal agency may subsequently require correction of any information found to be in error and submission of additional information not specified in the ordinance of any revisions in the accompanying documents, as are reasonably necessary to make an informed decision as to whether the requirements necessary for approval of the application for development have been met. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the municipal agency.

(Ord. #662-84)

17-59 SIMULTANEOUS REVIEW OF SEPARATE ACCOUNTS.

- a. The approving authority shall have the power to act upon subdivisions, conditional uses or site plans simultaneously without the developer's making further application, or the approving authority being required to hold further hearings. The longest time period for action by the approving authority, whether it be for subdivision, conditional use or site plan approval, shall apply. Whenever approval of a conditional use is requested by the developer in conjunction with a site plan or subdivision, notice of the hearing on the plat shall include reference to the request for such conditional use. See section 17-56, Conditional Uses.
- b. The developer may elect to submit a separate application requesting approval of the variance or direction of the issuance of a permit followed by a subsequent application for any required approval of a subdivision, site plan or conditional use. The separate approval of the variance or direction of the issuance of a permit shall be conditioned upon grant of all required subsequent approvals by the planning board. No such subsequent approval(s) shall be granted unless the approval can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and zoning ordinance. In the event that the developer elects to submit separate consecutive applications, the required time for action by the approving authority shall apply to the application for approval of the variance or direction for issuance of a permit. The period for granting or denying subsequent approval(s) of a subdivision, site plan, or conditional use shall be as otherwise provided in this chapter for that separate application.

(Ord. #723-86, § 4)

17-60 to 17-66 RESERVED.

***Editor's Note:** Former subsection 17-1.17a-i was renumbered section 17-54, subsections 17-54.1 through 17-54.9. Sources contained herein include Ordinance Nos. 528, 566-80, 662-84, § 1.

***Editor's Note:** Former subsection 17-1.19a-c was renumbered as section 17-56, subsections 17-56.1-17-56.3. Sources contained herein include Ordinance Nos. 566-80 and 723-86, § 3.

*See Appendix A for application checklists.

ARTICLE V SUBDIVISION AND SITE PLAN REQUIREMENTS, PLAT DETAILS

17-67 REQUIREMENTS TO BE MET FOR SUBDIVISIONS AND SITE PLANS.

Every subdivision and site plan shall meet all of the following requirements except as expressly provided in these ordinances or by law, and except as the planning board or the board of adjustment duly grants an exception to compliance with any items. (Ord. #528)

17-68 RECOGNITION OF ENVIRONMENTAL CONSTRAINTS AND COMPLIANCE WITH ZONING ORDINANCE AND OFFICIAL MAP, IF ANY.

The layout or arrangement shall be consistent with the requirements of the zoning provisions and the official map, if any. It is intended that critical areas be avoided by development improvements wherever possible to minimize environmental impacts. Use of cluster zoning and/or selective siting of buildings, paving and similar improvements are intended. Where encroached upon in exceptional cases, the subdivision/site plan design shall be modified so the intrusion is minimal and the development standards shall incorporate methods and designs to deal with the natural limitations. Steep slopes, flood hazard areas and stream corridors should be avoided. Beech grove climax vegetation areas should be protected. Areas of good and excellent ground water recharge should minimize coverage and maximize opportunities for stormwater percolation. (Ord. #528)

17-69 APPLICATION FORMS; PLAT DETAILS.*

The applicant shall complete the appropriate application forms and the checklists for completeness set forth in Appendix A.** In addition, applicant shall submit all materials required by the rules and regulations of the approving authority. In the event that the applicant requests waivers from the submission requirements, applicant shall complete the checklist to advise of the submission waivers requested and shall comply with the rules and regulations of the approving authority and the instructions in Appendix A** with regard to such submission waivers. (Ord. #03-1298, § 2)

17-69.1 Application Forms and Other Documents.

The applicant shall submit the type and number of application forms, plats and other materials prescribed by the planning board regulations, together with:

- a. *Required Fees.* In accordance with Chapter X, section 10-7c. and section 17-92b., the applicant shall be made aware that in addition to the application fee required herein, a lower income housing fee is required to be paid. One-half the estimated lower income housing fee is to be paid at the time the building permit is issued. The remainder of the fee is to be paid at the time the certificate of occupancy is issued;
- b. The proposed plat or plan;
- c. Deed descriptions of all proposed new lots;
- d. Road right-of-way dedications for any street of substandard width on which the parcel fronts;
- e. Stream drainage easements for all streams within or adjoining the parcel;
- f. Stream maintenance easements for all streams to which municipal access might be desirable for maintenance purposes;
- g. Stream encroachment easements for all streams shown on the plat;

- h. Soil erosion and sediment control plans, when required by section 17-107;
- i. Calculations demonstrating that adequate drainage facilities will be installed;
- j. Reports of all percolation tests and soil logs which were taken on the parcel, when sewage will be disposed of by septic systems;
- k. Sewer system plans, approved by the Hopewell Township Municipal Utilities Authority, when sanitary sewers are proposed or required;
- l. Central water supply plans, approved by the Hopewell Township Municipal Utilities Authority, when a central water supply is proposed or required;
- m. Landscaping and shade tree layout plans;
- n. An environmental impact report, when required by section 17-84;
- o. Receipt from the tax collector showing that all taxes and/or assessments for the local improvements have been paid. If any taxes or assessments are either due or delinquent, the application shall be deemed incomplete until the taxes and/or assessments are paid;
- p. When the applicant is a corporation or a partnership and the application is covered by section 17-36, the certificate of ownership required by that section;
- q. For applications for final approval of site plans and major subdivisions, the report by the township engineer, performance guarantee, maintenance guarantee and other materials required by section 17-41;
- r. Applications in any flood plain shall submit the documents required by Chapter XII of the Revised General Ordinances of the Township of Hopewell (1978);
- s. Residential subdivision applications and all site plan applications shall submit information required to satisfy section 16-6 entitled "Wells, Well Tests, and Water Supplies" of Chapter XVI entitled "Health" and section 17-149 entitled "Water Supply and Analysis Requirements".
(Ord. #94-978, § 2; Ord. #03-1298, § 3)

17-69.2 Data For All Plats.

All plats for all subdivisions and site plans shall comply with the following requirements: (See also Article VI).

- a. Designed, drawn, signed and sealed by a licensed New Jersey Professional Engineer, land surveyor or architect.
- b. Standard size sheets (30" x 42", 24" x 36", 15" x 21", or 8 1/2" x 13").
- c. Scale of 1" = 100' preferably, but not less than 1" = 200' to fit the entire tract on one sheet. If more than one sheet is required, a key map shall be included to show each section in relation to all other sections.
- d. Tract name; tax map sheet, block and lot numbers, a north arrow; graphic scale; acceptable title box.
- e. Key map, showing roads and streams within 2,000 feet.
- f. Elevations showing general slope and natural drainage (20 foot contours for slopes over ten percent and 5 foot contours for slopes under ten percent). In general, these contours can be extrapolated from a U.S.G.S. topographical map by scale of drawing.
- g. Location, property lines, dimensions and acreage (to the nearest tenth of an acre) of the entire tract and

each present and proposed lot, including the identification of the location and number of lots and units proposed for lower income housing.

- h. Names of the record owners of all adjoining property and property across abutting streets.
- i. Zoning of the premises and all adjoining property and property across abutting streets.
- j. Existing structures, streets, roads, streams and stream corridors, flood hazard areas, fences, bridges, culverts and water supply and waste disposal facilities on the parcel, and wooded areas on the parcel and trees over six inches in diameter located outside wooded areas and within the construction limits. Structures to be removed shall be shown with broken lines.
- k. Present and proposed utility lay-outs, and storm drains.
- l. Present and proposed rights of way and easements (including stream drainage, maintenance and conservation easements).
- m. Provisions for collection and discharging water drainage and for soil erosion and sediment control (if applicable). A composite grading and drainage plan of the entire development shall accompany each submission. This plan shall identify the individual grade at all high and low points and breaks in grade and at the corners of tentative house locations on each lot. Existing and proposed contours with intervals of one foot where slopes are less than two percent; with intervals of two feet where slopes are between two percent and ten percent; and with intervals of five feet where slopes exceed ten percent shall also be shown. Contours must be based on N.J.C. & G.S. elevations and bench marks must be shown. Existing contours shall be shown as a dash line; proposed contours shall be shown as a solid line. Where drainage swales are proposed, the elevation, percent longitudinal slope and typical cross section of the swales shall be shown. Provisions for soil erosion and sediment control, where required pursuant to Chapter XII of the Revised General Ordinances of Hopewell Township, shall also be shown.
- n. Roadway dedications along existing streets, if necessary.
- o. The location and results of all percolation tests which were made, and soil log results.
- p. Names and addresses of record owners of parcels; of the applicant; and of the person who prepared the plat.
- q. Applications subject to the water supply analysis requirements of section 17-149 shall submit the information required in Appendix A^{*} regarding Water Supply and Analysis Requirements and the information required by Chapter XVI.
(Ord. #03-1298, § 4)

17-69.3 Additional Data For Preliminary Plats.

In addition to the plat requirements of subsection 17-69.2 above, all plats for preliminary approval of all major subdivisions and site plans shall comply with the following requirements:

- a. The scale should not be less than 1" = 100'; for site plans a scale of 1" = 50' is preferable; the scale must be satisfactory to the planning board engineer.
- b. Contours must be shown at five-foot intervals for slopes averaging ten percent or greater, and at two-foot intervals for lesser slopes. Contours must be based on N.J.C. & G.S. elevations, and bench marks must be shown.
- c. For all proposed new streets, typical cross-sections and center-line profiles.

- d. Minimum setback line on all lots. On corner lots the minimum setback shall be the same as the front yard setback for both sides of the lot.
- e. Location and description of all monuments.
- f. Detailed provisions for collecting and discharging water drainage and for soil erosion and sediment control, including present and proposed storm drains, pipe locations and sizes and direction of flow. A composite grading and drainage plan of the entire development shall accompany each submission. This plan shall identify the individual grade at all high and low points and breaks in grade and at the corners of tentative house locations on each lot. Existing and proposed contours with intervals of one foot where slopes are less than two percent; with intervals of two feet where slopes are between two percent and ten percent; and with intervals of five feet where slopes exceed ten percent shall also be shown. Contours must be based on N.J.C. & G.S. elevations and bench marks must be shown. Existing contours shall be shown as a dash line; proposed contours shall be shown as a solid line. Where drainage swales are proposed, the elevation, percent longitudinal slope and typical cross-section of the swales shall be shown. Provisions for soil erosion and sediment control, where required pursuant to Chapter XII of the Revised General Ordinances of Hopewell Township, shall also be shown.
- g. Existing and proposed shade trees, screening barriers, and other landscaping including existing trees over six-inch caliber and specific proposed plantings.
- h. Proposed use of each lot, including specified locations for lower income housing lots and dwelling units.
- i. For site plans, all proposed new structures, driveways and parking facilities, including aisles, indication of specific parking spaces and curbing. Sufficient elevations shall be shown on the plat to indicate drainage patterns.
- j. Details of all proposed outdoor lighting, including direction and intensity of illumination and typical detail of fixture.
- k. Approval legends by required municipal, county and other bodies.
- l. Certification that the applicant is the owner of the land or the agent of the owner, or that the owner has given consent to the application under an option agreement.
- m. The text of any deed restriction in the development shall be included, including those deed restrictions related to future control over the rent and resale prices of lower income housing units.

17-69.4 Final Plat.

The final plat shall follow the preliminary plat requirements including all changes required as a condition of preliminary plat approval.

17-70 to 17-75 RESERVED.

***Editor's Note:** Former subsection 17-2.3a-d was renumbered as section 17-69, subsection 17-69.1-17-69.4. Sources contained herein include Ordinance Nos. 528, 686-85 §§ 5-7, 745-87 §§ 3-4, 90-862 § 1.

Information pertaining to Checklist for Complete Planning Board Applications may be found in section 17-125.

****Editor's Note:** Appendix A, referred to herein, may be found at the end of this chapter.

***Editor's Note:** Appendix A, referred to herein, may be found at the end of this chapter.

ARTICLE VI DESIGN STANDARDS*

17-76 APARTMENTS AND TOWNHOUSES.

Developments containing townhouses or garden apartments shall meet the following requirements, in addition to the other applicable zoning and site plan and subdivision requirements. Apartments and townhouses shall have site plan approval and public or private central water supply and a central sanitary sewer system approved by appropriate State and local agencies.

- a. Each overall development shall have a compatible architectural and landscaping theme with variations in design to provide attractiveness to the development. Each project shall specify how each of the following considerations has been incorporated in the overall plans: landscaping techniques; building orientation to the site and to other structures; topography; natural features such as wooded areas, drainage courses, soil conditions, and topographic relief; and building design features such as varying unit widths, staggering unit setbacks, providing different exterior materials, changing roof lines and roof designs, altering building heights, and changing types of windows, shutters, doors, porches, colors and vertical or horizontal orientation of the facades, singly or in combination and stormwater management.
- b. The configuration of structures may be any alignment that meets the yard requirements and does not exceed the following overall or component building lengths: (1) 200 feet on one plane; (2) 340 feet on any angle; and (3) 500 feet along the centerline. Any passageway between two structures which has a roof attached to both structures shall be included in calculating these lengths. Townhouse structures shall have not less than three nor more than five dwelling units on one plane, nor more than eight units in one overall structure.
- c. No dwelling unit shall have a living area level lower than the finished grade along the front of the structure except that on side hill locations the number of stories above ground on the uphill side shall not exceed two stories with a third story permitted above ground on the downhill side. The height of the building measured from the lowest grade of the foundation on the downhill side shall not exceed 40 feet.
- d. All required open space shall be improved for the purposes intended as shown on the plan.
- e. The location of recreational facilities shall consider the proximity of structures, type of recreational facility, noise level and evening illumination which may create nuisances for residents, and pedestrian and bicycle traffic across major interior roads or driveways. The periphery of any recreation area shall be no closer to a residential structure than the minimum yard for that structure.
- f. 1. As used in this section:

"Multifamily housing development" means a building containing three or more dwelling units occupied or intended to be occupied by persons living independently of each other, or a group of such buildings;

"Recycling area" means space allocated for collection and storage of source separated recyclable materials.

2. There shall be included in any new multifamily housing development that requires subdivision or site plan approval an indoor or outdoor recycling area for the collection and storage of residentially-generated recyclable materials. The dimensions of the recycling area shall be sufficient to accommodate recycling bins or containers which are of adequate size and number, and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The dimensions of the recycling area and the bins or containers shall be

determined in consultation with the municipal recycling coordinator, and shall be consistent with the district recycling plan adopted pursuant to section 3 of P.L. 1987, c. 102 (N.J.S.A. 13:1E-99.13) and any applicable requirements of the municipal master plan, adopted pursuant to section 26 of P.L. 1987, c. 102.

3. The recycling area shall be conveniently located for the residential disposition of source separated recyclable materials, preferably near, but clearly separated from, a refuse dumpster.
4. The recycling area shall be well lit, and shall be safely and easily accessible by recycling personnel and vehicles. Collection vehicles shall be able to access the recycling area without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the recycling area, and the bins or containers placed therein, against theft of recyclable materials, bins or containers.
5. The recyclable area or the bins or containers placed therein shall be designed so as to provide protection against environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard, and which are located in an outdoor recycling area, shall be equipped with a lid, or otherwise covered, so as to keep the paper or cardboard dry.
6. Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.
7. Landscaping and/or fencing shall be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner and shall use indigenous species to the maximum extent practicable.

(Ord. #94-987; Ord. #05-1352)

17-77 BIKEWAYS.

Bikeways shall be required at the planning board's discretion in any new development depending on the development's location in relation to schools, recreation areas, shopping facilities and other populated areas, or its location with respect to any overall bike route plan adopted by the planning board. Bicycle traffic shall be separated from motor vehicle and pedestrian traffic as much as possible. Bikeways shall comply with the design criteria of the Americans with Disabilities Act and New Jersey Department of Transportation and shall be a minimum of six feet wide. Bikeways shall have a minimum four inch base of crushed stone and a two inch compacted thickness surface course. Permeable paving materials shall be used where appropriate and stormwater management and related drainage controls shall comply with section 17-82a,16. Where bike paths located outside street rights-of-way intersect a street, the curbing shall be ramped for bicycle access to the street grade. (Ord. #05-1352)

17-78 BLOCKS.

- a. Except in the industrial zone, no block shall be longer than 12 homes on one side of the street or 12 lot widths as the zone requires. Block length and width or acreage within bounding roads shall be such as to accommodate the size of lot required in the area by the zoning ordinance and to provide for convenient access, circulation control and safety of street traffic.
- b. In blocks over 1,000 feet long, pedestrian crosswalks may be required in locations deemed necessary by the planning board. Such walk-way shall be ten feet wide and be straight from street to street.

- c. For commercial, group housing or industrial use, block size shall be sufficient to meet all area and yard requirements for such use.

17-79 CLUSTER AND DESIGN.

- a. Standards for cluster development in the VRC and MRC Zoning Districts are included in section 17-160.
- b. Cluster development designs in the R-150 and R-100 Zoning Districts are permitted only on tracts where sewer service is available from the Ewing-Lawrence Sewerage Authority or from Stony Brook Regional Sewerage Authority and shall be provided water from a public water system. Cluster development is an alternate design intended to provide flexibility in the design of residential developments mutually acceptable to the planning board and the developer. The purpose is also to preserve open space and provide other public amenities and services by permitting a reduction in residential lot size without increasing the number of lots or the permitted number of dwelling units allowed under the density provisions of this chapter. It is intended that all lands to be offered to the township will be suitably located and improved for public purpose(s) and acceptable to the township. Through the use of these provisions, it is intended to encourage energy conservation and the use of renewable energy sources by reducing street lengths and by offering more flexibility in orienting the placement of individual buildings. Through the cost savings realized from the reduction in streets, utilities and other improvements, opportunities to generate lower income housing are intended in accordance with section 17-92 and the applicable sections of Article IX. The following specific requirements must be met in any cluster development.
 1. The maximum number of lots or dwelling units shall be as specified in each zoning district.
 2. All dwelling units shall be served by either the Ewing-Lawrence Sewerage Authority or the Stony Brook Regional Sewerage Authority and shall be provided water from a public water system.
 3. Each cluster design must include open space constituting at least 25 percent of the tract. The required open space shall not include required yards, streets or parking areas. All of the required open space shall remain undeveloped or be developed solely for recreational purposes. The open space shall either be: (i) dedicated to the township (at no cost) with the township having the option of whether or not to accept the open space; or (ii) placed under the jurisdiction of a homeowner's association duly organized pursuant to N.J.S.A. 40:55D-43 and section 17-88 herein for the ownership and maintenance of the open space; or (iii) added to abutting lots as a conservation easement provided the pattern of open space within the conservation easement follows a logical pattern of woodland, drainage corridors, slopes, wetlands or other conditions warranting their placement in a conservation easement.
 4. Acceptance of lands offered to the township shall be subject to approval by the governing body after recommendation by the planning board and shall meet the following requirements:
 - (a) The minimum size shall be five acres with no dimension less than 400 feet.
 - (b) It shall be an integral part of the development and located to best suit the purpose(s) for which it is intended except that wetlands, steep slopes and similar environmentally sensitive lands difficult to develop are not intended to be the prime focus offered to the township.
 - (c) Every parcel accepted by the township shall be covered by deed at the time final plat approval is granted.

- (d) The planning board shall be guided by the master plan, the ability to assemble and relate such lands to an overall plan, the accessibility and potential utility of such lands to serve the intended purpose, and the existence of such features as difficult topography, problem soils, wetlands, and tree cover as these features may enhance or detract from the intended use of lands. The planning board may request an opinion from other agencies or individuals as to the advisability of accepting lands to be offered, it being intended that the offered lands should serve a public purpose acceptable to the township.
(Ord. #00-1155, § 4; Ord. #01-1206, § 7; Ord. #02-1268, §§ 1, 2)

17-80 COMMUNITY IMPACT STATEMENT.

A community impact statement analyzing the proposed development and its expected impacts upon existing municipal facilities and services shall be submitted when site plans exceed ten acres, or when subdivisions exceed ten lots or when subdivisions exceed ten acres of nonresidential development. The statement shall indicate why, in the applicant's opinion, the proposed development is in the public interest and it shall provide data and analysis concerning the following specific items:

- a. The number of people expected to be added to the municipal population as a result of the proposed development according to the following age cohorts: pre-school-aged children, school-aged children, parents of family-bearing age, middle-aged adults and retired people.
- b. The anticipated number of pupils who will be added to the student population in the municipality and the ability of the existing public school facilities to absorb the expected student population during a ten year time period. Should expanded or new school facilities and/or increased teaching staff be required, the expected cost for such additions shall be specified.
- c. The existing facilities available to serve the proposed development and the impact of the development upon the facilities, including the adequacy of existing public water facilities; public sewerage facilities; recreational facilities; and library facilities. Should such facilities be determined inadequate to serve the proposed development, the remedies, either expected or proposed by the applicant shall be indicated along with the estimated costs for such additional facilities and who, in the opinion of the applicant, should pay for them.
- d. The existing services provided by the township to serve the proposed development and the impact of the development upon the services, including police protection; emergency rescue, fire protection, solid waste disposal; and street maintenance services.
- e. The existing road network available to serve the proposed road network within the development itself and the surrounding road network which will be affected by the proposed development, including the capacity of the existing and proposed roadways; the anticipated traffic volumes as a result of the proposed development as well as the increase in traffic volumes expected from other developments within the area; and any problem spots in the overall road network including unsafe intersections, turns, or grades.
- f. The revenues expected to be generated from the development compared to the anticipated costs which the proposed development is expected to generate. Revenues and costs shall be shown for the municipality the municipal school systems, and the county.

17-81 CURBS.

- a. *Regular Curbs.* The planning board may require among other conditions in the public interest, that the

developer install curbs as a supplement to the pipe drainage. Curbs shall be constructed in accordance with the "Standard Specifications for Road and Bridge Constructions, 1961" of the New Jersey State Highway Department as amended and the Hopewell Township Standard Specifications. Curbs shall be constructed of Class B, 4500 psi concrete, air-entrained. Unless otherwise required for arterial roads, or by other regulatory agencies, concrete curb shall be not less than six inches thick at the top and eight inches at the bottom and 18 inches deep. The top corner on the face of the curb shall be rounded to a radius of one-half inch. Top of curb shall project six inches above the finished road surface at the curb line.

- b. *Rolled Concrete Curbing.* Where required under provisions of this chapter, rolled concrete curb shall be constructed of Portland Cement which shall have a compressive strength of 4,000 pounds per square inch after 28 days. The maximum length of sections shall be ten feet, with preformed bituminous expansion joint filler one-half inch thick installed at a maximum spacing of 20 feet. The curb shall be 24 inches wide, six inches deep on the pavement side, ten inches deep on the lot side, and shall have a one inch depression below the pavement side located about one-third the distance from the pavement edge. The side adjacent to the pavement shall be flush with the finished pavement surface.

17-82 DRAINAGE, DETENTION, AND STORMWATER MANAGEMENT.

a. *Drainage.*

1. All off-street traffic facilities, parking facilities, loading areas, passageways, driveways, walks, roofs, and other similar impervious surfaces, as well as all lands which have been so changed in contour or permeability as to alter or quicken the natural flow of surface waters, shall be so drained as to prevent damage or hazard to the site or to abutting properties or public streets. The design of all drainage facilities shall address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.
2. Adequate surface and stormwater drainage facilities, (i.e. conduits and swales) shall be provided. The facilities shall be designed for the following minimum flow capacities:

<i>Drainage Basin Size</i>	<i>Design Storm Frequency</i>
0 to 100 acres	25 years
over 100 acres	50 years
Watercourse Crossing	100 years

The facilities shall also comply with the Soil Erosion and Sediment Control Chapter XII. All pipes shall be sized and located such that backwater or headwaters shall not flow onto roadways, sewage disposal fields, or within building setback areas.

3. No change shall be made in the existing contours of the land, and no construction shall take place, which would result in any change in the rate, course, width, or elevation of any natural or other drainage channel, in any manner that would obstruct, interfere with or change the drainage of such land, taking into account land development that may take place in the vicinity, except insofar as adequate drainage is provided. In addition, stormwater runoff shall not be concentrated over driveways or within 20 feet of a dwelling.
4. Land contours, drainage facilities, detention basins, and other pertinent aspects of each proposed development shall be designed to encourage as well as to provide effective soil erosion and sediment control.

5. The pipe size shall be determined by acceptable drainage design procedures. In no case shall the pipe size in a surface water drainage system be less than 15 inches in diameter.
6. Drainage inlets shall be located on both sides of street at all intersections. Surface runoff in streets shall not exceed six cubic feet per second at the drainage inlet and surface runoff in parking, loading, and walkway areas shall not exceed three cubic feet per second. Access manholes shall be placed at maximum 500 foot intervals throughout the system and at pipe junctions where there are no drainage inlets. Inlets shall be placed at intervals not exceeding 400 feet.
7. Storm drain pipes shall be constructed longitudinally along streets and shall cross streets perpendicular to the centerline thereof. Pipe shall be located under or behind the curblines with the installation of inlet or manhole structures. Curvilinear alignments, i.e. curved pipe, pipe bends, or tees, wyes, etc. shall not be permitted.
8. Storm drain pipes shall be the size specified and laid to the exact lines and grades approved by the township engineer. Specifications for construction of manholes, inlets, and storm drains shall conform with the 1983 N.J.D.O.T. Standard Specifications for Road and Bridge Construction, as amended or supplemented or the Site Improvement Standards of the Township of Hopewell, with the more restrictive applying.
9. Lots shall be graded to provide proper drainage away from all buildings, to prevent the ponding of stormwater on each lot or adjacent lots. Minimum slopes of 1.5 percent shall be provided on all lots except in the vicinity of structures, where two percent shall be maintained for a minimum of 20 feet. All lots shall be designed to convey stormwater from adjacent lots around the perimeter of the lot in question by use of stable diversion (swales) or waterways designed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.
10. Land designated as a flood hazard area shall not be designed for any occupancy nor for any other purpose which may endanger life or property or aggravate the flood hazard. Such land may be considered for yard areas, or other similar uses and shall be preserved by a conservation easement.
11. Any underground drainageway or drainage systems outside a street or other public right-of-way shall be accompanied by a 15 foot wide (minimum) drainage easement dedicated to the township and conforming with the lines of such system. Sufficient width shall be provided so as to accommodate maintenance vehicle access.
12. Stream corridors shall be preserved by a conservation easement. Stream corridors extend 50 feet from each bank of permanently flowing streams as these streams are shown on Soil Conservation Service (SCS) maps. If the natural floodplain is greater, the corridor shall extend to the limits of the floodplain. Stream corridors shall also be extended to include contiguous wetlands and slopes over 12 percent where the toe of the slope is within 20 feet of the wet soils. Within the stream corridor and 20 feet of its edge, natural coverage shall be maintained, no alteration of the natural terrain shall occur, and no structures or impervious surfaces shall be constructed. All roads and utilities, including septic systems, shall be at least 100 feet from stream corridors.
 - (a) Stream corridors as defined in Section 17-181 shall be preserved by a conservation easement, which shall specify the prohibited uses and contain the customary provisions for a conservation easement as required by the township committee.
13. In such cases in which an easement extends into a lot for a distance wider than that which is restricted against building by the required yard space regulations of this chapter, the planning board may require the lot to be enlarged to the degree necessary to provide additional building area.

14. Sump pump discharge lines may be connected to the storm drain system upon approval of the superintendent of public works, but in no event shall sump pumps be connected to any sanitary sewer system. Sump pump connections shall be made using the standard detail provided in the site improvement standards.
 15. Septic systems shall not be connected to the storm drain system. Where perimeter drains are provided around septic systems for the sole purpose of lowering the water table, the discharge pipe may be connected to the storm drainage system after receiving approval from the board of health and township engineer. Provision shall be made by the applicant to permit adequate inspection and testing of the discharge from this line.
 16. Stormwater Management. All hydraulic and hydrologic computations for all site development, subdivisions and site disturbances shall be in accordance with N.J.A.C. 7:8-5 and N.J.A.C. 5:21.
 17. Materials used in the construction of storm sewers shall be of reinforced concrete, ductile iron, corrugated aluminum, or corrugated steel. Site or other conditions may dictate alternative materials or design methods, which will be reviewed case by case by the township engineer. Specifications referred to, such as ASA, ASTM, AWWA, etc., should be the latest revision.
 18. Wetlands shall be preserved by conservation easements.
- b. *Detention and Stormwater Management.*
1. Shall be in accordance with N.J.A.C. 7:8-5 and N.J.A.C. 5:21.
 2. Detention basins shall be appropriately landscaped. All detention basin landscaping shall be designed by a New Jersey licensed landscape architect. Floor and side slope areas within the basin and subject to submergence shall be planted with low maintenance, water-tolerant ground cover. Nursery stock and multileader trees shall be used along the perimeter of the basin and side slopes not subjected to submergence. Shade tree planting along any portions of a berm shall not be permitted.
 3. Point discharges onto private property shall require a maintenance easement to a hydraulically stable condition. Minimum width shall be as determined by the township engineer based on type of access and maintenance required. The minimum length shall be measured to the point of calculated stability or 100 feet minimum as measured from the termination point of the outlet pipe headwall or flared end section.
 4. Submissions. All data required by this paragraph shall be provided in form and content, in accordance with the stormwater management checklist items for preliminary major subdivisions in the Land Use and Development Ordinance, section 17-125.
 5. Maintenance and Repair. Responsibility for operation and maintenance of detention facilities, including periodic removal and disposal of accumulated particulate material and debris, shall remain with a homeowners' association, with permanent arrangements that it shall pass to any successive association, unless dedicated to the township along with a contribution to the township of sufficient funds to provide for the maintenance of such property for a period of 25 years from the date of planning board approval in accordance with the formula set forth hereafter. These arrangements shall designate for each project, the property owner, governmental agency, or other legally established entity to be permanently responsible for maintenance, hereinafter in this section referred to as the "responsible person."

Prior to granting approval to any project subject to review under this section, the applicant shall execute the standard detention basin easement and detention basin maintenance agreement with the municipality to ensure

the continued operation and maintenance of the detention facility. The easement shall be in the standard form contained with the site improvement standards which may be amended from time to time to include or alter provisions relating to personal guarantees, deed restrictions, covenants, and bonds. In cases where a homeowner's association or similar permanent entity is established as the responsible entity, a detention basin maintenance agreement shall be prepared. This document shall incorporate detention basin maintenance standards of the Township of Hopewell and shall be executed with the association and all association documents shall address the provisions herein.

The funds to be contributed for the perpetual care of detention facilities dedicated to the township shall be computed in accordance with the following formula:

<i>Item No.</i>	<i>Description</i>	<i>Rate Per Acre</i>	<i>Total Acres</i>	<i>Freq. Per Year</i>	<i>Item Total</i>
1	Mowing	\$ 63.42		10	
2	Mowing Materials	\$ 14.33		10	
3	Landscape Maintenance	\$ 389.16		2	
4	Landscape Maintenance Materials	\$ 779.92		2	
5	General Maintenance	\$219.00	1.0	4	
6	Periodic Maintenance	\$4,835.00		0.076	
7	Engineering Inspection	\$250.00		1	

Estimated Annual Maintenance Costs = \$ _____
 Estimated Annual Insurance Costs = \$ _____
 Total Estimated Annual Detention Basin Costs (ADBC) = \$ _____
 To Determine Developer Contribution, Compute 25 Year
 Present Worth of ADBC (Assume 6% Inflation and
 8% Rate of Return) = ADBC x 18.665 = \$ _____
 Developer Contribution = \$ _____

Computation Factors Description

<i>Item</i>	<i>Description</i>	
1	Mowing:	This item anticipates all labor and equipment necessary for maintaining an average lawn height of 4 inches including fertilizing and mobilization. Rates per acre are based upon site work cost data for labor and equipment as provided by R.S. Mean Company, Inc., and as compared to prevailing local rates. Frequency reflects the number of times per annum in order to achieve an average lawn height of 4 inches.
2	Mowing Materials	This item anticipates all materials to be used for mowing and fertilizing. This item includes gas, oil, and disposal of grass clippings and fertilizer. Frequency shall be same as item 1. Mowing material rates are based upon site work cost data as provided by R.S. Mean Company, Inc., and as compared to prevailing local rates.

- 3 Landscape Maintenance: This item anticipates all labor and equipment necessary for mulching. Frequency reflects number of times performance of this item is anticipated annually. Landscape maintenance rates are based upon site work cost data for labor and equipment as provided by R.S. Mean Company, Inc., and as compared to prevailing local rates.
- 4 Landscape Materials: This item anticipates all materials to be used for landscape maintenance. Landscape material rates are based upon site work cost data as provided by R.S. Mean Company, Inc., and as compared to prevailing local rates.
- 5 General Maintenance: This item anticipates all labor and equipment necessary to perform removal of debris around the outlet structure and its receiving waterway and to insure proper functioning of the basin. Frequency is based upon frequency of a 25 year storm event. 25 year storms generally produce such volumes and velocities of runoff that can carry debris which could be entrapped within the basin thereby interfering with the operation of the outlet structure. General maintenance rates are based upon site work cost data for labor and equipment as provided by R.S. Mean Company, Inc., and as compared to prevailing local rates.
- 6 Periodic Maintenance: This item anticipates capital expenditures which might occur during the 25 year period. These costs are assumed to be required during the 12th and 25th years. This item anticipates all labor, equipment, and materials necessary to perform this type of maintenance which may include but is not limited to: replacement of low flow channel, replacement of rusted elements of outlet structure, restoration of conduit outlet protection. In order to properly convert these costs to present worth, it is necessary to introduce a frequency factor which is less than one. Periodic maintenance rates are based upon site work cost data for labor and equipment as provided by R.S. Mean Company, Inc. and as compared to prevailing local rates.
- 7 Engineering Inspection: This item anticipates all labor and materials necessary to contract for performance of an inspection of the facility and receive a certificate of adequacy or statement of deficiencies by a New Jersey licensed professional engineer. The frequency of this item shall be once per year. Engineering inspection rates are based upon site work cost data for labor and equipment as provided by R.S. Mean Company, Inc., and as compared to prevailing local rates.

(Ord. #04-1325, § 3; Ord. #05-1352)

**EXHIBIT D-1
RESERVED.***

**EXHIBIT D-2
HOPEWELL TOWNSHIP
BASIN SUMMARY SHEET
(Section 17-82)**

PROJECT NAME: _____ DATE _____
 BLOCK: _____ LOT: _____ SHEET: _____
 OWNERS NAME: _____
 ADDRESS: _____
 CITY, STATE, ZIP: _____
 PHONE: _____
 PRE-DEVELOPMENT CN: _____ AREA: _____ Tc: _____
 POST-DEVELOPMENT CN: _____ AREA: _____ Tc: _____

STRUCTURE

BRIEF DESCRIPTION: _____

ORIFICE NO.: _____	SIZE: _____	ELEVATION: _____
ORIFICE NO.: _____	SIZE: _____	ELEVATION: _____
ORIFICE NO.: _____	SIZE: _____	ELEVATION: _____
ORIFICE NO.: _____	SIZE: _____	ELEVATION: _____
ORIFICE NO.: _____	SIZE: _____	ELEVATION: _____
ORIFICE NO.: _____	SIZE: _____	ELEVATION: _____

WEIR NO.: _____	LENGTH: _____	ELEVATION: _____
WEIR NO.: _____	LENGTH: _____	ELEVATION: _____
WEIR NO.: _____	LENGTH: _____	ELEVATION: _____
WEIR NO.: _____	LENGTH: _____	ELEVATION: _____
WEIR NO.: _____	LENGTH: _____	ELEVATION: _____
WEIR NO.: _____	LENGTH: _____	ELEVATION: _____

BASIN

TYPE OF BASIN: _____

HEIGHT OF DAM (FROM INV. OF OUTLET PIPE TO TOP OF BERM): _____
 ELEVATION: _____ STORAGE: _____ DISCHARGE: _____
 EMERGENCY SPILLWAY LENGTH: _____ ELEVATION: _____

grade of more than five percent.

- c. That portion of a driveway which serves other than a residence or a farm, which is located on the lot and within 30 feet of the street right-of-way, shall be straight and shall be at a right angle (or if on a curve, radial) to the street center line and shall not have a grade of less than one nor more than five percent.
- d. All driveways shall be so located, designed, constructed and maintained as to ensure an unobstructed view of the entire street width for 200 feet in both directions from a point two and one-half feet above the driveway and ten feet from the street line for farm or residential driveways and 20 feet from the same for nonresidential driveways.
- e. Wherever a nonresidential driveway entrance may otherwise create a disruption in the flow of traffic or other safety hazard, appropriate acceleration and deceleration lanes may be required.
- f. Curb cuts shall be installed only at driveways except where ramps are provided for the handicapped.
- g. Driveways shall be designed to use lawn areas to disconnect impervious surfaces and to use permeable paving materials where appropriate.
(Ord. #05-1352)

17-84 ENVIRONMENTAL IMPACT REPORT.

(See section 17-68.) This report shall accompany all preliminary plats when site plans exceed ten acres or subdivisions exceed ten lots or for all plans encompassing improvements in any critical area of the township as identified in the master plan and the township's natural resources inventory. An environmental impact report shall include:

- a. A description of the development specifying what is to be done during construction and operation, how it is to be done, and practical alternate plans to achieve the objective(s) embodied in both the development and the township's master plan and natural resources inventory.
- b. An inventory of the following on-site environmental conditions and an assessment of the probable impact of the development upon them: water supply; geology; aquifer recharge potential; soils and properties thereof, including capabilities and limitations; sewerage; topography; slope; drainage; vegetation; noise characteristics and levels; land use; aesthetics and history. Air and water quality shall be described with reference to standards promulgated by the Department of Environmental Protection of the State of New Jersey and soils shall be described with reference to soil conservation service categories and characteristics.
- c. A list and the status of the licenses, permits and approvals needed from Federal, State, county, or public utility agencies including the conclusions and comments of these governmental agencies.
- d. An evaluation of any adverse environmental impacts which cannot be avoided. Particular emphasis shall be placed upon air or water pollution, increase in noise, increase in sedimentation and siltation, increase in township services, and consequences to the township tax structure.
- e. A description of steps to be taken to avoid or minimize adverse environmental impacts during construction and operation, including necessary maps, schedules and other explanatory data to clarify and explain these steps.

17-85 FENCES AND HEDGES.

- a. Fences or walls not exceeding 48 inches in height may be erected on any part of a lot between the front line and the front setback line for structures and on any other part of the lot may be erected to a height not to exceed 72 inches. The height of such walls or fences shall be determined by measurement from the ground level at the lowest grade level within three feet of either side of such walls or fences.
- b. All fences, walls, or hedges must conform to the sight line requirements of section 17-105 (sight triangles) and section 17-83d. (driveways).
- c. *Tennis Courts*. See section 17-159b,4(c).

17-86 FIRE.

- a. *Fire and Explosion Hazard*. If in the judgment of the planning board a proposed structure, use, process, product, or material appears to involve a fire or explosion hazard, the planning board may require the applicant to supply:
 1. A copy of the approved plans from the State Department of Community Affairs or any other State, county, or local agency having jurisdiction showing that adequate safeguards against the origin and spread of fire have been or shall be taken in regard to such things as the construction and materials of the structure, the installation of safety and warning devices, and the adoption of fire prevention procedures in operations; and
 2. A statement from the appropriate township fire subcode official that the applicant has complied with all applicable township fire prevention regulations; and
 3. Where special conditions or hazards exist, that the applicant has made adequate provision to supplement public fire-fighting facilities to the extent necessary to insure the safety of employees, customers and adjacent structures.
- b. *Fire Service*. Whenever streams or other water sources which exist or are proposed in or near a development may be useful for the purpose of fighting fires in or near the development, provisions shall be made to assure continual fire equipment access to such water sources. Standpipes shall be installed whenever appropriate.

17-87 FLOOD PLAINS.

Also see Chapter XII and the sections in this chapter entitled "Drainage" (section 17-82), and "Soil Protection" (section 17-107).

- a. The purposes are: (1) to continue the purposes of Chapter XII and to implement methods of reducing flood losses as outlined in Chapter XII as well as implementing the land use regulations of the New Jersey Department of Environmental Protection for floodways and flood fringe area; (2) to discourage construction and regrading in flood hazard areas; (3) to prevent encroachments into flood hazard areas which would obstruct or constrict the area through which flood water must pass, and; (4) to prevent pollution of watercourses during low or high water periods by preventing the placing or storing of unsanitary or dangerous substances in flood hazard areas.
- b. The flood hazard area as shown on the township's flood insurance rate map and the flood hazard design elevation based on a 100-year storm frequency shall be shown on the plat including stream encroachment line data from the division of water resources. At the expense of the landowner, the precise location of

the floodway and flood fringe area may be determined by field survey and be marked on the ground and on the plat. Where State or Federal agencies delineate by contours the flood hazard design elevation, the report shall be the delineated flood hazard area as if published in this chapter. If none of the above sources are available, the board may use any base flood elevation data available from Federal, State or other sources.

- c. No improvement in a floodway shall be permitted unless it is a permitted use, plat approval has been granted by the planning board and, if required, by the county planning board, and all necessary permits have been obtained from those Federal and State governmental agencies from which approval is required.
- d. No improvement in a flood fringe portion of the flood hazard area shall be permitted unless it is a permitted use, plat approval has been granted, and the requirements and procedures of Chapter XII have been satisfied.
- e. Permitted uses in a flood fringe area shall be as follows provided they are permitted uses in the district in which they are located.
 1. Agriculture: General farming, pasture, grazing, outdoor plant nurseries, horticulture, viticulture, truck farming, forestry, sod farming, and wild crop harvesting.
 2. Industrial/Commercial: Lawns, loading areas, and parking areas.
 3. Recreation: Golf courses, improved courts and playing fields, swimming areas, boat launching ramps, picnic areas, camping, and open space uses such as hiking trails.
 4. Residential: Lawns, gardens, parking areas, and play areas.
 5. Public lawns, parking areas, play and recreation areas.
- f. The applicant shall submit maps, reports and other appropriate documents permitting the planning board to evaluate the following:
 1. Flood Hazard Area. A map showing the boundary of the inundated area following a 100-year storm.
 2. Construction Materials and Methods. All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
 3. Utilities. All new and replacement water supply and sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and sanitary sewerage systems shall be designed to minimize or eliminate discharges from the systems into flood waters. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
 4. Subdivision Proposals. All subdivision proposals shall be consistent with the need to minimize flood damage. All public utilities and facilities such as sewer, gas, electrical and water systems shall be located and constructed to minimize flood damage. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage, shall be designed to address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.
 5. Specific Standards. In all flood hazard areas any new construction or substantial improvement of any structure shall have the lowest floor, including basement, elevated to one foot above the 100-year flood elevation. As an alternative, any commercial, industrial or other nonresidential structure may be flood-proofed as set forth in Chapter XII, of the Revised General Ordinances of the Township of Hopewell (1978). This section shall not prevent the repair, or rebuilding, within a flood hazard area,

of any lawful pre-existing structure which was damaged by a flood, or by any other means.

6. Floodways. Located within flood hazard areas are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood water which carry debris, potential projectiles and erosion potential, encroachments, including fill, new construction, substantial improvements and other developments are prohibited unless certification by a licensed professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels or erosion during the occurrence of the 100-year flood and required Federal and State permits have been granted.
7. Other Documentation. The applicant shall submit other appropriate documents permitting the planning board to evaluate whether the proposal has a low flood damage potential; does not diminish the flood carrying capacity of any altered or relocated watercourse; does not obstruct flood flows or increase flood heights and/or velocities, does not require channel modification or relocation without the necessary Federal and/or State permits and township engineer approval; and does not include the storage of equipment and materials in the flood plain.

(Ord. #05-1352)

17-88 HOMEOWNERS' ASSOCIATION.

A homeowners' association may be established to own and maintain common open space and common property designed within a development. If established, the organization shall incorporate the following provisions:

- a. Membership by all property owners, condominium owners, stockholders under a cooperative development and other owners of property or interests in the project shall be mandatory. Required membership and their responsibilities shall be in writing between the organization and each member in the form of a covenant with each agreeing to liability for his pro rata share of the organization's costs.
- b. The organization shall be responsible for liability insurance (with the municipality carried as a named insured), taxes, maintenance and any other obligations assumed by the organization, and shall hold the municipality harmless from any liability. The organization shall not be dissolved and shall not dispose of any common open space or common property by sale or otherwise, except to an organization conceived and established to own and maintain such open space or property for the benefit of such development. Thereafter such organization shall not be dissolved and shall not dispose of any of its open space or property without first offering to dedicate the same to the municipality(s) wherein the land is located.
- c. The organization shall be allowed to adjust the pro rata share to meet changing needs.
- d. The organization shall clearly describe in its bylaws all the rights and obligations of each tenant and owner, including a copy of the covenant, model deeds, and articles of incorporation of the organization and the master deed shall state that every tenant and property owner shall have the right to use all common properties. These shall be set forth as a condition of approval and shall be submitted prior to the granting of final approval.
- e. The articles of incorporation, covenants, bylaws, model deeds, and other legal instruments shall insure that control of the organization shall be transferred to the members based on a percentage of the dwelling units sold and/or occupied. The legal instruments shall clearly indicate that in the event such organization shall fail to maintain the common open space or common property in reasonable order and condition, the township committee may serve written notice upon such organization or upon the owners of the

development setting forth the manner in which the organization has failed to maintain the common open space or common property in reasonable condition. The notice shall include a demand that such deficiencies of maintenance be cured within 35 days thereof and shall state the date and place of a hearing thereon which shall be held within 15 days of the notice. At such hearing, the designated township body or officer, as the case may be, may modify the terms of the original notice as to deficiencies and may give a reasonable extension of time, not to exceed 65 days within which they shall be cured. If the deficiencies set forth in the original notice or in the modification thereof shall not be cured within 35 days or any permitted extension thereof, the township, in order to preserve the common open space and common property and maintain the same for a period of one year, may enter upon and maintain such land. Such entry and maintenance shall not vest in the public any rights to use the common open space and common property except when the same is voluntarily dedicated to the public by the owners. Before the expiration of the year, the township committee shall upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common open space and common property, call a public hearing upon 15 days written notice to such organization and to the owners of the development, to be held by the township committee. At this hearing such organization and the owners of the development shall show cause why such maintenance by the township shall not, at the election of the township committee, continue for a succeeding year. If the township committee shall determine that such organization is ready and able to maintain such open space and property in reasonable condition, the township shall cease to maintain the open space and property at the end of the year. If the township committee shall determine such organization is not ready and able to maintain such open space and property in a reasonable condition, the township committee may, in its discretion, have the township continue to maintain the open space and property during the next succeeding year, subject to a similar hearing and determination in each year thereafter. The decision of the township committee shall constitute a final administrative decision subject to judicial review.

- f. The cost of such maintenance by the township shall be assessed pro rata against the properties within the development that have a right of enjoyment of the common open space and common property in accordance with assessed value at the time of imposition of the lien, and shall become a lien and tax on the properties and be added to and be a part of the taxes to be levied and assessed thereon, and enforced and collected with interest by the same officers and in the same manner as other taxes.

17-89 LANDSCAPING.

- a. The landscaping plans for any lot occupied by other than a residence or farm shall be approved by the planning board.
- b. On lots occupied by residential uses, that portion of the required front yard area not occupied by driveway or parking area shall be graded and covered with grass sod or other ground cover suitable for soil retention as well as such shrubbery or trees as may be desired by the owner.
- c. For all lot occupancies other than residential or farm, that portion of the property not occupied by structures, parking areas or driveway shall be landscaped. In areas other than required front yards, adequately maintained ground cover shall be considered sufficient landscaping.
- d. All landscaping shall be properly maintained through the life of any use on any lot.
- e. A landscaped buffer shall be provided which will effectively screen all parking and loading areas which are used for industrial or commercial purposes from adjoining residences, and from adjoining vacant property located in a residential district (whether the adjoining property is located in the township or in

- another municipality), and from all streets. When the proposed location of the parking and loading areas is at the same elevation as the proposed buffer and the adjoining residence or property, the buffer shall be at least 25 feet wide, except that when the parking and loading areas are along a street, the landscaped area shall be at least ten feet wide. All buffers along residential property lines shall be five feet high when planted, and buffers along streets shall be three feet high. The landscaping shall consist of evergreen trees with the lowest branches not more than one foot above the ground, planted in a zigzag pattern not more than six feet apart, on center. Existing evergreen trees may be utilized as appropriate. Deciduous trees and shrubs may also be provided. All buffers shall produce a screen at the time of planting which will eliminate the glare of vehicle headlights at all seasons of the year. If the location of the buffer and the area to be screened and the adjoining residence or property or street are not at the same elevation so the plantings would not provide an effective screen, the plantings shall be high enough to provide a screen equivalent to that provided above where all land is at the same elevation. No screening is necessary if the ground is high enough to conceal headlights completely between the area to be screened and the property line. Berms with trees, which are stabilized by grass or other plantings, may be used to reduce the required screening height, if the planning board determines that they are appropriate in a particular case. Buffers shall incorporate the use of native vegetation.
- f. When a commercial or industrial structure (other than parking or loading areas) is on a lot which adjoins a residence or a vacant property located in a residential district (whether the adjoining property is located in the township or another municipality), and the elevations are such that the structure is or would be visible from the residential property line, landscaping shall be provided, along the property line, at least 25 feet wide. It shall consist of evergreen trees at least five feet high when planted with the lowest branches not more than one foot above the ground, planted in a zigzag pattern not more than six feet apart. Existing evergreen trees may be utilized as appropriate. Berms with trees, which are stabilized by grass or other plantings, or alternative locations and types of landscaping, may be provided if the planning board determines that the alternative would attain the same or better screening.
 - g. Plans for screening referred to above shall be prepared by a landscaper and submitted as part of a site plan, and shall show the specific location and types of all existing shrubs and trees in the buffer area and all proposed new ones, with the botanical name and the common name of each; the height and diameter of each at the time planted (or at the time of site plan submission, for existing ones) and the projected height and diameter two years later; the distance between the centers of all shrubs and trees; and the detailed timetable for planting.
 - h. Every effort shall be made to preserve existing trees. Construction shall not encroach upon the drip line of trees.
 - i. Shade trees shall be placed not more than 50 feet apart along streets in all developments and subdivisions (five feet to 15 feet within the right-of-way lines) five to ten feet outside the street right-of-way line and shall not interfere with utilities. No shade trees shall be planted within 50 feet of intersecting street right-of-way lines. The planning board shall grant a waiver to the above only if there are trees growing along such streets or on abutting property near the street which are in compliance with or exceed the requirements of this chapter. The subdivider shall submit shade tree layout plans to the shade tree committee for approval and recommendations to the Hopewell Township Planning Board. Trees shall conform to the regulations set forth in Chapter XIV of the Revised General Ordinances of the Township of Hopewell (1978) "Shade Tree Advisory Committee Regulations" and shall be of the species or variety required by the planning board.
 - j. That portion of a residential development abutting an arterial or collector street shall either (a) be planted with nursery grown evergreens and/or deciduous trees along the full length of the development to a depth

of not more than the 25 foot buffer strip along the right-of-way (section 17-108g.) so that in a reasonable period of time a buffer area will exist between the development and the highway, or (b) where topography permits, earthen berms may be created at a sufficient height to establish a buffer between the development and the highway. They shall be stabilized by ground cover to prevent soil erosion and shall be planted with evergreens and deciduous trees according to a landscaping plan so as to be designed to have no adverse effect on nearby properties. All trees shall be balled and burlapped nursery stock having a caliper of not less than 2.5 inches measured three feet above ground level and be of an approved species grown under the same climatic conditions as at the location of the development. They shall be of symmetrical growth, free of insect pests and disease, suitable for street use, and durable.

- k. *Preservation of Existing Natural Resources.* The subdivision or site plan shall preserve existing natural resources on the site, and shall preserve trees, stream corridors, hilltops, open spaces and views whenever possible.

17-90 LIGHTING.*

17-90.1 Outdoor Lighting.

- a. *Purpose.* The governing body of Hopewell Township does herein find that regulation of site lighting in Hopewell Township is necessary to prevent negative impacts caused by misdirected or excessive illuminance, inappropriate or misaligned light fixtures, glare, light trespass, and skyglow. Such regulation is necessary to encourage conservation of energy and to prevent destructive light pollution.
- b. All site light fixtures installed and thereafter maintained, other than those serving one or two family dwellings, shall be full cut-off fixtures as defined by the IESNA. Full cut-off fixtures shall not have vertical swivel mounting capability. Exceptions will be considered for the following situations:
1. Luminaires used to illuminate flags, statues, or other objects varying in shape that are mounted on a pole, pedestal or platform, shall be lamped and aimed such that 90 percent of the beam angle is not greater than the size of the object illuminated. Luminaires shall be shielded to minimize direct glare.
 - (a) For flags that can rotate 360 degrees, the beam angle shall be based on a circle having a radius equal to the width of the flag at the height of the flag, unless the flag is greater than ten feet. Flags greater than ten feet shall be illuminated by a beam with a radius not greater than two-thirds the flag width.
 2. Luminaires used for architectural accent and landscape lighting shall be lamped and aimed such that 100 percent of the distribution pattern falls within the illuminated structure. Luminaires shall be shielded to minimize direct glare.
 3. Signage.
 - (a) Top mounted luminaires are preferred for externally illuminated signs. Luminaires shall be lamped and aimed such that 100 percent of the distribution pattern or beam angle falls on the face of the sign. Beam angles shall not exceed the size of the sign. Luminaires shall be shielded to minimize direct glare. In residential areas, the luminance shall not exceed an average maintained vertical existence of 10 fL.
 - (b) When top mounted luminaires are not feasible for good cause shown, alternate locations may be used provided that the luminaires are lamped and aimed such that 100 percent of the distribution pattern or beam angle falls on the face of the sign. Beam angles shall not exceed

the size of the sign. Luminaires shall be shielded to minimize direct glare. In residential areas, the luminance shall not exceed an average maintained vertical existence of 10 fL.

- (c) Internally illuminated signage is permitted only on commercial properties with frontage on Route 31. The majority of the sign surface, typically the background, shall be a dark color.
- 4. Outdoor recreational and sports facilities where it can be demonstrated that the arrangement of playing surfaces is such that illumination using full cutoff luminaires would result in poles located on or dangerously close to playing surfaces, may utilize semi-cutoff luminaires. Luminaires shall be constructed, located and aimed such that illumination at grade does not cross any property line. Lamps shall be shielded from normal viewing angles.
- 5. Luminaires used within the interior of a parking structure or where deemed necessary along roadways shall meet cutoff classification requirements.
- c. The use of mercury vapor lamps is prohibited.
- d. Outdoor light fixtures for purposes of private usage shall not be attached or mounted from public property (i.e. public buildings, utility poles, street lights, road/street signs). Furthermore, these fixtures shall not tap or extend power from sources servicing public lighting and/or power devices.
- e. *Recreational Facilities.* All recreational areas which require lighting shall comply with the standards set forth in section 17-101b.
(Ord. #03-1297, § 1)

17-90.2 Light Trespass.

- a. The principle of shielding whenever light trespass will otherwise occur shall guide the design, installation and maintenance of outdoor lighting in institutional, commercial and residential installations. All light fixtures shall further meet the specifications below:
 - 1. For commercial and institutional applications, illuminance from exterior lighting, facade lighting, landscape lighting, light emissions through windows caused by interior illumination, and all other forms, shall not exceed 0.3 footcandles in the vertical plane at a height of five feet or higher at the property line of any neighboring residential property, and shall not exceed 0.1 footcandles after 10:00 p.m.
 - 2. For one- and two-family dwellings, illuminance from exterior lighting, facade lighting, and landscape lighting shall not exceed 0.1 footcandles in the vertical plane at a height of five feet or higher at the property line of any neighboring residential property. Exceptions may be granted provided these requirements are adhered to within 30 feet of the dwelling itself.
- b. For commercial and institutional applications, interior lighting shall be controlled automatically to turn off by 10:00 p.m. unless the building is occupied. Interior luminaires used for emergency illumination are excluded. Minimal security night lighting shall be allowed to remain on. Interior ceilings and vertical surfaces within view from exterior of building shall not be illuminated at night. This provision is designed to minimize nuisance glare on neighboring residential properties, and enhance energy conservation. Acceptable exemptions are:
 - 1. Interior display lighting in retail facilities may remain on for security purposes. The use of minimal required illumination is encouraged.
- c. All outdoor light fixtures that utilize lamps 50 watts or larger shall be full cutoff as defined by IESNA.

The use of minimal illumination is encouraged.

1. Light fixtures controlled by motion detector switches shall be exempt.
- d. Outdoor light fixtures shall be continually maintained to assure light distribution compliant with this section and prevent direct view of lamps from any adjacent residential property.
(Ord. #03-1297 § 1)

17-90.3 Illuminance Requirements.

- a. The principle of minimum required illuminance shall guide the design, installation, and maintenance of all outdoor lighting.
- b. *Street Lighting.* Roadway lighting shall occur at intersections, roadways with designated bikeways, dangerous areas as may be determined by the township committee, or in developments with average densities of two units per acre or greater. All street lighting shall be photocell controlled, use house-side shielding when adjacent to residential areas, and utilize shielding or refractive lenses to mitigate direct lamp glare.
 1. The use of low pressure sodium lamps is encouraged. High pressure sodium lamps may be used as an alternate.
 2. Lights shall be located on inside radius of curves in roadways wherever possible.
- c. *Outdoor Parking Facilities.* All parking lot luminaires shall be full cutoff light fixtures. Use of high pressure sodium lamps in luminaires is encouraged; in retail applications where security is a large concern, metal halide lamps may be utilized. Parking facility illumination shall comply with the following specifications:
 1. On-Grade Parking.
 - (a) Minimum maintained horizontal illuminance at grade shall not exceed 0.2 footcandles. (0.5 footcandles is acceptable in commercial zones where unusual security concerns can be shown.)
 - (b) Maximum maintained to minimum maintained horizontal illumination uniformity ratio shall not exceed 20:1. (15:1 ratio used when minimum maintained illumination at grade is 0.5 footcandles.)
 - (c) Minimum vertical illumination shall be at least 0.1 footcandles measured five feet above finished grade at the point of minimum horizontal illuminance, facing inward along parking lot perimeter.
 2. Parking Structures.
 - (a) Open roof deck parking shall comply with requirement for on-grade parking, outlined above.
(Ord. #03-1297, § 1)

17-90.4 Outdoor Lighting Energy Conservation.

- a. All outdoor lighting, other than that serving one- and two-family dwellings, shall be turned off through the use of automatic control devices during nonoperating hours, or by 10:00 p.m., except where it can be demonstrated that safety or security purposes require illumination. The following are acceptable

exemptions from this requirement:

1. Operating hours of the facility are past 10:00 p.m., in which case the lighting shall turn off at the conclusion of business.
 2. Exterior retail and merchandise display lighting may remain on until 10:00 p.m., but shall not remain on after 10:00 p.m. unless the business is open to the public later than 10:00 p.m., in which case the lighting shall be turned off at the conclusion of the business period.
 3. Exterior lighting for recreational areas, athletic fields, and courts shall not remain on after 10:00 p.m. unless athletic or public activity is in progress. If organized activity warrants lighting of these facilities after 10:00 p.m., it is the responsibility of the participants to ensure lights are turned off at the conclusion of activity.
- b. Minimal required levels of illumination are to be used in all applications. All lighting shall be designed, selected and installed both to prevent negative impacts caused by misdirected or excessive light and to conserve energy.
(Ord. #03-1297, § 1)

17-90.5 Evidence of Compliance.

- a. Evidence of compliance shall include all of the following:
1. Descriptions of all outdoor luminaires, including lamps. Manufacturer catalog cut sheets for luminaire shall include model number, dimensioned cross section, optics, angle of cutoff, shielding, and photometric report prepared by independent testing lab graphically indicating candela distributions from 0 to 180 degrees vertically. Adjustable fixtures shall be capable of locking in place to prevent movement of fixture during relamping. Lamp description shall include type of lamp source, wattage, clear or coated bulb, and initial lumens. Lamps used in spotlights or floodlights shall also include beam angles.
 2. Mounting heights and details should be included for all fixtures. Light pole diameters and dimensioned foundation details shall be provided.
 3. Where horizontal illumination metrics are required, site lighting plans, to scale, with computer generated maintained footcandle calculation points on a maximum calculation grid spacing of every ten feet are to be provided. Plans shall indicate location of all fixtures, and aiming angles for spot and flood fixtures.
 4. Site lighting plans, to scale, with computer generated initial footcandle calculation points on a maximum calculation grid spacing of every ten feet are to be provided. (Initial illumination calculations may be used to field verify compliance with lighting requirements at the completion of construction.)
 5. Calculation summary shall include minimum, average, and maximum maintained illumination levels in footcandles, as well as uniformity ratios as described in subsection 17-90.3. In addition provide light loss factor used for each fixture type.
 6. Adjustable site lighting fixtures shall indicate aiming angles, distribution patterns, and illumination or existence levels that illustrate compliance with subsection 17-90.1 b,1, 2, or 3.
 7. Lighting calculations shall be performed by a NCQLP certified LC' professional, unless this requirement creates undue hardship that can be demonstrated.

- b. Once properly installed, fixtures are to be aimed, permanently affixed, and with written agreement, maintained in the approved position. All glare shield and cutoff devices shall be maintained.
(Ord. #03-1297, § 1)

17-90.6 Compliance, Monitoring Penalties and Prohibitions.

- a. The township may conduct post-installation inspections of lighting fixtures in order to ensure compliance with ordinance requirements and intents. Corrective action may be required for any installation that does not meet ordinance criteria or which causes unacceptable levels of light trespass, glare or contributions to skyglow.
- b. The township may recommend changes in the field that would correct problem situations, such as re-aiming floodlights, adding appropriate shielding, decreasing lamp wattage, or replacing equipment.
- c. Searchlights or flashing or animated signs are prohibited, other than as approved by the township committee.
(Ord. #03-1297, § 1)

17-91 LOTS.

- a. Lot dimensions and area shall not be less than the requirements of the zoning ordinance.
- b. Insofar as is practical, side lot lines shall be at right angles to straight streets, and radial to curved streets.
- c. Each new lot must front upon an approved and accepted public street at least 50 feet in width except lots fronting on streets described in section 17-108e. A double frontage lot shall have access only to the street with the lower street classification.
- d. Where extra width has been dedicated for widening of existing streets, lots shall begin at such extra width line, and all setbacks shall be measured from such line.
- e. Each lot shall be graded in a manner to insure that all surface water is redirected away from buildings and septic fields. Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as rock formations, flood conditions, exceptional topography, or other comparable physical circumstances, or if development of such lot or lots will adversely affect the health, safety, morals or welfare of the citizens of Hopewell Township, the planning board may, after adequate investigation, withhold approval of such lots. Wherever possible, the sideline of a lot shall be located opposite any T-street intersection.
- f. Each subdivision shall have access from a road which is within the township, without having to use a road which is within another municipality.
- g. Flag lots may be permitted in residential zones only so long as variance relief from the bulk standards of the ordinance are requested and granted in order to accommodate unique site conditions. The first priority in designing developments shall be to provide lots with the required minimum lot width and lot frontage. If flag lots are proposed, the following minimum standards shall apply:
 - 1. The required frontage on an improved street may be reduced to not less than 50 feet.
 - 2. The access strip shall have a width at all points of at least 50 feet.
 - 3. The body of the lot, exclusive of the access strip connecting it to the public road, shall have an area of at least 20 acres in the MRC District, ten acres in the VRC District and five acres in all other

residential districts, except that where an area is served by public sewer service and also meets the exception in paragraph 4(b) below regarding the 50 percent set aside, no more than ten percent of the total number of lots may be flag lots whose size, exclusive of the access lane, may be at least the minimum lot size for that district.

4. The access strip shall be reasonably suited for construction and use as a private access lane and shall meet the following conditions:
 - (a) The access lane shall have proper visibility at its intersection with the public street meeting the same standards as a local street intersection.
 - (b) No access lane shall abut another access lane, except that where at least 50 percent of the tract being developed is set aside in wetlands, wetland buffers, or other permanent open space (public and/or private), no more than two access lanes may abut one another.
 - (c) The grade of the access lane shall not exceed the grade permitted for a secondary local street.
 - (d) The access lane shall be designed and constructed with proper drainage and soil erosion control.
5. The proposed subdivision shall not adversely affect the development of the remainder of the lot or adjoining properties. In the VRC and MRC Districts, there shall be a 100 foot setback from the proposed dwelling to any lot line, and a 200 foot setback from the proposed dwelling to any existing residence.
6. If a flag lot is proposed to be resubdivided so that more than one lot or use must be served from the original access lane, the owner of the access lane shall, at his expense, improve it to public street specifications and provide assurances that there will be continued access for all persons and uses being served by the access lane. Such improvements and assurances shall be made prior to the approval of the subdivision or site plan, or if no subdivision or site plan is required, then prior to the issuance of a building permit for the additional structure or use. This provision shall not apply to those situations where two or more lots or uses may agree to use a single access lane as a matter of choice and convenience, but this exception shall apply only where each of those lot(s) or use(s) has its own frontage on a public street that is capable of being improved for proper access and could be used for access if each of the occupants chose to improve its own access lane.
- h. Lots shall be designed to implement "low impact development" techniques for stormwater management. (Ord. #00-1155, § 2; Ord. #02-1268, § 1; Ord. #04-1325, §§ 1, 2; Ord. #05-1352)

17-92 LOWER INCOME HOUSING.

- a. *Purpose.* The purposes of this section are to assure a variety of opportunities to provide lower income housing without undue densities of development in any one area, yet have sites related to foreseeable utility services and highway access, as well as site specific advantages of jobs, open space or other services to a particular site. These provisions are geared toward providing for the township's fair share of lower income units. It is intended that all future developments of lands in the specified districts will be responsible for some portion of the lower income housing obligation. No less than 20 percent of the units proposed in a project, in these required districts shall be lower income housing.
- b. *Required Participation.*
 1. The developer of any land in any R-6, R-5, R-100, or VRC Valley Resource Conservation District, or

any OP, RO-G, SI-OG, SC-G, HBO-G, or C-1-G Nonresidential District shall have a responsibility to participate in the production of lower income housing, except that improvements to agricultural operations and the operations of extraction industries such as farming shall be exempt.

2. Developers in every zoning district shall pay a fee, if and as applicable, to the Lower Income Housing Fund in accordance with Chapter X, section 10-7c.
3. Subdivision and site plan approval on properties where the actual construction of lower income housing is required shall be denied unless the developer complies with the obligation to provide lower income housing pursuant to this section 17-92, and the approving authority may impose any reasonable conditions to secure such undertaking. At least 20 percent of the units in each development plan shall be sold or rented at prices qualifying the units as affordable for lower income households. This ratio may be higher than 20 percent in instances where the township's escrow fund is used to reduce development costs, or where land costs are either removed from or are reduced as part of the development costs, or where land developers participate in the installation of improvements. Each lower income unit produced within a development shall be limited to occupancy of households that qualify by virtue of their having corresponding low and moderate incomes. With the exception of inclusionary developments constructed pursuant to low income tax credit regulations, half the lower income units shall be low income and the other half moderate income. It is the intent of this section 17-92 that the low and moderate income housing units are to be integrated within the project. To the extent reasonably attainable, low and moderate income dwelling units shall not be located in a single cluster and shall be dispersed throughout the development unless a waiver is granted by the approving authority.
4. Building permits and certificates of occupancy for the low and moderate income units shall be phased-in as a development progresses so that the low and moderate income units are built and occupied proportionately with the market value units of the development. In order to accomplish this, building permits may be issued for not more than 25 percent of the market-level units before building permits for the lower income units shall be required. Certificates of occupancy may be issued for not more than 25 percent of the market-level units before certificates of occupancy shall be required for the lower income units. Thereafter, the lower income units shall be phased in on an accelerated basis as follows:

<i>Min. % of Low/Moderate Units Completed (Certificate of Occupancy)</i>	<i>Max. % of Market Units Completed (Certificate of Occupancy)</i>
0	25
10	25 + 1 unit
50	50 + 1
75	75 + 1
100	90 + 1

5. Growth Area. The manner in which a residential developer shall participate in the construction of low and moderate income housing shall be as set forth in the R-5, R-100, R-100-G and VRC districts, except that the obligation to construct lower income housing units shall apply only to those sites having enough land area, before subdivision, capable of producing 40 or more dwelling units. Other projects shall contribute money to the Lower Income Housing Fund. The low/moderate income housing participation required in the OP, RO-G, SI-G, SC-G, HBO-G, and C-1-G districts shall be as set forth in the applicable zoning districts and paragraph b,6 below. In order to provide reasonable flexibility for minor subdivision activity, each tract may have not more than two lots subdivided off

the original tract without the production of lower income housing provided the lower income housing obligation of those lots is met by the required payment to the Lower Income Housing Fund as set forth in Chapter X, section 10-7c.

6. In OP, RO-G, SI-G, SC-G, HBO-G, and C-1-G nonresidential developments, the options for participating in the production of lower income housing shall be to participate in the payment of fees as set forth in Chapter X, Section 10-7c. In addition to those fees, a nonresidential developer may elect to increase the gross floor area of the development to no more than ten percent above the permitted gross floor area provided that where any portion of all this bonus floor area is used, the developer does one or more of the following and provided the maximum permitted lot coverage for building and paved surfaces is not exceeded. The building heights may be increased to a maximum of 40 feet and not more than four stories in order to achieve additional square footage.
 - (a) On tracts of 50 acres or more, dedication of at least five acres, but a maximum of either 20 acres or 20 percent of the tract, whichever is greater, to either the township or an entity responsible for residential development. The dedication shall be at no cost and therefore land costs shall not be a factor in the resulting production of housing on that land. As part of the development of the nonresidential project, if water and sewer services are not already available to the residential portion being dedicated, the water and sewer service being developed for the nonresidential project shall be extended to the residential site. In exchange for the dedication of land and the provision of water and sewer service, the nonresidential developer may take credit for the land dedicated to housing when calculating the permitted amount of gross floor area and the percentage of lot coverage allowed on the nonresidential portion of the tract. However, this option may not be used if the dedicated acreage, in the opinion of the approving authority, is inappropriate for housing by virtue of such conditions as, but not limited to, soil conditions, lot configuration, improper access and/or insurmountable nuisances from the proposed nonresidential use(s), or other nearby uses; or
 - (b) Pay the cost per square foot of bonus floor area as set forth in Chapter X, Fees and Permits, section 10-7c(4); or
 - (c) In lieu of cash contributions outlined above, the developer may contribute the installation of infrastructure to serve lower income housing projects such as completed road access, site grading, curbs, storm water systems, water and sewer service, and similar site work. The value of the infrastructure shall be equal to the cash contribution outlined in paragraph b,6(b) above in exchange for which the gross floor area and building height may be increased as set forth in paragraph b,6(b) above.
7. In order to prevent the bonus residential densities and the additional floor area in nonresidential districts from inflating land costs that might be passed on to a third party and thereby jeopardizing the number of lower income units that might be built when the intent of the bonuses is to subsidize the development of lower income housing, no application providing for increased intensities of development shall be approved unless the approving authority resolution granting approval contains a condition that the requirements for low and/or moderate income housing units shall be binding upon the applicant and all heirs, successors and assigns and such condition is included as a notice in the deed(s) and property(ies).
8. All nonresidential developers, except houses of worship, shall pay one or more of the following fees to the Lower Income Housing Fund as set forth below.
 - (a) The basic fee as set forth in accordance with Chapter X, section 10-7c.

- (b) The cost per square foot of bonus area as set forth in Chapter X, Fees and Permits, section 10-7c(4) for those developers using any bonus area permitted in that zoning district.
- (c) The amount and timing of payments of cash contributions shall be as set forth in Chapter X, section 10-7c.

c. *Monitoring Costs of Lower Income Housing.*

- 1. Each development project containing lower income housing shall include in its application, assurances that purchasers and renters of lower income housing shall be required to qualify by income for the low or moderate income dwelling unit they intend to occupy and that subsequent purchasers or renters shall also qualify by income, adjusted for the date of the subsequent transaction, in accordance with Article XIII of this chapter.
- 2. The period of affordability for controlling the qualifying income of purchasers and renters, and for controlling subsequent sales prices and rent levels of a unit, shall be 30 years from the date of the initial certificate of occupancy for the unit, except that said period shall be 40 years for non-profit and limited-profit housing developments approved in accordance with section 17-159c,1.
- 3. No lower income housing unit shall, during these periods, be occupied unless a certificate of eligibility is used in accordance with subsection 17-217.4 of this chapter.
- 4. In addition to the above, all lower income housing units shall be subject to all of the provisions governing Affordable Housing contained in Article XIII of this chapter.

d. *Bulk and Design Requirements.* The total number of units of any kind allowed in a housing development containing lower income housing units will depend on the gross density as noted in paragraph e. below. The design of housing within that portion of the tract devoted to housing shall be as follows:

- 1. **Rental Units.** Each applicant shall provide data on the current status of the Township's Affordable Housing Program and the percentage of low and moderate income units that are, or have approval to be, occupied by renters. To the extent the rental units that are occupied, under construction, or have final plat approval compared with the minimum requirement for rental units established by the New Jersey Council on Affordable Housing, requests for rental units may either be denied (in whole or in part), or inclusionary developments proposing sales units may be required to provide rental units (in whole or in part).
- 2. **Bedroom Distribution.**

	<u>Minimum</u>	<u>Maximum</u>
Efficiency and 1-bedroom units combined	10%	20%
2-bedroom units	30%	n/a
3-bedroom units	20%	n/a

NOTE 1: With the exception of inclusionary developments constructed pursuant to low income tax credit regulations, at least one-third of all units in each bedroom distribution shall be affordable to low income households.

NOTE 2: The number of people in a household and the unit size they may occupy shall be as follows:

- Efficiency unit-1 person only.
- 1-bedroom - half the units for one person; half for 2 people.
- 2-bedroom - half the units for 2 people; half for 3 people.
- 3-bedroom - half the units for 4 people; half for 5 people.

- The design of housing within that portion of the tract devoted to housing shall be as follows. All development designed in accordance with the following standards shall require public water and public sanitary sewer services.

	<i>Atrium Patio, Town- houses, Duplexes & Quadplexes</i>	<i>Garden Apts.</i>	<i>Detached Single Family</i>	<i>Detached Single Family Age 55+ Per Note 7</i>	<i>Non-Profit & Limited Profit Low/Moderate Income Housing Per Section 17-159 c.1. All Age 62+ Other</i>
Min. Lot Size					
Overall Tract	(See Note 1)				5 ac. 5 ac.
Individual Units	(See Note 1)	n.a.	7,000 s.f.	6,600 s.f.	(See Note 1)
Min. Lot Width/Unit	(See Note 1)	n.a.	70 ft.6	60 ft.	(See Note 1)
Min. Lot Depth/Unit	(See Note 1)	n.a.	100 ft.	110 ft.	(See Note 1)
Min. Track Width/Depth	200 ft.	400 ft.	n.a.	n.a.	400 ft. 400 ft.
Min. Perimeter Setback of					
Buildings	50 ft.2	85 ft.	n.a.	n.a.	50 ft.2 100 ft.2
Min. Front Yard	20 ft.2	20 ft.	30 ft.	Note 7	50 ft.2 100 ft.2
Min. Side Yard	20 ft.2,3	20 ft.	10 ft.6	Note 7	50 ft.2,3 100 ft.2,3
Min. Rear Yard	25 ft.2	25 ft.	25 ft.	20 ft.	50 ft.2 100 ft.2
Max. Bldg. Height	35 ft.4 and 2-sty.	35 ft.4 and 3-sty.	35 ft.4 and 2-sty.	35 ft.4	40 ft.4 35 ft.5
Max. Lot Coverage	30%5	22%5	35%	Note 7	35%5 35%5
Min. Off-Street Parking	2/unit	2/uni	2/unit	2/unit	0.5/unit See section 17-95

NOTE 1 - Townhouses, atrium and patio units: Minimum lot width 20 feet. Duplex units: Minimums at 80" x 100' = 8,000 sf/duplex; where the overall lot may be subdivided, the minimum lot width for one of the units shall be 30 feet. Quadplex: Minimums at 100' x 150' = 15,000 sf/quadplex; where the overall lot may be subdivided so each dwelling unit is on a separate lot, the minimum lot width for any unit shall be 20 feet.

NOTE 2 - The minimum setback from any interior parking lot shall be 15 ft.

NOTE 3 - For townhouses, the side yards for attached units is zero feet.

NOTE 4 - Any development located in an airport hazard zone shall be limited to such lower height as required in an airport hazard area. The maximum height allowed shall be dependent on the distance of the structure or tree from the side or the end of the runway and shall be limited in height as defined in section 17-159d.8.

NOTE 5 - The maximum lot coverage is for the entire townhouse and apartment complex.

NOTE 6 - Lot size averaging shall be permitted for detached single family lots. The average lot width and lot frontage throughout the tract shall be at least 70 feet, but the minimum lot width and frontage shall be 50 feet. No more than half the number of lots in the development may be less than 70 feet in width and/or frontage. No lot shall be less than 7,000 sf in area in any event. Developments may offset homes to one side of the lot provided the minimum distance between principal buildings on adjacent lots remains at least 20 feet. Where a principal building is offset to one side of the lot, the minimum side yard on the side shall be one foot provided: (a) the adjacent lot provides an access easement for access to the offset home for maintenance and repair. This easement shall encroach on the adjacent lot such distance as is necessary to assure a distance of 12 feet from the walls and corners of the offset home; (b) the easement shall prohibit structures and plantings whose location and height would impede access to either the easement or the adjacent home; and (c) the opposite side

yard of the offset home is increased to at least 19 feet.

NOTE 7 - Developments for age-restricted single family home lots shall be required to contain at least 100 dwelling units and to impose a deed restriction limiting occupancy to at least one person being 55 years of age or older and prohibiting children under the age of 19. The zoning requirements shall include a front yard setback that shall be greater of either 20 feet from the street right-of-way or 23 feet from the nearest sidewalk, or, if there is no sidewalk, from the curb. The side yard shall provide a minimum distance between principal buildings on adjacent lots of at least 18 feet, except that where the principal buildings on a lot is off-set to one side creating a minimum side yard less than 10 feet, but in any event not less than 5 feet, there shall be an access easement on the adjacent lot unobstructed by plantings, fences, and other structures or impediments so that the offset home has an unobstructed distance of at least 12 feet from the walls and corners of the offset home. Individual lots may have a maximum lot coverage of 50 percent provided the total maximum coverage within the area of the entire development does not exceed 35 percent.

- e. *Maximum Gross Density and Density Bonuses.* In order to achieve the development of lower income housing, density bonuses are provided in those districts designated with the suffix "G." Said bonus densities shall be applicable for the sole purpose of providing opportunities to construct, rehabilitate or otherwise provide for lower income housing. The base density in a given district has had additional density added so as to bring the density in each district up to the maximum number of dwelling units/acre of all types as noted below:

<i>Zoning District</i>	<i>Max. Density (Units/Acre)</i>
R-5	5 units/acre ¹
R-100-G	See section 17-159
VRC	See section 17-160
C-1-G	See section 17-161
SC-G	See section 17-162
HBO-G	See section 17-163
SI-G	See section 17-165
OP	See section 17-166
RO-G	See section 17-168

NOTE 1: See section 17-159d,1 for government sponsored and subsidized projects.

NOTE 2: Notwithstanding the maximum density (units/acre), maximum floor area ratio, and other design controls set forth above, the maximum intensity of development permitted on those lots not connected to public sewage collection and public sewage treatment systems and/or not located in a designated sewer service area as shown on the Hopewell Township Wastewater Management Plan shall be the smaller of either the maximum development permitted by ordinance or the amount of development which would generate a design influent sewage flow of less than 2,000 gallons per day, as determined in accordance with the prevailing design standards and policies of the New Jersey Department of Environmental Protection.

- f. *Design Density.* (The density of units on that portion of the tract devoted to the housing type noted. The maximum "gross density" for the entire tract shall be as set forth in paragraph e. above.)

Detached Single Family:	5.0/acre
Townhouses:	10.0/acre
Duplexes:	10.0/acre
Quadplexes:	12.0/acre
Garden Apts.:	15.0/acre

- g. *Certificate of Occupancy.* (See paragraph c. above.)

- h. *Waivers for Lower Income Housing.* The approving authority, when acting upon an application which includes provisions for lower income housing, may waive those portions of the following standards if they do not create health and safety concerns for either the township or the future residents of a development, and provided the waiver(s) reduce construction costs, the savings therefrom to be passed on to buyers and renters of the lower income housing in the form of reduced housing costs, otherwise the standard requirements for the following shall apply.
1. Curbs and gutters may be waived except in locations where drainage control and/or erosion control are necessary. When curbs and/or gutters are required, they shall conform to section 17-81a. and b.
 2. Piped storm water systems may be waived with swales substituted, except piped storm drain systems may still be required in situations where swales are likely to increase erosion control problems and in those portions of a development where design densities are greater than five units per acre. If used, swales shall have a bottom elevation that will allow any water under the roadway or parking lot to seep out and drain away, have side slopes no steeper than 3 horizontal to 1 vertical, have a flat four foot wide bottom, be planted to stabilize the soils along the sides and bottom according to the soil types, have capacity for the computed runoff, be sloped to handle the rate of runoff while not eroding the soil, and allow a design flow of at least 0.5 foot per second, but not more than 2 feet per second. Street and/or driveway intersections shall be crowned to assure positive drainage into the swales. Where pipes are installed at street/driveway crossings or other required locations, the pipes shall be continuations of the swales.
 3. Street and other lighting shall be designed for locations best meeting overall public safety considerations considering intersections, public parking areas, walkways, and the intensity of development. Where installed, lighting shall meet the requirements and/or objectives of section 17-90.
 4. Off-street parking designs may have waivers of some, but not all landscaping requirements, and may not be required to install curbing around all parking lots. Curbing will be required, however, where drainage control is needed and where erosion potential cannot adequately be addressed by alternate methods.
 5. Shade tree plantings and landscaping may be reduced, but not eliminated, as called for in section 17-89.
 6. Sidewalks shall be installed in locations determined by the approving authority to be in the interest of public safety and proper pedestrian circulation. Sidewalks need not follow all streets and in some instances may be better to follow open space corridors. The determination of whether sidewalks are needed and where they are best located shall be based on public safety considering the intensity of development, the probable volume of pedestrian traffic, the adjoining street classification where sidewalks parallel streets, access to school bus stops, recreation areas, and the general type of improvement intended. If required, sidewalks shall meet the requirements of section 17-104.
 7. Local street paving widths may be reduced to less than 30 feet (but not less than 26 feet) provided such reductions are done only in conjunction with nearby, expanded off-street parking spaces. Within each right-of-way, paving widths may vary depending on the number of units served, whether a street is curbed, and whether on-street parking is permitted. The options for paving widths shall be as set forth in section 17-108 and shall be a determination of the approving authority.
 8. The township shall provide expeditious treatment for applications containing lower income housing units.

(Ord. #93-933; Ord. #94-978, § 3; Ord. 95-1009, §§ 1, 2; Ord. #96-1048; Ord. #97-1061; Ord. #97-1084, § 2; Ord. #99-1155; Ord. #02-1268; Ord. #07-1399 § 2)

17-93 MODIFICATION OF LOT AREAS AND OTHER RESTRICTIONS.

In reviewing subdivisions, the planning board shall encourage the use of cluster designs and planned developments (sections 17-79 and 17-98) to enable greater variety and flexibility in lot designs, promote groundwater recharge and water quality, promote economy, protect environmental factors and increase the availability of open space, without increasing overall population density or intensity of land use.

The planning board shall not approve any cluster design or planned development unless it complies with the provisions of sections 17-79 and 17-98 and serves one or more of the purposes indicated above and is consistent with the provisions for public facilities, open space and other pertinent elements of the master plan. The planning board shall determine the number of lots which could actually be approved in a conventional subdivision for the site, and shall not permit more than that number of lots under this section. (Ord. No. 05-1352)

17-94 NONUNIFORMITY OF BUILDINGS.

The subdivision or site plan shall include assurances that Chapter XI, Building and Housing, of the Revised General Ordinances of the Township of Hopewell (1978) will be complied with.

17-95 OFF-STREET PARKING AND LOADING.

- a. Developments shall provide for safe and efficient vehicular and pedestrian circulation, parking and loading, and shall meet the following specific standards and requirements. No required parking facilities, loading areas or passageways shall be located within the required front, side or rear setback lines of any lot located within a residential district, except as otherwise provided by this chapter.
- b. Parking facilities, loading areas or passageways in industrial or commercial districts may be located within any of the required yard areas, provided that none of the same are within 25 feet of the street line nor within five feet of adjacent property lines. In the event that any subject property abuts a residential district, no such parking facilities, loading areas, or passageways shall be located within 25 feet of the district boundary and sufficient landscape screening, as described in section 17-89 shall be installed to preclude the transmission of headlight glare across such district boundary.
- c. No loading area or service facility for the handling of freight may face any street frontage nor be located on the side of the subject property which abuts a residential district, without an approved landscape or topographical buffer.
- d. Off-street parking spaces shall be either nine or ten feet wide,* except spaces serving retail uses shall be a minimum of ten feet wide. Parking spaces shall be a minimum of 20 feet in length* in accordance with the following schedule. In parking lots containing more than ten spaces, a minimum of one space shall be a minimum of 12 feet wide; and for parking lots with more than 50 spaces, one percent of all spaces, but not less than two spaces nor more than ten spaces, shall be 12 feet wide. These wider spaces shall be located in areas conveniently related to major entrances and designated as parking for the handicapped. They shall be located so that access does not require wheeling or walking behind parked cars.

<i>Angle of Parking Space</i>	<i>Space 9 Feet Wide</i>		<i>Aisle Widths for Parking Spaces 10 Feet Wide</i>	
	<i>One-Way Aisle</i>	<i>Two-Way Aisle</i>	<i>One-Way Aisle</i>	<i>Two-Way Aisle</i>
90 degrees	25'	25'	24'	24'
60 degrees	20'	22'	18'	20'
45 degrees	18'	20'	15'	18'
30 degrees	15'	18'	12'	18'
parallel	12'	18'	12'	18'

*In an effort to reduce paving costs and reduce the amount of paving to assist in storm water runoff control, the planning board may approve parking plans associated with nonresidential uses where specially designated and separate parking areas may be set aside for "compact car" parking areas provided such spaces shall be limited to employee parking and each area for "compact cars" shall have at least 30 spaces. The "compact car" spaces shall be eight and one-half feet by 16 feet with aisles reduced to 90 percent of the dimensions shown above. The number of parking spaces which may be approved for "compact cars" shall be a determination of the planning board based upon documentation by the applicant and any data submitted by others.

- e. Off-street loading spaces shall have 15 feet of vertical clearance and be designed in accordance with the following schedule:

<i>Loading Space</i>		<i>Apron/Aisle Length</i>	
<i>Length</i>	<i>Width</i>	<i>90 degrees</i>	<i>60 degrees</i>
60 feet	10 feet	72 feet	66 feet
60 feet	12 feet	63 feet	57 feet
60 feet	14 feet	60 feet	54 feet

- f. All parking facilities and all loading areas which either singly, or in combination, provide for more than six parking or loading spaces shall be so located and screened that they cannot be seen from any location within a residential district other than the lot upon which such facilities are situate and all loading areas shall be considered as one unless separated by more than 100 feet.
- g. All parking facilities and loading areas, which, either singly or in combination, contain more than 9,000 square feet shall have curbed, landscaped islands located within the perimeters of the surfaced area except as waived in lower income housing developments as permitted in section 17-92. Where stormwater management strategies requiring the provision of other equivalent methods of controlling drainage and defining the edge of paving, protecting the edge of paving from chipping, and preventing vehicles from encroaching on parking/loading areas can be demonstrated to the satisfaction of the planning board with the advice of its engineer, curbing may be waived in whole or in part.
- h. Except as may be waived and modified in lower income housing developments under section 17-92, off-street parking areas containing ten or more spaces and all off-street loading areas shall have concrete or Belgium block curbing around the perimeter of the parking and loading areas and along major interior driveways, with appropriate ramps for wheelchairs and bicycles. Where stormwater management

strategies require the provision of other equivalent methods of controlling drainage and defining the edge of paving, protecting the edge of paving from chipping, and preventing vehicles from encroaching on nonparking/loading areas can be demonstrated to the satisfaction of the planning board with the advice of its engineer, curbing may be waived in whole or in part. Concrete wheel blocks shall be installed where necessary to protect adjoining walls, trees, shrubs, sidewalks and other facilities.

- i. Appropriate areas for pick-up of trash and garbage shall be provided, separate from and in addition to loading areas. If outside a building, suitable enclosed containers shall be provided which shall be screened at all times from view from parking areas, streets and adjacent residential areas or uses.
- j. *Minimum Off-Street Parking and Loading Requirements.* The minimum number of off-street parking spaces including required spaces for the handicapped, and the minimum number of off-street loading spaces depends on the particular use of the parcel.

The following minimum requirements shall be met: in the case of uses not listed, the amount of parking and loading spaces shall be determined by the planning board on the basis of similar uses and the anticipated actual requirements for the particular use. Sufficient off-street parking facilities shall be provided to preclude on-street parking of any vehicles of employees or customers or visitors of any nonresidential structure, and to preclude on-street parking of any vehicles of residents of residential buildings.

Where either a proposed building or the proposed use of a tract consists of more than one use, each use with different parking requirements, or where the building design is such that it could be converted to a use requiring a higher parking ratio, the site plan shall either: (a) show an off-street parking design with a sufficient number of parking spaces to accommodate the use requiring the most number of spaces; or (b) include as a deed restriction a requirement that either the owner-occupied or tenant-occupied space, together with the type uses and the proportion of uses within either a building or on the lot, shall not change from the uses and layout approved on the site plan unless a revised site plan is submitted and approved (see also section 17-15 regarding certificates of occupancy). Where the developer proposes to construct less parking than would be required for the use requiring the most parking spaces, the plan shall show where any additional spaces can be located in the event additional parking is needed. In the event the use changes and additional parking is required, or observation by the township engineer reveals additional parking is required, the township may require the owner to construct some or all of the additional parking in accordance with the approved plan. The plan and the deed to the property shall indicate that the township may require the expanded parking under either of these circumstances.

(See Schedule on next page)

<u>Minimum Off-Street Parking Spaces⁶</u>		<u>Minimum Off-Street Loading Gross Floor Area/(GFA) in Square Feet</u>		
		<i>Min No. Spaces</i>	<i>At which 1st Berth Req'd</i>	<i>No. Add'l Sq. ft. for Each Add'l Berth</i>
Agricultural uses	None required	0	---	---
Assembly Plant	1 space/800 sq. ft. GFA (See footnote 4)	1	5,000	40,000
Bowling Alley	2 spaces/lane or alley	1	10,000	100,000
Car Dealer (new)	1 space/300 sq. ft. show room			

	area and sales office	1	10,000	40,000
Car Wash	10 spaces/washing land	1	---	---
Cemetery	None required	1	---	---
Child Care (6 + children)	The larger of either 3 spaces/teacher, or 0.25 space/student based on the State's approved capacity, whichever is greater	4	no add'l spaces required	
Church	1 space/5 seats	0	---	---
Day Care	Same as Child Care			
Dwellings	2 spaces for each detached single family dwelling. Single family dwellings with front yards of less than 40 feet shall have double width driveways at least 18 feet wide for at least a length of 30 feet measured from that end of the driveway closest to the dwelling. For apartment and townhouse developments, the minimum off-street parking shall be based on 1.5			
	<u>Minimum Off-Street Parking Spaces</u>		<u>Minimum Off-Street Loading Gross Floor Area/(GFA) in Square Feet</u>	
			<u>Min No. Spaces</u>	<u>At which 1st Berth Req'd</u>
				<u>No. Add'l Sq. ft. for Each Add'l Berth</u>
Dwellings Con.	spaces per 1-bedroom unit, 1.75 spaces per 1-bedroom unit with a den and all 2-bedroom units, and 2.0 spaces per 3-bedroom unit. (See footnote 5)	0	---	---
Fabrication	1 space/800 sq. ft. GFA (See footnote 4)	1	5,000	40,000
Family Day Care Home	Same as "Dwelling"	2	no add'l spaces required	
Fast Food Restaurant	1 space/3 seats plus 1 space/40 sq. ft. GFA excluding the seating area	0	---	---
Farm Stand or Farm Market	Min. 6 spaces	1	10,000	N.A.
Fiduciary Inst.	1 space/250 sq. ft. GFA	0	10,000	100,000

Financial Inst.	1 space/250 sq. ft. GFA	0	10,000	100,000
Golf Course	4 spaces/green	1	---	---
Golf Driving Range	1.2 spaces/tee	0	---	---
Gymnasium	1 space/6 seats in auditorium or 1 space/1,000 sq. ft. whichever is greater	0	---	---
Home Occupation	Min. 3 spaces. (See footnote 1)	0	---	---
Hospital	1.5 spaces/bed	1	10,000	100,000
Library	1 space/300 sq. ft. GFA	0	10,000	100,000
Lumber and Contractor Yard	1 space/5,000 sq. ft. storage area and 1,250 sq. ft. retail GFA	1	10,000	30,000

Minimum Off-Street

Parking Spaces⁶

Minimum Off-Street Loading

Gross Floor Area/(GFA)

in Square Feet

				<i>No. Add'l Sq. ft. for Each Add'l Berth</i>
		<i>Min No. Spaces</i>	<i>At which 1st Berth Req'd</i>	
Manufacturing	1 space/800 sq. ft. GFA (See footnote 4)	1	5,000	40,000
Medical Clinic	Min. 10; 1 space/150 sq. ft. GFA (See footnote 4)	1	10,000	40,000
Mortuary	Min. 25; 15 spaces/viewing room and chapel	0	---	---
Motel	1.1 space/unit	1	10,000	100,000
Night Club	1 space/4 seats	1	10,000	25,000
Nursery	Min. 10; 3 spaces/1,000 sq. ft. GFA +1 space/1,000 sq. ft. outside display area	1	---	---
Nursery School	Same as Child Care			

Minimum Off-Street

Parking Spaces⁶

Minimum Off-Street Loading

Gross Floor Area/(GFA)

in Square Feet

				<i>No. Add'l Sq. ft. for Each Add'l Berth</i>
		<i>Min No. Spaces</i>	<i>At which 1st Berth Req'd</i>	
Office Building/Office	1 space/250 sq. ft. GFA (See footnote 4)	1	10,000	100,000
Park	None Required	0	---	---
Parish House	2 spaces	0	---	---

Playground	None Required	0	---	---
Professional Offices	1 space/250 sq. ft. GFA	0	10,000	40,000
Pro Shop	1 space/300 sq. ft. GFA	1	10,000	---
Research/Design/ Development/	1 space/800 sq. ft. GFA (See footnote 4)	1	5,000	40,000
Experimental Restaurant (See also Fast Food Restaurant)	1 space/3 seats	1	10,000	25,000
Retail Sales	1 space/150 sq. ft. GFA (2)	1	10,000	20,000
Schools	(See footnote 3)	1	---	---
Senior Citizens	1 space/3 units	0	(per site plan review)	
Service Station	4 spaces/bay and work area	0	---	---
Shopping Center	4.5 spaces/1,000 sq. ft. GFA	1	10,000	40,000
up to 705,880 sq. ft. GFA 705,880 sq. ft. or more	5.0 spaces/1,000 sq. ft. GFA			
Sunday School	None required	0	---	---
Swimming Pool (Community)	1 space/15 sq. ft. water surface	0	---	---
Tennis Courts	3 spaces/court	0	---	---
Theater	1 space/4 seats and sales office	1	10,000	40,000
Utility	Min. 10; add'l per site plan review of use	0	---	---

Minimum Off-Street
Parking Spaces⁶

Minimum Off-Street Loading
Gross Floor Area/(GFA)
in Square Feet

			<i>Min No. Spaces</i>	<i>At which 1st Berth Req'd</i>	<i>No. Add'l Sq. ft. for Each Add'l Berth</i>
Veterinary Hospital	6 spaces/doctor	1	---	---	
Warehouse	1 space/5,000 sq. ft. GFA	1	5,000	40,000	

GFA = GROSS FLOOR AREA

- Note 1. For physicians and dentists, a minimum of six spaces, but not less than three spaces per examination room or dental chair, or one space/150 sq. ft. GFA, whichever is larger.
- Note 2. Where five or more stores are on one tract with common parking and access facilities, the parking may computed at 5.5 spaces/1,000 sq. ft. GFA. In addition, a maximum of 20 percent of the GFA can be office use without additional parking for the office use except a medical clinic shall be excluded from this exemption. Office use above 20 percent shall require parking at the appropriate office rate.
- Note 3. School,
 - Elementary 1.2 spaces/classroom; minimum 1/teacher and staff
 - Secondary 2.0 spaces/classroom; minimum 2/teacher and staff
- Note 4. Where a use is on a tract of 100 or more acres with the parking and loading spaces located at least 300 feet from a

public street, the planning board may waive or reduce the minimum requirements if it determines that adequate parking/loading is being provided and that feasible expansion of the parking/loading areas is shown on the plat in the event additional facilities are needed.

Note 5. Where apartments or townhouses have assigned parking spaces per unit, e.g. garages, driveways to each unit, or some other design that restricts or tends to restrict parking spaces to particular units, an additional 0.5 space per dwelling unit shall be required in unassigned spaces to serve visitors. Such unassigned spaces shall be dispersed throughout the project in convenient locations in groups of five or more spaces.

Note 6. In parking lots containing more than ten spaces at least one space shall be designated for handicapped persons, and in parking lots containing more than 100 spaces, one percent of the spaces (but not more than a total of ten) shall be designated for handicapped persons. The spaces designated for handicapped persons shall be located as near as practical to an appropriate entrance to the facility.

- k. *Drainage.* All parking and loading areas shall have drainage facilities installed in accordance with good engineering practice and in accordance with the "drainage" provisions of section 17-82. The design of all drainage for parking facilities shall address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable. All parking and loading areas shall be designed to minimize impervious surfaces by use of permeable materials where appropriate, and use of multi-level parking where appropriate. Where sub-base conditions are wet, springy, or of such nature that surfacing would be inadvisable without first treating the sub-base, these areas shall be excavated to a depth of at least 12 inches below the proposed sub-grade and filled with a suitable sub-base material. Where required, a system of porous concrete pipe, sub-surface drains shall be constructed beneath the surface of the paving and connected to a suitable drain. After the sub-base material has been properly placed and compacted, the parking area surfacing material shall be applied.
- l. All required driveways, passageways, off-street parking facilities and loading areas shall be located on the same lot as the structure or use which they are designed to serve and shall be readily accessible thereto. Except as otherwise provided by this chapter, where more than one use exists on the same lot, the total passageways, parking facilities, loading areas and the capacity of the driveways shall be the sum of the requirements for each individual use.
- m. All driveways, passageways, off-street parking facilities and loading areas shall be so designed, constructed and maintained as to permit free access and allow vehicles to enter, to leave and to turn within such places in a safe and orderly manner and without disrupting or causing hazard to the flow of traffic in any public right-of-way. No such driveway, passageways, off-street parking facilities or loading areas shall be encroached upon, reduced in any manner, or devoted to any other use.
- n. In any case where special conditions exist respecting the proposed use of a particular lot or contiguous lots, the immediate development of all driveways, passageways, parking facilities and loading zones will not be required if the applicant demonstrates:
 - 1. That appropriate areas are reserved for the possible future construction of all such facilities;
 - 2. That the required number of parking facilities or loading areas would be greatly in excess of any immediate or reasonably to be anticipated need therefor;
 - 3. That the probable time of maximum use of such parking facilities or loading areas will be such as to make the sharing of such facilities feasible;
 - 4. That the location and capacity of both future and proposed passageways, parking facilities and loading areas is such that the joint use of driveways will not disrupt or cause hazard to the flow of traffic at or near their entrance onto a public right-of-way; and

5. Such joint use as is proposed is protected by recorded easements.
- o. In general, except for lots containing one-family houses, all driveways, parking and loading areas and other off-street traffic facilities shall be paved. Areas likely to experience relatively heavy use shall be paved with at least four inches of compacted base course of plant-mixed bituminous stabilized base course constructed in layers not more than two inches compacted thickness, or equivalent, and a minimum two-inch thick compacted wearing surface of bituminous concrete (FABC), or equivalent. All construction shall comply with the Standard Specifications of the New Jersey Department of Transportation.
(Ord. 96-1048, § 1; Ord. #05-1352)

17-96 OFF-TRACT IMPROVEMENTS.

As a condition of final subdivision or site plan approval, the planning board shall require an applicant to pay his pro rata share of the cost of providing reasonable and necessary street improvements and water, sewerage and drainage facilities, and easements and rights-of-way therefor, located outside the property limits of the development but necessitated or required by construction or improvements within such development. The off-tract improvements for which the applicant must contribute shall be based on the circulation plan and the utility service plan elements of the master plan and/or other major development proposals/applications having significant impact at the point of consideration.

- a. *Improvements to be Constructed at the Sole Expense of the Developer.* In cases where the reasonable and necessary need for an off-tract improvement or improvements is necessitated or required by the proposed development application and where no other property owners receive a benefit thereby, the applicant may be required, as a condition of approval, at the applicant's sole expense, to provide for and construct such improvements as if such were an on-tract improvement in the manner provided hereafter and otherwise provided by law, including performance and maintenance guarantees.
- b. *Other Improvements.* In cases where the need for any off-tract improvement is necessitated by the proposed development application and where it is determined that properties outside of the development will also benefit by the improvement, then the applicant shall pay his proportionate or pro rata share of the costs of such improvements. The planning board shall be guided by the following factors in determining such share:
 1. *Streets:* Including street widening, alignment, corrections, channelization of intersections, construction of barriers, new or improved traffic signalization, signs, curbs and gutters, sidewalks, trees, streets lights, and related drainage and utility improvements not covered elsewhere, the construction of new streets and other similar street or traffic improvements: The applicant's proportionate cost factor shall be the ratio of the estimated future peak-hour traffic generated by the proposed development to the total estimated future peak-hour traffic on the route or at the location under consideration. The product of this ratio times the sum of the design, acquisition, legal and construction costs shall be the applicant's pro rata share for the improvement. Ten percent of the total cost shall be added thereto and paid to the township to help defray legal, engineering and other professional review and administrative costs. For design purposes a level of service "B" shall be used for estimating future peak hour traffic.
 2. *Water Distribution Facilities:* As required by the franchised water supplier plus ten percent to help defray legal, engineering and other professional review and administrative costs.
 3. *Stormwater and Drainage Improvements:* Including the installation, relocation or replacement of

storm sewers, culverts, bridges, catch basins, detention and retention ponds and the installation, relocation or replacement of other appurtenances associated therewith: The applicant's proportionate cost factor shall be the ratio of the estimated peak surface runoff as generated by the development to the total estimated future peak surface runoff from the watershed as measured in cubic feet per second at the location under consideration. The product of this ratio times the sum of the design, acquisition, legal and construction cost shall be the applicant's pro rata share for the improvement. Ten percent of the total cost shall be added thereto and paid to the township to help defray legal, engineering and other professional review and administrative costs. Peak flow shall be determined in accordance with the drainage design standards of the Land Use and Development Ordinance with the total watershed area being the design drainage area.

4. Sanitary Sewer Facilities: As required by the relevant franchised sewer company, municipal authority, or government operating the sewer system, plus ten percent to help defray legal, engineering and other professional review and administrative costs.
- c. *Performance Guarantee and Developers Agreement.* In instances where the developer is to construct improvements set forth under paragraphs a. and b. above, the developer shall post with the township a performance guarantee in an amount equal to 120 percent of the estimated cost of the improvement and enter into a developer's agreement with the township committee concerning said improvements.
 - d. *Cash Payment.* Instances where the township is to construct said improvements set forth under paragraphs a. and b. above, the developer shall post cash as calculated under paragraphs a. and b. above, with the township prior to signature of final plans.

Where a developer pays the amount determined as his pro rata share under protest, he shall institute legal action within one year of such payment in order to preserve the right to a judicial determination as to fairness and reasonableness of such amount.

(Ord. #05-1352)

17-97 PERFORMANCE STANDARDS.

- a. *Electricity.* Electronic equipment shall not interfere with any radio or television reception beyond the operator's property.
- b. *Glare.* No use shall direct or reflect a steady or flashing light beyond its lot lines. Exterior lighting and lighting resulting from any manufacturing or assembly operations shall be shielded, buffered, and directed as approved on the site plan so that any glare, direct light, flashes, or reflection will not interfere with the normal use of nearby properties, dwelling units and streets. Also see section entitled "Lighting", section 17-90.
- c. *Air, Water and Environmental Pollution.* No use shall emit heat, odor, smoke, radiation, vibrations, noise, or any other pollutant into the ground, water, or air that exceeds the most stringent, applicable State and Federal regulation. No building permit, zoning permit or certificate of occupancy shall be issued for any use where a State permit is required until the State has ascertained and approved the level of emission, quality of emission, type and quality of emission control, and level of monitoring to be conducted by the State, and such other State regulations governing the emission of pollutants into the ground, water, or air.
- d. *Storage and Waste Disposal.* Except for agricultural operations, no materials or wastes shall be deposited upon a lot in such form or manner that they can be transferred off the lot, directly or indirectly, by natural forces such as precipitation, surface water, evaporation or wind. All materials or wastes which

might create a pollutant, be a safety hazard, or be a health hazard shall be stored indoors and/or be in closed containers to eliminate such pollutant or hazard. No flammable or explosive substance shall be stored on a property except under conditions approved by the construction official.

17-98 PLANNED DEVELOPMENTS.

Any project proposed as a general development plan, or under a cluster design, or as an industrial or office park, or as a research/office use, or a planned unit residential development, or residential projects using the density bonus provisions of this chapter shall follow the appropriate zoning criteria of this chapter and the applicable subdivision and site plan criteria. To the extent that other subdivision and site plan criteria of this chapter conflict with the provisions for a general development plan, the general development plan provisions shall prevail. Prior to approval of any planned development, the planning board shall find the following:

- a. The planned development provisions shall supersede any conflicting portions of this chapter to the extent of such inconsistencies.
- b. Proposals for maintenance and conservation of any common open space shall be provided and, if proposed to be handled by a private agency, shall be established in accordance with the "homeowners' association" provisions of section 17-88. Also, the amount, location, and purpose of the common open space shall be adequate for the use intended.
- c. The physical design of the proposed development in relation to public facilities and services, safe and convenient vehicular and pedestrian traffic circulation, the amenities of light and air, recreation and open space uses, and an overall design sensitive to contours, wetlands, flood hazard areas, and similar natural features shall be prepared so as to comply with appropriate portions of this chapter and the master plan. Any planned development shall be designed to address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.
- d. The development will not have an unreasonably adverse effect, as defined herein, upon that portion of the township in which it is proposed to be located.
- e. In the case of a proposed development which contemplates construction over a period of years, the terms and conditions of approval shall be sufficient to protect the interests of the general public, including the residents, occupants, and owners of the proposed development.

(Ord. #05-1352)

17-99 PRINCIPAL USE.

No lot shall have erected upon it more than one principal permitted use except as hereinafter provided. No more than one principal building shall be permitted on one lot except that a shopping center, apartment or townhouse complex, condominium project and industrial complex, all receiving site plan approval or on a farm as hereinafter set forth, may be permitted to have more than one building on a lot in accordance with the standards of the zoning district in which it is located and with all buildings sited to comply with all yard definitions and the definition of "industrial or office park." Notwithstanding the above, a second principal building may be constructed on a farm in excess of 25 acres if the property can thereafter be subdivided in accordance with both the subdivision and zoning ordinances in the event of the transfer of either principal use to a third party.

17-100 PUBLIC AREAS, RESERVATION.

- a. *Designation of Public Areas.* The subdivisions or site plan shall show the size, shape and location for all public streets, drainage ways, flood control basins and other public areas on the site which are provided for on the master plan or official map, if any.
- b. If the master plan or the official map, if any, provides for the reservation of designated streets, public drainage ways, flood control basins, or public areas within a proposed development, the planning board may reserve the location and extent of such streets, ways, basins or areas shown on a proposed subdivision or site plan for a period of one year after the approval of the final plat or within such further time as may be agreed to by the developer. Unless during such period or extension thereof the township shall have entered into a contract to purchase or institute condemnation proceedings according to law for the fee or a lesser interest in the land comprising such streets, ways, basins or areas, the developer shall not be bound by such reservations shown on the plat and may proceed to use such land for private use in accordance with applicable development regulations. The provisions of this section shall not apply to streets and roads, flood control basins or public drainage ways necessitated by the subdivision or land development and required for final approval.
- c. The developer shall be entitled to just compensation for actual loss found to be caused by such temporary reservation and deprivation of use. In such instance, unless a lesser amount has previously been mutually agreed upon, just compensation shall be deemed to be the fair market value of an option to purchase the land reserved for the period of reservation; provided that determination of such fair market value shall include, but not be limited to, consideration of the real property taxes apportioned to the land reserved and prorated for the period of reservation. The developer shall be compensated for the reasonable increased cost of legal, engineering, or other professional services incurred in connection with obtaining subdivision approval or site plan approval, as the case may be, caused by the reservation.

17-101 RECREATION AREAS.

- a. In order to provide for the general welfare as new residential developments are proposed, any property, before subdivision, which has the capacity to produce 20 or more new detached single family and/or two-family dwelling units, or 40 or more apartment, townhouse, or other types of multi-family dwelling units, shall make provision for a dedication of land and improvements for recreation facilities. It is the purpose of this section to recognize that the need for recreation activities is a direct result of the impact created by each new residential development requiring an area of land in a manner similar to the need for streets, storm water control, utility services, minimum lot sizes and setbacks, and other design and improvement standards required to serve the public health, safety and welfare.
 1. Where an original tract is proposed to be subdivided into smaller parcels, and each smaller parcel would have a capacity less than the minimum number of units set forth above, the recreation requirement shall be an obligation calculated on the capacity of the original tract. Each smaller parcel shall either provide its proportionate share of the obligation of the original tract (even if there are fewer units generated by the smaller parcel than the minimum number set forth above) or, in the event the smaller parcel's proportionate share of the obligation is to be deferred, the obligation shall be transferred to the remainder of the original tract. The remainder of the original tract would then have an increased recreation requirement if and when the remainder of the original tract is developed. Any recreation obligation transferred to the remainder of an original tract shall be imposed by a deed restriction on the remainder of the original tract. In any event, transferring a recreation obligation to the remainder of an original tract shall not be permitted where any remaining area would result in an obligation greater than 50 percent above its own requirement.

2. In the event a development is served by water and sewer and the density of the development is 2.0 units per acre or more, the allocation of land shall be achieved by the use of available zoning options to reasonably assure that the permitted number of dwelling units can be achieved together with setting aside the land for recreation. These options include cluster design (section 17-79), Modification of Lot Areas and Other Restrictions (section 17-93), Planned Development (section 17-98), lot size averaging as set forth in paragraph a,3. below, or a mixture of housing types permitted in the applicable zoning standards of sections 17-92 and 17-159 for the residential zoning district in which the property is located, singly or in combination. While these options are available, if a developer opts not to use them, any resulting loss of units would be a choice of the developer.
 3. Where one or more utilities is not available and the density is less than 2.0 units per acre, land dedication for recreation together with the opportunity to develop the number of dwelling units permitted under the zoning for that district may be created by using lot size averaging throughout the development where the smallest lot size would be the lot size permitted under the cluster options (but without the requirement for public water and sewer) provided the onsite well and septic systems can be provided in accordance with the applicable health regulations. In that manner, any land within the development able to meet the requirements for on-site wells and septic systems may have a higher concentration of dwelling units while the land which cannot meet the requirements for well and septic systems may be able to be used to meet the recreation requirement.
 4. In any event, when using the alternative designs (cluster, lot size averaging, mixed housing types, etc.), the resulting number of lots and dwelling units shall not exceed the permitted density or the number of dwelling units that would have resulted with the use of standard development designs.
 5. It is anticipated that some recreation areas might result in locations where approved sites for wells and septic systems could not be found, but the land is otherwise usable for surface activities such as recreation, or on areas identified as wetlands or wetland buffers where N.J.D.E.P. has permitted intrusion into these areas as part of N.J.D.E.P.'s approval for wetland buffer averaging or other boundary adjustments and mitigation programs.
- b. Recreation Improvements. The following shall be minimum standards for meeting the recreational requirements of the township. The primary goal is to develop the recreation areas on-site, but alternative sites, alternative sized recreation tracts and/or types of facilities, and/or such other reasonable alternatives to meet the recreational requirements may be offered to the approving authority by the developer and accepted by the township consistent with the objectives of this section.
1. Developments located on sites identified for recreation facilities on various plans set forth in the adopted master plan shall be designed to implement the master plan. The approving authority shall encourage the use of applicable provisions of the section (see paragraph a,2. above) that will assist in generating the recreation areas with minimal or no reduction in the amount of development permitted under the zoning. Where the developer does not wish to create the recreation area as common property, the developer may use a lot size averaging design and offer the properly sized property to the township for public purposes.
 2. The location and type of recreation improvements shall be a determination of the approving authority based on recommendations by the developer and the approving authority's consideration of the site's location and size, duplication of nearby recreation facilities, and the physical features of the land. The location for recreation improvements shall be suitable for the intended purpose(s) considering road access, slope, drainage, proximity to residences, lighting (if any), the size of the total tract, and the size of the recreation site.

3. Active recreation uses shall be planned to avoid the following: land with final grades greater than 10 percent of such less slopes that would preclude the installation of the intended facility; storm water detention basins; areas closer than 200 feet to the centerline of electric poles carrying more than 13 Kv; and designated wetland buffer areas except as set forth in paragraph a.5. above.
4. The developer shall be responsible for the following: providing the recreation site; grading the recreation site so it has positive drainage, but achieving an appropriate level condition for the activity(s); landscaping the area and providing the required buffer area adjacent to residential development; and installing the appropriate facilities as shown on an approved site plan. Improvements shall be designed to meet regulation size(s) for the designated fields, courts, and other activities, and shall be improved with the appropriate grading, seed or sod, blacktop, fencing, lighting (if any), and related facilities such as, but not limited to, standards and baskets for basketball, nets and fencing for tennis, infield dirt and outfield grass for baseball and softball, turf and goal posts for soccer and football, paved walkways, parking areas, bicycle racks, player benches, and water supply for drinking, sanitary and irrigation purposes where public water service is available.
5. The minimum area required for recreation purposes shall be as follows, except that there shall be no minimum area requirement for developments where all the units are restricted to occupancy by senior citizens:
 - (a) In residential developments containing the minimum number of dwelling units set forth in paragraph a. above, the following minimum percentages of the gross tract area shall be dedicated to recreation use, except that no area shall be less than the area set forth in paragraph 5(b) below.

	<u>Number of Dwelling Units</u>		
Single Family or Two-Family	20-30	31-100	101+
Apt. Townhouse & Other Multi-Family	40-60	61-200	201+
<u>Zoning District</u>	<u>Recreational Requirement</u>		
R-250 District	----- No requirement -----		
R-200 District	1.5 ac	3.50%	3.00%
R-150 Districts	1.5 ac	4.00%	3.50%
R-100 and R-100-G Districts	1.5 ac	4.50%	4.00%
R-75 and R-50 Districts	1.5 ac	5.00%	4.50%
R-5 District	1.5 ac	5.50%	5.50%

- (b) The minimum tract size for recreation shall be the larger of either 1.5 acres, with no dimension less than 200 feet, or two times (2x) the minimum area required for the standard footprint of the specific recreation facility(s) in order to provide spectator areas, parking areas, and space for foul balls, landscaping, and minimizing nuisances and hazards on adjoining lots and streets. If a site is to be offered to the township for a public facility at no cost to the township, the minimum size shall be three acres with no dimension less than 300 feet.
- (c) Each recreation area shall have its major frontage on a street and shall have no more than one-half its perimeter abutting a lot line of a residential use. Where a recreation area abuts residences there shall be a planted buffer area at least 25 feet wide, planted consistent with

section 17-89. Said buffer area shall not be counted as meeting the minimum acreage required for the recreation area.

6. For purposes of this section, a totlot shall not be permitted as stand-alone facility, but a totlot may be one of several improvements within, and as part of, a larger facility.
7. The recreational facilities to be provided shall be field and/or court games of such number as appropriate for the size of the development, the size and dimension of site on which the facilities are to be located, and the proximity of other recreation facilities. In the case of a development limited entirely to occupancy by senior citizens (defined as either age 55+ or age 62+ in accordance with the Fair Housing Act), the recreation requirement may be met by providing an on-site club house, community building, or similar facility containing rooms for social functions, meetings and the like whether these are included in a free standing building or as an integral part of the floor plan of an apartment complex.
8. Where swimming pools are constructed, they shall remain a homeowners' association facility and shall not be offered for dedication to the township.
9. The method of preserving the recreation areas for their intended purposes shall be a determination of the approving authority and may be by easement, deed restriction, dedication to the township or other governmental agency, a homeowners' association, or other means of perpetual dedication acceptable to the approving authority.
10. Recreation areas shall be designed to address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.

(Ord. #94-1001; Ord. #97-1059; Ord. #05-1352)

17-102 SERVICE STATIONS.

When service stations are permitted, they shall comply with the following requirements in addition to the other zoning and site plan requirements.

- a. All pits, lifts, and working areas shall be within a building. All lubrication, repair or similar activities shall be performed in an enclosed building and no dismantled parts shall be placed outside. Storage areas and trash facilities shall be enclosed on all sides.
- b. All gas station pumps, air pumps, and the islands upon which pumps are normally located shall be set back from the street line at least 40 feet and from any property line at least 50 feet. A minimum space of 25 feet shall exist between any two islands and between any island and the service station building. Pole mounted lighting fixtures shall be full cutoff. Lighting fixtures under the canopy, if any, shall be full cutoff also.
- c. No junked motor vehicle or part thereof and no unregistered motor vehicle with a registration expired for a period of more than three months shall be permitted outside an enclosed service station building. Other than employee's vehicles, no more than six motor vehicles may be located outside a service station building for a period not to exceed five days provided the owners are awaiting the repair of such motor vehicles. Concerning illumination within the service station, the station shall average maintained horizontal illumination at service pump areas that do not exceed 5 fc at grade. Average maintained horizontal illumination at entrances and perimeter areas shall not exceed 1.5 fc at grade.
- d. It is intended that service stations be designed compatibly with other permitted commercial or industrial

uses in the zone in which they are located. Ingress and egress shall be designed to recognize the turning movements generated. These access points shall be coordinated with the access points required for nearby uses, frequency of intersecting side streets, minimizing left turns off collector and arterial streets, and maintaining building setbacks compatible with the required setbacks and landscaping.

- e. Service stations shall be designed to address water quality, flooding and groundwater recharge and shall incorporate the use of nonstructural stormwater management strategies to the maximum extent practicable.

(Ord. #03-1297, § 3; Ord. #05-1352)

17-103 SEWAGE DISPOSAL.

Satisfactory provisions for the disposal of sewage shall be provided.

- a. *Areas Served by a Sanitary Sewerage System.* Subject to the provisions of paragraph d. below, when the planning board determines that an area is or could be served by an existing sanitary sewerage system, the developer shall install a satisfactory system for the collection of sanitary sewage. The developer shall convey to the Township of Hopewell title to or easements across all lands necessary to ensure the operation and maintenance of the collection system. The system shall comply with all applicable requirements of the Township of Hopewell and the State of New Jersey. Title to the system shall be conveyed and dedicated to the township under the terms of all applicable permits.
- b. *Areas Likely to Be Served by a Sanitary Sewer in the Future.* Subject to the provisions of paragraph d. below, when the planning board determines that a major subdivision is located in an area which is not served by an existing sanitary sewerage system, but may be served, then the planning board may require that a dry line system for the collection of sanitary sewage be installed. All requirements of paragraph a. shall be complied with.
- c. *When No Sanitary Sewers are Available.*
 - 1. A developer may install a sanitary sewerage system only upon obtaining approval of the Township of Hopewell and the State of New Jersey, in compliance with all of the requirements of paragraphs a. and d.
 - 2. If no sanitary sewerage system is available, no subdivision or site plan shall be approved unless the planning board determines that an on-site sewage disposal system meeting all township and State requirements can be installed on the site. In order to enable the planning board to make this determination, the applicant shall accompany his application with a minimum of two percolation tests and one soil log for each of the proposed lots in the subdivision and a minimum of two percolation tests and one soil log on the lands remaining unless said remaining lands are 50 acres or larger in size, in which case no percolation tests or soil logs will be required thereon. The test holes shall be located in the area where the disposal field is intended to be placed. Septic systems shall be a minimum of 50 feet from a watercourse unless otherwise increased by the township health department. Septic systems proposed on slopes greater than 12 percent shall identify the design standards to be used for the preparation of individual plot plans for each lot for approval. The planning board may define and require such other tests as are needed to discharge its responsibilities under this section, or it may refer the application to the board of health for its recommendations.
 - 3. Location of all percolation tests and soil logs shall be shown with dimensions from any proposed lot boundary, any watercourse within 200 feet of the test area, any existing or proposed septic system

within 200 feet of the test area, and any wells within 200 feet of the test area on the plans submitted. The results for each proposed lot shall be referenced on the plan submitted and separate reports for each passing and failing test performed, signed, and sealed by a New Jersey licensed professional engineer, shall be submitted with the development application. Each report submitted shall identify the proposed lot upon which the test was performed.

4. All existing septic systems on lands being considered for a development by the planning board shall be tested by a New Jersey licensed professional engineer for adequacy to serve the lands remaining for the purpose indicated on the development application. A certification bearing the signature and seal of a New Jersey licensed professional engineer identifying any existing deficiencies and recording any repairs shall be submitted with the development application.
- d. *Sewer Connections.* No person shall be permitted to connect to any public sewer system except through and with the approval of the Hopewell Township Committee, provided such Hopewell Township Committee approval is required or permitted pursuant to applicable law, regulations, rules or water quality management plan for the connection, extension or addition to or of a public sewer system, which approval must be received through the affirmative vote of not less than two-thirds of the full membership thereof.
(Ord. #00-1139, § 1; Ord. #00-1174, §§ 1, 2)

17-104 SIDEWALKS.

Sidewalks shall be installed in locations determined by the planning board to be in the interest of public safety and proper pedestrian circulation considering the probable volume of pedestrian traffic, the adjoining street classification where sidewalks, parallel streets, school bus stops, recreation areas, schools, and the general type of improvement intended. Where required, sidewalks shall be at least four feet wide and may be constructed of concrete, brick or bituminous material. All sidewalks shall have a four inch granular base. If constructed of concrete, sidewalks shall be four inches thick, except at points of vehicular crossing where they shall be at least six inches thick, of Class B concrete having a 28 day compressive strength of 4,500 p.s.i., and shall be air-entrained. If constructed of bituminous materials, where permitted by the planning board, they shall adhere to the bikeway standards. Where sidewalks cross curbs curb ramps shall be provided. Preformed expansion joint material shall be placed on concrete sidewalks at 20 foot intervals and where sidewalks abut curbing or a structure.

Sidewalks shall be designed to comply with the design criteria of the Americans with Disabilities Act and New Jersey Department of Transportation. Permeable paving materials shall be used where appropriate and stormwater management and related drainage controls shall comply with section 17-82a,16. (Ord. #05-1352)

17-105 SIGHT TRIANGLES.

No natural or artificial thing shall be installed or permitted if it would obstruct vision between a height of two and one-half feet and eight feet above the centerline grades of intersecting streets, or the intersection of a street and a driveway, in an area bounded by the streets (or the street and the driveway) and a straight line which connects sight points along the street or driveway. The sight points shall be the following distance from the intersection: 130 feet on an arterial street; 60 feet on a collector street; 50 feet on a primary or secondary local street. For driveways, section 17-83d.

17-106 SIGNS.

Except as otherwise set forth herein, it shall be unlawful for any person to erect, alter, relocate or maintain within the township any sign, as set forth and defined in this chapter without first making application for, and obtaining a sign permit from the construction official.

- a. *General.* Every sign erected shall conform to the requirements of this chapter. A sign is a structure and subject to a permit and all other regulations provided in the construction code and in all township ordinances.

Any existing signs which do not conform to this chapter may be continued provided they complied with the requirements of the township at the time of their erection. No sign shall be altered, rebuilt, enlarged, or relocated, unless it is changed to conform with this chapter.

- b. *Exempt Signs.* The following are exempt from the requirements of this chapter:
 1. Parking lot markers, parking lot directional signs, and entrance or exit signs which do not exceed two square feet in area and do not contain any advertising matter, provided that the number, design and location of such signs must be approved by the planning board during site plan review.
 2. Signs not exceeding one-half square foot in area and bearing only property numbers, post box numbers, names of occupants of premises or other identifications of premises not having commercial connotations.
 3. Flags and insignia of any government, except when displayed in connection with commercial promotion.
- c. *Prohibited Signs.* All signs not provided for in this chapter are prohibited. As a guide, and not by way of limitation, the following signs are prohibited:
 1. Any exterior sign that:
 - (a) Has any moving, flashing or fluttering parts, or that gives such an illusion;
 - (b) Emits smoke, visible vapor or particles, sound or odor;
 - (c) Produces glare or emits light from a direct bare bulb or reflector, including mirrors;
 - (d) Uses exposed incandescent bulbs or neon tubes, mirrors reflecting a direct light source, or any similar device;
 - (e) Is of such a design or location that it would interfere with, compete for attention with, or might be mistaken for a traffic signal, sign or device. This includes arrow devices and the word "Stop";
 - (f) Is located within a required sight triangle;
 - (g) Is fastened to a tree, or utility pole, except a warning or nontrespassing sign where permitted in this chapter;
 - (h) Is erected other than in conjunction with a permitted use on the lot on which the sign is created;
 - (i) Is the type of sign commonly known as a billboard, or promotes the sale of goods or services not available on the immediate premises;
 - (j) Is painted on or affixed to a water tower, storage tank, or similar structure;

- (k) Is a commercial illustration painted on the wall of a building and is not part of the main sign for the business at that location.
2. Any interior sign that is visible from the street or from adjacent property that:
 - (a) Has any moving, flashing or fluttering parts;
 - (b) Produces glare;
 - (c) Uses exposed incandescent bulbs or neon tubing;
 - (d) Uses mirrors reflecting a direct light source or any similar device;
 - (e) Is illuminated during nonbusiness hours;
 3. Any vehicle or trailer that is parked in such a way as to utilize it as a portable sign on any public right-of-way, public property, or on private property so as to be intended to be viewed from a motorized vehicular public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises.
- d. General Regulations Pertaining to Permanent Signs.
1. Sign Permits. A permit shall be secured from the construction official for the erection, or change in location of any permanent sign other than an exempt sign. No permanent right is granted or implied, nor shall any permit be transferable to any succeeding owner, lessee or tenant of the property if any change is made in the sign, either in structure or text.
 2. Fees. Fees as established in Chapter X, "Fees and Permits" of the Revised General Ordinances of the Township of Hopewell (1978) shall be payable upon application for a sign permit.
 3. Sign Wording. The wording of exterior permanent signs shall be limited to the name of the person or company conducting business on the premises and the nature of that business, except for service stations. Prices may not be stated. A listing of items sold also is prohibited.
 4. Double-Faced Signs. Double-faced, free-standing signs are permitted provided that the faces do not form an angle greater than 40 degrees, are not more than one foot apart, at one end, and the vertical projections of the faces coincide. Such signs shall otherwise conform to the requirements of this chapter. The computed area shall be that of one face.
 5. Sign Maintenance. Every sign must be constructed of durable materials, maintained in good condition, and not allowed to become dilapidated. Whenever a sign becomes dilapidated, structurally unsafe, or endangers the public health or safety, the construction official shall order that such sign be renovated, made safe, or removed. Such order shall be complied with within ten days of the receipt thereof by the person, firm or corporation owning or using the sign. The area surrounding ground signs shall be kept neat, clean and landscaped.
 6. Sign Removal. Signs advertising business or industrial establishments shall be removed within 30 days of the closing of such business by the owner of the property.
 7. Setback Requirements. All sign setback requirements shall be measured from the right-of-way line.
 8. Free-standing Signs. Unless otherwise specified, free-standing signs shall be located no closer to a side lot line than the minimum side yard for the principal building, and shall have a setback from the right-of-way line of at least 15 feet, and shall not be located in any sight triangle.

9. Attached Signs. Attached signs shall be affixed parallel to the wall to which they are attached and the face of the sign shall project no more than 15 inches from the surface of the wall. They may be affixed to the front wall of a principal structure, or to the roof parallel with the front wall. They may not project above the ridge line or roof of the building.
 10. Illuminated Signs. Illuminated signs shall be arranged to reflect the light and glare away from adjoining or nearby lots and streets. All lighted signs shall have the light source shielded from adjoining or nearby lots, streets, and interior drives. All lights shall be either shielded or have translucent fixtures to reduce off-site effects.
- e. Regulations Pertaining to Temporary Signs.
1. No permit is required for a temporary sign.
 2. A temporary sign must not interfere with any traffic sight lines or create a distraction to motorists, or be illuminated.
 3. The following types of temporary signs are permitted:
 - (a) A temporary real estate sign identifying the lot upon which it is located as being for rent or sale, not exceeding four square feet in residential districts and ten square feet in all other districts, and not more than five feet high. There may be one sign for each street the lot abuts, but no more than one sign for each 1,000 feet of frontage on each street. All such signs must be removed within 30 days after the sale of the lot.
 - (b) Temporary real estate signs identifying lots or dwellings in an approved major subdivision upon which the signs are located as being for sale, not exceeding ten square feet and not more than five feet high. There may be no more than one such sign for each subdivision. All such signs must be removed within 30 days after the sale of all of the lots or dwellings.
 - (c) Temporary signs identifying the contractors who are building a structure, not exceeding four square feet and not more than five feet high. All such signs must be removed as soon as the contractor's work is substantially completed.
 - (d) Temporary political or election signs not exceeding ten square feet and not more than five feet high. All such signs may be erected 45 days prior to a general or primary election and must be removed within one week after the date of the election to which they relate. Political or election signs may not be stationed on or affixed to publicly-owned properties.
 - (e) Temporary signs advertising religious, educational, charitable, political or similar events, not exceeding four square feet in residential districts and ten square feet in other districts and not more than five feet high. Such signs may not be displayed for more than 14 days.
 - (f) Temporary signs advertising seasonal "garage sale" not exceeding four square feet and not more than five feet high. Such signs may not be displayed for more than 14 days.
 - (g) Temporary signs advertising seasonal agricultural products grown on the same property which are for sale at the time, not exceeding four square feet and not more than five feet high.
 - (h) Temporary signs at a sales office and at model homes associated with a housing development. The sales office may have one sign identifying it as the sales office (maximum 24 square feet) and each model home may have one sign giving the name of that model (maximum ten square feet). The signs shall be unlighted. The sales office sign may be mounted either on the building no higher than the eave of the roof or 15 feet high, whichever is lower, or be a free-

standing sign no higher than five feet. All house model signs shall be free-standing signs no higher than three feet.

f. Permitted Types of Permanent Signs.

1. Farms. One free-standing sign giving the name of the farm or owner not exceeding four square feet, and no more than five feet high.
2. Memorial and Historical Markers and Tablets. The design and location of such signs shall be determined by the township committee with recommendations by the planning board.
3. Attached Signs Identifying a Business or Facility. There shall be no more than one attached sign per established business. The maximum area shall be no greater than 100 square feet, or the equivalent of 1.5 square feet of sign area for each lineal foot of width of the wall on which the sign is located, whichever is smaller.
4. Free-standing Signs Identifying Office or Professional Tenants. One free-standing sign identifying the facility at each street from which a driveway permits ingress to the facility, not exceeding four square feet for each tenant, but in no event more than 32 square feet, and not more than ten feet high.
5. Free-standing Signs Identifying Commercial, Industrial and Other Facilities. One sign identifying the facility and its occupants at each street from which a driveway permits ingress to the facility, not exceeding 20 square feet for the first business identified plus four square feet for each additional occupant but in no event more than 32 square feet, and not more than 14 feet high.
6. In addition to the above, shopping centers shall be permitted one ground or pylon sign advertising the name of the shopping center and meeting the following specifications:
 - (a) Located no closer to the intersection of two street lines than 50 feet.
 - (b) Not exceeding 20 feet in height.
 - (c) No closer than 50 feet to a property line.
 - (d) An area not exceeding two square feet for each linear foot of front yard setback, but not to exceed 60 square feet.
7. Service Stations. In addition to other signs permitted in this chapter, service stations may display the following special signs which are deemed customary and necessary to their respective business:
 - (a) One ground or pylon sign advertising the name of the station and the principal products sold on the premises or both, including any special company or brand name, insignia or emblem, provided that such sign shall not exceed 30 square feet in area on a side and shall be erected at least 20 feet from the property line and, four feet above the ground, shall be at least ten feet but not more than 20 feet above the ground. High-rise or "turnpike-height signs" are prohibited.
 - (b) No more than one sign advertising gasoline prices, not to exceed 12 square feet in area on a side.
8. Development Signs. Where there is a development of more than 150 dwelling units, the developer may elect to construct a permanent identification sign at no more than three entrances to the development. Said sign shall be limited to the name of the development, located no closer than ten feet to the curblin, be outside any public right-of-way, and be no larger than 25 square feet. The

sign may be lighted pursuant to paragraph d.10. The sign shall be mounted on a brick or stone wall, or implanted within a landscaped berm. The wall shall be no more than five times the area of the sign. No part of the wall, berm or sign shall exceed a height of five feet. If such a sign is intended as part of a development, the location, design landscape features and an elevation of the proposed sign shall be submitted as part of the subdivision or site plan application. In addition, adequate provisions for its maintenance shall be part of the application. Any exception from the above standards may be granted by design waiver for good cause shown.

17-107 SOIL PROTECTION.

- a. Top Soil Protection. No top soil shall be removed from the site or used as spoil. Top soil moved during the course of construction shall be redistributed so as to provide at least six inches of cover to all areas and shall be stabilized by seeding or planting. Ground cover must be planted on all areas in the first planting season after disturbance. Silt traps may be used.
- b. Soil Erosion and Sediment Control. In addition to the specific provisions set forth in sections 17-82 and 17-107a., all provisions of Chapter XII shall be complied with.

17-108 STREETS.

- a. Emergency Access and Stub Streets. All streets shall be of sufficient width and suitable grade and suitably located to accommodate prospective traffic and to provide access for firefighting equipment and emergency equipment to buildings. The arrangement of streets shall constitute a convenient circulation system for the proposed development, shall provide for suitable access to adjoining undeveloped property, shall provide stub streets constructed up to the adjoining property line with a temporary turnaround, shall be consistent with appropriate traffic circulation when there is full development of all property near the proposed development, and shall conform to the official map, if any, and the circulation plan of the master plan. Where stub streets are approved, a notice shall be provided to all lot owners fronting on said stub street by appropriate deed restriction. All temporary turnaround areas shall be created by easement.
- b. The arrangement of all streets shall provide for the appropriate extension of existing streets and for future connection to adjoining undeveloped properties. When a development adjoins land capable of being developed or subdivided further, suitable provisions shall be made for optimum access from the adjoining tract to existing or proposed streets.
- c. Minor streets shall be so designed as to discourage through traffic.
- d. Developments abutting arterial streets shall provide a marginal service road or re-verse frontage with a buffer strip for planting or some other means of separation of through and local traffic as the planning board may determine appropriate.
- e. The right-of-way width shall be measured from lot line to lot line and shall be not less than the following:
 1. Right-of-way minimums:

Street Classification	Right-of- Way Width	Cartway Width	Traffic Lanes
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Arterial	80 feet	64 feet	4 at 12 feet
Collector	66 feet	40 feet	2 at 12 feet
Primary Local	60 feet	36 feet	2 at 10 feet
Secondary Local	50 feet	20 to 28 feet	

The cartway width and traffic lanes on secondary local roads shall depend on the probable extent of curbside parking and on the amount of traffic which is likely to use them when surrounding areas are developed, as determined by the planning board.

The right-of-way and cartway widths for arterial and collector streets shall be increased by ten feet on the right side approaching each other arterial or collector street for 300 feet from the intersection of the centerlines.

2. The right-of-way width for internal roads and alleys in multi-family, commercial and industrial development shall be determined on an individual basis, and shall in all cases be of sufficient width and design to safely accommodate the maximum traffic, parking and loading needs and maximum access for firefighting equipment.
- f. Developments that adjoin or include existing streets that do not conform to widths as shown on the master plan or official map, if any, or the street width requirements of this chapter shall either be widened by dedication along one or both sides, as is most appropriate in the opinion of the planning board, or additional land along both sides of such street sufficient to conform to the right-of-way requirements shall be anticipated in the subdivision design by creating oversized lots to accommodate the widening at some future date. If the development abuts one side of such a road, one-half or the deficient amount of right-of-way shall be dedicated and the roadway improved to township standards, except in such cases as the planning board determines that the acquisition of the additional width on the opposite side of the street is unfeasible, unlikely, or undesirable because of location of existing buildings, tree growth, topographic conditions or other similar consideration. In such cases, the full amount of deficient right-of-way shall be dedicated.

Where the development abuts both sides of an existing street, the entire street shall be improved to the Township of Hopewell specifications. Where the development abuts one side of an existing street, one-half of the street shall be improved to the extent deemed necessary by the planning board.

- g. In order to reduce the number of driveways intersecting arterial and collector streets, all residential driveways shall, wherever possible, intersect minor streets. Abutting lots may be required to use abutting driveways with one curb cut. Except in the MRC district, all residential lots requiring reverse frontage shall have an additional 25 feet of depth to allow for the establishment of the buffers outlined in section 17-89j.
- h. Permanent Cul-de-Sacs. Permanent cul-de-sacs shall not be permitted unless granted as a design waiver as an exception for good cause shown where there is no other circulation alternative. The maximum length of a permitted cul-de-sac shall be the shorter of either 500 feet or the length necessary to serve no more than five conforming single family lots in the district in which it is located, or no more than twelve multi-family dwelling units in a district where multifamily units are permitted.
- i. If the cul-de-sac is of a temporary nature, because of provision for future street extension, provision shall be made for reversion of the excess right-of-way to the adjoining property owners by notation on the final plat.
- j. Intersections shall be as nearly at right angles as possible and in no case be less than 60 degrees. The minimum sight distance within the right-of-way of a minor or collector street approaching an intersection

is 240 feet \pm five feet for each two percent of street gradient measured from the centerline of the intersecting street along the centerline of the intersected street. The minimum sight distance of a primary or arterial street approaching an intersection is 520 feet \pm 12 feet for each two percent of street gradient measured from the centerline of the intersecting street along the centerline of the intersected street.

1. The block corners at intersections shall be rounded at the curb line with a curve having a minimum radius of not less than 30 feet for intersection angles 80 degrees or greater or 40 feet for intersection angles less than 80 degrees.
 2. A clear sight area in the form of a triangle shall be provided as specified in the section entitled "sight triangles" (section 17-105).
 3. Multiple intersections involving more than two streets are prohibited.
 4. T-intersections on opposite sides of a street shall be separated by at least 200 feet as measured between the centerlines.
 5. The minimum distance between intersections along one side of any street shall not be less than 400 feet when measured between centerlines.
- k. Horizontal alignment of streets shall be such that the minimum radius of curvature for minor or collector streets is 225 feet and 700 feet for primary streets. Reverse curves shall be joined by a tangent of not less than 100 feet for collector streets or of less than 500 feet for primary or arterial streets.
- l. Vertical alignment of streets shall be such that the minimum gradient is not less than 0.75 percent and the maximum gradient is six percent; however, the maximum gradient restriction may be waived by the township engineer in certain situations where a six percent gradient is impractical. All changes in gradients shall be accomplished gradually by means of a vertical, parabolic curve. The minimum length of vertical curve for minor and collector streets shall be 50 feet up to a four percent algebraic difference of street gradient; for algebraic gradient differences between four percent and eight percent it shall be 50 feet plus 50 feet for each one percent difference, above eight percent it shall be 250 feet plus 50 feet for each two percent difference. The minimum length of vertical curve for primary and arterial streets shall be 100 feet for algebraic street gradient differences up to two percent; for algebraic street differences between two percent and ten percent it shall be 100 feet plus 100 feet for each one percent difference; above ten percent it shall be 900 feet plus 100 feet for each two percent difference.
- m. No street name shall duplicate or nearly duplicate the name of any existing street in the Township of Hopewell. If a street is a continuation or extension of an existing street, the name shall be used. All street names are subject to approval by the planning board.
- n. All lots abutting only arterial or collector streets shall be provided with a suitable driveway area to provide a turn around within the lot.
- o. All driveways shall be paved 20 feet from the cartway with concrete or bituminous concrete. Where sidewalks are installed the paved portion of the driveway shall be from the street curb line to the sidewalk; this pavement shall be Class B (4500 psi) concrete.
- p. Streets, Construction Details.
1. Crowns of all streets shall not be less than four inches nor more than six inches. The sidewalk area shall be graded to an elevation of two inches above the finished centerline grade.
 2. Where sub-base conditions are wet, springy, or of such nature that surfacing would be inadvisable without first treating the sub-base, the street construction shall conform to section 17-95n.

3. Except for those streets for which a lighter pavement may be approved by the planning board, the street roadway area shall be constructed for its full width with (1) a five inch compacted thickness of Bituminous Stabilized concrete, (2) tack coat, asphaltic oil applied at the rate of 0.10 gallons per square yard, and (3) a 1.5 inch compacted thickness surface course of hot mixed bituminous concrete type FABC-1.

The township engineer reserves the right to order the installation of 1.5 inches quarry blend stone and prime coat, if conditions warrant. The installation of the surface course shall not be performed until all irregularities and settlement of pavement have been corrected and approval is received from the township engineer.

Where new streets meet existing pavement, where existing streets are to be improved, and when continuing a previously laid pavement, the edges of all existing pavements are to be neatly cut at a 45 degree angle along a straight line and the exposed edges shall be painted with a thin coat of asphaltic cement. The practice of "feathering" shall not be permitted.

All of the above construction shall be in accordance with current New Jersey State Department of Transportation Standard Specifications and Supplements thereto on file in the office of the township engineer.

4. Streets shall be designed to comply with the design criteria of the American Association of State Highway and Transportation Officials and the New Jersey Department of Transportation. Stormwater management and related drainage controls shall comply with section 17-82a,16. (Ord. No. 02-1268 § 1; Ord. #05-1352)

17-109 STREET SIGNS.

Regulatory and cautionary traffic signs shall be metal reflectorized meeting the requirements of the New Jersey State Department of Transportation standards. Street name signs shall show the intersecting street names in four directions. These signs shall be Lyle-series E, embossed with black lettering on a white background, or equal approved by the township engineer. All signs shall be mounted on two and one-half inch diameter pipe posts embedded in a minimum of two feet and five inches in Class D (2500 PSI) concrete one foot square. Street name signs shall be located with eight feet above the proposed ground line to the bottom of the name plates.

17-110 STRUCTURES IN REQUIRED SETBACK AREAS.

No structure may be located more than 30 inches above the general ground level of a graded lot within any required front, side or rear yard, except for fences, garden walls, posts and other customary ornaments.

17-111 SWIMMING POOLS AND HOT TUBS.

a. *General Provisions Applicable to All Uses.*

1. No private residential pool or hot tub shall be installed on any lot unless said lot shall contain a residence.
2. All pools and hot tubs shall be a residential accessory use.
3. Outdoor hot tubs shall be required to have a cover capable of being locked or meet the requirements

for fence enclosures specified in the Uniform Construction Code. Exception: hot tubs installed on wood decks without covers shall have guard rails with self-closing, self-latching gates. The height of the guard rail enclosure system shall be a minimum of 36 inches on the enclosure side and at least 48 inches above grade on the exterior side.

4. Pools and hot tubs shall otherwise be installed, operated and used in accordance with other health and safety ordinances regarding water filtration, circulation and treatment; fencing; noise; and lighting.
 5. A noncommercial pool may be operated as part of the common property of a homeowners' association for the use and enjoyment of the residents of a specified development.
 6. Pools operated by a homeowners' association shall be located as approved on a subdivision and site plan for that residential development.
- b. *Single Family.*
1. The pool or hot tub shall be located only to the side or rear of a single family residence and shall meet the setback requirements for a swimming pool in the district in which it is located, except where the pool or hot tub is located on a patio or deck attached to the principal building, the setback shall meet the setback requirements for the principal building.
 2. Hot tubs may be located within the dwelling unit or they may be located outside on a porch, deck or patio.
 3. Fencing shall be required as delineated in the Building Subcode adopted pursuant to N.J.A.C. 5:23-3.14, known as the BOCA National Building Code/1990, including all subsequent revisions and amendments with the following exceptions. Inground Pools: A natural barrier or other protective device, if approved by the building inspector and maintained by the owner, agent, tenant or other responsible person may be an acceptable enclosure, as long as the degree of protection afforded by the substituted device or structure is not less than the protection afforded by the enclosure, gate and latch described in the adopted edition of the BOCA National Building Code. Above Ground Pools: The requirements for a fence can be waived if the owner, agent, tenant or other responsible person can and will demonstrate that they can and will maintain the following:
 - (a) The pool side wall is a minimum of 48 inches above grade. Grade meaning a level distance of 36 inches from the pool wall.
 - (b) The pool wall has smooth sides that will not permit climbing by small children.
 - (c) Filtration systems shall be located and maintained a minimum distance of 36 inches from the side wall of the pool.
 - (d) All pool access ladders, steps, and decks shall be maintained in an unusable state by small children or incompetent persons when the pool is not in use by means of locking in a fold up position or have locked, self-closing, self-latching gate.
 - (e) All pool decks attached to an aboveground swimming pool must comply with the BOCA Building Code regarding the requirements for foundations, live load and guardrails.
- c. Townhouses. Hot tubs may be located within a townhouse. Hot tubs may be located outside a townhouse as an accessory use provided the hot tub is located within a walled patio by a wall that is not less than three and one-half feet in height and the elevation of the water surface is at least two feet lower than the lowest elevation of the wall, and provided further that the area of the patio covered by the hot tub and any accompanying framing, deck, pump, filtering system and related structures and equipment do not exceed

40 percent of the walled patio area.

17-112 TRAFFIC MANAGEMENT.

- a. Adoption by Reference. In order to mitigate and reduce traffic volume associated with land development in the Township of Hopewell, the Planning Board may consider in the review of applications for development the efforts of the applicant to comply with the Federal Clean Air Act Amendments of 1990 (CAAA) (42 U.S.C.S. 7401); the New Jersey Employer Trip Reduction Program (ETRP) (N.J.A.C. 16:50-1, et seq.) and the New Jersey Traffic Congestion and Air Pollution Control Act (N.J.S.A. 27:26A-1, et seq.), including any regulation promulgated under either of these Federal and State Statutes. (Ord. #94-996, § 1)

17-113 UTILITIES.

Electric service shall be provided. Except for minor subdivisions, all electricity, telephone and other utility lines shall be underground. Generally street lighting shall be installed at time of road construction at all new street intersections and at such other places as may be required, at the developer's expense, with fixtures specifically approved by the planning board.

17-114 WATER.

- a. An adequate water supply for the residents and occupants of the site shall be provided. If a public water supply is available, water mains shall be connected to the existing mains, if the Hopewell Township Municipal Utility Authority approves, and the developer shall contribute the entire cost of any necessary new wells, additional storage facilities, extension of water mains and increased size of water mains, except as provided in section 17-96 with respect to off-tract improvements.
- b. If a public water supply is not available, or if in the judgment of the planning board it is not economically feasible to extend public water lines to the site, the planning board shall determine whether individual wells are appropriate, or whether a central water system should be installed, subject to the approval by the Hopewell Township Municipal Utilities Authority of the arrangements for transferring ownership of the system to the municipal utilities authority. In addition, compliance with section 16-6 of the Revised General Ordinances shall be required.
- c. Whenever a public water supply or central water system is installed or expanded, the developer shall include fire hydrants, with approved coupling devices, sufficient for firefighting purposes.

17-115 STREAM CORRIDORS.

- a. Purposes. The purposes of the stream corridor protection provisions are to:
 1. Assure that adequate water supply is available and maintain the long-term natural equilibrium of the ground and surface waters in Hopewell Township and in neighboring communities.
 2. Improve and maintain the quality of the water supply and sustain diverse populations of aquatic flora and fauna.

3. Improve the currently impaired streams in the township.
 4. Protect significant ecological components of stream corridors such as floodplains, woodlands, steep slopes and habitats for flora and fauna.
 5. Minimize flood related damage to properties in the township and in neighboring communities.
 6. Complement federal, state, regional, county and municipal watershed, flood hazard and stream corridor protection and management programs.
- b. *Applicability.* The stream corridor provisions apply to any land containing any portion of a stream corridor as defined in Chapter XVII, Article X, Section 17-181.
- c. *Activities Permitted in Stream Corridors.* Stream corridors shall remain in their natural state and shall not be developed or disturbed, except for the following activities:
1. Any activity subject to regulation by the New Jersey Department of Environmental Protection under the New Jersey Freshwater Wetland Protection Act.
 2. Reconstruction of a valid nonconforming structure that predates the adoption of this section * in the event of partial destruction by fire, natural hazards, or other acts of God, provided the reconstruction does not have a greater footprint or total area than that of the damaged structure and no change in land use occurs.
 3. Any use or related maintenance thereof that existed prior to the date of adoption of this section. *
 4. Any agricultural use or structure existing prior to the date of adoption of this section, * but no new agricultural structure, except for fences, shall be permitted in a stream corridor, subject to approval by the New Jersey Department of Environmental Protection.
 5. Existing stormwater management facilities located in stream corridors are permitted to remain in a stream corridor and may be expanded or modified in connection with an application for development and in accordance with the requirements of the approving authority.
 6. Surveying or activities for the purpose of establishing or re-establishing a boundary line or points, which use only hand held equipment and do not involve the use of motorized vehicles to either clear vegetation or extract soil borings. The clearing of vegetation along the survey line or around the survey points shall not exceed three feet in width or diameter respectively and shall not be kept clear or maintained once the survey or delineation is completed.
- d. *Stream Corridor Averaging.* An applicant may undertake stream corridor averaging, as defined in Chapter XVII, Article X, Section 17-181. Stream corridor averaging shall only be permitted along the perimeter of retention basins. Stream corridor width may be reduced to a minimum of 25 feet for buildings or other structures or zero feet for dams, pedestrian walkways, walls, and any associated landscaped areas along the perimeter of a retention basin, provided, however, that the total length of stream corridor reduction is not greater than 40 percent of the length of the perimeter of the retention basin. For every stream corridor reduced in area along a retention basin, there shall be an equivalent increase in stream corridor width provided elsewhere along the perimeter of the retention basin.
- e. *Prohibited Activities.* All activities not specifically permitted by the provisions of paragraph c. above are prohibited. The following activities are prohibited unless a design waiver is obtained:
1. Alteration of watercourses and stream corridors by development or disturbance of any type.
 2. Clearing or cutting of any vegetation, except for removal of dead vegetation, pruning for reasons of

safety and harvesting of agricultural products.

3. Disposal of brush, debris or any solid or liquid waste.
4. Installation of fences and sheds.
(Ord. #04-1328, § 4)

17-116 STEEP SLOPES.

- a. The following standards shall apply to all new development on lots (existing or proposed) with slopes in excess of 15 percent:
 1. In areas with slopes that exceed 25 percent, no development, regrading or removal of vegetation shall be permitted.
 2. In areas with slopes of 15 percent to 25 percent, no more than 15 percent of such areas shall be developed, regarded, or cleared of vegetation.
 3. For the purposes of subdivision each residential lot created must include a minimum of two contiguous acres of land with less than 15 percent slope on which the dwelling, septic system and accessory structures shall be located.
 4. A steep slope analysis showing slope classes 0-14.99 percent, 15-25 percent and greater than 25 percent shall be provided with all site development or subdivision plans. The slope classification shall be calculated utilizing a two-foot contour interval.
 5. A grading plan which indicates all site grading necessary for the development or subdivision of the lot shall be submitted for review and approval by the township engineer. Such plan shall also provide for the proper protection and stabilization of all disturbed areas consistent with the design techniques established by the Soil Erosion and Sediment Control Standards, adopted as amended by the New Jersey State Soil Conservation Committee. The approval of this grading plan by the township engineer shall be required prior to the issuance of a building permit.
(Ord. #07-1411, § 1)

17-117 to 17-124 RESERVED.

***Editor's Note:** Former subsection 17-2.4a-kk was renumbered as sections 17-76 through 17-113. Sources contained herein include Ordinance Nos. 528, 686-85, §§ 8-14, 706-86, §§ 2-5, 723-86, §§ 5-11, 738-87, § 1, 741-87, § 2, 782-88, §§ 1-3, 785-88, § 1, 787-88, § 1, 788-88, § 1, 790-88, § 1, 791-88, § 1, 801-89, § 1, 815-89, § 1, 816-89, § 1, 817-89, § 2, 90-837, § 1, 90-853, § 3, 90-862, § 2, 90-872, § 1, 91-984, § 2, 92-916, § 1, 92-919, §§ 1, 2, 92-921, § 1.

***Editor's Note:** Exhibit D-1, Hopewell Township Runoff Coefficients-AMC II was repealed in its entirety by Ordinance No. 05-1352.

***Editor's Note:** Prior ordinance history includes portions of Ordinance No. 00-1171.

***Editor's Note:** Ordinance No. 04-1328, codified herein was adopted December 13, 2004.

ARTICLE VII COMPLETE APPLICATIONS; GENERAL DEVELOPMENT PLAN

17-125 CHECKLIST FOR COMPLETE PLANNING BOARD APPLICATIONS.

- a. Recent amendments to the Municipal Land Use Law further clarified the definition of "complete application" and required the adoption, by ordinance, of a checklist for determining complete applications.
- b. The checklist for complete planning board applications is attached hereto as Appendix A.*
- c. Any revisions to said checklist shall be made by ordinance.
 1. Amendments to checklist:
 - (a) September 7, 2000 by Ordinance No. 00-1165.
 - (b) April 5, 2001 by Ordinance No. 00-1187.
(Ord. #663-84; Ord. #696-85; Ord. #91-903, § 1; Ord. #00-1165 §§ 1-4; Ord. #01-1187, §§ 1-4; Ord. #03-1297, § 5; Ord. #03-1298, § 6; Ord. #07-1398 § 1)

17-126 GENERAL DEVELOPMENT PLAN.*

17-126.1 General.

Notwithstanding the provisions of other zoning and design requirements of this chapter, a qualified applicant in a district where general development plans are permitted may choose to submit a general development plan to the planning board for review, consideration and action. To the extent the following procedures, design standards, uses and zoning regulations conflict with other provisions of this chapter, the provisions for a general development plan shall prevail. All other procedural, design, use and zoning regulations of this chapter that have not been specifically modified by an approved general development plan shall be met.

17-126.2 Purpose.

The purpose of the general development plan is to implement N.J.S.A. 40:55D-45.1 through 45.8 to encourage development proposals to be submitted at larger scales of development in order to:

- a. Promote development that allows for a more efficient and environmentally sensitive use of land than would otherwise be possible;
- b. Encourage large institutions, corporations, and developers to plan for long-term phased development that will permit the development of environmentally sensitive and economically feasible projects;
- c. Promote the development of large-scale projects which, because of the integration of similar and/or symbiotic types of uses, will encourage a reduction in infrastructure impacts;
- d. Coordinate job creation with consequent housing demand and implement the adopted Housing Element by nonresident contributors providing housing, including low and moderate income housing, or, at the developer's option, payments in lieu of housing;
- e. Provide up to 20-year vesting of zoning rights running with the land to applicants to insure economic stability and phased growth.

17-126.3 Eligibility.

General development plans shall be limited to the following eligibility standards.

- a. Sites must have a minimum of 250 acres of land area.
- b. Sites must be located within either the RO or the IOP-G zoning districts.

17-126.4 Effect of Approved Plan.

Development under a general development plan shall be in accordance with the general development plan as approved by the approving authority. The plan may be approved for a period not to exceed 20 years from the date of final approval of the first phase of the planned development, or such lesser time approved by the approving authority provided the approval period is at least five years. The general development plan shall set forth the permitted number of dwelling units, if any, amount of nonresidential floor space, residential density and nonresidential floor area ratio according to a phasing or timing schedule setting forth the timing of various sections of the development. The planned development shall be permitted to be developed in accordance with the general development plan as approved by the planning board notwithstanding any provision of P.L. 1975, c.291 (C.40:55D-1 et seq.) (the Municipal Land Use Law), or any ordinance or regulation adopted pursuant to the Municipal Land Use Law following the effective date of the general development plan approval. No site work or other development shall take place on-site unless and until preliminary and final plat approvals have been granted for the section(s) being developed and appropriate performance and maintenance guarantees have been posted as required by the township. Approval of a general development plan, with or without conditions, shall run with the land and approval shall include a vesting of the right to develop in accordance with the approved general development plan, including, but not limited to, gross floor area, total number of dwelling units, if any, and/or such mix and intensity of uses approved on the general development plan together with the obligation to fulfill all conditions of approval, phasing off-tract and on tract improvements, and related matters. Preliminary and final approval of subdivisions and/or site plans of all or portions of the development shall be required to confer upon the applicant the rights set forth in N.J.S.A. 40:55D-49 and N.J.S.A. 40:55D-52. (Ord. #98-1096, § 1)

17-126.5 Plat Required.

The general development plan shall be submitted in plat form at a scale of about 1 inch = 200 feet, or such other scale permitting the entire site to be shown on one sheet no larger than 36 inches by 42 inches. Enlargements of portions of the plan may be submitted on separate sheets of the same size.

17-126.6 Plat Details and Other Documents.

The plat and application shall include the following information in mapped and written form. Those elements drawn on a plat shall be drawn reasonably to scale:

- a. General contours not to exceed ten-foot intervals;
- b. Total tract area and the estimated acreage for each major component use of the development;
- c. Proposed land use plan indicating the total tract area and general locations of the land used to be included in the development including any farmland to be preserved, the total number of dwelling units by types and locations, if applicable, and the total amount of nonresidential floor area for each use in the development. The land area to be occupied by each land use type shall be estimated together with the gross floor area and floor area ratios of each;
- d. Proposed circulation plan showing the general location and types of transportation facilities including off-street parking, loading and pedestrian systems on-tract as well as proposed improvements to the existing

transportation system, both on-tract and off-tract, and as may be required by the Mercer County Development District together with a traffic management plan for reducing peak hour traffic such as staggered work hours, flex time, van pooling, corporate sponsored transit plans, or similar programs. In any instance where the site abuts a railroad, consideration shall be given for locating a potential railroad station in the event passenger service is ever revived and the Transportation Development District requires a station;

- e. Proposed open space plan showing the proposed area and general location of parks and any other land area to be set aside to open space, wetlands, other conservation areas, recreation areas and buffer areas together with a general description of the improvements proposed in each area and the proposed plan for the operation and maintenance of these areas;
- f. Proposed schematic utility plan showing the need for and showing the proposed location(s) of the sewage collection and treatment system, water supply and distribution system, drainage facilities, proposed methods of handling solid waste disposal, and the recycling of recyclable materials, and a plan for the operation and maintenance of the proposed utilities;
- g. Proposed schematic storm water management plan showing the proposed method of controlling and managing storm water on the site and, if appropriate, related off-tract storm water management facilities;
- h. An environmental inventory including a description of the vegetation and any major wooded areas, soil types, topography, geology, surface hydrology, (wetland area and wetland buffer areas, stream corridors, floodways and flood hazard areas), climate and cultural resources of the site, existing manmade structures or features, and the probable impact of the development on the environmental attributes of the site;
- i. A community facility plan indicating the scope and type of supporting community facilities included in the plan including, but not limited to, any sites for educational, cultural, historic, library, hospital, fire house, police station, and recreation uses;
- j. A housing plan outlining the number of housing units to be provided and the extent to which any housing obligation assigned to the municipality pursuant to P.L. 1985,c.222 (C.52:27D-301 et al.) will be fulfilled by the development;
- k. A local service plan indicating those public services which the applicant proposes to provide and which may include, but not be limited to, water, sewer, cable TV, solid waste disposal, recycling, emergency services, communication services and hazardous waste management;
- l. A fiscal report estimating the demand on municipal services to be generated by the development and the financial impacts on the township and school district including a projection of tax revenues for the township, school district, and the county according to the projected timing schedule for completion of the development;
- m. A proposed timing schedule, including the terms and conditions intended to protect the interests of the public and of the residents, if any, and nonresident users who occupy any section of the development prior to completion of each section as well as prior to the completion of the entire development. Each section of the development shall coordinate the developer's interest with the public's interest in such things as the size of each phase, financing costs, bonding, and mixed uses with logical infrastructure improvements that work properly in the event no subsequent section(s) of the development takes place. Logical infrastructure shall include, but not be limited to, the water distribution system, sewage collection and treatment facilities, coordinated on-site circulation systems, off-tract road improvements, dedicated open space, stabilized soil, and storm water control facilities.
- n. A written proposed developer's agreement between the township and the developer or its assignees. A

draft agreement shall be initiated by the applicant and the municipality based upon the approval of the general development plan prior to preliminary subdivision or site plan approvals of any phase of the development. The final agreement shall be executed prior to or at the time of final subdivision or site plan approval of any phase of the development. The municipal agreement should specify:

1. The length of time within which zoning rights are vested, not to exceed 20 years, or such lesser time approved by the approving authority provided the approval period is at least five years.
 2. The applicant's general commitments to phasing in applicable infrastructure improvements (water, sewer, roads), community facilities (police, fire, ambulance, library and schools as applicable), and the method of participating in the township's housing program.
 3. Subject to the rights of the applicant pursuant to N.J.S.A. 40:55D-45.1.a the applicant's commitment to abide by changes in applicable State, Federal or municipal statutes, laws, ordinances and regulations, such as environmental, infrastructure, and housing requirements, which changes require modification to prior approvals relating to construction, funding, phasing and/or site plan design.
 4. Subject to the rights of the applicant pursuant to N.J.S.A. 40:55D-45.1.a, the applicant's commitment to reasonably remedy environmental or infrastructure problems identified by the township and required to be remedied as a result of changes in applicable new State, Federal, or municipal statutes, laws, ordinances or regulations.
 5. The applicant's commitment to a phasing or timing schedule that includes an updating of existing traffic, water, sewer and similar facilities such as referenced in paragraphs 2., 3. and 4. above at each phase in order to make any necessary adjustments to the timing schedule and necessary on-site and/or off-tract improvements based on actual experience rather than initial projections.
 6. The form of the agreement shall contain the right of the township to require the developer, if so determined after appropriate notice to the developer and a hearing, to provide for the ongoing updating of studies and to pay the costs of its increased or decreased fair share of on-site and off-tract improvements which are required by the applicable law governing such improvements at the time of the approval of the general development plan based upon the pro rata share assigned to the development plan based upon the pro rata share assigned to the developer, to deal with unanticipated events and the need to accelerate or add, or reduce or eliminate, additional improvements directly due to the development.
 7. The form of agreement shall provide for cooperation in the execution of endorsements relating to New Jersey Department of Environmental Protection and Energy permits, as permitted by law.
- o. Nothing herein shall be construed to relinquish any rights of Hopewell Township under the law. (Ord. #98-1096, §§ 2-5; Ord. #00-1152, §§ 1-3; Ord. #07-1398 § 2)

17-126.7 Procedures.

A general development plan shall be submitted as follows:

- a. The submission shall be accompanied by a fee as required in the Fee Ordinance;
- b. The general development plan shall be submitted prior to the granting of preliminary approval. The plan shall be submitted no later than 20 working days prior to the date of the planning board meeting. The submission shall consist of 15 copies of the required data;
- c. The approving authority shall grant or deny the plan within 95 days of a complete application, or within

such further time as may be consented to by the applicant. Failure of the planning board to act within the period prescribed shall constitute general development plan approval. A general development plan may be granted approval conditioned on the necessary county, State, municipal or other approving or licensing agencies acting favorably on or issuing permits and/or licenses prior to preliminary or final approval of either the entire development or any phase of the development;

- d. Prior to plan approval, the approving authority shall schedule and conduct a public hearing on the matter. Notice shall be done in accordance with section 17-55, Notice of Hearing;
- e. If, after approval of a general development plan, the applicant wishes to revise the timing schedule, or to vary the location or types of land uses, or to increase the density of dwelling units, if applicable, or to increase the floor area ratio of nonresidential uses, the plan may be revised or amended only upon an application by the developer approved by the approving authority except, however, that the developer may reduce the number of dwelling units, if applicable, or reduce the amount of nonresidential floor space by no more than 15 percent of the prior approved general development plan without requiring approval by the approving authority, except that there shall be no reduction in the level of improvements, off-tract contributions, participation in the housing program (other than developmental fees based upon the equalized assessed value of improvements to the property), or similar conditions set forth in the earlier plan approval unless and until there is a revised plan approved by the approving authority. A revision to the timing schedule shall be reviewed by the approving authority. Any delays in complying with the prior approved timing schedule that have been determined by the approving authority to have been caused by matters beyond the reasonable control of the developer shall result in an extension of all subsequent phases of the development by at least six months, unless more time is approved by the approving authority. Matters beyond the reasonable control of the developer shall include but not be limited to such things as delays in receiving governmental licenses and approvals where the developer made timely and complete submissions allowing for normal processing times, any lawsuits enjoining or delaying development from proceeding, strikes, war, national emergencies, or amended or new laws requiring new or amended applications for licensing or other governmental approvals and major national economic changes. Matters determined by the approving authority to have been within all or some control of the developer shall be judged on an individual basis;
- f. Upon the completion of each section of the development, defined as having received every certificate of occupancy for every structure in each section, the developer shall notify the administrative officer, by certified mail, that the developer is fulfilling his obligations under the approved plan. If such notification is not received, the township shall notify the developer, by certified mail, in order to determine whether or not the terms of the agreement of the approved plan are being complied with;
- g. If a developer does not complete any section of the development within eight months of the date provided in the approved plan, or within the amended time schedule as provided in subsection 17-126.7e. above, or at any time the township has cause to believe that the developer is not fulfilling his obligations, the township shall notify the developer, by certified mail, and the developer shall have 30 days within which to give evidence that he is fulfilling his obligations pursuant to the approved plans. If, after a hearing on the matter, the township finds good cause to terminate the approval, it shall provide written notice of same to the developer and the approval shall terminate 30 days thereafter;
- h. In the event a developer who has general development plan approval does not apply for preliminary approval of at least the first phase of the development within five years of the date of approval of the general development plan, the township shall have cause to terminate the approval;
- i. In the event that a development is complete before the end of the term of approval, the approval shall

terminate on the date upon which a certificate of occupancy has been issued for the final structure in the last section of the development in accordance with the timing schedule set forth in the approved general development plan and the developer has fulfilled all of his obligations pursuant to the approval. (Ord. #98-1096, § 6; Ord. #00-1152, § 4)

17-127 to 17-137 RESERVED.

* **Editor's Note:** Appendix A, referred to herein, may be found at the end of this chapter.

* **Editor's Note:** Former subsection 17-2.6a-g was renumbered as section 17-126, subsections 17-126.1-17-126.7. Sources contained herein include Ordinance Nos. 90-853, § 4 and 92-910.

ARTICLE VIII ZONING-GENERAL PROVISIONS*

17-138 ZONING DISTRICTS.**

- a. Map Adopted. The township is divided into zoning districts as shown on the official zoning map** which has been adopted as part of this chapter.
- b. Map Amendments. *
 1. This zoning map was amended to indicate an extension of the HBO-G District in October 1991.
 2. This zoning map was amended January 1995 to provide for the extension of the R-5 District.
 3. This zoning map was amended October 17, 1996 (Ord. #96-1049) to enlarge the R-100 District to abut Route 31 in the area northwest of Pennington Borough.
 4. This zoning map was amended April 21, 1997 (Ord. #97-1068), extending the boundary of the HBO District to include all of Lot 6.09 in Block 32.
 5. This zoning map was amended August 4, 1997 (Ord. #97-1073), so as to include Lot 6 in Block 85 within the C-1-G District.
 6. This zoning map was amended November 3, 1997 (Ord. #97-1084), to indicate an extension of the HBO-G District October 1991 and further amended to add a new R-6 District in October 1997.
 7. This zoning map was amended 12-1-97 (Ord. #97-1089) so that "SC" District is hereby extended to include Lot 8, Block 66.
 8. This zoning map was amended 7-6-00 (Ord. #00-1154) to substitute the MC - Mountain Conservation District for the R-250 District, to substitute the VA - Valley Agricultural District for the R-200 and R-200-G Districts and the OP Office Park District for the IOP and IOP-G Districts.
 9. The zoning map was amended 9-20-01 (Ord. #01-1206) to redesignate each and every R-250 District to the MC-Mountain Conservation District and redesignate each and every R-200 and R-200-G District to the VA-Valley Agriculture District.
 10. The zoning map was amended 9-20-01 (Ord. #01-1207) as follows:
 - (a) The OP-Office Park Zoning District is hereby established in the Township of Hopewell.
 - (b) The official zoning map of the Township of Hopewell is hereby amended in order to delete those properties identified on the attached Schedule A-1 from the IOP Zoning District and to include said properties in the SC Zoning District.**
 - (c) The official zoning map of the Township of Hopewell is hereby further amended in order to delete those properties identified on the attached Schedule A-2 from the IOP-G Zoning District and to include said properties in the OP Zoning District.*
 - (d) The official zoning map of the Township of Hopewell is hereby further amended in order to delete those properties identified on the attached Schedule A-3 from the IOP-G Zoning District and to include said properties in the VA Zoning District.*
 - (e) The official zoning map of the Township of Hopewell is hereby further amended in order to delete those properties identified on the attached Schedule A-4 from the IOP Zoning District and to include said properties in the VA Zoning District. *
 - (f) The official zoning map of the Township of Hopewell is hereby further amended in order to

delete those properties identified on the attached Schedule A-5 from the IOP Zoning District and to include said properties in the VA Zoning District.*

(g) The official zoning map of the Township of Hopewell is hereby further amended in order to delete those properties identified on the attached Schedule A-6 from the HBO Zoning District and to include said properties in the VA Zoning District.*

11. The zoning map was amended 9-20-01 (Ord #01-1208) as follows:*

(a) The official zoning map of the Township of Hopewell is hereby amended in order to delete those properties identified on the attached Schedule B-1 from the IOP-G Zoning District and to include said properties in the SI Zoning District.*

(b) The official zoning map of the Township of Hopewell is hereby further amended in order to delete those properties identified on the attached Schedule B-2 from the SI-G Zoning District and to include said properties in the SI Zoning District.*

12. The official zoning map of the Township of Hopewell was amended December 19, 2002.

13. The official zoning map of the Township of Hopewell is hereby clarified to delete thereon any designation of the proposed Traditional Neighborhood District (TND).

14. The Official Zoning Map of the Township of Hopewell is hereby amended in order to delete those properties identified on the attached Schedule "A-7" * from the "VRC" Zoning District and to include said properties in the "OP" Zoning District.*

15. The zoning map was amended 11-14-05 (Ord. #05-1359) to designate the new OLI District as depicted on the attached map amendment.**

16. The zoning map was amended 11-14-05 (Ord. #05-1360) to add a part of Lot 19, Block 49 to the C-1, Neighborhood Retail Commercial District, as depicted on the attached zoning map amendment.**

17. The zoning map was amended 11-14-05 (Ord. #05-1361) to designate the new VRC-HLI District as depicted on the attached map amendment.**

(Ord. #02-1268; Ord. #03-1295, § 1; Ord. #04-1326, § 1; Ord. #05-1359, § II; Ord. #05-1360, § I; Ord. #05-1361, § II)

17-139 ZONING DISTRICT BOUNDARIES.

Zoning district lines are intended to follow street centerlines, streams, and lot lines unless specific dimensions are indicated. Dimensions are in feet, measured horizontally and measured from the nearer street right-of-way line (even if the centerline of that street serves as a zoning district line). The location of any disputed zoning district line shall be determined by the board of adjustment. Where a street serves as a zoning district line and it is lawfully vacated, the former centerline shall be considered the zoning district line.

17-140 INTERPRETATION OF ZONING REQUIREMENTS.

In their interpretation and application, the provisions of this chapter shall be construed to set forth the minimum requirements which will, in accordance with present and future needs, best promote the health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development and the maintenance of property values previously established. It is not the intent of this chapter to

change or annul any existing or future easements, reverters, or other restrictive covenants affecting the use or design of land or structures within the township; provided, however, that where this chapter imposes a greater restriction upon the use or design of land or structures, or requires larger yards, courts, or open spaces than are required in such covenants, the provisions of this chapter shall apply. In the event of conflict among provisions of this chapter, the specific provisions shall take precedence over the general provisions and, in any event, the most restrictive of conflicting provisions shall apply.

17-141 APPLICATION OF ZONING REQUIREMENTS.

No structure shall hereafter be erected, constructed or used and no existing structure shall be reconstructed, altered, repaired, converted, moved or used, nor shall any land be occupied or used, nor shall any open space contiguous to any structure, be encroached upon or reduced, except in conformity with the regulations established by this chapter for the district in which such structure, land or open space is located.

17-142 PROHIBITED USES.

All principal uses which are not expressly permitted by the terms of this chapter are prohibited, except as provided in section 17-143.

17-143 NONCONFORMING USE OF STRUCTURES AND LOTS.

All uses structures and lots legally in existence January 1, 1979 may be continued even though they do not conform to the applicable requirements of this chapter. Any nonconforming structure may be restored or repaired in the event of partial destruction. No nonconforming use shall be enlarged in extent or changed in character to other than a con-forming use and no nonconforming structure shall be reconstructed, altered, converted or added to, so as to enlarge the nature or degree of nonconformity. Construction of any structure on a vacant lot which is not in compliance with the standards set by the present ordinance shall be deemed to constitute an enlargement of the nature or degree of nonconformity and is not allowed under this article unless in accordance with paragraph d.

- a. Abandonment. Whenever a nonconforming use is terminated or abandoned, it may not be resumed. If a nonconforming use is not actively pursued for a period exceeding one year, it shall be conclusively presumed to have been abandoned. Whenever a nonconforming structure is abandoned, it may not be repaired, reconstructed, altered, converted or used thereafter except in compliance with this chapter. If a nonconforming structure is partially destroyed by fire or other casualty, and remains unrepaired or unused for a period exceeding one year, it shall be conclusively presumed to have been abandoned.
- b. Merger of Existing Contiguous Nonconforming Lots. Any two or more contiguous lots of record which are in the same ownership on January 1, 1979 and which do not conform to the provisions of this chapter, or to any amendments hereof, shall be deemed to be merged into a single undivided parcel.
- c. Zoning Changes. If any changes to zoning requirements render any use, structure or lot nonconforming, the provisions of this section 17-143 shall apply to such non-conformity.
- d. Subdivision, Site Plans and Building Permits Previously Approved and Issued. Section 17-143 shall not be applicable to any subdivision or site plan which was duly approved prior to its enactment, during those periods provided for by section 17-21 and/or section 17-43. Also this section 17-143 shall not be applicable to any construction covered by a building permit which was duly issued prior to the enactment

of such section for a period of one year following such enactment or the period for which the building permit or renewal thereof remains in effect.

- e. **Enlargement of Nonconforming Residential Structures in Residential Zones.**
 1. Any single family dwelling may be enlarged, even though the structure may be on a nonconforming lot, or the existing structure on the lot may have one or more dimensional violations. Such enlargement shall be permitted without an appeal to the approving authority provided:
 - (a) Such enlargement, extension or increase by itself conforms with the use requirements of the zoning ordinance and does not increase the nonconformity of the existing dimensional setback violations; and
 - (b) The area of such enlargement, extension or increase when aggregated with the area of the existing building, does not exceed the maximum lot coverage standard permitted in that zone.
 2. No accessory building may be added to a nonconforming building except that, in residential zones, an accessory building may be added to a nonconforming single family dwelling or a single family dwelling on a nonconforming lot provided that:
 - (a) The accessory building, by itself, conforms with all requirements of this chapter; and
 - (b) The area of such accessory building, when aggregated with the area of the principal building does not exceed the maximum lot coverage standard permitted in the zone.

17-144 ACCESSORY BUILDINGS.

Any accessory building attached to a principal building is part of the principal building and shall adhere to the yard requirements for the principal building. Unless otherwise specified in Article IX, detached residential accessory buildings shall be permitted only in side and rear yards and shall have side yard and rear yard setback requirements equivalent to one-half those required for principal buildings.

17-145 CONVERSION OF SINGLE FAMILY TO TWO-FAMILY OCCUPANCY.

A single family dwelling in existence in any residential district on January 1, 1979 may be converted into and used as a two-family dwelling provided that:

- a. The legal and beneficial owner or owners of all of the interest in the premises actually reside there, as their principal residence;
- b. The required off street parking is provided;
- c. The construction official determines that each dwelling unit contains sufficient space for all proposed occupants;
- d. The department of health determines that the well is capable of providing adequate potable water supply for all residents;
- e. The department of health determines that the septic system or other sewage disposal facilities are adequate for all proposed residents;
- f. The owners of the structure file appropriate forms and certificates with the township administrator and obtain township approval (based on compliance with the provisions of this chapter) prior to the

conversion;

- g. Two-family occupancy is authorized for one year following township approval of the conversion; authorization may then be obtained annually, upon filing of appropriate forms and certificates and township approval issued by the township administrator (based upon continuing compliance with the provisions of this chapter).

17-146 SETBACKS IN EXCESS OF SPECIFIED REQUIREMENTS.

Whenever a pattern of existing building setbacks or front yards is established, on the same side of a street, which is larger than the front yard requirement by this chapter, no new building shall be constructed closer to the street than the established pattern. As proof of a pattern of setbacks there must be located at least five buildings in a 1,000 foot row. Proof of the existence of such a pattern and compliance with this requirement is the responsibility of the applicant.

17-147 FARMS AND AGRICULTURAL USES.

Farms and other agricultural uses are permitted as principal uses in all districts. Barns, silos, tool sheds, fences, walls and other facilities which are customary for agricultural pursuits are permitted as accessory uses. Fences permitted herein may be up to eight feet in height where such fences enclose or protect actively farmed areas. Such fences must conform to the sight line requirements of section 17-105 (sight triangles) and section 17-83d. (driveways). One horse may be kept or raised only on a lot of three acres or larger, and for each additional horse, one additional acre shall be required. These regulations apply only to lots under ten acres. Cattle, sheep and other livestock may be kept or raised only on lots of five acres or larger. Paddock holding or feeding lots, animals shelters, barns or pens shall not be closer than 100 feet of any adjacent property line in any residential district. (Ord. #93-962, § 1)

17-148 COMMUNICATIONS AND WIRELESS TELECOMMUNICATIONS TOWERS, ANTENNAS, FACILITIES AND EQUIPMENT.

- a. *Purpose.* The purpose of this section is to provide sound land use policies, procedures, and regulations for the location and placement of communications and wireless telecommunications, towers, antennas, facilities and equipment within the Township of Hopewell in order to protect the community from the visual and other adverse impacts of same and to preserve the scenic and historic character of the countryside that the Hopewell Township Master Plan seeks to protect. This section seeks to meet the mandate of the Telecommunications Act of 1996, and at the same time, without limiting the generality of the foregoing, to:
 1. Protect residential areas and land uses from the potential adverse impacts of towers and related structures;
 2. Encourage the location of towers in nonresidential areas and along major transportation corridors;
 3. Minimize the total number of towers throughout the community;
 4. Strongly encourage the joint use of new and existing tower sites, and other existing structures, as primary options rather than construction of additional single-use towers;
 5. Encourage users of towers and antennas to locate them, to the extent possible, in areas where the

adverse impact on the community is minimal;

6. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape, screening and innovative camouflaging techniques;
7. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently;
8. Consider the public health and safety of communications towers; and,
9. Avoid potential damage to adjacent properties from tower failure through proper engineering and careful siting of tower structures.
10. So that the township committee can be provided with the most up to date information regarding communication towers and antennas, the township committee requests the zoning board of adjustment and the planning board to provide it with annual reports regarding the operation of this section.

b. *General Requirements.*

1. Communications Towers. Communications towers, including, but not limited to, broadcast facilities, fleet dispatch, aircraft communication, and cellular communications shall be permitted as a conditional use in any nonresidential zone district. No communications towers shall be permitted in any residential zone district.
 - (a) The following conditions shall be met for any communications tower:
 - (1) The applicant shall first demonstrate that no other existing tower or structure may be used for the subject application. Such demonstration may include but not be limited to expert reports and responses to bona fide inquiries to owners of existing towers or structures concerning the availability of space.
 - (2) The maximum height of the communications tower shall be 150 feet.
 - (3) The communications tower shall be set back from any property line a minimum distance equivalent to either the minimum front yard setback required in the zoning district in which the tower is located or 110 percent of the height of the tower, whichever is greater.
 - (4) The minimum lot size shall be equivalent to either the minimum lot size required in the zoning district in which the tower is located or 2.5 acres, whichever is greater.
 - (5) Any communications tower shall comply with the promulgated radiation emissions standards of the F.C.C.
 - (6) Notwithstanding any other provision to the contrary, no communications tower shall be located in an historic district or on an historic site, not located in an historic district, which meets Federal, State or local requirements for historic designation.
 - (b) Any communications tower that meets the conditional use standards set forth above shall also conform to the following bulk standards:
 - (1) The communications tower shall be set back from any residence a minimum of 500 feet.
 - (2) To the extent feasible, communications towers shall be painted or disguised to minimize

contrast with the natural environment.

- (3) Accessory structures or buildings for equipment not exceeding 300 square feet in area and 12 feet in height shall be permitted.
 - (4) The communications tower and any accessory structures or buildings for equipment shall be enclosed within a solid wooden fence at least seven feet and no more than eight feet high, as approved by the township engineer, which shall include a locking security gate.
 - (5) A visually impervious landscape buffer shall be installed outside the fence around the communications equipment compound, to shield completely from public view, the base of the tower, any accessory structures or buildings and parking. The landscape buffer shall be 20 feet in width and shall include native evergreen and deciduous trees at least eight feet high at the time of planting, and the number of trees shall be based on the equivalent of staggered double rows at eight feet on center.
 - (6) Any approval shall be so conditioned as to allow additional communications operators to lease space on the subject tower.
 - (7) All other applicable regulations of this section shall apply.
- (c) The communications towers and any accessory structures or buildings are considered as a principal use. The parcel may have this use as a second principal use.

2. Wireless Telecommunications Antenna.

- (a) Wireless telecommunications antenna is defined as a system of electrical conductors that transmit or receive radio frequency signals, digital signals, analog signals, or electromagnetic waves for wireless communications.
- (b) Notwithstanding anything in this Chapter XVII to the contrary, wireless telecommunications antennas installed on existing buildings or structures, and structures accessory to the antennas, are considered to be a permitted use in any zone, subject to site plan approval and the requirements set forth herein.
- (c) The applicant shall site new wireless antennas or equipment within the applicant's search area according to the priority schedule below (Number 1 constituting the highest priority). As indicated below, every effort shall be made to locate new antennas in a nonresidential zone, and the applicant shall demonstrate that such a location is not available before approval is granted for antennas in a residential zone.

<i>Priority</i>	<i>Category</i>	<i>Equipment</i>	<i>Location</i>	<i>Permitted (P)</i>
1	Commercial ¹ Transportation ²	Antenna	Collocated with other antennas on existing structure or tower within a transportation corridor	P
2	Commercial ₁ Transportation ₂	Antenna	Existing structure or tower within a transportation corridor	P
3	Commercial ₁	Antenna	Collocated with other antennas on existing structures or towers	P
4	Commercial ₁	Antenna	Existing structure or tower	P
5	Residential ³	Antenna	Collocated with other antennas on	P

	Transportation ²		existing structures or tower with a transportation corridor	
6	Residential ³	Antenna	Existing structure or tower	P
	Transportation ²			
7	Residential ³	Antenna	Collocated with other antenna on existing structure or tower	P
8	Residential ³	Antenna	Existing structure or tower	P

- (d) Wireless telecommunications antennas shall not extend more than ten feet from the existing building or structure on which they are located.
- (e) Structures accessory to the antennas shall conform to the following requirements.
- (1) The maximum size of the accessory structure shall be 300 square feet, and the height shall not exceed 12 feet.
 - (2) The accessory structure shall not extend more than 15 feet from the existing building or structure.
 - (3) The accessory structure shall meet the setback requirements of the zoning district in which it is located.
 - (4) Adequate parking shall be available.
 - (5) The accessory structure shall be enclosed within a solid wooden fence at least seven feet and no more than eight feet high, as approved by the township engineer, which shall include a locking security gate.
 - (6) A visually impervious landscape buffer shall be installed outside the fence around the accessory structure, to shield completely the facility from public view. The landscape buffer shall be 20 feet in width and shall include native evergreen and deciduous trees at least eight feet high at the time of planting, and the number of trees shall be based on the equivalent of staggered double rows at eight feet on center.
 - (7) Notwithstanding any other provision to the contrary, no wireless telecommunications antennas or their accessory structures shall be located in an historic district or on an historic site, not located in an historic district, which meets Federal, State or local requirements for historic designation.
 - (8) The wireless telecommunications antennas and their accessory structures are considered as a principal use. The parcel may have this use as a second principal use.
 - (9) Any communications antenna shall comply with the promulgated radiation emission standards of the F.C.C.
- (f) Platform-mounted or side-arm-mounted antennas are not permitted.
- (g) Aesthetics. Antennas shall be designed, located and screened to blend with and into the existing natural or built surroundings so as to minimize, without regard to cost, adverse visual impacts through the use of color and camouflaging, architectural treatment, landscaping, and other appropriate means which shall cause the visual impact of such antennas to be compatible with neighboring residences and the character of the community as a whole.
- (h) Structural safety. The applicant shall submit a report from a qualified expert certifying that the wireless telecommunications antenna and equipment facility comply with the latest structural

and wind-loading requirements as established by applicable building and electrical codes. The applicant shall provide a description of the number and type of antennas that may be accommodated and the effect on structural integrity.

(Ord. #00-1162, § 1; Ord. #07-1417, § I)

17-149 WATER SUPPLY AND ANALYSIS REQUIREMENTS.

- a. *Purpose and Intent.* The purpose and intent of this section is to ensure that residential development of two new lots or more and all site plan applications demonstrate that adequate water supply is available without adverse effect on neighboring wells and other resources including but not limited to wetlands and streams.
- b. *Applicability.*
 1. The provisions of this section are applicable to all residential subdivision applications of two new lots or more and all site plan applications. These applications must also satisfy the requirements of Chapter XVI, section 16-6.
 2. Residential subdivisions of one new lot and wells installed for nonessential use must satisfy the requirements of Chapter XVI, section 16-6 of the Hopewell Township Code. A tract of land exempt from these provisions because it creates only one new lot shall be entitled to this exemption only once. Uses defined as nonessential and wells defined as nonessential wells are required to satisfy the testing and analysis requirements of Chapter XVI, section 16-6.
 3. In the event that the municipal agency waives the requirements of this section, then the provisions of Chapter XVI are applicable.
- c. *Prohibition.* Based on the limited groundwater resources within Hopewell Township as outlined in M2 Associates March 2, 2001 report entitled "Evaluation of Groundwater Resources of Hopewell Township, Mercer County, New Jersey", no wells shall be permitted to be connected to a permanent irrigation system except if that system is used entirely for commercial agricultural purposes. In addition, no wells can be used for the filling of swimming pools.
- d. *Definitions.*

Abandoned well shall mean any well which is not in use, has been illegally installed or improperly constructed, has been improperly maintained or is damaged, has not been maintained in a condition that ensures that the subsurface or percolation water of the State are protected from contamination, has been replaced by another well or connection to a public supply, is contaminated, is nonproductive, or no longer serves its intended use pursuant to the State Act.

Abandonment or decommissioning of a well shall mean the permanent closure or sealing of a well in accordance with N.J.A.C. 7:9D-3 et seq.

Alter shall mean to enlarge, deepen or replace any portion of an existing water supply system. The terms "alteration" and "altered" shall be construed accordingly.

Applicant shall mean a developer or property owner submitting an application for development or permit to install or use a well.

Application for development shall mean the application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning

variance, or direction of the issuance of a permit pursuant to N.J.S.A. 40:55D-34 or N.J.S.A. 40:55D-36.

Application for well permit shall mean the application form and all accompanying documentation required by the township for approval to locate, construct or alter a water supply in accordance with subsection 16-6.5 of Chapter XVI and as authorized by N.J.A.C. 7:10-12.40.

Aquiclude shall mean a low-permeability unit that forms either the upper or lower boundary of a groundwater flow system.

Aquifer shall mean rock or sediment in a formation, group of formations, or part of a formation which is saturated and sufficiently permeable to transmit economic quantities of water to wells and springs.

Aquifer, confined shall mean an aquifer that is overlain by a confining bed. The confining bed has a significantly lower hydraulic conductivity than the aquifer.

Aquifer, perched shall mean a region in the unsaturated zone where the soil may be locally saturated because it overlies a low-permeability unit.

Aquifer, semi-confined shall mean an aquifer confined by a low-permeability layer that permits water to slowly migrate through to the aquifer. Also termed leaky artesian or leaky confined aquifer.

Aquifer test shall mean a three-part test conducted to obtain background, pumping, and recovery data from a pumping well and observation wells in order to determine aquifer characteristics and assess potential well interference.

Aquifer, unconfined shall mean an aquifer in which there are no confining beds between the zone of saturation and the ground surface. Water-table aquifer is a synonym.

Aquitard shall mean a low-permeability unit that can store groundwater and also transmit water slowly from one aquifer to another.

Barrier boundary shall mean an aquifer-system boundary represented by a rock mass that is not a source of water.

Building lot shall mean a designated parcel, tract or area of land established by plat or otherwise permitted by law, to be used, developed or built upon as a unit and for which the water supply is obtained from a private on-site well.

Community water supply system shall mean a source and distribution system for potable water subject to the requirements of N.J.S.A. 58:12A-1.1 et seq. and N.J.A.C. 7:10-1.1 et seq.

Cone of depression shall mean the area around a pumping well in which the head in the aquifer has been lowered.

Confining bed shall mean a body of material of low hydraulic conductivity that is stratigraphically adjacent to one or more aquifers.

Developer shall mean the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

Drawdown shall mean the lowering of the water table of an unconfined aquifer or the potentiometric surface of a confined aquifer caused by pumping of groundwater from wells. Drawdown is determined by subtracting the depth to water from the static water level determined prior to the start of pumping.

Fracture trace shall mean the surface representation of a fracture zone.

Groundwater shall mean water in the saturated zone that is under a pressure equal to or greater than atmospheric pressure.

Groundwater mining shall mean the practice of withdrawing groundwater at rates in excess of natural recharge.

Head shall mean the height above a datum plane of a column of water. In a groundwater system, it is composed of elevation head and pressure head.

Hydraulic conductivity shall mean the capacity of a rock to transmit water. It is expressed as the volume of water at the prevailing density and viscosity that will move in unit time under a unit hydraulic gradient through a unit area measured at right angle to the direction of flow.

Hydraulic gradient shall mean change in head per unit of distance measured in the direction of the steepest change.

Hydrogeology shall mean the study of the interrelationships of geologic materials and process with water, especially groundwater.

Infiltration shall mean the flow of water downward from the land surface into and through the upper soil layers.

Interflow shall mean the lateral movement of water in the unsaturated zone during and immediately after a precipitation event. Water moving as interflow discharges directly into a surface-water body.

Irrigation system shall mean equipment including but not limited to pumps, piping, and sprinkler heads used to distribute water to grasses, landscape materials, and other vegetation.

Local agency shall mean the board of health, which is the municipal agency responsible for review and approval of an application for well operation.

Local enforcement officer shall mean the township health officer or other technical representative of the township as may be designated by the Hopewell Township Board of Health.

NJDEP shall mean the New Jersey Department of Environmental Protection.

Observation well shall mean a nonpumping well used to observe the elevation of the water table or the potentiometric surface. An observation well is generally constructed similar to a pumping well. Also known as monitoring well.

Porosity shall mean the voids or openings in a rock. Porosity may be expressed quantitatively as the ratio of the volume of openings in a rock to the total volume of the rock.

Porosity, primary shall mean the porosity that represents the original pore openings when a rock or sediment formed.

Porosity, secondary shall mean the porosity that has been caused by fractures or weathering in a rock or sediment after it has been formed.

Pumping test shall mean a test made by pumping a well for a period of time and observing the change in hydraulic head in the aquifer.

Pumping test, constant rate shall mean a pumping test during which the discharge rate from the pumping well is maintained at a constant rate for the duration of the test.

Recharge, aquifer shall mean the volume of water that infiltrates to an aquifer.

Recharge area shall mean an area in which there are downward components of head in an aquifer. Infiltration moves downward to deeper parts of an aquifer in a recharge area.

Recharge boundary shall mean an aquifer system boundary that adds water to the aquifer such as a stream or lake.

Recharge, groundwater shall mean the volume of water that infiltrates to a saturated zone.

Recovery shall mean the rate at which the water level in a well rises after the pump has been shut off. Recovery is the inverse of drawdown.

Saturated zone shall mean the zone in which the voids in the rock or soil are filled with water at a pressure greater than atmospheric. The water table is the top of the saturated zone in an unconfined aquifer.

Specific capacity shall mean an expression of the productivity of a well, obtained by dividing the pumping rate by the drawdown level. Should be described on the basis of the number of hours pumping prior to measurement of drawdown. Value will generally decrease with increased time of pumping.

Static water level shall mean the depth to water in the well prior to the commencement of pumping.

Storage coefficient shall mean the volume of water an aquifer releases from or takes into storage per unit surface area of the aquifer per unit change in head. It equals the product of specific storage and aquifer thickness. Also known as storativity.

Transmissivity shall mean the rate at which water of a prevailing density and viscosity is transmitted through a unit width of an aquifer or confining bed under a unit hydraulic gradient. Transmissivity equals hydraulic conductivity times aquifer thickness.

Unsaturated zone shall mean the zone between ground surface and the water table. Pore spaces in the unsaturated zone contain water at pressures less than atmospheric.

Water table shall mean the surface in an unconfined aquifer or confining bed at which the pore water pressure is atmospheric.

Well interference shall mean the result of two or more pumping wells, the drawdown cones of which intercept. At a given location, the total well interference is the sum of the drawdowns due to each individual well.

e. *Aquifer Test and Analysis.*

1. The testing procedures for a subdivision of two or more new lots and all site plans shall be based on a hydrogeologic analysis and a minimum of one aquifer test. The hydrogeologic analysis shall include the review of available information including but not limited to published maps and reports depicting Hopewell Township and surrounding municipalities, stereo pairs of aerial photographs, New Jersey Geological Survey (NJGS) Geology of the Groundwater Resources of Mercer County Geologic Report Series No. 7 and the M2 Associates report entitled "Evaluation of Groundwater Resources of Hopewell Township, Mercer County, New Jersey". In addition, the hydrogeologic analysis will include the design, execution and analysis of aquifer test(s). The data collection shall be designed and evaluated by a qualified hydrogeologist. A geologic and hydrogeologic report containing appropriate maps, well logs, aquifer test data and observation well data and complying with the requirements of section 17-149 of this Article shall be prepared and submitted. Prior to conducting any aquifer test, a preliminary hydrogeologic evaluation and the design of the aquifer test(s) shall be submitted for review and approval by the township planning board or Board of

Adjustment hereinafter referred to as board.

2. The aquifer test shall consist of at least one constant-rate pumping test conducted at a sufficient rate and duration to be able to determine aquifer characteristics such as transmissivity and storage coefficient. As part of the aquifer test, observation wells are to be monitored to determine and evaluate the cone of depression and aquifer parameters, and predict the effect of long term pumping on existing and future wells.
- f. *Aquifer Test and Analysis Submission Requirements.*
1. *Submission Requirements.*
 - (a) Aquifer Test Plan
 - (b) Property Owner Notification
 - (c) Hydrogeologic Report
 2. *Aquifer Test Plan.*
 - (a) Prior to conducting an aquifer test, the applicant shall submit the design of such aquifer test and qualifications of the persons and firm who will be performing the test, to the board.
 - (b) The design of the aquifer test shall be developed using the applicable guidance from "Guidelines for Preparing Hydrogeologic Reports for Water Allocation Permit Application with an Appendix on Aquifer-Test Analysis Procedures" NJGS GSR 29 (1992 or most recent edition) or successor document.
 - (c) The aquifer test will be conducted in three phases: the background phase, the pumping phase, and the recovery phase.
 - (1) The first phase will involve the collection of background water levels prior to the start of the test. The second phase will involve the pumping of water from the well and the monitoring of water level drawdown in the observation and pumping wells. The third phase will involve the recovery of water levels in the observation and pumping wells after the pump has been shut down. This third phase of the test should be, at a minimum, the same length as the pumping phase.
 - (2) The aquifer test (all three phases) shall not be conducted during a precipitation event or events in which total precipitation exceeds or equals 0.5 inches. Precipitation must be recorded with a National Weather Service acceptable rain gauge on site during all phases of testing and measurements for each day must be included in the hydrogeologic report. If precipitation occurs during the test, the applicant should provide precipitation amounts and sufficient data to show that the precipitation did not recharge the aquifer during the test and adversely impact the testing results. If precipitation amounts exceeding 0.5 inches are recorded, the test must be repeated.
 - (3) The pump must be installed in the pumping well at least 48 hours prior to the start of the background phase.
 - (4) Prior to starting the background phase, water levels in the test well and observation wells must be permitted to stabilize for a minimum of three days after all drilling activities are complete.
 - (5) During the background phase, water levels should be collected at a minimum once per

hour for the 24-hour period prior to the start of pumping. It is the applicant's responsibility to collect sufficient data to determine background conditions and to ensure that antecedent influences can be fully characterized. Barometer measurements and additional water level measurements can be made by the applicant to evaluate the change in water levels resulting from barometric pressure changes and/or influences from off-site pumping.

- (6) On the day of the pumping phase, water levels shall be collected from all wells to determine static water levels prior to the start of pumping. Water levels in wells on neighboring properties should be allowed to stabilize at or near static water level prior to the start of pumping. For any observation well which has been pumped within the 24 hours preceding the test, two depth to water measurements at least one hour apart shall be collected to show that the well has fully recovered prior to the start of pumping.
- (7) When the pump is started the flow rate shall be adjusted immediately to a uniform pumping rate as required for a constant-rate test and in accordance with the approved aquifer test plan. The flow rate shall not vary more than ten percent throughout the test. If the flow rate fluctuates more than ten percent, the test may be deemed invalid and the applicant required to repeat the notification and testing process.
- (8) Water level measurements during the pumping phase of the test shall be collected in accordance with Table 1. This same schedule shall be followed for the recovery phase of testing upon shutdown of the pump in the test well.

Table 1: Minimum Frequency of Water Level Measurements in Wells During Pumping and Recovery Phases of Aquifer Test

<i>Time Since Pumping Began or Stopped</i>	<i>Test Well</i>	<i>Observation Wells</i>
0 to 5 minutes	0.5 minutes	0.5 minutes
5 to 10 minutes	1 minute	1 minute
10 to 30 minutes	2 minutes	2 minutes
30 to 60 minutes	5 minutes	5 minutes
60 to 120 minutes	10 minutes	10 minutes
2 to 24 hours	30 minutes	30 minutes

- (d) Rate and Duration. The rate and duration of the aquifer test will depend upon the size of the proposed development and expected average and peak daily demands for water.
 - (1) The average daily and average yearly water demand for human consumption within the subdivision or site plan must be determined according to the guidelines in N.J.A.C. 7:10-12.6. Demand calculations must include irrigation systems if proposed and water usage for filling of swimming pools and all other demands. Demand is to be determined based on N.J.A.C. 7:10-12.6. The peak-day demand is twice the average daily demand. For nonresidential developments, peak-day demand must include seasonal factors.
 - (2) The pumping phase will be equal to the greater time duration of the following: i) the volume of water removed from the aquifer is equal to the peak-day demand; or ii) eight hours.
 - (3) The pumping phase must simulate peak-day demand and therefore, the pumping phase duration is not to extend more than 24 hours. The minimum pumping rate is calculated by dividing the peak-day demand by 1440 minutes per 24-hour period.

- (4) If the demand exceeds 100,000 gallons per day, a New Jersey Water Allocation Permit must be obtained from the New Jersey Department of Environmental Protection.
 - (5) For mixed developments containing both residential and nonresidential properties, each portion will be tested separately. Wells installed for the residential portion must be used as observation wells for the nonresidential testing and wells installed for nonresidential use must be used as observation wells for the residential testing.
 - (6) The pumping rate will be determined by equipping the discharge pipe with an orifice/manometer apparatus and calibrated flow meter to instantaneously measure flow rate and determine total volume pumped from the well.
 - (7) The discharge shall be directed so that it leaves the site without infiltrating to the aquifer. Any and all permits required by the NJDEP for the discharge of water must be obtained prior to starting the test.
- (e) Location. The aquifer test shall be conducted at a location most representative of site geologic conditions.
- (1) For residential subdivisions and site plans, biasing of testing toward areas of increased fracture density may result in the township requiring additional testing in areas of lower fracture density to ensure that adequate yield is available throughout the proposed subdivision.
 - (2) If the proposed site is underlain by two or more geologic formations, then an aquifer test will be required for each portion of the site underlain by each formation. The test requirements for each formation will depend on the number of lots and size of units per formation.
 - (3) In the event that the preliminary hydrogeologic evaluation indicates that a surface-water and/or groundwater divide separates the subdivision, an aquifer test will be required for each side of the divide.
- (f) Observation Wells.
- (1) The number of observation wells required per aquifer test will depend on the number of dwelling units and/or commercial units. New and existing observation wells may be located such that they can be used as future water-supply wells but they shall be located in such a manner that will yield the most accurate information concerning the aquifer.
 - (2) Observation wells should be completed to similar depths as the pumping well.
 - (3) Observation wells must be located parallel and perpendicular to strike of the primary regional fractures and those intersected by the tested well. Additional observation wells should be located to evaluate potential secondary fractures and impacts to adjacent properties.
 - (4) A fracture trace analysis showing the location and orientation of fractures beneath the site must be included with the aquifer test plan. This same analysis with additional information regarding septic system locations must be included in the hydrogeologic report. This fracture trace analysis must be used to identify all observation wells on the site and should be used to identify neighboring property owner wells to be monitored during the test.

- (5) All wells must be located in accordance with the minimum distances required by N.J.A.C. 7:10-12.12.
- (6) One observation well should be located within 200 feet but no more than 500 feet of the pumping well. If required, a second observation well must be within 1,000 feet of the pumping well.
- (7) For nonresidential developments with an expected average daily demand less than 800 gallons per day, one observation well is required. For residential subdivisions of two lots, on which one new single-family residence will be constructed, one observation well is required.
- (8) For residential developments of two new residential units or more, the number of observation wells shall be as shown in Table 2.

Table 2. Number of Observation Wells Required for Residential Subdivisions/Site Plans

<i>No. of Proposed New Units</i>	<i>No. of Observation Wells</i>
2 to 5	3 (minimum of 1 new well within proposed development)
6 to 25	3 (minimum of 2 new wells within proposed development)
26 to 49	6 (minimum of 4 new wells within proposed development)
50 or more	Test proposal submitted to Board and NJDEP for review and approval

(9) For nonresidential developments with anticipated daily demands exceeding 800 gallons per day, the number of observation wells shall be as shown in Table 3.

Table 3. Aquifer Test Requirements for Nonresidential Developments.

<i>Average Demand (gallons per day)</i>	<i>No. of Observation Wells</i>
800 to 1,999	3 (minimum of 1 new well within proposed development)
2,000 to 9,999	3 (minimum of 2 new wells within proposed development)
10,000 to 99,999	6 (minimum of 2 new wells within proposed development)
100,000 or more	Obtain NJDEP Water Allocation Permit

(10) The observation wells and pumping well must have a geologic log describing the depth and types of soils and rocks encountered and the depth and yields of all water-bearing fracture zones. Furthermore, the logs must include static water level measurements and total yield estimates for each well.

(g) Water Quality Evaluation.

- (1) Groundwater samples must be collected during the pumping phase from the pumping well.

- (2) The samples must be collected in accordance with the NJDEP Field Procedures Manual.
 - (3) At a minimum, the samples shall be analyzed by a NJDEP-certified laboratory for hardness, Gross Alpha Particle Activity, arsenic, iron, manganese, copper, lead, nitrate, and total and fecal coliform bacteria. The samples shall also be analyzed for volatile organic compounds for which the USEPA or NJDEP has determined maximum contaminant levels using USEPA Method 524.2.
 - (4) Field measurements of pH, conductivity, and total dissolved solids shall be made with calibrated instruments.
 - (5) If site conditions indicate potential historic use of pollutants such as heavy metals, pesticides, herbicides, or other volatile or semivolatile organic compounds at or near the site, these analyses must be conducted.
 - (6) Based on past historical operations at the site or at nearby properties, the board, at its discretion, may require additional analyses of groundwater to assess potential future and current impacts.
 - (7) The results of the water sample analyses will be used to assess background water quality.
- (h) Property Owner Notification.
- (1) Notice.
 - (i) Owners of existing wells on lots located within 500 feet of the subdivision/site plan boundary shall be given an opportunity to have their wells monitored during the aquifer test.
 - (ii) Such opportunity shall be given by the applicant by notice via certified mail and shall give the time and place of the aquifer test.
 - (iii) A notice acceptable to Hopewell Township is included in Appendix A.* This notice may be modified with approval of the township attorney and the local enforcement officer. If the application is pending before a board, the board with jurisdiction must also approve the change.
 - (iv) The notice shall indicate that such existing well may be monitored if agreed to by the well owner provided the well is readily accessible. Such notice shall indicate that the existing well owner must respond within seven days and the applicant's responsibility is to monitor up to three wells on properties within 500 feet of the subdivision boundaries.
 - (v) The applicant shall provide a certificate of insurance for itself and all contractors utilized and pay all costs associated with the monitoring of any existing residential well.
 - (vi) Prior to monitoring, all buried wells must be raised to a minimum of twelve inches above grade to allow access and retrofitted with pitless well adapters, etc. per N.J.A.C. 7:10-12.20 well head requirements.
 - (vii) All wells shall be chlorinated each time they are opened for service or monitoring, unless the owner specifically waives the requirement of chlorination in writing.

- Bottled water shall be provided to the homeowners during the monitoring period and while the chlorine is detected above the acceptable limits of chlorination in the public water standards.
- (viii) The costs of extending, restoring or replacing a well damaged as a result of testing shall be the responsibility of the applicant.
- (ix) The applicant shall indemnify and hold the Township and its consultants and representatives harmless from any liability in connection with these testing requirements.
- (2) Response.
- (i) If the owner of the lot within 500 feet of the subdivision boundaries decides to participate by agreeing to have their existing well monitored, they shall notify the applicant by certified mail.
- (ii) Such response shall be provided within seven days of receipt of the certified notice from the applicant.
- (iii) If the applicant receives no response within the time provided, the response shall be deemed to be negative.
- (i) Protection of Monitored Wells. All reasonable efforts must be made to protect the potability of water from the monitored well.
- (j) Selection of Wells for Monitoring.
- (1) In the case when more than three property owners within 500 feet of the subdivision boundaries decide to participate and to have their existing wells monitored, only three must be monitored.
- (2) However, if any of the property owners requesting monitoring have wells completed to a depth less than 100 feet, these wells must also be monitored in addition to the three other wells.
- (3) A map depicting the location of all wells to be monitored and a list of all property owners within 500 feet of the subdivision boundary that requested monitoring is to be submitted to the board for review and approval prior to implementing the test.
- (4) The observation wells on neighboring properties should be selected to assess if the cone of depression from the pumping well will extend beyond the subdivision boundary in any direction.
- (5) The board reserves the right to retain a professional hydrogeologist to review the proposed monitoring locations and to make recommendations to revise the locations to be monitored.
- (k) Hydrogeologic Report.
- (1) A hydrogeologic report must be submitted with each application for subdivision of two or more lots and all site plans.
- (2) The report shall document the design and implementation of the aquifer test.
- (3) The report shall include all water level data collected during the three phases of testing.

- (4) The report must include calculations of aquifer characteristics such as transmissivity and storage coefficient, calculations of the cone of influence, potential impacts to adjacent well owners, and the long-term sustained yield for the wells.
 - (5) All water level measurements obtained during the aquifer test shall be included with the report in electronic format acceptable to the township.
 - (6) The report shall include a detailed hydrogeologic description of the aquifers encountered beneath the site and adjacent properties.
 - (7) The report must include a detailed evaluation of the water supply demand for an average and peak day, and this demand should be supported with information on anticipated population, expected unit density, and size of units.
 - (8) An inventory of all wells within 1,000 feet of the proposed subdivision/site plan boundaries should be appended. This inventory should be submitted in electronic format acceptable to the township.
 - (9) Figures depicting site geology, topography, water level elevations, groundwater flow, and development plans shall be included.
 - (10) In addition, all water quality sampling data shall be tabulated and summarized in the report. Only one copy of the laboratory reports is necessary for filing with the township.
 - (11) The report should include a detailed evaluation of potential impacts from subsurface sewage disposal systems on groundwater quality. A site plan depicting well, septic leach field, and fracture trace locations at a minimum scale of 1 inch equals 200 feet should be included. For any and all locations where a fracture or set of fractures intersects one or more wells and/or septic leach fields, a detailed assessment of treatment technologies should be included. The treatment technologies should provide adequate assurances that any and all groundwater pumped from the wells will satisfy Federal and New Jersey Drinking Water Standards and will not be adversely impacted by the septic leach field discharges.
 - (12) The hydrogeologic report shall be prepared and signed by a qualified hydrogeologist using applicable sections of GSR 29 or successor document as a guide. A qualified hydrogeologist shall be an individual who has received a minimum of a bachelor's degree in geology at an accredited institution or has completed an equivalent of 30 semester hours of geological education while obtaining a bachelor's or master's degree in a related field of engineering or science at an accredited institution. Such a person must also demonstrate five years of professional work experience in the practice of applying geologic principals to interpretation of groundwater conditions. The individual shall provide a resume or curriculum vitae to document education and experience requirements.
 - (13) The hydrogeologic report shall include the name and license number of the well driller and pump installer. The report shall include the names of the persons and firm responsible for collecting the water level measurements. In addition, the report shall include copies of the completed NJDEP Well Records.
- (l) Evaluation of Results.
- (1) Precipitation. A test conducted during a period in which 0.5 inches or more of

precipitation are recorded at or near the site must be repeated.

- (2) Background Phase. Antecedent influences must be determined, and, if necessary, pumping phase and recovery phase data must be corrected. Insufficient data to assess these influences will require repetition of all three phases of the aquifer test.
- (3) Pumping Phase.
 - (i) If the pumping rate does not exceed the average daily demand by 120 percent or the peak-day demand cannot be pumped within a 24-hour period, the aquifer beneath the site will be deemed insufficient to meet the proposed demands and the applicant must reduce site demands and development units.
 - (ii) If the pumping rate varies by more than ten percent of the average flow rate, the entire test shall be repeated.
 - (iii) If the pump shuts down during the pumping phase, the entire test must be repeated.
 - (iv) If water levels in the pumping and/or observation wells exceed the measurement capacity of the devices used for measuring changes in water levels and measurements are not recorded with other devices in accordance with the schedule listed in Table 1,^{*} the test must be repeated.
 - (v) If the pumping data indicate a change in aquifer transmissivity as a result of fracture dewatering, all analyses of the potential radius of influence and impacts to neighbors, streams, and wetlands must be conducted using the lowered aquifer transmissivity. If this lowered transmissivity indicates that the anticipated demand cannot be supported by the aquifer beneath the site, the applicant must reduce the site demand and development units.
- (4) Recovery Phase.
 - (i) For purposes of evaluating water level recovery, the recovery phase duration will be equal to the pumping phase duration. For example, if the pumping phase is eight hours in duration, water levels eight hours after the pump has been turned off will be compared to the prepumping static water level to assess recovery rates and residual drawdown.
 - (ii) If residual drawdown in the pumping well or any observation wells exceeds ten percent but is less than 20 percent of the total drawdown at the end of the recovery phase, the applicant must show through standard/recognized aquifer test analytical procedures and calculations that the well or wells are capable of full recovery. If full recovery cannot be shown or groundwater mining/dewatering has occurred, the applicant must reduce site demands and development units.
 - (iii) If residual drawdown in the pumping well or any observation well exceeds 20 percent of the total drawdown at the end of the recovery phase, the aquifer will be deemed insufficient to meet the proposed site demands and the applicant must reduce site demands and development units.
- (5) Neighboring Wells.
 - (i) If the drawdown is measured or projected to be more than one foot at any existing

adjacent property well or along the subdivision boundary, the applicant's hydrogeologist must evaluate long-term potential impacts to adjacent properties based on the actual condition of wells in that zone or along that portion of the subdivision/site plan boundary.

- (ii) If a drawdown of five feet or more is noted in any existing adjacent property well, or is projected at any property boundary, then the aquifer will be deemed to have insufficient transmissivity to support the proposed subdivision/site plan. The applicant must reduce demand and development units to ensure that drawdown will not exceed five feet at any site boundaries.
- (6) Impacts to Streams and Wetlands. If drawdown is measured or projected to induce leakage from streams or wetlands such that baseflow in these streams will be reduced or wetlands partially or entirely dewatered, then the demand and development units must be reduced to prevent adverse impacts to streamflow and wetlands.
- (7) Additional Testing. Any test that must be repeated, restarted, or reconducted at a reduced demand, must satisfy all the requirements of this ordinance including but not limited to renotification of all property owners within 500 feet and resubmission of an aquifer test plan for board approval prior to implementation of the test (Ord. #03-1298, § 5)

17-150 to 17-158 RESERVED.

***Editor's Note:** Former subsection 17-3.la-j was renumbered as Article VIII, sections 17-138-17-147. Sources contained herein include Ordinance Nos. 528, 556-80, 580-81, 594-81, 686-85, § 15, 698-86, 723-86, §§ 12, 13, 743-87, § 1, 91-904, § 2, 93-962, § 1.

****Editor's Note:** The zoning map referred to herein can be found at the end of this chapter as Appendix B.

***Editor's Note:** The map amendments referred to herein are contained at the end of this chapter in Appendix C.

****Editor's Note:** The schedules referred to herein may be found in the appendix at the end of this chapter.

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****Editor's Note:** The map amendments referred to herein may be found at the end of this chapter in Appendix C.

¹"Commercial" includes the VRC-HLI, C-1, SC, SC-1, HBO, OICC, SI, OP, OLI, IC, RO-1, RO-2, RO-3, R-6 and Q zones.

²"Transportation" means the lot has frontage on Route 31, Route 29 or I-95.

³"Residential" includes the R-5, R-50, R-75, R-100, R-150, VRC and MRC zones.

***Editor's Note:** Appendix A, referred to herein, may be found at the end of this chapter.

***Editor's Note:** Table 1, referred to herein, may be found in paragraph f.2, (c) of this subsection.

ARTICLE IX ZONING DISTRICTS*

17-159 RESIDENTIAL: R-150, R-100, R-75, R-50, R-5 AND R-6.

- a. *Purpose.* The purpose of this section is to recognize the existing pattern of detached dwellings, to preserve environmentally critical areas as identified in the adopted master plan and the natural resources inventory, and to allow the township to provide a variety of housing, including lower income housing in the identified areas. The selection of dwelling unit types in the R-5 District should provide a balance of housing choices attractive to all income and age segments of the community as part of the township's fair share of the regional housing needs. The criteria are intended to provide flexibility in the design of developments to aid in reducing housing costs, encouraging lower income housing, allowing construction to avoid environmentally critical areas, and removing residences from busy highways and other potential nuisances created by noise and visual blight.
- b. *Permitted Principal Uses.*
 1. Residences. Single family dwellings and other dwellings, as provided in the sections relating to specific zoning districts, are permitted as principal uses. (For conversions, see section 17-145.)
 2. Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences for persons with head injuries shall be a permitted use in all residential districts of the township, and the requirements shall be the same as for single-family dwelling units located within such districts.
 3. Cemeteries; golf courses with accessory club house, eating facilities, tennis courts, swimming pools and similar usual accessory structures; public library, public parks and playgrounds; municipal buildings including school bus shelters; fire houses.
 4. Farm and agricultural uses including, as accessory uses, horse riding lessons and a farm stand offering facilities for seasonal sale of products or produce in accordance with the township's Right-to-Farm Ordinance. (Chapter 22 of the Township Code).
 5. Model homes are permitted to be used as a sales office within a residential development only during the period necessary for the sale of new homes within that development. In addition to the model homes, the developer of a property with more than ten dwelling units may be permitted to use one trailer, or manufactured home, or modular building, or similar structure as a sales office. Where a development contains a mix of dwelling unit types (dwelling unit types are defined as single family homes, and/or townhouses, and/or apartments), the developer may be permitted one sales office, as described above, for each housing type as defined above provided there are more than ten dwelling units of each housing type, but in any event no more than three such sales offices shall be permitted in any one development regardless of how many dwelling unit types are in the development. Site plan review and approval shall be required for the sales operation area(s) in order to review parking, access, landscaping, the placement of the structures, and plans and guarantees to remove any temporary structures and/or pavement or parking areas upon completion of the sales operation.
- c. *Permitted Accessory Uses.*
 1. Private garages, swimming pools, parking areas, tennis courts, trellises, fences, walls, lamp posts, storage structures and animal shelters and similar facilities, which in total occupy less than ten percent of the lot, are permitted provided they are accessory and subordinate to the principal use of the lot.

2. One earth terminal antenna with an associated reflector (or dish) is permitted on a residential lot only if located either in the rear yard, or on the roof of a residence positioned below the ridge of the roof, both locations to be such as to have the antenna and reflector screened from view from the street. The dishes shall be an appropriate color to match the background. The setbacks shall conform to the setbacks for principal buildings for the zone in which it is located. If necessary to screen the antenna and reflector from the street, additional planting of shrubs, trees or other plants shall be required. Said plantings shall be of a type and be located so as to provide sufficient year-round foliage to provide the year-round screen. Servicing wires and cables shall be installed underground. The main reflector shall not exceed a diameter of eight feet and the overall height of the reflector, the base, and other associated installation equipment shall not exceed ten feet.
3. Home Occupation. Structures in which not more than 25 percent of the net floor area of the structure is used in the conduct of the home occupation; there is no change in the exterior appearance of the structure or premises as a dwelling and no external visible evidence of the conduct of the occupation; no sales may be made at the premises; no part of the home occupation may be conducted in any accessory building; no person may be employed who is not both a member of the family of the person conducting the occupation and an actual resident of the dwelling; no traffic may be generated by the occupation beyond that normally generated by the use of the premises as a single family dwelling; no machinery, equipment or process may be used which creates noise, vibration, glare, fumes, odors or electrical interference detectable at the property lines or which causes any interference with radio or television reception by neighboring residences or fluctuation in line voltages beyond the premises.
4. Tennis Courts. One tennis court is permitted as an accessory use on a single family dwelling subject to the following restrictions:
 - (a) To be constructed only on a lot with a minimum area of 60,000 square feet containing a single family dwelling.
 - (b) The allowable maximum percentage of lot coverage may be increased only by the area of the tennis court, provided, however, said increase does not impact any public stormwater management system.
 - (c) Fencing around the tennis courts is permitted and shall not exceed 12 feet in height.
 - (d) Site plan approval by the planning board is required for construction of any tennis court in front of the principal structure.
 - (e) No tennis court, fencing, or lighting may be constructed within the setback requirements.
 - (f) Illumination of any tennis court shall be prohibited except under the following conditions:
 - (1) The lot area shall be at least five acres.
 - (2) Lighting fixtures shall be full cutoff.
 - (3) Lighting fixture height shall not exceed 20 feet, and shall be located on the side of the court 30 feet from the centerline.
 - (4) Average maintained horizontal illumination on grade shall not exceed 50 fc. Maximum to minimum uniformity ratio shall not exceed 4:1.
 - (5) No light trespass shall be generated from any fixture used to illuminate the tennis court. Contribution to vertical illuminance at any point along all property lines shall be zero at

grade and all points above.

(6) Lighting fixtures must be turned off between the hours of 10:00 p.m. and 7:00 a.m.

5. Family day care homes providing child care services to no less than three and no more than five children at any one time, exclusive of family members, for no less than 15 hours a week, and registered as a family day care home pursuant to the "Family Day Care Provider Registration Act," shall be permitted as an accessory use to a single family dwelling unit. The zoning requirements shall be the same as for a single family dwelling unit.

d. *Permitted Conditional Uses.* The following uses are permitted as a conditional use:

1. Low and Moderate Income Housing Project. In addition, in any R-5 or R-100 District, a low and moderate income housing development approved prior to the effective date of this section^{*} erected by a nonprofit, limited-profit, or for-profit sponsor is permitted in accordance with, but not limited to programs administered by State, Federal, and/or other governmental programs conditioned on the following: The project shall comply with all applicable building design, construction, and other requirements and guidelines of the sponsoring governmental agency or, if the sponsoring agency has no building design and construction requirements or guidelines, then the project shall follow those in effect at the New Jersey Housing and Mortgage Finance Agency ("NJ HMFA") as certified to the approving authority by the project architect; no project contains more than 150 units; all the units are dedicated to occupancy by qualifying low and moderate income households, except one on-site manager's or superintendent's apartment unit is permitted; the minimum period of affordability shall be 40 years instead of 30 years set forth in section 17-92c,2; public water supply and public sanitary sewer service are required; the density shall not exceed 16 units per gross acre for developments exclusively for residents age 62 and over, or for developments exclusively for residents age 62 and over, but where not more than 20 percent of the units may be for non-age restricted, handicapped persons as "handicapped" is defined under State and/or Federal programs; and the density shall not exceed ten units per gross acre for other, non-age restricted developments. Other design criteria shall meet the bulk and design requirements of section 17-92d.
2. Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall be landscaped and screened to be appropriately integrated into a residential neighborhood in accordance with section 17-89 and, where safety dictates, shall be enclosed with landscaped fencing. Communications and wireless telecommunications towers, antennas, facilities and equipment are not included as a conditional use herein, and are specifically governed by section 17-148 of this chapter.
3. Conversion of Existing Accessory Buildings to Residences. In an effort to preserve the existing character of these rural areas and to preserve old farm buildings and old materials, accessory buildings existing as of July 1, 1986 in the MRC, VRC, and R-150 Districts may be converted to a residence, with or without subdividing the lot so as to create a separate lot for each dwelling provided the following conditions are met:
 - (a) The maximum number of dwelling units allowed in a converted building shall be one so that the maximum number of dwelling units on a lot as a result of the conversion shall be two, e.g. the original principal dwelling unit plus the conversion. Any further conversions of additional accessory buildings shall be permitted only following an approved subdivision that places each additional residence on a separate lot.

- (b) The original lot on which both buildings are located shall be at least twice the minimum lot size required for the district in which it is located to assure the conversion does not exceed the maximum density of the development permitted under the zoning provisions.
 - (c) If the converted building is not subdivided into a separate lot, the original dwelling shall be occupied by the owner of the tract.
 - (d) Because original farm accessory buildings may not have been spaced to meet current setback requirements, any subdivision that will place these structures on a separate lot may be approved provided the minimum front, side or rear yards, individually or in some combination, are not less than half the setback distance required for the zone in which the property is located, except that in any event no building shall be converted that is either closer than 25 feet to a street right-of-way or another building on the site, or within a required sight triangle, whether being subdivided on a separate lot or not.
 - (e) No building intended for conversion shall be in the 100-year flood plain and the building being converted shall be located in an area where slopes and other physical conditions permit proper access to the site, where there is proper sight distance at the driveway intersection with the street right-of-way, and where there is sufficient area for adequate off-street parking.
 - (f) The converted building shall be designed to meet the definition of a dwelling unit, including all area, space, health and construction requirements set forth in other codes and ordinances.
 - (g) The converted building shall have an approved well and septic system prior to a certificate of occupancy.
4. A nursery outlet offering facilities for the sale of farm products from trees and ornamental shrubs provided the nursery is on a parcel used for agricultural purposes and meets the minimum requirements of subsection 17-159g. (standards for an agricultural lot).
 5. Public and private nonprofit schools and churches shall be permitted provided such uses have access from a primary local, collector, secondary arterial, or primary arterial road as identified on the adopted circulation plan or, if constructed on a new street system not shown on the circulation plan, shall have access from a road having design standards meeting one of these road classifications. Such uses shall be permitted only when the site can be designed so the recreational facilities, parking areas, and other yard spaces which would be used for groups of people or cars shall be buffered from adjoining residences via environmental conditions, topography, densely landscaped areas, distance, or similar design criteria to protect adjoining residential neighborhoods, meeting at least the minimum requirements of subsection 17-159g. and section 17-89. Primary access to these uses shall not be through local streets in residential neighborhoods.
 6. Resident professional offices in which not more than 25 percent of the net floor area of the structure is used for office purposes and there is no alteration visible from the street or adjacent property lines, and not more than one person may be employed at one time in addition to residents of the dwelling and members of the family of the resident professional.
 7. Nonresidential Services in the R-6 District. In the R-6 District, the development of nonresidential uses shall be conditioned on: (a) a conceptual plan being prepared and submitted for the entire development, including all business, market housing, affordable housing, and other uses, including accessory uses; (b) all subsequent preliminary and final plans being consistent with the approved concept plan, as it may be amended, whether or not the development will be constructed at one time or in phases; (c) the business portion of the site abutting a primary arterial or secondary arterial road

as set forth in the Circulation Plan of the Master Plan but being designed so that no driveway serving any individual use (residential or nonresidential) shall directly access the abutting arterial road(s); (d) any nursery school or day care center being located adjacent to, and with access to, an on-site service road that provides access to the abutting arterial road; (e) having not more than 30 percent of the overall development tract acreage (residential and nonresidential) devoted to nonresidential uses which are limited to either a nursery school or day care center and providing a mix of the following convenience services such as, but not limited to, banking, professional offices, restaurant and retail sale of food, pharmaceuticals, and general merchandise. The provision for nonresidential uses in the development shall be conditioned on receiving subdivision and site plan approval, which approval(s) shall require the execution of a developer's agreement and appropriate restrictions on the nonresidential lots and all remaining land in order to reasonably guarantee the actual construction and the phasing in of the low and moderate income housing obligation in accordance with section 17-92 as an integral part of the requirements of this zoning district: and, because any permitted nonresidential use is located on property that is permitted to be used for residential density as well as the nonresidential floor area, the nonresidential development shall be conditioned on the nonresidential portion of the development being obligated to pay the required affordable housing fee as set forth in the development fee ordinance, section 10-7c. Any nursery school or day care center shall be conditioned on meeting the licensing requirements of the State of New Jersey.

The development of any nonresidential uses in the R-6 District shall conform to the following zoning standards which shall be considered general bulk standards for the R-6 District, not specific standards or "conditions" for a conditional use:

Min. Lot Size	2 acres
Min. Lot Width	275 ft.
Min. Lot Depth	300 ft.
Min. Front Yard	100 ft. from Rt. 31 50 ft. from interior streets
Min. Side Yard	50 ft.
Min. Rear Yard	50 ft.
Min. Distance between Bldgs.	20 ft.
Max. Building Height	2 stories, 35 ft.
Max. Lot Coverage	65%
Max. Floor Area Ratio	0.2
Min. Off-Street Parking	See § 17-95j.
Min. Landscaped Buffer along Rt. 31	25 ft.

8. Airport Hazard Area. In recognition of the existing airports located adjacent to the Pennington-Lawrenceville Road in the VRC District and the Mercer County Airport off Scotch Road in Ewing Township, these existing airports shall be considered a permitted use in accordance with N.J.A.C. 16:62-2.1(e). Additional buildings, additions to existing buildings, runway extensions, additions to parking areas and other improvements serving to increase the capacity of these airports with respect to the number of aircraft able to be parked at the airports, or the number of take-offs and landings resulting from the increased number of aircraft, shall be permitted as a conditional use. The conditions for approval of any airport operations located in Hopewell Township shall be as follows:
 - (a) No building located within the runway subzone and the runway end subzone shall have a building height higher than permitted under the "Air Safety and Hazardous Zoning Act." In addition, no building may have a building height higher than 40 feet, or one foot of vertical

height for each seven feet of horizontal distance when measured from any property line, whichever is lower.

- (b) The end of the runway shall be no closer than 400 feet to the property line of the airport.
- (c) For each aircraft parking space, there shall be at least one off-street parking space for a motor vehicle. Said vehicular parking spaces shall be located at least 100 feet from the property line.
- (d) Additional structures for the purpose of mechanical repairs may be approved provided they are located at least 400 feet from any property line.
- (e) Take-offs and landings shall be limited to daylight hours and no beacons, runway lights or other lighting in support of night flying shall be permitted.
- (f) Development Limitations in Airport Hazard Areas. In recognition of the existing airport located adjacent to Pennington-Lawrenceville Road in the VRC District and the portion of the airport hazard area extending into Hopewell Township from the Mercer County Airport located in Ewing Township, and in accordance with the requirements of N.J.A.C. 16:62 et seq., notwithstanding the permitted uses, building heights, and other area, yard and bulk requirements permitted in this section, development in the airport hazard area surrounding the airport shall be as follows:
 - (1) The "airport hazard area" is any area of land or water, or both which may create a dangerous condition for persons or property in or about an airport or aircraft during landing or take-off at an airport. It consists of the following areas surrounding the airport runway:
 - [a] The "runway subzone" is that rectangular area along both sides of the runway extending 1,175 feet from the centerline along both sides of the runway. No structures, buildings or trees within this area shall be so high as to penetrate a plane having a slope that rises from the side of the runway at a slope of seven feet horizontal to one foot vertical. The beginning point shall be 125 feet off the side of, and parallel to, the centerline of the runway. The beginning elevation shall be the elevation of the runway.
 - [b] The "runway end subzone" is that trapezoid area at both ends of the runway. Its length shall be 3,000 feet from the end of the runway measured in a straight line along an extension of the centerline of the runway. Its width at the end of the runway shall be equal to the width of the runway subzone as described above, and then narrows uniformly to a width of 850 feet at the far end located 3,000 feet from the runway. No structures, buildings or trees within this area shall be so high as to penetrate the lower elevation of either of the following two planes. The elevations shall be measured from the elevation of the runway and should be measured from, or along the extension of, the centerline of the runway: (i) a plane rising along both sides of the extension of the runway centerline having a slope that rises one foot vertically for each seven feet moved horizontally moving away from one side of the extended centerline of the runway. The beginning point shall be 125 feet off to the side of, and parallel to, the centerline of the runway; (ii) a plane that rises from the end of the runway that widens as the distance from the end of the runway increases. The slope of this plane follows the extended centerline of the runway and rises one foot vertically for each 20 feet moved

horizontally up to a maximum height of 150 feet located at the end of the "runway end subzone." This plane shall begin with a width of 250 feet at the end of the runway (125 feet on either side of the centerline of the runway) and widen uniformly to 850 feet at the end of the "runway end subzone."

[c] The "clear zone" is that trapezoid area at both ends of the runway. Its length shall be 1,000 feet from the end of the runway measured in a straight line along an extension of the centerline of the runway. Its width at the end of the runway shall be 250 feet, then widens uniformly to 450 feet at the end of the clear zone located 1,000 feet from the end of the runway. Half its width shall be on either side of the extension of the centerline of the runway.

- (2) Notwithstanding the permitted uses allowed within the affected VRC, R-100 and R-5 Districts, uses permitted within the "clear zone" of the airport hazard area shall be limited to the yard areas of the permitted uses, highways, open spaces and agriculture. Uses permitted in the airport hazard area (but outside the clear zone) shall be residences on lots of at least three acres, yard areas of permitted uses, highways, open spaces and agriculture. Applications submitted for permitted uses in the applicable zoning district that are other than those noted above shall be reviewed in the interest of eliminating, or at worst minimizing, the intrusion into the airport hazard area through the use of cluster zoning or similar design techniques. For locating highways, they shall be considered developments with vertical heights as follows: interstate highways, 17 feet; other public roads, 15 feet; private roads, ten feet; and railroads, 23 feet. Where the permitted development can only be achieved with an intrusion into the airport hazard area, the township shall grant only conditional approval, conditioned on the applicant applying for and receiving a permit from the Commissioner of the Department of Transportation in accordance with the procedures of N.J.A.C. 16:62 et seq. If the commissioner denies the request, the township's conditional approval shall be void and the application shall have been considered to have been denied.

9. Child Care Centers. Child care centers serving six or more children at any one time shall be permitted as a conditional use in the MRC, VRC, R-150, R-100, R-75, R-50, and R-5 residential districts conditioned on the facility being licensed by the State Department of Human Services, Division of Youth and Family Services; the use being a principal use on the lot and not part of a residential property; the use having no more than 100 children at any one time; the minimum lot area being the smaller of either six acres or two times the minimum lot size required in the zoning district in which the property is located; and the property shall have access from either an arterial or collector street. The matters in paragraphs (a) and (b) below shall be normal zoning and design issues and are not conditions for the conditional use.

- (a) The lot requirements shall be:

Min. Lot Width	250 ft.
Min. Lot Depth:	200 ft.
Min. Front Yd:	75 ft (Bldgs and recreation areas)
Min. Side Yd:	75 ft (Bldgs)
Min. Rear Yd:	75 ft (Bldgs)
Max. Building Hgt:	35 ft; 2 story
Max. Floor Area Ratio:	0.05
Max. Lot Coverage (Bldg. & Paving):	15%

Min. Setback for driveways and parking areas from any lot line	40 ft
Min. Setback for recreation areas	50 ft from side and rear lot lines None permitted in front yard

- (b) Drop-Off Area. Each child care center shall designate at least six parking spaces as "No Parking: Student Drop-Off and Pick Up Only". No drop-off area shall be located so it requires students to cross a street, driveway or aisle to get to the sidewalk entering the building. Each space shall be located adjacent to the sidewalk in front of the facility so a child may exit or enter the vehicle either directly to or from the sidewalk, such as from parallel parking spaces, or to or from the space between vehicles in angled parking spaces.
- (c) The space between the recreation area and the abutting lot lines shall be planted with evergreen material spaced so as to provide a dense visual screen. The recreation area shall be enclosed with a fence at least five feet high. Access to the recreation area from the building shall not require the children to cross a street, driveway, aisle, or loading area.
- e. *Commercial Vehicle Parking in Residential Districts.* No motor vehicle bearing commercial registration plates shall be parked upon any lot located in a residential district unless the following conditions are met:
1. Only one commercial vehicle per dwelling unit may be parked in the open. Any additional commercial vehicles, or any trailers, parked at the site shall be parked in a fully enclosed, permanent garage; and
 2. Parked commercial vehicles and trailers cannot be parked closer to a street or other lot line than the minimum setback requirements for the principal building; and
 3. No commercial vehicle shall exceed 3/4 ton capacity.
 4. Commercial vehicle(s) and any trailers shall be registered to or used by a resident of the premises upon which it is parked and the commercial vehicle(s) shall be the customary means of transportation to and from work. No residential property shall be used as a parking lot for commercial vehicles or trailers that are used by employees other than the resident of the lot; and
 5. Commercial vehicles shall not create a nuisance by reason of noise, fumes, dust or otherwise; and
 6. In the event the owner or resident of the lot constructs a garage, or extends a driveway, or adds a parking area to accommodate commercial vehicles and/or trailers, the maximum permitted lot coverage (buildings and paving, including compacted stone areas) shall not be exceeded; and
 7. No body work or painting of commercial vehicles and trailers is permitted. If oil changes and routine maintenance work is to be performed on-site, it is only permitted if done in an enclosed garage; and
 8. Farm vehicles may be parked on farms.
- f. *Recreational Vehicles.* Defined as boats, boat trailers; self-propelled vehicles containing sleeping accommodations; nonselfpropelled vehicles containing sleeping accommodations which are less than 35 feet long and bear current vehicle registration and are ready for highway use; camper-mounted bodies for pick-up trucks, when not installed on a pick-up truck; other trailers, and other similar vehicles may not be stored (October 16 through April 14) between the street and front line of a building nor within one-half of the required minimum side yard or rear yard, with the following exceptions and conditions:
1. Vehicles which are 35 feet long or longer shall be considered as structures and not as recreational

vehicles;

2. Pick-up trucks with camper-mounted bodies, vans and motor homes shall be considered as passenger vehicles and not as recreational vehicles so long as they are not more than 25 feet long or 11 feet high;
3. Not more than one boat, with or without trailer, and one other recreational vehicle may be stored on any lot unless the additional vehicles are stored within a totally-enclosed and roofed structure;
4. In R-50, R-75 and R-100 zones, recreational vehicles may be stored closer to a side or rear property line than provided above so long as the angle measured from predominant ground level at the property line to the top of the vehicle is no greater than 45 degrees.
5. If there is no residence on the property, no recreational vehicle may be stored within any required yard setback area.

g. *Lot, Yard, Height and Coverage Requirements for Nonresidential Uses.*

<i>Uses</i>	<u>Minimum Lot</u>			<u>Minimum Yard</u>			<u>Maximum</u>	
	<i>Area</i>	<i>Width</i>	<i>Depth</i>	<i>Front</i>	<i>Each Side</i>	<i>Rear</i>	<i>Bldg. Hgt.</i>	<i>Lot Cover</i>
Agriculture	5 ac.	N.A.	N.A.	N.A.	N.A.	N.A.	60'	N.A.
Cemetery	3 ac.	250'	250'	20'	20'	20'	20'	N.A.
Church	3 ac.	250'	250'	100'	50'	50'	35'	25%
School	15 ac.	400'	400'	100'	100'	100'	35'	20%
Golf Course	75 ac.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Home Occupation	------(Same as detached dwelling)-----							
Library	3 ac.	250'	250'	100'	50'	50'	35'	40%
Resident Professional Office	------(Same as detached dwelling)-----							
Utility Service	20,000 sq. ft.	100'	125'	45'	25'	40'	35'	20%

h. *Setback and Height Requirements for Accessory Structures on Residential and Nonresidential Lots.*

	<u>Minimum Distance to</u>			
	<i>Front Lot Line</i>	<i>Side Lot Line</i>	<i>Rear Lot Line</i>	<i>Max. Hgt.2</i>
Barn, Silo,				
Animal Shelter	100'	100'	100'	60'
Farm Stand	20'	100'	N.A.	14'
Nursery Outlet	65'	100'	N.A.	14'
Swimming Pool	Note 1	20' (10' in the R-5 District)	20'	N.A.
Tennis Court:				
Unlighted	Note 1	20'	20'	N.A.
Lighted	Note 1	40'	40'	N.A.
Garage	Note 1	20'	20'	18'
Tool Shed	Note 1	10'	10'	14'
Pro Shop, Club House				

Restaurant 400' 400' 400' 35'

Note 1. Same as the front yard setback for the principal building.

Note 2. Any development located in an airport hazard area shall be limited to such lower height as required in an airport hazard area. The maximum height allowed shall be dependent on the distance of the structure or tree from the side or the end of the runway and shall be limited in height as defined in section 17-159d,8.

For other detached accessory structures to residences, the side and rear line requirements shall be one-half those specified for the principal structure and the front line requirement shall be the same as the principal structure.

- i. *R-150 District: Residential Uses.* Only single-family detached dwellings and conversions (section 17-145) are permitted as residential uses in this district. The minimum requirements shall be:

<i>R-150</i>	<i>Non-Cluster Design</i>	<i>Cluster Design (Section 17-79)</i>
Minimum Lot Area	60,000 sf	40,000 sf
Minimum Lot Width	200 ft.	150 ft.
Minimum Lot Depth	200 ft ¹	200 ft ¹
Minimum Front Yard	75 ft.	75 ft.
Minimum Side Yard	50 ft. ea.	40 ft. ea.
Minimum Rear Yard	50 ft.	50 ft.
Maximum Building Ht.	35 ft ²	35 ft ²
Maximum Lot Coverage	15%	15%
Minimum Open Space	—	25% ³

Note: 1. All lots requiring reverse frontage along arterial and collector streets have an additional 25 feet of depth to allow for the establishment of the buffers outlined in subsection 17-89j.

Note: 2. Any developer located in an airport hazard area shall be limited to such lower height as required in an airport hazard area. The maximum height allowed shall be dependent on the distance of the structure or tree for the side or the end of the runway and shall be limited in height as defined in section 17-159d,8

Note: 3. The open space requirement is only applicable to cluster designs.

The maximum density of units per gross acre of land in the R-150 District shall be 0.6 unit per acre.

- j. *R-100 District: Residential Uses.*

1. Single family detached dwellings are permitted in this district.
2. Maximum Number of Dwelling Units. The maximum number of dwelling units permitted on a lot shall be calculated as specified in the following table:

*R-100 District
With Sanitary Sewer and Water
Distribution Systems*

<i>Minimum</i>	<i>Cluster</i>	<i>Conventional Development</i>	<i>With Wells and/or Septic</i>
Lot Area	7,000 s.f.	20,000 s.f.	80,000 s.f.
Lot Width	70 ft.	100 ft.	150 ft.

Lot Depth ¹	100 ft.	125 ft.	200 ft.
Front Yard ²	30 ft.	45 ft.	75 ft.
Side Yard	10 ft. ea.	20 ft. ea.	40 ft. ea.
Rear Yard	25 ft.	40 ft.	50 ft.
Open Space	55%	N/A	N/A

*R-100 District
With Sanitary Sewer and Water
Distribution Systems*

	<i>Cluster</i>	<i>Conventional Development</i>	<i>With Wells and/or Septic</i>
<i>Minimum</i>			
Building Height ³	35 ft. and 2 sty.	35 ft. and 2 sty.	35 ft. and 2 sty.
Lot Coverage	30%	20%	15%
Density:			
Single Family	2.0/acre ⁴	2.0/acre ⁴	0.5/acre

NOTES:

- Note 1. All lots requiring reverse frontage along arterial and collector streets shall have an additional 25 feet of depth to allow for the establishment of the buffers outlined in section 17-89j.
- Note 2. Whenever a pattern of existing building setbacks or front yards, involving four or more dwellings adjacent to and located on each side of the proposed structure are established at less than the minimum front yard required above, a new structure may be built no closer to the street line than the average setbacks of such existing buildings.
- Note 3. Any development located in an airport hazard area shall be limited to such lower height as required in an airport hazard area. The maximum height allowed shall be dependent on the distance of the structure or tree from the side or the end of the runway and shall be limited in height as defined in section 17-159d,8.
- Note 4. Any development in the R-100 District exceeding a density of 1.0 unit/acre shall be permitted only when the property is served by both water and sewer and when the developer contributes to the township's lower income housing fund established to assist the development of lower income housing. For each additional detached single family dwelling unit in excess of 1.0 unit/acre, the developer shall make a payment to the lower income housing fund in the amount and manner set forth in Chapter X.

In residential developments with sewer service from ELSA, or the Stony Brook system serving Hopewell Borough or Pennington Borough, where at least 50 percent of the tract being served is set aside in wetlands, wetland buffers, or other permanent open space (public or private and which open space area may include detention basins), the maximum lot coverage on any individual lot shall be 30 percent of the lot area provided (1) the maximum size of any lot used for calculation purposes is 50,000 square feet including easements, and (2) that the maximum average lot coverage among all lots in the development shall be 20 percent of the total lot area, using a maximum area of 50,000 square feet for any single lot, including easements.

- 3. Adult Housing. Higher density single family homes, apartments, townhouses or similar forms of multi-family housing are permitted in the R-100 District conditioned on the overall development as well as each unit within the development having a deed restriction limiting the units to occupancy by at least one person 55 years of age or older per unit and prohibiting children under age 18. The development shall also be conditioned on a maximum density of six units per acre and the following zoning standards:

*Adult
Housing*

*Convenience
Businesses*

Min. Lot Width	300 ft.	275 ft.
Min. Lot Depth	300 ft.	300 ft.
Min. Front Yard	50 ft.	100 ft.
Min. Side Yard	25 ft.	50 ft.
Min. Rear Yard	25 ft.	50 ft.
Distances Between Buildings	30 ft.	30 ft.
Maximum Building Height	2 story, 30 ft.	1 story, 20 ft.
Maximum Lot Coverage	55%	65%
Maximum Floor Area Ratio	none	0.20
Minimum Off-Street Parking		See section 17-95

The development shall be conditioned further on the site abutting a primary arterial or secondary arterial road as set forth in the Circulation Plan of the Master Plan but being designed so that no driveway serving any individual use (residential or nonresidential) shall directly access the abutting arterial road(s): having both public water and sanitary sewer services; having a minimum tract size of seven contiguous acres if the development is all residential, or at least 15 contiguous acres if containing any permitted business uses; and having ten percent of the units in the development restricted to households of moderate income as set forth in section 17-92. An adult housing development may have up to 15 percent of the area of the lot devoted to businesses which are limited to providing convenience services such as, but not limited to, banking, professional offices, restaurant and the retail sale of food, pharmaceuticals, and general merchandise provided the minimum lot area devoted to businesses is two acres and the maximum lot area is five acres and conditioned further on the businesses being designed as an integral part of an adult housing development; the businesses being located along the abutting arterial road(s) both with their driveway access intersecting the main entrance road to the adult housing development and not intersecting the abutting arterial road; and with the acreage devoted to business uses, including parking, loading, and setbacks, being deducted from the area of the total tract so the residential density is based on the remaining acreage of the tract.

k. *R-75 and R-50 Districts: Residential Uses.*

1. Only single-family detached dwellings are permitted as residential uses in these districts.

The minimum requirements shall be:

	<i>R-75</i>	<i>R-50</i>
Minimum Lot Area	11,250 sf	6,250 sf
Minimum Lot Width	75 ft.	50 ft.
Minimum Lot Depth	125 ft.	125 ft.
Minimum Front Yard	40 ft.	40 ft.
Minimum Side Yard	10 ft. ea.	10 ft.
Minimum Rear yard	25 ft.	25 ft.
Maximum Building Height	35 ft. and 2 sty.	35 ft. and 2 sty.
Maximum Lot Coverage	25%	40%
Maximum Density	3.0 units/acre	5.5 units/acre

2. Minimum Front Yard. Whenever a pattern of existing building setbacks or front yards, within 200 feet of a lot on the side of the street, is established at less than the minimum front yard required by section 17-159k,1, above, a new structure may be built no closer to the street line than the average setbacks of such existing buildings.

1. *R-5 District: Residential Use.*

1. The purpose of this district is to create a district with reasonable access to major highways and utility

services in which the density can be increased sufficiently to provide for the construction of low and moderate income housing.

2. The permitted uses, design standards, density and other requirements shall be as set forth in section 17-92, Lower Income Housing.

m. *R-6 District: Residential Use.*

1. The purpose of this district is to provide for an expansion of age-restricted housing under the provisions of the Fair Housing Act limiting the units to occupancy by at least one person 55 years of age or older per unit and prohibiting children under the age of 18. The exception to the age restriction is the requirement for affordable housing units constructed after January 1998 which shall be non-age restricted rental units.
2. The permitted housing types are limited to higher density apartments, townhouses, quadplexes or similar forms of multi-family housing conditioned on each unit within the development, other than the low and moderate income units constructed after January 1998, having a deed restriction limiting the units to occupancy by at least one person 55 years of age or older per unit and prohibiting children under the age of 18.
3. The housing development shall meet the following zoning standards:

Min. Lot Width	300 ft.
Min. Lot Depth	300 ft.
Min. Setback from the Perimeter of the Tract	50 ft.
Min. Front Yard	50 ft.
Min. Side Yard	25 ft.
Min. Rear Yard	25 ft.
Min. Distance between Bldgs.	30 ft. or a distance equivalent to the height of the taller building, whichever is greater, except that where the facades of two building are opposite one another for a distance greater than 75 feet, the distance between building shall be at least 50 feet.
Max. Building Height	3 stories; 35 ft.
Max. Lot Coverage	55%
Max. Floor Area Ratio	None
Max. Density	6 units/gross acre ¹

Note 1: Where the development contains business uses, the business uses shall conform to the conditional use provisions in section 17-159d,7 but the acreage devoted to the business uses may also be used in calculating the number of housing units allowed in the overall development. The maximum density of six units/acre shall apply to the total of all residential and nonresidential acreage combined. The housing generated by the nonresidential acreage shall be transferred to the residential portion of the development so that the density on the net residential portion of the development is increased above six units/acre to accommodate the units generated from the nonresidential acreage.

4. The housing development shall be required to provide at least 15 percent of the units as affordable housing units (half low income and half moderate income) consistent with the provisions of section 17-92. Each of these units constructed after January 1998 shall be rental units and be non-age restricted. Each of the low and moderate income units constructed before January 1998 shall remain as they were approved, i.e., owner-occupied and age-restricted as set forth in paragraph m.1 above. Any rental credits permitted under NJ COAH's^{*} rules and generated as a result of the construction of

rental units after January 1998 shall be credited against the Township's affordable housing obligation, not the developer's obligation.

5. The development shall be conditioned on receiving subdivision and site plan approval, which approval(s) shall require the execution of a developer's agreement and appropriate restrictions on the entire tract in order to reasonably guarantee the actual construction and the phasing in of the low and moderate income housing obligation in accordance with section 17-92 as an integral part of the requirements of this zoning district.

(Ord. #94-971; Ord. #94-978, §§ 4, 5; Ord. #94-1009, § 3; Ord. #94-995; Ord. #96-1044, § 1; Ord. #96-1048, §§ 2-4; Ord. #97-1078; Ord. #97-1084, §§ 1, 3; Ord. #98-1095; Ord. #00-1155, §§ 2, 3, 5; Ord. #00-1156, § 1; Ord. #00-1162, § 3; Ord. #00-1164, § 1; Ord. #00-1170, § 1; Ord. #01-1206, § 9; Ord. #01-1218, §§ 1, 2; Ord. #02-1268; Ord. #03-1297, § 2; Ord. #04-1325, §§ 3-7)

17-160 MOUNTAIN RESOURCE CONSERVATION (MRC) AND VALLEY RESOURCE CONSERVATION (VRC) DISTRICTS.

- a. *Purpose.* The purpose of these districts is to implement the goals, objectives and principles of the 2002 Master Plan relative to protecting environmentally sensitive areas, recognizing development capacity limitations established by natural resource capabilities, maintaining the rural character and providing for sustainable development. These districts have been designed to comprehensively address the interrelated goals of protecting groundwater quantity and quality, maintaining surface water resources, conserving the scenic rural character, addressing limiting soil conditions and promoting continued agricultural use opportunities, while also providing a range of development opportunities that offer alternatives for the landowner.
- b. *Permitted Principal Uses.*
 1. Single-family dwellings and conversions (for conversions, see section 17-145), including housing for low and moderate income households.
 2. All permitted principal uses in section 17-159b,2 to 5.
- c. *Permitted Accessory Uses.* Any accessory use permitted in section 17-159c is permitted in the VRC and MRC Districts.
- d. *Permitted Conditional Uses.* Conditional uses permitted in section 17-159d,2 to 6, 8 and 9.
- e. Commercial vehicle parking in accordance with the standards of section 17-159e.
- f. Recreation vehicles in accordance with the standards of section 17-159f.
- g. The lot, yard, height and coverage requirements for nonresidential uses as specified in section 17-159g shall govern nonresidential uses in the VRC and MRC Districts.
- h. The setback and height requirements for accessory structures on residential and non-residential lots as specified in section 17-159h. shall govern accessory structures in the VRC and MRC Districts.
- i. *Development Standards for Conventional Subdivisions, Lot Averaging, Cluster and Open Lands Designs.* The minimum requirements are as follows:

VRC

*Lot
Averaging,*

MRC

*Lot
Averaging,*

	<i>Conventional Subdivision</i>	<i>Cluster or Open Lands Design</i>	<i>Conventional Subdivision</i>	<i>Cluster or Open Lands Design</i>
Minimum lot area	6 acres	80,000 sf	14 acres	80,000 sf
Minimum lot width	300 ft.	200 ft.	400 ft.	200 ft.
Minimum lot depth	400 ft.1	200 ft.1	500 ft.1	200 ft.1
Minimum front yard ²	100 ft.	75 ft.	150 ft.	75 ft.
Minimum side yard	60 ft. ea.	50 ft. ea.	75 ft. ea.	50 ft. ea.
Minimum rear yard	60 ft.	50 ft.	75 ft.	50 ft.
Maximum building ht.	35 ft.3	35 ft.3	35 ft.	35 ft.
Maximum lot coverage	10%	15%	6%	15%
Minimum open space	—	60% ⁴	—	75% ⁴

Note 1. All lots requiring reverse frontage along arterial and collector streets shall have an additional 25 feet of depth to allow for the establishment of the buffers outlined in subsection 17-89j.

Note 2. Lots fronting on Route 31 shall have a minimum front yard setback of 200 feet.

Note 3. Any developer located in an airport hazard area shall be limited to such lower height as required in an airport hazard area. The maximum height allowed shall be dependent on the distance of the structure or tree for the side or the end of the runway and shall be limited in height as defined in section 17-159d,8.

Note 4. The open space requirement is only applicable to cluster designs. See section 17-160i,2, 3, 4 and 5 for additional standards relating to open lands, clustering, lot averaging and conventional subdivision designs.

1. The maximum density of units per gross acre of land in the VRC District shall be 0.17 unit per acre, and in the MRC District shall be 0.075 unit per acre.
2. Open lands subdivisions are permitted on tracts of 18 acres or more in the VRC District and 40 acres or more in the MRC District. This option is intended to promote the retention of large contiguous wooded tracts and large farm tracts, and to promote the aggregation of smaller wooded and farm parcels. It is also intended to encourage and promote flexibility, economy and environmental soundness in subdivision layout and design. The following standards shall apply to open lands subdivisions.
 - (a) The open lands development plan shall not result in a greater dwelling unit yield than if the property in question were developed as a conventional subdivision. In order to determine the maximum number of lots for an open lands subdivision, a conforming plan of a conventional subdivision shall be submitted, based on minimum lot areas of 5.9 acres in the VRC District and 13.3 acres in the MRC District. The concept plan shall be in sufficient detail to permit the planning board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the planning board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the concept plan shall be the maximum number of lots permitted under an open lands subdivision.
 - (b) At least 60 percent of the tract, if located in the VRC District, and 75 percent of the tract, if located in the MRC District, shall be designated as "open lands" and shall, as a condition of approval of the development, be deed restricted for agricultural or conservation use. Lots qualifying as open lands shall be permitted a primary residence and other accessory building or uses as provided in this section.

- (c) At least 60 percent of designated "open lands" shall be some combination of unconstrained land area, or prime soils or soils of statewide importance, or prime forested area. On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
 - (d) For tracts of 100 acres or less, the open lands shall be contained in one deed-restricted contiguous parcel; for tracts greater than 100 acres, the open lands may be composed of noncontiguous parcels, provided that each open lands area shall contain at least 50 contiguous acres. When noncontiguous parcels of at least 50 acres are provided, each parcel may have a residence, provided that the total density is not exceeded.
 - (e) All lots created under this subdivision option shall be deed restricted against further subdivision for the purpose of creating an additional lot or lots.
 - (f) The design of the development utilizing this option shall foster the following objectives: retention of large contiguous farmland areas; retention of large contiguous prime forested areas; stream corridor and wetlands preservation; aquifer recharge protection; steep slope protection; overall site design; reduction of impervious coverage; traffic circulation; and, sensitivity to the site's natural features, topography and relationship to open lands on neighboring parcels.
 - (g) In forested areas, the design of the development shall include a 200 foot buffer along existing roads, which shall either maintain existing woodlands or establish new forested areas for those areas that are disturbed during site development or are currently cleared. The intent of this provision is to maintain the scenic roadside views in the township.
 - (h) Development on hillsides shall be located at an appropriate point in the foreground to midground of the hill so that the development does not create a barrier visible from the existing road.
 - (i) Natural features such as trees, hilltops and views, natural terrain, open waters and natural drainage ridge lines shall be preserved wherever possible in designing any development containing such features. As part of the subdivision or site plan review process, development should be designed to preserve scenic vistas and views of cultural/historic landmarks and of unique geologic and topographic features. On hillsides, development should be sited below the ridgeline and the height and location of development should protect unobstructed views of the ridges from public roadways.
 - (j) The applicant is advised to submit a concept plan of the open lands subdivision for review and comment in accordance with this chapter.
3. Cluster subdivisions on tracts of 18 acres or more in the VRC District and 40 acres or more in the MRC District are permitted in accordance with the following standards:
- (a) The cluster subdivision development plan shall not result in a greater dwelling unit yield than if the property in question were developed as a conventional subdivision. In order to determine the maximum number of lots for a cluster subdivision, a conforming plan of a conventional subdivision shall be submitted, based on minimum lot areas of 5.9 acres in the VRC District and 13.3 acres in the MRC District. The concept plan shall be in sufficient detail to permit the planning board to make an informed decision as to the subdivision satisfying all

- ordinance requirements and in a form that would be acceptable to the planning board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the concept plan shall be the maximum number of lots permitted under a cluster subdivision.
- (b) The minimum open space shall be 60 percent of the total tract in the VRC District, and 75 percent of the total tract in the MRC District.
 - (c) Areas reserved as permanent open space shall have a minimum contiguous area of not less than five acres and no portion thereof shall be less than 50 feet in width. At least 50 percent of the open space shall be unconstrained lands. The open space area(s) shall be contiguous to open space on adjoining parcels, where applicable, and shall include areas identified in the township's open space and recreation or conservation plans, if any, including greenways.
 - (d) On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
 - (e) The open space shall be reserved in perpetuity either by dedication for public use or for use by the residents of the development by private covenant or deed restriction for one of the following purposes:
 - (1) Undeveloped open space.
 - (2) Public or private recreational facilities.
 - (3) Conservation of environmentally sensitive features including, but not limited to, steep slopes, wetlands, aquifer recharge areas, floodplains and wooded areas.
 - (4) Agricultural use.
 - (f) The proposed development shall comply with the standards contained in sections 17-160i,2(f), (g), (h) and (i).
 - (g) Provision shall be made to ensure suitable maintenance of any area to be reserved by private covenant or deed restriction by the establishment of a property owners' association or other appropriate organization.
 - (h) Nothing contained herein shall be construed to require the planning board to approve any subdivision employing clustering if said subdivision is in conflict with any provision of the Hopewell Township Master Plan or if said subdivision will, in any way, result in a land use pattern that will adversely affect that portion of the township in which it lies.
 - (i) The applicant is advised to submit a concept plan of the cluster subdivision for review and comment in accordance with the ordinance.
4. Lot averaging subdivisions are permitted on tracts of 18 acres or less in the VRC District and 40 acres or less in the MRC District in accordance with the following standards:
- (a) The lot averaging development plan shall not result in greater dwelling unit yield than if the property in question were developed as a conventional subdivision. In order to determine the maximum number of lots for a lot averaging subdivision, a conforming plan of a conventional subdivision shall be submitted, based on a minimum lot size of 5.9 acres in the VRC District

- and 13.3 acres in the MRC District. The concept plan shall be in sufficient detail to permit the planning board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the planning board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the concept plan shall be the maximum number of lots permitted under a lot averaging subdivision.
- (b) A lot averaging subdivision may be permitted when the applicant proposes a distribution of lot areas within the subdivision that results in at least 60 percent of the lots having a minimum lot area between 80,000 square feet and 120,000 square feet, except in the case of a two lot subdivision, in which case one of the two lots shall be 80,000 square feet to 120,000 square feet.
 - (c) The site design of lot averaging subdivisions should shift the more intensive development toward those lands that can best support the installation of the dwelling, well, septic system and associated site improvements. Similarly, lot averaging should seek to preserve those areas which exhibit sensitive environmental features (i.e., water bodies, floodplains, steep slopes, shallow bedrock, aquifer recharge areas, seasonal high water table, etc.) or which contain active or prime agricultural lands or prime forested areas.
 - (d) On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
 - (e) The proposed development shall comply with the standards contained in sections 17-160i,2(f), (g), (h) and (i).
 - (f) The deed for any lot created by lot averaging shall contain a restriction against its further subdivision for the purpose of creating an additional lot or lots.
 - (g) The applicant is advised to submit a concept plan of the lot averaging subdivision for review and comment in accordance with the ordinance.
5. Conventional subdivisions shall comply with the standards contained in sections 17-160i,2(f), (g), (h) and (i). Lots in conventional subdivisions shall front on local streets.
- j. *Noncontiguous Cluster Development in the MRC and VRC Districts.*
1. Purpose. The purpose of this subsection is to provide a mechanism for the transfer of development potential from properties in the MRC and VRC Districts to municipally designated hamlets in the VRC District. The intent of this provision is to provide an opportunity to create an alternative development opportunity that furthers the goals of resource conservation in the township, while also providing a development form that supports the goals and policies of the master plan.
 2. Allocation of Standards for the Transfer of Development Potential.
 - (a) Land in the MRC District is allocated one dwelling unit per 7 acres for the transfer of development to a municipality designated hamlet.
 - (b) Land in the VRC District is allocated one dwelling unit per 3 acres for the transfer of development to a municipally designated hamlet.
 3. Limitations on the Use of Development Transfers. The owner of the land from which development

potential has been obtained shall deed restrict the use of the land in perpetuity to those resource conservation uses authorized and enumerated in the sale or conveyance of the development potential.

k. *Standards for the Municipal Designation of Hamlets in the VRC District.*

1. Hamlets in the VRC District shall be municipally designated and located in accordance with the following criteria:
 - (a) The hamlet shall be located on a county road as shown on the circulation plan element in order to provide appropriate transportation linkages.
 - (b) The hamlet shall be located in proximity to existing residential development and community facilities, so that the area can form a neighborhood and utilize these community resources.
 - (c) The hamlet shall be located where suitable soils for on-site wastewater disposal exist so that a community wastewater system can be developed. The wastewater treatment system shall incorporate the best available technology as approved by the N.J. Department of Environmental Protection; avoid the discharge of untreated wastewater to the groundwater; and be operated by a licensed and franchised utility regulated by the Board of Public Utility Commissioners.
 - (d) The hamlet shall be located on a tract with a mix of woodland and open fields, so that the site design can take advantage of these features and the development can be attractively designed and shielded/screened.
 - (e) The hamlet shall be located where the Stockton/Passaic formations underlie the site.
 - (f) The hamlet is permitted only in the VRC District, although development may be transferred to the hamlet from the MRC District as well as the VRC District.
 - (g) The hamlet shall be located in an area where aquifer testing demonstrates that sufficient water supplies are available to sustain the proposed development, in accordance with township ordinances or where public water supply provided by a water utility regulated by the Board of Public Utilities is available.
2. The hamlet shall be designated only when contiguous and/or noncontiguous parcels are preserved from development through the transfer of development potential.
3. The hamlet shall be designated by the planning board upon the approval of a planned development incorporating the above features and meeting the standards of section 17-160 below.

1. *Development Standards for Hamlets in the VRC District.*

1. **Tract Size.** The hamlet shall have a minimum size of 60 acres and a maximum size of 85 acres.
2. **Density.** The minimum density shall be 2.5 units per acre and the maximum density shall be 3 units per acre.
3. **Minimum Lot Size and Lot Development Standards for Residential Uses.** The minimum lot size for single family residential lots shall be 7,500 square feet, with a minimum frontage and width of 50 feet, a minimum front yard of 20 feet, minimum side yards of 10 feet, minimum rear yard of 25 feet, maximum building height of 35 feet and a maximum lot coverage of 35 percent. Atrium homes, patio homes, townhouses, duplexes and quadplexes are permitted in accordance with the standards in section 17-92d,3.

4. Office and Retail Commercial Development. The hamlet shall include nonresidential uses consisting of retail shops for the convenience of the residents and/or offices for professionals and telecommuters, which may include residential uses in combination with the nonresidential uses. The nonresidential development shall be provided at a maximum ratio of 75 square feet of commercial/office space per residential unit. The design of nonresidential development shall respond to the specific location and needs of the planned community. In some cases the appropriate location for nonresidential development is the interior of the hamlet, so that pedestrian linkages are increased and motor vehicle movements reduced. In other cases the nonresidential development should be located at the edge of the hamlet in order to provide services to the surrounding community. A design that integrates both functions may be the most appropriate in certain locations.

The minimum lot size for nonresidential lots, or lots with a mix of nonresidential and residential uses, shall be 20,000 square feet, with a minimum frontage and width of 90 feet, a minimum front yard of 30 feet, minimum side yards of 15 feet, minimum rear yard of 35 feet, maximum building height of 35 feet and a maximum lot coverage of 60 percent.

5. Public and Quasi-Public Uses. The hamlet shall include at least 40 percent of the tract in open space and parks, including a greenbelt around the hamlet, and may include public uses such as community buildings and quasi-public uses such as a house of worship.

m. *"Grandfathering" of Nonconforming Properties in the MRC and VRC Districts.*

1. A single family detached dwelling located in the MRC and VRC Districts, which has received a certificate of occupancy or temporary certificate of occupancy prior to September 20, 2001, may be enlarged without an appeal to the approving authority, even though the dwelling may be on a nonconforming lot, provided that:

(a) For properties located in the MRC District:

- (1) The proposed enlargement conforms with the use, area, yard, building height and lot coverage requirements of the former R-250 Zoning District; and
- (2) The proposed enlargement does not increase the nonconformity of any dimensional setback violations existing prior to September 20, 2001; or

(b) For properties located in the VRC District:

- (1) The proposed enlargement conforms with the use, area, yard, building height and lot coverage requirements of the former R-200 Zoning district; and
- (2) The proposed enlargement does not increase the nonconformity of any dimensional setback violations existing prior to September 20, 2001;

(c) The area, yard, building height and lot coverage requirements for the former R-250 and R-200 Zoning Districts are as follows:

	<i>R-250 District</i>	<i>R-200 District</i>
Minimum lot area	3 acres	80,000 sf
Minimum lot width	250 ft.	200 ft.
Minimum lot depth	300 ft.	200 ft.
Minimum front yard	100 ft.	100 ft.
Minimum side yard	60 ft. each	50 ft. each
Minimum rear yard	60 ft.	50 ft.

Maximum building height	35 ft.	35 ft.
Maximum lot coverage	10%	10%

2. Accessory buildings or structures may be added to single family detached dwellings on nonconforming lots located in the MRC or VRC Zoning District, without an appeal to the approving authority, provided that:
 - (a) The dwelling received a certificate of occupancy or temporary certificate of occupancy prior to September 20, 2001; and
 - (b) If the property is located in the MRC Zoning District, then:
 - (1) The accessory building or structure, by itself, conforms with all requirements of the former R-250 Zoning District; or
 - (c) If the property is located in the VRC Zoning District, then:
 - (1) The accessory building or structure, by itself, conforms with all requirements of the former R-200 Zoning District.
3. A lot located in the MRC or VRC Zoning Districts may be developed with a single-family dwelling without an appeal to the approving authority, provided that:
 - (a) For properties located in the MRC District, the lot is an existing isolated vacant lot with an area measuring at least three acres and the setbacks and other requirements of the former R-250 Zoning District can be satisfied; or
 - (b) For properties located in the VRC District, the lot is an existing isolated vacant lot with an area measuring at least 80,000 square feet and the setbacks and other requirements of the former R-200 Zoning District can be satisfied; or
 - (c) The lot had received final subdivision approval from the planning board prior to September 20, 2001.

Any lot that qualifies for development in accordance with the standards of this section 17-160m,3 shall also be entitled to receive the benefits referenced in section 17-160m,1 and 2, as set forth above.

(Ord. #02-1268 § 6; Ord. #03-1282, § 1; Ord. #04-1325, §§ 8-14; Ord. #04-1329, § 1)

17-161 C-1; NEIGHBORHOOD RETAIL COMMERCIAL.

- a. *Purpose.* The purpose of this district is to recognize patterns of existing, isolated retail uses (single lots or two adjoining uses) as identified in the master plan. Because the master plan and this chapter intend to prevent strip commercial patterns from continuing to emerge, this special zone is intended to recognize existing uses. It is also intended that the provisions for assisting in the development of lower income housing as set forth below be a required portion of any new development in the District.
- b. *Permitted Principal Uses.*
 1. Retail sale of consumable products, wearing apparel, pharmaceuticals, hardware, appliances, household goods, confections and general merchandise.
 2. The sale of personal services such as the repair of appliances, furniture and shoes; cleaners; tailors; barber shops; and beauty salons.

3. Offices, banks, medical clinics and veterinary hospitals.
4. Restaurants and bars.
5. Commercial recreational establishments.
6. All uses permitted under paragraphs b,1 through b,5 above and b,7 below shall be required to participate in the township's efforts to produce lower income housing as set forth in section 17-92.
7. Child Care Centers:
 - (a) All facilities shall be licensed by the N.J. Department of Human Services and shall also adhere to the following application regulations. Where the following regulations conflict with regulations of the Department of Human Services, the Department of Human Services regulations shall prevail.

(b) Zoning and Design Requirements:

"Child Care Centers" for six or more persons shall adhere to the following regulations:

- (1) The lot requirements for a child care center as a principal use: Min. Lot size: 1.0 acre for up to the first 40 children, but in any event such larger area as may be required to accommodate on-site wells and/or septic systems where public utilities are not available, plus 0.25 acre for each group, or part of a group, of ten children above 40, but need not exceed two-and-one-half acres unless a larger area is required to accommodate on-site wells and/or septic systems.

Min. lot width:	150 feet
Min. lot depth:	200 feet
Min. front yard:	75 feet
Min. side yard:	30 feet
Min. rear yard:	40 feet
Max. building height:	35 feet
Max. floor area ratio:	0.20
Max. lot coverage:	50%
Min. setback for driveways and parking areas from any lot line	25 feet

- (2) Recreation Areas: The setbacks for recreation area for child care centers constructed as a principal use shall be at least 40 feet from the street right-of-way, at least 25 feet from nonresidential parking and loading driveways, and internal roads both on-site and on adjacent sites, and at least 40 feet from any abutting residential property in a residential zone.
- (3) Where a center is part of a complex which shares parking spaces with other uses, the floor area of the center need not be included in calculating the number of parking spaces to be constructed, but the site plan shall show the location of the parking spaces that are not required to be constructed, but which are generated by the gross floor area of the center, in the event the square footage of the center is occupied by some other use in the future. Where a child care center has its own parking facilities, the number of spaces shall be based on the schedule in section 17-95j.
- (4) Child care centers may also be located within a building whose principal use(s) is, or are, permitted nonresidential uses provided the building and lot meet all the area,

dimensional, setback, floor area ratio and other bulk criteria for the district in which the building is located. Notwithstanding a building having more than one use, the site with a child care center shall be required to provide a drop-off area for the center consistent with paragraph (5) below. The off-street parking required to be constructed shall be based on the gross floor area of the nonresidential building, excluding the area for the center, but the site plan shall show the location of the parking spaces that are not required to be constructed, but which are generated by the gross floor area of the center, in the event the square footage of the center is occupied by some other use in the future.

- (5) Drop-Off Area. Each child care center shall provide at least six parking spaces in addition to the off-street parking requirements. These six spaces shall be identified as "No-Parking: Student Drop-Off and Pick Up Only". No drop-off area shall require a student to cross a street, driveway, aisle, or loading area. Each space shall be located adjacent to the sidewalk in front of the facility so a child may exit or enter the vehicle either directly to or from the sidewalk, such as from parallel parking spaces, or to or from the space between vehicles in angled parking spaces.

c. *Permitted Accessory Uses.*

1. The residence of the proprietor of the commercial use, provided the lot size is 50 percent larger than required for the commercial use and the residence is in the same structure as the commercial use.
2. One earth terminal antenna and one associated reflector (or dish) are permitted on a lot provided they are located within the setback lines required for the principal use and are located to be screened from view from residences and public streets by plantings providing a year-round screen, parapet walls, building facades, walls, or similar effective device. The antenna and dish may be located on a roof, or attached to a building, or on the ground. Servicing wires and cables shall be installed underground. The highest point of the antenna and dish facility shall be 15 feet above the height of a building, or ten feet above the maximum building height permitted, whichever is less.

d. *Conditional Uses.*

1. Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall meet the minimum requirements of subsection 17-159g., and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.

e. *Lot, Yard, Height and Coverage Requirements.*²

Min. Lot Size	80,000 sq. ft.
Min. Lot Width	250 ft.
Min. Lot Depth	250 ft.
Min. Front Yard	100 ft.
Min. Side Yard	50 ft. ea.
Min. Rear Yard	70 ft.
Max. Building Height	30 ft. ¹
Max. Lot Coverage	65%
Max. Floor Area Ratio	0.20

Notes:

Note 1. With residence as accessory use, 35 feet.

Note 2. Notwithstanding the maximum floor area ratio and other design controls set forth above, the maximum intensity of development permitted on those lots not connected to public sewage collection and public sewage treatment systems or not located in a designated sewer service area as shown on the Hopewell Township Wastewater Management Plan shall be the smaller of either the maximum development permitted by ordinance or the amount of development which would generate a design influent sewage flow of less than 2,000 gallons per day as determined in accordance with the prevailing design standards and policies of the New Jersey Department of Environmental Protection.

(Ord. #96-1048 § 5; Ord. #99-1133, § 1; Ord. #02-1268)

17-162 SC: SHOPPING CENTER.

- a. *Purpose.* The purpose of this district is to establish areas for shopping which have major highway access, shared off-street parking, controlled access to adjoining streets, and an overall compatible design. It is also intended that the provisions for assisting in the development of lower income housing as set forth below be a required portion of any new development in the SC District.
- b. *Permitted Principal Uses.* All uses shall be in a shopping center design containing at least six separate businesses.
1. The retail sale of consumable products, wearing apparel, pharmaceuticals, hardware, appliances, household goods, confections and general merchandise.
 2. The sale of personal services such as appliance and shoe repair shops, cleaners, tailors, barber shops and beauty salons.
 3. Offices, medical clinics and banks.
 4. Theater, bowling alleys, gymnasiums, library, night club, bar, restaurant.
 5. Motel.
 6. In the SC District, all uses permitted under paragraphs b,1. through b,5. above and b,7. below shall be required to participate in the township's efforts to produce lower income housing as set forth in section 17-92.
 7. Child care centers shall be a permitted use and shall meet all the criteria set forth in subsection 17-161b,7.
- c. *Permitted Accessory Uses.* One earth terminal antenna and one associated reflector (or dish) are permitted on a lot provided they are located within the setback lines required for the principal use and are located to be screened from view from residences and public streets by plantings providing a year-round screen, parapet walls, building facades, walls, or similar effective device. The antenna and dish may be located on a roof, or attached to a building, or on the ground. Servicing wires and cables shall be installed underground. The highest point of the antenna and dish facility shall be 15 feet above the height of a building, or ten feet above the maximum building height permitted, whichever is less.
- d. *Permitted Conditional Uses.*
1. Reserved.
 2. Pumping stations, transformers and similar utility facilities which are needed in order to provide

utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall meet the minimum requirements of section 17-159g., and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.

e. Lot, Yard, Height and Coverage Requirements.¹

Min. Lot Size	5 ac.
Max. Lot Size	18 ac.
Min. Lot Width	300 ft.
Min. Lot Depth	300 ft.
Min. Front Yard	150 ft.
Min. Side Yard	75 ft.
Min. Rear Yard	75 ft.
Max. Building Height	35 ft.
Max. Lot Coverage	60%
Max. Floor Area Ratio	0.20

Any site proposed for development as a shopping center shall be submitted with an overall plan for the entire property. The plan may provide for segments of the development to be completed in stages, provided the approving authority determines that each stage constitutes an appropriate use and layout of the property should the project not proceed further.

Note 1: Notwithstanding the maximum floor area ratio and other design controls set forth above, the maximum intensity of development permitted on those lots not connected to public sewage collection and public sewage treatment systems or not located in a designated sewer service area as shown on the Hopewell Township Wastewater Management Plan shall be the smaller of either the maximum development permitted by ordinance or the amount of development which would generate a design influent sewage flow of less than 2,000 gallons per day as determined in accordance with the prevailing design standards and policies of the New Jersey Department of Environmental Protection.

(Ord. #96-1048, § 6; Ord. #99-1133, § 2; Ord. #02-1268; Ord. #04-1325, § 15)

17-163 HBO DISTRICT: HIGHWAY BUSINESS AND OFFICE.

- a. *Purpose.* The purpose of this district is to provide areas along arterial streets where these uses would be compatible with highway safety and efficiency. It is also in-tended that the provisions for assisting in the development of lower income housing as set forth below be a required portion of any new development in the HBO district.
- b. *Permitted Principal Uses.*
 1. Nursery and garden center outlets.
 2. Reserved.
 3. Shopping centers with uses permitted in the SC District and motels, provided the lot area exceeds ten acres and the development meets all other standards of the SC District.
 4. Offices, medical clinics and banks.
 5. Reserved.
 6. Mortuary.

- 7. Veterinary hospital.
 - 8. All uses permitted under paragraphs b,1. through b,7. above and b,9. below shall be required to participate in the township's efforts to produce lower income housing as set forth in section 17-92.
 - 9. Child care centers shall be a permitted use and shall meet all the criteria set forth in subsection 17-161b,7.
- c. *Permitted Accessory Uses.* One earth terminal antenna and one associated reflector (or dish) are permitted on a lot provided they are located within the setback lines required for the principal use and are located to be screened from view from residences and public streets by plantings providing a year-round screen, parapet walls, building facades, walls, or similar effective device. The antenna and dish may be located on a roof, or attached to a building, or on the ground. Servicing wires and cables shall be installed underground. The highest point of the antenna and dish facility shall be 15 feet above the height of a building, or ten feet above the maximum building height permitted, whichever is less.
- d. *Permitted Conditional Uses.*
- 1. Reserved.
 - 2. Reserved.
 - 3. Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall meet the minimum requirements of section 17-159g., and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.
- e. *Lot, Yard, Height and Coverage Requirements.1*

	Motel	New Car/Truck Dealer, Gymnasium, Car Wash, Nursery & Garden Center	Office, Mortuary, Bank, Medical Center	Service Station Building (for island see 17-102)	Swim Club/Tennis/Golf Driving Range/Miniature Golf/ Par-3 Golf, Theater, Bowling	Veterinary Hospital
Min. Lot Area	5 ac.	2 ac.	3 ac.	1 ac.	4 ac.	1 ac.
Min. Lot Depth	300'	250'	300'	200'	250'	200'
Min. Lot Width	300'	250'	250'	200'	250'	150'
Min. Front Yard	80'	100'	80'	65'	80'	80'

Min. Side Yd. (ea.)	80'	50'	50'	30'	50'	50'
Min. Rear Yard	80'	70'	60'	40'	80'	80'
Max. Bldg. Hgt.	35'	35'	35'	20'	35'	35'
Max. Lot Cover	50%	50%	50%	65%	50%	40%
Max. Floor Area Ratio	0.15	0.10	0.15	0.10	0.15	0.20

Notes:

Note 1. Notwithstanding the maximum floor area ratio and other design controls set forth above, the maximum intensity of development permitted on those lots not connected to public sewage collection and public sewage treatment systems or not located in a designated sewer service area as shown on the Hopewell Township Wastewater Management Plan shall be the smaller of either the maximum development permitted by ordinance or the amount of development which would generate a design influent sewage flow of less than 2,000 gallons per day as determined in accordance with the prevailing design standards and policies of the New Jersey Department of Environmental Protection.

(Ord. #96-1048, §§ 6,7; Ord. #99-1133, § 3; Ord. No. 02-1268; Ord. #04-1325, §§ 16-19)

17-164 O/CC: OFFICE AND COMMERCIAL CONVERSION.

- a. *Purpose.* The purpose of this district is to provide an office and commercial conversion district on Route 31 where office uses now exist and the available vacant lots and few residences would be appropriately developed for office and limited commercial uses. The standards are intended to avoid narrow, strip frontage development, and require controlled access points to Route 31 by merging adjoining parking lots. It is intended to permit residential uses with low intensity commercial and office exceptions, but no intensive commercial uses such as service stations, car washes, fast food restaurants, and food stores.
- b. *Permitted Principal Uses.*
 1. Offices and banks.
 2. Medical clinic.
 3. Single-family home and conversions (section 17-145).
 4. Farms and agriculture in accordance with the standards for the VRC District.
 5. Business/residence meeting the standards of subsection 17-159c,3, except that sales may be made from the premises; no more than two persons may be employed at one time from the property who are not members of the family conducting the occupation and not an actual resident of the dwelling; traffic other than that normally generated by a single-family dwelling is permitted; and the equivalent of the first floor area of the structure may be used to conduct the home occupation.

6. Child care centers shall be a permitted use and shall meet all the criteria set forth in subsection 17-161b,7.
7. All uses permitted under paragraphs b,1 through b,3, b,5 and b,6 shall be required to participate in the township's efforts to produce lower income housing as set forth in section 17-92.

c. *Permitted Accessory Uses.*

1. Home occupations in accordance with subsection 17-159c,3.
2. Parking and loading.
3. Storage buildings.
4. One earth terminal antenna and one associated reflector (or dish) are permitted on a lot provided they are located within the setback lines required for the principal use and are located to be screened from view from residences and public streets by plantings providing a year-round screen, parapet walls, building facades, walls, or similar effective device. The antenna and dish may be located on a roof, or attached to a building, or on the ground. Servicing wires and cables shall be installed underground. The highest point of the antenna and dish facility shall be 15 feet above the height of a building, or ten feet above the maximum building height permitted, whichever is less.

d. Conditional Uses.

Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall meet the minimum requirements of subsection 17-159g., and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.

e. Lot, Yard, Height and Coverage Requirements.¹

	<i>Office Bank</i>	<i>Medical Clinic</i>	<i>Single Family</i>
Min. Lot Area	1 ac.	1 ac.	20,000 s.f.
Min. Lot Width	200 ft.	200 ft.	100 ft.
Min. Lot Depth	200 ft.	200 ft.	125 ft.
Min. Front Yard	80 ft.	80 ft.	45 ft.
Min. Side Yard	80 ft.	80 ft.	20 ft.
Min. Rear Yard	80 ft.	80 ft.	40 ft.
Max. Bldg. Hgt.	30 ft.	30 ft.	30 ft.
Max. Lot Coverage	50%	60%	20%
Max. Floor Area Ratio	0.15	0.15	NA

Notes:

- Note 1. Notwithstanding the maximum floor area ratio and other design controls set forth above, the maximum intensity of development permitted on those lots not connected to public sewage collection and public sewage treatment systems or not located in a designated sewer service area as shown on the Hopewell Township Wastewater Management Plan shall be the smaller of either the maximum development permitted by ordinance or the amount of development which would generate a design influent sewage flow of less than 2,000 gallons per day as determined in accordance with the prevailing design standards and policies of the New Jersey Department of Environmental Protection.

(Ord. #96-1048, § 6; Ord. #99-1133, § 4; Ord. No. 02-1268)

17-165 SI DISTRICT: SPECIAL INDUSTRIAL.

- a. *Purpose.* The purpose of this district is to implement the master plan by providing an area with a diverse assortment of uses, in recognition of the existing character of offices, warehouses, flex space and residences, with good transportation service and influenced by major utility corridors. It is *also* intended that the provisions for assisting in the development of lower income housing as set forth below be a required portion of any new development in the SI District.
- b. *Permitted Principal Uses.*
 1. Farms and agriculture.
 2. Single-family homes and conversions (section 17-145). However, any single family home development on a lot of sufficient size to meet the minimum number of units required in section 17-92 shall also be required to participate in meeting the lower income housing obligation of the township.
 3. Business/residence meeting the conditions of subsection 17-159c,3., as modified by subsection 17-164b,5.
 4. Offices.
 5. Industrial/office park.
 6. Research facility.
 7. Manufacturing and assembly.
 8. Packaging; printing; warehousing.
 9. Hospitals; veterinary hospital.
 10. Restaurant.
 11. All principal uses permitted in the RO (Research/Office) District.
 12. Child care centers meeting the requirements of subsection 17-161b,7.
 13. All uses permitted under paragraphs b,2 through b,12 above shall be required to participate in the township's efforts to produce lower income housing as set forth in section 17-92.
- c. *Permitted Accessory Uses.*
 1. Parking and loading; supply and equipment storage; cafeteria.
 2. Accessory uses permitted in the RO District.
- d. *Permitted Conditional Uses.*
 1. Automobile service stations provided access is either from Route 31 at an intersecting secondary arterial road as shown on the adopted circulation plan, or is on an interior road designed as part of an industrial/office park, except that no new automobile service station shall be located along Route 31 if it is within 1,000 feet in either direction of an existing station. A service station shall comply with the minimum requirements for new car/truck dealers in subsection 17-163e, and with the standards

of section 17-102.

2. Gymnasiums, indoor tennis courts, similar court games, and recreation centers shall be permitted provided they have access from either a primary arterial or secondary arterial road as shown on the adopted circulation plan or from an interior road in an industrial/office park and which meet the minimum requirements of subsection 17-163e.
3. Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall meet the minimum requirements of subsection 17-159g., and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.

e. *Lot, Yard, Height and Coverage Requirements.*

1. The lot, yard, height and coverage requirements for single-family homes, conversions and business/residence within the SI District shall be the same as those which govern development of single-family homes in the R-100 District.
2. The lot, yard, height and coverage requirements for an office within the SI District shall be the same as those which govern development of an office in the OCC District.
3. The lot, yard, height and coverage requirements for all other permitted uses within the SI District shall be as follows:

Min. Lot Size	3 acres	(See paragraph f. below)
Min. Lot Width	300 ft.	(See paragraph f. below)
Min. Lot Depth	300 ft.	(See paragraph f. below)
Min. Front Yard	100 ft.	
Min. Side Yard	50 ft.	When adjoining another nonresidential zone, but 100 feet when adjoining a residential zone.
Min. Rear Yard	50 ft.	When adjoining another nonresidential zone, but 100 feet when adjoining a residential zone.
Max. Bldg. Height	40 ft.	Except the height may be increased where the setbacks are greater than 100 feet based on a height equal to 40% of the shortest setback from any property or street line, but not to exceed a height of 60 feet.
Max. Lot Coverage	50%	
Max. Bldg. Coverage	20%	
Max. Floor Area Ratio (FAR)	0.20	

Note: Management Plan shall be the smaller of either the maximum development permitted by ordinance or the amount of development which would generate a design influent sewage flow of less than 2,000

gallons per day as determined in accordance with the prevailing design standards and policies of the New Jersey Department of Environmental Protection.

- f. *Additional Requirements for Industrial/Office Park Designs.* Any proposal to develop an industrial/office park containing three or more lots or to have three or more structures with separate tenants and having a minimum tract size of 20 acres may adhere to the following standards, provided a feasible road and lot configuration for the entire tract is designed with the initial development proposal. Subsequent modifications to this design may be made as other parcels are subdivided or leased but only if the modifications are a logical extension of that portion already approved or constructed and the modifications provide an adequate and comprehensive street system to limit congestion and provide proper access for emergency vehicles (see definition of Industrial/office park).
1. The average lot size shall not be less than 2.5 acres.
 2. The minimum lot size shall be two acres.
 3. No lots of less than 2.5 acres may be subdivided until a sufficient number of lots in excess of 2.5 acres have been subdivided in order to maintain the minimum average lot size of 2.5 acres over the entire tract, except that in any event, no more than half the total number of resulting lots may be less than 2.5 acres.
 4. The minimum lot width and depth for parcels less than three acres shall be 250 feet; the minimum yards shall be: front yard 100 feet; each side yard 50 feet; and rear yard 50 feet, except the side and rear yards shall be 100 feet if abutting a residential zone. The minimum lot width, depth and minimum yards for parcels three acres or more shall be as set forth in subsection 17-165e,3.
 5. All other coverage, parking, building height, and other provisions of this district shall be as set forth in other provisions of this chapter.
(Ord. #96-1048, § 6; Ord. #97-1074, § 2; Ord. #99-1133, § 5; Ord. #01-1208, § 4; Ord. #02-1268)

17-166 OP DISTRICT: OFFICE PARK.

- a. *Purpose.* The purpose of this district is to establish an area where office-oriented businesses not involved in retail sales may be located. The location of the district identifies an area where employment centers have begun to emerge as well as provide areas where highway access is appropriate and a major tract of land is available for the development of employment centers.
- b. *Permitted Principal Uses.*
1. Farms and agriculture.
 2. Offices.
 3. Office park.
 4. Research facility.
 5. Hospital; veterinary hospital.
 6. Restaurant.
 7. Child care centers shall be a permitted use and shall meet all the criteria set forth in subsection 17-161b,7.

8. Principal uses permitted in the RO District.
9. In the OP District, all uses permitted under paragraphs b,2. through b,8. above shall be required to participate in the township's efforts to produce lower income housing, as set forth in section 17-92. In addition, developers in the OP District may exercise an additional option of dedicating land outside the OP District, but south of Washington Crossing-Pennington Road and south of Pennington-Lawrenceville Road, provided the land would be suited to lower income housing development. This additional land shall be of equal size as the parcel being considered in the OP District with suitable highway access and utility services.

c. *Permitted Accessory Uses.*

1. Parking; supply and equipment storage; cafeteria.
2. Conference centers for uses on tracts of 100 or more acres.
3. One earth terminal antenna and one associated reflector (or dish) are permitted on a lot provided they are located within the setback lines required for the principal use and are located to be screened from view from residences and public streets by plantings providing a year-round screen, parapet walls, building facades, walls, or similar effective device. The antenna and dish may be located on a roof, or attached to a building, or on the ground. Servicing wires and cables shall be installed underground. The highest point of the antenna and dish facility shall be 15 feet above the height of a building, or ten feet above the maximum building height permitted, whichever is less.
4. Accessory uses permitted in the RO District.

d. *Conditional Uses in the OP District.*

1. Automobile service station provided access is from an interior road designed as part of an office park. A service station shall comply with the minimum requirements for new car/truck dealers in subsection 17-163e, and with the standards of Section 17-102.
2. Gymnasiums, indoor tennis courts, similar court games, and recreation centers shall be permitted provided they have access from either a primary arterial or secondary arterial road as shown on the adopted circulation plan or from an interior road in an office park and which meet the minimum requirements of subsection 17-163e.
3. Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall meet the minimum requirements of subsection 17-159g., and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.

e. *Lot, Yard, Height and Coverage Requirements for Nonpark Designs.¹*

Min. Lot Size	5 acres	(See paragraph f. below)
Min. Lot Width	300 ft.	(See paragraph f. below)
Min. Lot Depth	300 ft.	(See paragraph f. below)
Min. Front Yard	100 ft.	
Min. Side Yard	50 ft.	When adjoining another nonresidential zone, but 100 ft. when adjoining a residential

Min. Rear Yard	50 ft.	zone. When adjoining another nonresidential zone, but 100 ft. when adjoining a residential zone.
Max. Bldg. Hgt.	40 ft.	Except the height may be increased where the setbacks are greater than 100 feet based on a height equal to 40% of the shortest setback from any property or street line, but not to exceed a height of 60 feet.
Max. Lot Coverage	50%	
Max. Bldg. Coverage	20%	
Max. Floor Area Ratio (FAR)	0.20	

Note 1. Notwithstanding the maximum floor area ratio and other design controls set forth above, the maximum intensity of development permitted on those lots not connected to public sewage collection and public sewage treatment systems or not located in a designated sewer service area as shown on the Hopewell Township Wastewater Management Plan shall be the smaller of either the maximum development permitted by ordinance or the amount of development which would generate a design influent sewage flow of less than 2,000 gallons per day as determined in accordance with the prevailing design standards and policies of the New Jersey Department of Environmental Protection.

f. *Requirements of Office Park Designs.* Any proposal to develop an office park containing three or more lots or to have three or more structures with separate tenants and having a minimum tract size of 20 acres may adhere to the following standards, provided a feasible road and lot configuration for the entire tract is designed with the initial development proposal. Subsequent modifications to this design may be made as other parcels are subdivided or leased but only if the modifications are a logical extension of that portion already approved and/or constructed and the modifications provide an adequate and comprehensive street system to limit congestion and provide proper access for emergency vehicles. (See definition of Industrial or Office Park.)

1. The average lot size shall not be less than 3.5 acres;
2. The minimum lot size shall be two acres;
3. No lots of less than 3.5 acres may be subdivided until a sufficient number of lots in excess of 3.5 acres have been subdivided in order to maintain the minimum average lot size of 3.5 acres over the entire tract, except that in any event no more than half the total number of resulting lots may be less than 3.5 acres.
4. The minimum lot width and depth for parcels less than five acres shall be 250 feet; the minimum yards shall be: front yard 100 feet; each side yard 50 feet; and rear yard 50 feet, except the side and rear yards shall be 100 feet if abutting a residential zone. The minimum lot width, depth and minimum yards for parcels five acres or more shall be as set forth in subsection 17-166e. In the case of a general development plan submitted pursuant to subsection 17-166g, the setbacks from the perimeter of the tract shall be met, but the following minimum yard requirements shall apply to any lot or portion thereof internal to the tract: front yard-75 feet for a principal building and 15 feet for accessory buildings and structures; each side yard-25 feet for a principal building, and 15 feet for

accessory buildings or structures except parking garages, including associated uses contained in or attached to such garages, may overlap lot lines to serve abutting properties; and rear yard-25 feet for a principal building and 15 feet for accessory buildings and structures.

5. All other coverage, parking, building height, and other provisions of this district shall be as set forth in other provisions of this chapter; provided, however, in the case of a general development plan submitted pursuant to subsection 17-166g, the maximum floor area ratio, maximum lot coverage and maximum nonresidential building height requirements shall be as set forth in subsection 17-166g. The maximum floor area ratio and lot coverage requirements set forth in subsection 17-166g,4 shall be applied to the tract as a whole and not to individual lots therein. The parking requirements and other provisions of this district not otherwise provided for in this subsection 17-166e or subsection 17-166g shall be set forth in other provisions of this chapter.
- g. *General Development Plan in OP District.* Notwithstanding the previous provisions of this section, in OP District the developer of a tract whose original acreage was at least 150 acres and having a development period of at least five years may submit a general development plan to the approving authority for review and approval prior to submitting a preliminary plat. The submission shall be in accordance with section 17-126. The design standards for required improvements shall comply with the approved general development plan and the provisions of this ordinance that have not been modified by the approved general development plan.
1. *Purpose.* The opportunity to submit a general development plan is intended to provide opportunities for long range public and private planning in conjunction with the protection that an approved general development plan gives to developers under the Municipal Land Use Law in return for commitments by that developer to making various improvements and/or contributions toward infrastructure and other community services.
 2. For general development plans, in addition to the principal and accessory uses permitted under subsections 17-166b. and c. above, the principal and accessory uses permitted in the RO District shall be permitted, and the plan shall contain the elements required in section 17-126 to address related housing, if applicable, and services to the businesses, the employees, and any residents in the proposed development.
 3. A housing component shall be provided in compliance with the applicable portions of section 17-92. Where the applicant chooses to make the monetary contributions, the payments shall be made for each building in the development in accordance with the Hopewell Township Development Fee Ordinance.
 4. The principal nonresidential permitted uses shall be oriented to employment centers consisting of offices and research facilities. Service uses to the offices and research uses shall be limited to no more than 20 percent of the gross floor area of the nonresidential uses in the development and shall be limited to the sale of supplies, furniture, and equipment to support the office and research uses, together with related equipment repair and service uses. Other retail and service uses permitted in the plan shall be limited to five percent of the gross floor area of the nonresidential uses in the development and shall be limited to such uses as restaurants, delicatessens, banks, pharmacies, and such retail uses as individual clothing and shoe stores, gift shops, flower shops, and personal services such as barber shops, beauty salons, cleaners, tailors, and shoe repair. Where there is more than 500,000 square feet of office and/or research uses in the development, one conference center and one hotel shall also be permitted. The maximum floor area ratio of nonresidential uses shall be 0.18 throughout the tract, subject to an increase in floor area as provided by section 17-92. Certain

uses noted below shall not be counted in the floor area ratio of the total tract. The development may be shifted from one portion of the tract to another in order to maximize open space, or to add flexibility in designing the site. The maximum lot coverage in the nonresidential portion of the plan shall be 50 percent, including buildings, driveways, parking and loading areas, and sidewalks, but excluding streets and sidewalks in public or private rights-of-way and also excluding the building and pavement coverage of freestanding buildings which are specifically excluded from the floor area ratio as set forth herein.

5. As part of a general development plan, temporary uses limited to serving on-site construction during the period of development may be permitted provided site plan review and approval of the temporary uses have been granted. The purpose of these uses is to minimize the volume of traffic going to the site by vehicles such as construction vehicles, lumber, brick, and other supply and maintenance vehicles. These temporary uses shall be located at least 400 feet from the perimeter of the site and be shielded from view by such things as evergreen plantings, berms or natural contours, or existing wooded areas. The design and location of these temporary facilities shall be such as to minimize the potential nuisances to any nearby residents. The temporary uses to be permitted shall include such uses as brick, stone and lumber yards; construction offices; vehicle maintenance and vehicle storage areas; and warehousing and supply storage buildings. These temporary uses serving each category of use shall be phased out as the development nears completion and shall all be removed from the site prior to the certificate of occupancy being issued for any part of the last five percent of each category of use.
6. The overall plan shall include provisions for nursery school and/or child/day care in conjunction with the employment uses. If located on the site, the floor area devoted to this use under a general development plan shall not be counted in the floor area ratio. The design standards shall meet the requirements set forth in subsection 17-161b,7.
7. The overall plan shall include at least 15 percent of the area of the tract in open space and provide recreation uses. These recreation uses shall contain improvements for active recreation uses as delineated on a plan (such as but not limited to ball fields, court games, pool, or buildings housing exercise rooms). The plan shall contain provisions for park settings and passive areas as well (such as but not limited to a park with benches located to have a scenic view, or directed toward views of statues or other works of art, or directed toward views of flower gardens or similar areas.) The requirement for open space and recreation uses in the overall plan may be satisfied by including any land dedicated by the applicant to the township for open space and recreation purposes, provided such land is adjacent to the planned development site. The land dedicated by the applicant need not be in the OP Zone.
8. A plan resulting in more than one million square feet of nonresidential floor area on-site shall require a specific community facilities plan as part of the agreement. In the event the community facilities are to be of site, then said agreement shall set forth the developer's participation and the manner of satisfying same. If the community facilities are on-site, then the floor area devoted to this use shall not be counted in the floor area ratio.
9. Nonresidential uses may have building heights of: (1) not more than 45 feet and three stories when located at least 75 feet from the perimeter of the tract; (2) not more than 60 feet and four stories when located at least 150 feet from the perimeter of the tract, or 75 feet and five stories when located at least 150 feet from the perimeter of the tract and within 1,400 feet of an interstate highway and 1,400 feet of a railroad right-of-way; (3) not more than 70 feet and five stories when located (a) at least 500 feet from an interstate highway or railroad right-of-way, or (b) at least 800

feet from any other perimeter boundary of the tract; and, (4) not more than 110 feet and seven stories when located at least 500 feet from an interstate highway or railroad right-of-way and within 1,400 feet of an interstate highway and 1,400 feet of a railroad right-of-way.

Sloping roofs which enclose or screen uninhabitable space or equipment shall not be included in the foregoing building height limitations and shall not be higher than an additional 30 feet above the maximum allowable building height as defined above. Any other rooftop structures shall not exceed more than 25 percent of the maximum allowable building height set forth above. In no instance shall the total height of the building plus uninhabitable space and equipment exceed 110 feet. All rooftop mechanical equipment shall be screened from view. If the design of the development includes one or more buildings higher than 35 feet, the applicant shall include in the development schedule some provision for a proportionate share of future emergency services able to serve taller buildings.

10. Adequate provision shall be made for water storage, but the location of any elevated storage tank shall be at least 1,000 feet from the perimeter of the tract.
11. The perimeter of the tract along existing streets and property lines shall be designed to provide a buffer area which averages 100 feet in width but is not less than 75 feet in width in any one location. The buffer area shall have various shaped berms averaging at least five feet in height where the adjacent street or property is at grade with or higher than the site in order to enhance visual buffer intended. These berms and the entire buffer area shall be planted with a mixture of evergreens, deciduous trees and shrubbery of different species to assure that off-street parking and loading areas within 400 feet of the perimeter property lines are screened from view. Elsewhere, the buffer area shall be planted to lessen the visual impact of development through combinations of densities, color, and different plant materials. The other buffer requirements of the ordinance shall be met. The approving authority may grant waivers from these berming and planting standards if, in the opinion of the approving authority, the existing contours or the wooded nature of the existing conditions within the buffer area meet the objectives of the ordinance.
12. The minimum spacing between nonresidential buildings shall be at least equal to the height, excluding sloped roofs and penthouse structures, of the tallest adjacent building. Where roads, but not driveways, pass between buildings that are closer than 100 feet to one another, the space between the buildings shall be increased up to another 25 feet, but the space between buildings need not be increased beyond 100 feet. Unless modified by approval of the planning board, buildings shall be set back from any interior road, but not driveways, at least 50 feet and shall be set back at least 25 feet from any parking spaces. Truck loading docks are specifically excluded from this requirement. If a parking garage is constructed as part of a building complex, the garage may be as close to any other building as the height of the garage and if the parking garage has more than two stories, an elevated walkway from the garage into the building(s) in addition to the ground floor entrance(s) should be considered.
13. Detention basins shall be designed as part of a lawn, or part of a park or recreation area, or as an aesthetic attraction as part of a garden, or be designed in some similar fashion to be an aesthetic part of the plan, but detention basins, unless they are designed to permanently retain water as a pond, and are approved as a recreational or aesthetic amenity by the planning board at the time of site plan approval, shall not count as part of the required 15 percent requirement in subsection 17-166g,7.
14. Where there is more than 1,000,000 square feet of nonresidential floor area in the development plan, the plan shall provide a site and a building for either a fire house or rescue squad as a supporting community facility for the plan. The floor area devoted to this use shall not be counted in the floor

area ratio.

15. The plan may incorporate not more than one helistop located at least 500 feet from any street or property line and at least 2,000 feet from any residential use, located in a manner complying with the flight patterns from other airports, and located so the approach pattern is not over residential areas.
16. Section 12 of the Mercer County Transportation Development District Ordinance, as amended from time to time (the "TDD Ordinance") provides that developers submitting a transportation demand management plan shall be eligible for trip reduction credits, with such credits specified in a TDD Fee Binder Agreement, and with trip reduction credits accruing at specified rates with respect to flex time and staggered work hours and with respect to actual removal of single occupancy vehicles from the transportation system. Section 6G of the TDD Ordinance provides that any credits available under Section 12 of the TDD Ordinance shall be rescinded upon the alteration or termination of the activity or condition on account of which such credit was applicable. The developer shall provide to the township a copy of any submissions to Mercer County pursuant to the TDD Ordinance seeking credits for a traffic demand management plan, together with a copy of any reports thereon.
(Ord. #96-1048, §6, 8; Ord. #96-1051; Ord. #98-1096, §§ 7-17; Ord. #99-1133, § 7; Ord. #00-1157, §§ 1-5; Ord. #01-1207, § 10; Ord. No. 02-1268; Ord. #04-1326, §§ 3-6; Ord. #07-1402, § 1)

17-167 IC DISTRICT; INDUSTRIAL/COMMERCIAL

- a. *Purpose.* The purpose of this district is to provide wider employment opportunities in proximity to expanding residential areas. This district has good highway access, is separated from residential areas, and has an existing development characteristic similar to what is permitted.
- b. *Permitted Principal Uses.*
 1. Uses permitted in the HBO District meeting the HBO regulations.
 2. Uses permitted in the OP District meeting the OP regulations.
 3. Warehousing, meeting the lot, yard, height, coverage and other bulk requirements of the OP District (subsection 17-166e).
 4. Manufacturing and assembly.
- c. *Permitted Accessory Uses.* The same as the HBO and OP Districts.
- d. *Conditional Uses.*
 1. Conditional uses permitted in the HBO District.
 2. Automobile car wash provided it has access from Route 31, the vehicular entrance to the facility is at the rear of the property, the on-site stacking of vehicles waiting to enter the facility is around the periphery of the lot and at least two lanes wide, and the stacking lanes have a capacity for at least 20 vehicles.
- e. *Lot, Yard, Height and Coverage Requirements.* The same as the HBO and OP Districts with the more restrictive provisions applying in those instances where conflicting standards may exist.
(Ord. #00-1157, § 2; Ord. #01-1210, § 1; Ord. No. 02-1268; Ord. #04-1325, §§ 20,21)

17-168 RO-1, 2 AND 3 DISTRICTS: RESEARCH/OFFICE DISTRICTS.

- a. *Purpose.* The purpose of these districts is to provide for research/office uses by single owners with one or more tenant occupants on large parcels within the township. It is also intended that the provisions for assisting in the development of lower income housing as set forth below be a required portion of any new development in the RO Districts.
- b. *Permitted Principal Uses.*
 1. Offices.
 2. Uses devoted to research, experimentation, design, education, and development in medicine, pharmacology, chemistry, physics, engineering, and similar fields.
 3. Farms and agriculture in accordance with the standards for the VRC District.
 4. In the RO Districts, all uses permitted under paragraphs b.1. and b.2. above shall be required to participate in the township's efforts to produce lower income housing including the dedication of land and development of lower income housing as set forth in section 17-92.
 5. Child care centers shall be a permitted use and shall meet all the criteria set forth in section 17-161b,7.
- c. *Permitted Accessory Uses.*
 1. Parking and loading.
 2. Cafeterias, first aid and recreational facilities for employees and guests.
 3. Helistop located at least 500 feet from any street or property line and at least 2,000 feet from any residential use, and which shall not be used between 10:00 p.m. and 7:00 a.m.
 4. Not more than three dwellings located on the premises and occupied by full-time employees and their families only.
 5. Maintenance facilities and centralized service facilities serving the uses on the tract.
 6. Conference center as part of the operations of a permitted use provided it is subordinate to the principal use, has less square footage than the principal use, and is designed to accommodate fewer personnel than the principal use. In conjunction with the conference center, such activities as swimming pools, tennis courts, golf courses, and other recreational facilities are permitted provided they are available as an activity associated with the accessory conference center and not operated as a commercial facility open to the general public.
 7. One earth terminal antenna and one associated reflector (or dish) are permitted on a lot provided they are located within the setback lines required for the principal use and are located to be screened from view from residences and public streets by plantings providing a year-round screen, parapet walls, building facades, walls, or similar effective device. The antenna and dish may be located on a roof, or attached to a building, or on the ground. Servicing wires and cables shall be installed underground. The highest point of the antenna and dish facility shall be 15 feet above the height of a building, or ten feet above the maximum building height permitted whichever is less.
- d. *Conditional Uses.*
 1. Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or

other aspects of utility operations. Such facilities shall meet the minimum requirements of subsection 17-159g., and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.

e. *Lot, Yard, Height and Coverage Requirements.*¹

Min. Lot Area	100 contiguous acres (all of which shall be located within the township).
Min. Lot Width	1000 feet
Min. Lot Depth	1000 feet
Min. Setback from Public Street	200 feet
Min. Setback from Interior Street	Equivalent to building height.
Min. Distance between Buildings	Equivalent to height of tallest building.
Max. Building Height	40 feet except the height may be increased where the setbacks are greater than 100 feet based on a height equal to 40% of the shortest setback from any property or street line, but not to exceed a height of 60 feet.
Max. Lot Coverage	25%
Max. Building Coverage	10%
Max. Floor Area Ratio	0.15 in the RO-1 District 0.13 in the RO-2 District 0.05 in the RO-3 District, provided that if all development is clustered on one side of Carter Road a floor area bonus of 2.5% to a maximum floor area ratio of 0.05125 is permitted.

Notes:

Note 1. Notwithstanding the maximum floor area ratio and other design controls set forth above, the maximum intensity of development permitted on those lots not connected to public sewage collection and public sewage treatment systems or not located in a designated sewer service area as shown on the Hopewell Township Wastewater Management Plan shall be the smaller of either the maximum development permitted by ordinance or the amount of development which would generate a design sewage flow of less than 2,000 gallons per day as determined in accordance with the prevailing design standards and policies of the New Jersey Department of Environmental Protection.

f. *General Development Plan in the RO Districts.* Notwithstanding the previous provisions of this section, in the RO Districts the developer of a tract whose original acreage was at least 250 acres and having a development period of at least five years may submit a general development plan to the approving authority for review and approval prior to submitting a preliminary plat. The submission shall be in accordance with section 17-126. The design standards for required improvements shall comply with the approved general development plan and the provisions of this chapter that have not been modified by the approved general development plan.

1. Purpose. The opportunity to submit a general development plan is intended to provide opportunities for long range public and private planning in conjunction with the protection that an approved general development plan gives to developers under the Municipal Land Use Law in return for commitments by that developer to making various improvements and/or contributions towards infrastructure and other community needs and services.
2. In addition to the principal uses permitted under subsection 17-168b., above, the plan shall contain the elements required in section 17-126 to address related housing and services to the businesses, the

employees, and any residents in the proposed development.

3. A housing component shall be provided in compliance with the applicable portions of section 17-92. Where the applicant chooses to make the monetary contributions, the payments shall be made as building permits are issued for each phase of the development.
4. The principal nonresidential permitted uses shall be oriented to employment centers consisting of offices and research facilities. Service uses to the offices and research uses shall be limited to no more than 20 percent of the gross floor area of the nonresidential uses in the development and shall be limited to the sale of supplies, furniture, and equipment to support the office and research uses, together with related equipment repair and service uses. Other retail and service uses for employees and residents permitted in the plan shall be limited to 15 per-cent of the gross floor area of the nonresidential uses in the development and shall be limited to such uses as restaurants, banks, pharmacies, and such retail uses as individual clothing and shoe stores, gift shops, flower shops, and personal services such as barber shops, beauty salons, cleaners, tailors, and shoe repair. Where there is more than 1,000,000 square feet of office and/or research uses in the development, the plan shall provide at least one restaurant. The development may be shifted from one portion of the tract to another in order to generate acreage for the housing requirement, or to maximize open space, or to add flexibility in designing the site. The maximum lot coverage in the nonresidential portion of the plan shall be 50 percent, including buildings, streets, driveways, parking and loading areas, and sidewalks, but excluding the building and pavement coverage of free standing buildings used exclusively for uses excluded from the floor area ratio as set forth below.
5. As part of a general development plan, temporary uses limited to serving on-site construction during the period of development may be permitted provided site plan review and approval of the temporary uses has been granted. The purposes of these uses is to minimize the volume of traffic going to the site by vehicles such as construction vehicles, lumber, brick, and other supply and maintenance vehicles. These temporary uses shall be located at least 400 feet from the perimeter of the site and be shielded from view by such things as evergreen plantings, berms or natural contours, or existing wooded areas. The design and location of these temporary facilities shall be such as to minimize the potential nuisances to any nearby residents. The temporary uses to be permitted shall include such uses as brick, stone and lumber yards; construction offices; vehicle maintenance and vehicle storage areas; and warehousing and supply storage buildings. These temporary uses shall be phased out as the development nears completion and shall all be removed from the site prior to the certificate of occupancy being issued for any part of the last five percent of the dwelling units and/or the last five percent of the gross floor area of nonresidential uses in the development.
6. The approving authority may require that the overall plan include provisions for nursery school and/or child care/day care facilities in conjunction with the employment uses. The floor area devoted to this use under a general development plan shall not be counted in the floor area ratio. The design standards shall meet the requirements set forth in subsection 17-161b,7.
7. The overall plan shall include at least 15 percent of the area of the tract in open space and recreation uses, at least half of this space shall be designed in relation to any on-site residential uses, with the other areas to be convenient to the office uses. These recreation areas shall contain improvements for active recreation uses as delineated on a plan (such as but not limited to ball fields, court games, pool, or buildings housing exercise rooms). The plan shall contain provisions for park settings and passive areas as well (such as but not limited to a park with benches located to have a scenic view, or directed toward views of statues or other works of art, or directed toward views of flower gardens or similar areas).

8. A plan resulting in more than 1,000,000 square feet of nonresidential floor area on-site shall require a specific community facility's plan as part of the agreement. In the event the community facilities are to be off-site, then said agreement shall set forth the developer's participation and the manner of satisfying same. If the community facilities are on-site, then the floor area devoted to this use shall not be counted in the floor area ratio.
9. Maximum building heights shall be as follows:
 - (a) Notwithstanding the definition of "height" in this chapter,^{*} the maximum building height of residential structures shall be 35 feet, but not more than two stories above grade, except that if constructed on slopes greater than ten percent, the structure may be no higher than two stories, or 30 feet measured on the uphill side, and no higher than three stories, or 45 feet when measured on the downhill side.
 - (b) The maximum building height of nonresidential structures shall be 40 feet when located within 800 feet of the perimeter of the site and 60 feet when set back farther than 800 feet from the perimeter of the site. However, should an RO tract, in single ownership, be greater than 400 acres, then structures no taller than 60 feet in height (including penthouse and roof structures for containing equipment) may be permitted and the setback from the site perimeter for said structures can be reduced to 500 feet where each of the applicable criteria set forth below is met. Structures between 61 feet and 75 feet in height (including penthouse and roof structures for containing equipment) may be permitted and the setback from the site perimeter for said structures can be reduced to 500 feet where each of the applicable criteria set forth below is met. However, structures between 61 and 75 feet in height shall comprise no more than 12 percent of the total floor area of the entire site at full build-out granted by a General Development Plan. The criteria are as follows:
 - (1) The tract shall not abut a local street.
 - (2) Said structures must be contiguous to each other.
 - (3) Any 60 foot tall structures shall be farther than 900 feet from the nearest point of intersection with any local street, and any structures between 61 and 75 feet shall be farther than 1,500 feet from the nearest point of intersection with any local street.
 - (4) Said structures must be no less than 500 feet from the perimeter of the site, and no less than 200 feet but no more than 700 feet from any land which was permanently preserved as open space as of January 1, 2001. The location of said structure(s) shall be delineated on the General Development Plan, and shall be acceptable to and approved by the planning board. The location of said structure(s) shall also be made part of the Developer's Agreement, which shall be acceptable to and approved by the township committee.
 - (5) Not less than 50 percent of the total parking demand for the entire site at full build-out shall be accommodated in parking structures; and not less than 95 percent of the parking demand generated by such structures shall be accommodated in parking structures, the balance to be used for handicapped or visitor parking.
 - (6) The ground floor for any structure between 61 and 75 feet in height shall not exceed 65,000 square feet.
 - (7) The elevation of the first floor of any structure between 61 and 75 feet in height, which

- floor is at or above finished grade, shall be at least ten feet lower than the elevation of the street which is closest thereto, measured at right angles from such street to the closest portion of such structure.
- (8) For purposes of this subparagraph (b), the classification of streets shall be deemed to be those classifications in effect as of the adoption of this subparagraph, notwithstanding any later classification.
 - (9) The developer shall perform a test demonstrating the visual impact(s) of such structure (s), the results of which shall be acceptable to and approved by the planning board.
- (c) If the design of the development includes one or more structures higher than 35 feet, the applicant shall include in the development some provision for a proportionate share of future emergency services able to serve taller buildings. The level of participation shall be a proportion of the projected future needs to serve the development(s) generating the need. Such calculations shall be based on a study of emergency services needed to serve taller buildings.
10. Adequate provisions shall be made for water storage, but the location of any above ground storage tank shall be at least 1,000 feet from the perimeter of the tract.
 11. The perimeter of the tract along existing streets and property lines shall be designed to provide a buffer area at least 100 feet in width. The buffer area shall have various shaped berms at least five feet in height where the adjacent street or property is at grade with or lower than the site in order to enhance the visual buffer intended. These berms and the entire buffer area shall be planted with a mixture of indigenous vegetations including evergreens, deciduous trees and shrubbery of different species to assure that off-street parking and loading areas within 400 feet of the perimeter property lines are screened from view. Elsewhere, the buffer area shall be planted to lessen the visual impact of development through combinations of densities, color, and different plant materials. The other buffer requirements of the chapter shall be met. The approving authority may grant waivers from these berming and planting standards if, in the opinion of the approving authority, the existing contours or the wooded nature of the existing conditions within the 100 feet buffer area meet the objectives of the chapter.
 12. The minimum spacing between nonresidential buildings shall be at least that required by all applicable building codes. Buildings shall be set back from any interior loop circulation road, but not driveways, at least 50 feet and shall be set back at least 25 feet from any parking spaces. If a parking garage is constructed as part of a building complex, the garage may be as close to the building(s) it is serving as is permitted by all applicable building codes. If the parking garage has more than two stories, there shall be an elevated walkway from the third story into the building(s) in addition to the ground floor entrance(s).
 13. Detention basins shall be designed as part of a lawn, or part of a park or recreation area, or as an aesthetic attraction, as part of a garden, or be designed in some similar fashion to be an aesthetic part of the plan, but detention basins shall not count as part of the required 15 percent requirement in subsection 17-168f.7.
 14. The plan shall provide a site and a building for either a fire house or rescue squad as a supporting community facility for the plan. The floor area devoted to this use shall not be counted in the floor area ratio.
 15. The plan may incorporate not more than one helistop located at least 500 feet from any street or property line and at least 2,000 feet from any residential use, located in a manner complying with

the flight patterns from other airports, and located so the approach pattern is not over residential areas.

16. The plan shall include a traffic management plan which shall provide for one or more methods of reducing peak hour traffic and which shall require all occupants to participate in the program. The traffic management plan shall include such methods as staggered work hours, flex-time, van pooling, corporate sponsored transportation, provision for locating a passenger station adjacent to the railroad when the site abuts the railroad, and such other techniques approved by the approving authority. Where the general development plan is to be implemented in phases, a condition of approval of the general development plan shall be a requirement to update the traffic data and the traffic management plan at each phase.

(Ord. #93-932, § 1, Ord. #93-955, § 1; Ord. #96-1048, §§ 6, 9; Ord. #99-1133, § 8; Ord. #01-1223, §§ 1, 2; Ord. #02-1268)

17-169 QUARRY DISTRICT.

- a. *Purpose.* The purpose of this district is to recognize the existence of the quarry in operation with the standards under which it has been operating.
- b. *Permitted Principal Uses.*
 1. Quarrying, handling and processing of stone, sand and gravel extracted from the premises, including transportation and storage, crushing, grinding, pulverizing and mixing of the extracted raw materials.
 2. Uses as permitted and regulated in the MRC District upon depletion of quarry material or cessation of operations, and upon full rehabilitation of the site pursuant to the plan on file with the township. The rehabilitation shall be approved by the township engineer prior to use for any other purpose.
- c. *Permitted Accessory Uses.*
 1. All buildings, machinery and accessory facilities used to conduct permitted uses.
 2. Mixing or batching plant for concrete.
 3. Manufacture of bituminous concrete, concrete mixes, and other concrete products.
 4. Buildings and facilities for the repair and storage of motor vehicles and equipment used in permitted operations.
 5. Administrative and sales offices.
 6. Off-street parking space for vehicles used in permitted operations and for vehicles of employees and visitors.
 7. Warning signs wherever required and other signs as permitted for industrial uses.
 8. One earth terminal antenna and one associated reflector (or dish) are permitted on a lot provided they are located within the setback lines required for the principal use and are located to be screened from view from residences and public streets by planting providing a year-round screen, parapet walls, building facades, walls, or similar effective device. The antenna and dish may be located on a roof, or attached to a building, or on the ground. Servicing wires and cables shall be installed underground. The highest point of the antenna and dish facility shall be 15 feet above the height of a building, or ten feet above the maximum building height permitted, whichever is less.

d. *Conditional Uses.*

1. Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall meet the minimum requirements of subsection 17-159g., and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.

e. *Lot, Yard, Height and Coverage Requirements.* Any lot upon which quarrying is conducted shall be subjected to the following requirements:

1. Minimum lot area - 50 contiguous acres exclusive of private right-of-way.
2. Minimum frontage - sufficient to enable access to a public road and to enable compliance with N.J.S.A. 40:55D-35.
3. Minimum lot width - not less than 500 feet of lot width as measured at the front setback line.
4. Minimum setbacks - no structure, use or operation, other than required fencing, shall be located closer than 200 feet from any public road or zone boundary except the actual excavation or removal of rock which shall be no closer than 150 feet from any public road or zone boundary.
5. Building height, percentage of lot coverage, building area. The requirements of the OP District shall apply; provided, however, that the approving authority may, as part of any required site plan application or any amendment thereto, approve accessory structures used in mining operations of greater height if no feasible alternative structure is shown to exist.
6. Minimum floor area - all buildings or structures other than mechanical or operational structures, such as crushers, batching plants and the like, shall contain a minimum of 10,000 square feet of floor area.

f. *Additional Regulations.*

1. Any person engaged in quarrying and any quarry shall be subject to the provisions of Chapter IV, section 4-10, "Quarry License" of the Revised General Ordinances of the Township of Hopewell (1978).
2. Any lot upon which quarry material has been depleted and which shall have been fully rehabilitated shall be subject to all regulations pertaining to the district to which it reverts.
(Ord. #99-1133, § 9; Ord. #00-1157, § 2; Ord. #02-1268)

17-170 SC1: SHOPPING CENTER 1 DISTRICT.

- a. *Requirements.* The purpose, permitted principal uses, lot, yard, height and coverage requirements shall be the same as the Shopping Center Zone, section 17-162, except that the minimum front yard shall be 100 feet.
- b. *Conditional Uses.*
 1. Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall meet the minimum requirements of

subsection 17-159g., and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.

(Ord. #99-1133 §10; Ord. #02-1268)

17-171 OLI DISTRICT: OFFICE LIGHT INDUSTRIAL.

- a. *Purpose.* The purpose of this district is to provide an area with a variety of uses, primarily oriented to the existing character established by nearby uses of offices, light industry and restaurants. The district has frontage on Route 31 and is intended to reduce the access points and traffic congestion along this corridor. It is also intended that the provisions for assisting in the development of lower income housing are addressed by any new development or redevelopment in the OLI District.
- b. *Permitted Principal Uses.*
 1. Farms and agriculture.
 2. Offices.
 3. Research facility.
 4. Manufacturing and assembly.
 5. Hospitals; veterinary hospital.
 6. Restaurant.
 7. Medical clinic.
 8. All principal uses permitted in the RO (Research/Office District).
 9. Industrial/Office park.
 10. Child care centers meeting the requirements of section 171-161b7.
- c. *Permitted Accessory Uses.*
 1. Parking and loading; supply and equipment storage; cafeteria.
 2. Accessory uses permitted in the RO District.
- d. *Permitted Conditional Uses.*
 1. Gymnasiums, indoor tennis courts, similar court games, and recreation centers shall be permitted provided they have access from either a primary arterial or secondary arterial road as shown on the adopted circulation plan or from an interior road in an industrial/office park and which meet the minimum requirements of section 17-163e.
 2. Pumping stations, transformers and similar utility facilities which are needed in order to provide utility services directly to the consumer, but not repair facilities, offices, open storage, work areas or other aspects of utility operations. Such facilities shall meet the minimum requirements of section 17-159g, and shall be landscaped or otherwise appropriately integrated into the site design by special architectural treatment in accordance with section 17-89 and, where safety dictates, shall be enclosed with fencing.
- e. *Lot, Yard, Height and Coverage Requirements.*

1. Lot, yard, height and coverage requirements shall be as follows:1

Min. Lot Size	3 acres	(See paragraph f. below)
Min. Lot Width	300 ft.	(See paragraph f. below)
Min. Lot Depth	300 ft.	(See paragraph f. below)
Min. Front Yard	100 ft.	
Min. Side Yard	50 ft.	When adjoining another non-residential zone, but 100 feet when adjoining a residential zone.
Min. Rear Yard	50 ft.	When adjoining another non-residential zone, but 100 feet when adjoining a residential zone.
Max. Bldg. Height	40 ft.	Except the height may be increased where the setbacks are greater than 100 feet based on a height equal to 40 percent of the shortest setback from any property or street line, but not to exceed a height of 60 feet.
Max. Lot Coverage	50%	
Max. Bldg. Coverage	20%	
Max. Floor Area Ratio (FAR)	0.20	

Note 1: Notwithstanding the maximum floor area ratio and other design controls set forth above, the maximum intensity of development permitted on those lots not connected to public sewage collection and public sewage treatment systems or not located in a designated sewer service area as shown on the Hopewell Township Wastewater Management Plan shall be the smaller of either the maximum development permitted by ordinance or the amount of development which would generate a design influent sewage flow of less than 2,000 gallons per day as determined in accordance with the prevailing design standards and policies of the New Jersey Department of Environmental Protection.

f. *Additional Requirements for Industrial/Office Park Designs.* Any proposal to develop an industrial/office park containing three or more lots or to have three or more structures with separate tenants and having a minimum tract size of 20 acres may adhere to the following standards, provided a feasible road and lot configuration for the entire tract is designed with the initial development proposal. Subsequent modifications to this design may be made as other parcels are subdivided or leased but only if the modifications are a logical extension of that portion already approved or constructed and the modifications provide an adequate and comprehensive street system to limit congestion and provide proper access for emergency vehicles (See definition of Industrial/office park).

1. The average lot size shall not be less than two and one-half acres.
2. The minimum lot size shall be two acres.
3. No lots of less than two and one-half acres may be subdivided until a sufficient number of lots in excess of two and one-half acres have been subdivided in order to maintain the minimum average lot size of two and one-half acres over the entire tract, except that in any event no more than half the total number of resulting lots may be less than two and one-half acres.
4. The minimum lot width and depth for parcels less than three acres shall be 250 feet, the minimum yards shall be: front yard 50 feet; each side yard 25 feet; and rear yard 25 feet, except the side and

rear yards shall be 100 feet if abutting a residential zone. The minimum lot width, depth and minimum yards for parcels three acres or more shall be as set forth in section 17-165e, 3.

5. All other coverage, parking, building height, and other provisions of this district shall be as set forth in other provisions of this chapter, except that the maximum building coverage in a planned park development shall be 30 percent.
6. Industrial/office park designs meeting the above requirements are permitted to include no more than ten percent of the total floor area of the park floor area in convenience retail and personal service establishments. Convenience retail establishments shall include breakfast/luncheon shops, and bakery and specialty stores, excluding drive-in establishments. Personal service establishments shall include barber and beauty salon shops, copy centers, attended laundry and dry cleaning, tailors and repair and service shops.

(Ord. #05-1359, § I)

17-172 VRC-HLI VALLEY RESOURCE CONSERVATION (VRC) AND HAMLET LIGHT INDUSTRIAL (HLI) DISTRICT.

- a. *Purpose.* The purposes of this district are to provide for the expansion of a compatible, low-intensity manufacturing and assembly use and the creation of a hamlet development district, which supports the master plan goals and objectives by providing for nonintensive nonresidential uses and a hamlet to which development can be transferred.
- b. *Permitted Principal Uses.*
 1. Single family dwellings and conversions (For conversions, see section 17-145).
 2. All permitted principal uses in section 17-159b, to 5.
 3. Manufacturing, assembly and offices on a maximum of 40 acres, provided that the office uses shall be limited to 25 percent of the total floor area.
 4. Hamlets in accordance with the standards of section 17-172k, section 17-160k,1(c) and 17-160k,1(g).
 5. Planned developments in accordance with the standards of section 17-172m.
- c. *Permitted Accessory Uses.* Any accessory use permitted in section 17-159c. is permitted. For nonresidential uses, any accessory use permitted in section 17-166c. is permitted.
- d. *Permitted Conditional Uses.*
 1. Conditional uses for residential uses permitted in section 17-159d, 2 through 6, 8 and 9.
 2. Pumping stations, transformers and similar utility facilities, including solar arrays, in accordance with section 17-161d,1.
- e. Commercial vehicle parking in accordance with the standards of section 17-159e.
- f. Recreation vehicles in accordance with the standards of section 17-159f.
- g. The lot, yard, height and coverage requirements for nonresidential uses as specified in section 17-159g. shall govern nonresidential uses in the VRC-HLI District. For the nonresidential use of manufacturing, assembly and office, the lot, yard, height and coverage requirements are specified below in section 17-172l, 2. For nonresidential uses as part of a hamlet development, the lot, yard, height and coverage for

nonresidential uses in section 17-172k, 4 shall apply.

- h. The setback and height requirements for accessory structures on residential and non-residential lots as specified in section 17-159h. shall govern accessory structures in this district.
- i. Development standards for conventional subdivisions, cluster and open lands designs. The minimum requirements are as follows:

	<i>Conventional Subdivision</i>	<i>Lot Averaging, Cluster or Open Lands Design</i>
Minimum Lot Area	4 acres	80,000 sf
Minimum Lot Width	300 ft.	200 ft.
Minimum Lot Depth	400 ft. ¹	200 ft. ¹
Minimum Front Yard	100 ft.	75 ft.
Minimum Side Yard	60 ft. ea.	50 ft. ea.
Minimum Rear Yard	60 ft.	50 ft.
Maximum Building Ht.	35 ft.	35 ft.
Maximum Lot Coverage	10%	15%
Minimum Open Space	--	60% ²

Notes:

Note 1. All lots requiring reverse frontage along arterial and collector streets shall have an additional 25 feet of depth to allow for the establishment of the buffers outlined in section 17-89j.

Note 2. The open space requirement is only applicable to cluster designs. See section 17-160i, 2, 3, 4 and 5 for additional standards relating to open lands, clustering and conventional subdivision designs.

1. The maximum density of units per gross acre of land in the VRC-HLI District shall be 0.23 unit per acre.
2. Open lands subdivisions are permitted on tracts of 18 acres or more in the VRC-HLI District. This option is intended to promote the retention of large contiguous wooded tracts and large farm tracts, and to promote the aggregation of smaller wooded and farm parcels. It is also intended to encourage and promote flexibility, economy and environmental soundness in subdivision layout and design. The following standards shall apply to open lands subdivision.
 - (a) The open lands development plan shall not result in a greater dwelling unit yield than if the property in question were developed as a conventional subdivision. In order to determine the maximum number of lots for an open lands subdivision, a conforming plan of a conventional subdivision shall be submitted, based on minimum lot area of four acres in the VRC-HLI District. The concept plan shall be in sufficient detail to permit the planning board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the planning board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the concept plan shall be the maximum number of lots permitted under an open lands subdivision.
 - (b) At least 60 percent of the residential tract shall be designated as "open lands" and shall, as a condition of approval of the development, be deed restricted for agricultural or conservation

- use. Lots qualifying as open lands shall be permitted a primary residence and other accessory buildings uses as provided in this section.
- (c) At least 60 percent of designated "open lands" shall be some combination of unconstrained land area, or prime soils or soils of statewide importance, or prime forested area. On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
 - (d) For tracts of 100 acres or less, the open lands shall be contained in one deed-restricted contiguous parcel; for tracts greater than 100 acres, the open lands may be composed of noncontiguous parcels, provided that each open lands area shall contain at least 50 contiguous acres. When noncontiguous parcels of at least 50 acres are provided, each parcel may have a residence, provided that the total density is not exceeded.
 - (e) All lots created under this subdivision option shall be deed restricted against further subdivision for the purpose of creating an additional lot or lots.
 - (f) The design of the development utilizing this option shall foster the following objectives: retention of large contiguous farmland areas; retention of large contiguous prime forested areas; stream corridor and wetlands preservation; aquifer recharge protection; steep slope protection; overall site design; reduction of impervious coverage; traffic circulation; and, sensitivity to the site's natural features, topography and relationship to open lands on neighboring parcels.
 - (g) In forested areas, the design of the development shall include a 200 foot buffer along existing roads, which shall either maintain existing woodlands or establish new forested areas for those areas that are disturbed during site development or are currently cleared. The intent of this provision is to maintain the scenic roadside views in the township.
 - (h) Development on hillsides shall be located at an appropriate point in the foreground to midground of the hill so that the development does not create a barrier visible from the existing road.
 - (i) Natural features such as trees, hilltops and views, natural terrain, open waters and natural drainage ridge lines shall be preserved wherever possible in designing any development containing such features. As part of the subdivision or site plan review process, development should be designed to preserve scenic vistas and views of cultural/historic landmarks and of unique geologic and topographic features. On hillsides, development should be sited below the ridgeline and the height and location of development should protect unobstructed views of the ridges from public roadways.
 - (j) The applicant is advised to submit a concept plan of the open lands subdivision for review and comment in accordance with the section.
3. Cluster subdivisions on tracts of 18 acres or more are permitted in accordance with the following standards:
- (a) The cluster subdivision development plan shall not result in a greater dwelling unit yield than if the property in question were developed as a conventional subdivision. In order to determine the maximum number of lots for a cluster subdivision, a conforming plan of a

conventional subdivision shall be submitted, based on minimum lot area of four acres in the VRC-HLI District. The concept plan shall be in sufficient detail to permit the planning board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the planning board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the concept plan shall be the maximum number of lots permitted under a cluster subdivision.

- (b) The minimum open space shall be 60 percent of the total residential tract.
 - (c) Areas reserved as permanent open space shall have a minimum contiguous area of not less than five acres and no portion thereof shall be less than 50 feet in width. At least 50 percent of the open space shall be uplands. The open space area(s) shall be contiguous to open space on adjoining parcels, where applicable, and shall include areas identified in the township's open space and recreation or conservation plans, if any, including greenways.
 - (d) On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
 - (e) The open space shall be reserved in perpetuity either by dedication for public use or for use by the residents of the development by private covenant or deed restriction for one of the following purposes:
 - (1) Undeveloped open space.
 - (2) Public or private recreational facilities.
 - (3) Conservation of environmentally sensitive features including, but not limited to, steep slopes, wetlands, aquifer recharge areas, floodplains and wooded areas.
 - (4) Agricultural use.
 - (f) The proposed development shall comply with the standards contained in section 17-160i,2(f), (g), (h) and (i).
 - (g) Provision shall be made to ensure suitable maintenance of any area to be reserved by private covenant or deed restriction by the establishment of a property owners' association or other appropriate organization.
 - (h) Nothing contained herein shall be construed to require the planning board to approve any subdivision employing clustering if said subdivision is in conflict with any provision of the Hopewell Township Master Plan or if said subdivision will, in any way, result in a land use pattern that will adversely affect that portion of the township in which it lies.
 - (i) The applicant is advised to submit a concept plan of the cluster subdivision for review and comment in accordance with the section.
4. Conventional subdivisions shall comply with the standards contained in section 17-160i,2(f), (g), (h) and (i). Lots in conventional subdivisions shall front on local streets.
- j. *Noncontiguous Cluster Development in the VRC-HLI District.*
- 1. Purpose. The purpose of this paragraph is to provide a mechanism for the transfer of development

potential from properties in the MRC and VRC Districts to a designated hamlet in the VRC-HLI District. The intent of this provision is to provide an opportunity to create an alternative development opportunity that furthers the goals of resource conservation in the township, while also providing a development form that supports the goals and policies of the master plan.

2. Allocation of/Standards for the Transfer of Development Potential.

- (a) Land in the MRC District is allocated one dwelling unit per seven acres for the transfer of development to a municipally designated hamlet.
- (b) Land in the VRC District is allocated one dwelling unit per three acres for the transfer of development to a municipally designated hamlet.

3. Limitations on the Use of Development Transfers. The owner of the land from which development potential has been obtained shall deed restrict the use of the land in perpetuity to those resource conservation uses authorized and enumerated in the sale or conveyance of the development potential.

k. *Development Standards for Hamlets in the VRC-HLI District.*

- 1. Tract Size. The hamlet shall have a minimum size of 60 acres and a maximum size of 85 acres.
- 2. Density. The minimum density shall be two and one-half units per acre and the maximum density shall be three units per acre.
- 3. Minimum Lot Size and Lot Development Standards for Residential Uses. The minimum lot size for single family residential lots shall be 7,500 square feet, with a minimum frontage and width of 50 feet, a minimum front yard of 20 feet (ten feet with rear access garages), minimum side yards of ten feet, minimum rear yard of 25 feet and a maximum building height of 35 feet. Individual lots may have a maximum lot coverage of 50 percent provided the total maximum coverage within the area of the entire residential development does not exceed 35 percent. Where rear access from alleys to garages is provided, a five foot setback for the detached garage is permitted. Atrium homes, patio homes, townhouses, duplexes and quadplexes are permitted in accordance with the standards in section 17-92d, 3.
- 4. Office and Retail Commercial Development. The hamlet shall include nonresidential uses consisting of retail shops for the convenience of the residents and/or offices for professionals and telecommuters, which may include residential uses in combination with the nonresidential uses. The nonresidential development shall be provided at a maximum ratio of 75 square feet of commercial/office space per residential unit. The design of nonresidential development shall respond to the specific location and needs of the planned community. In some cases the appropriate location for nonresidential development is the interior of the hamlet, so that pedestrian linkages are increased and motor vehicle movements reduced. In other cases the nonresidential development should be located at the edge of the hamlet in order to provide services to the surrounding community. A design that integrates both functions may be the most appropriate in certain locations.

The minimum lot size for nonresidential lots, or lots with a mix of nonresidential and residential uses, shall be 20,000 square feet, with a minimum frontage and width of 90 feet, a minimum front setback of 12 feet-20 feet for sidewalk to curb, minimum side yards of 15 feet, minimum rear yard of 35 feet, maximum building height of 35 feet and a maximum lot coverage of 80 percent.

- 5. Public and Quasi-Public Uses. The hamlet shall include at least 35 percent of the tract in open space and parks, including a buffer or to the extent practicable a greenbelt around the hamlet, and may

include public uses such as community buildings and quasi-public uses such as a house of worship.

1. *Development Standards for the Nonresidential Tract.*

1. The nonresidential tract shall consist of a maximum of 40 acres.
2. The bulk requirements for the nonresidential tract are as follows:

Minimum lot size	5 acres	
Minimum lot width	300 feet	
Minimum lot depth	300 feet	
Minimum front yard	100 feet	
Minimum side yard	50 feet	100 feet when adjoining an abutting residential zone on an off-tract property
Minimum rear yard	50 feet	100 feet when adjoining an abutting residential zone on an off-tract property
Maximum building height	40 feet	Except the height may be increased where the setbacks are greater than 100 feet based on a height equal to 40% from any property or street line, not to exceed a height of 60 feet
Maximum lot coverage	45%	
Maximum building coverage	20%	
Maximum floor area ratio	20%	

3. One parking space per 800 square feet of manufacturing and assembly floor area and one parking space per 250 square feet of office floor area are required.

m. *Planned Development in the VRC-HLI District.* The planned development tract includes two areas, a hamlet district and a light industrial district, comprising 100 acres. The standards for the two districts follow.

1. Standards for the Hamlet Tract.

- (a) The hamlet tract shall serve as a receiving area for tracts located in the VRC and MRC Districts.
- (b) The minimum tract area for the hamlet tract shall be 60 acres.
- (c) The base density for the hamlet tract shall be calculated on the basis of 60 acres minus ten percent of the area for infrastructure, and be based on a minimum lot size for residential development of four acres/unit.
- (d) The hamlet tract shall permit a density of two and one-half to three dwelling units per gross acre.
- (e) The hamlet tract shall permit residential and nonresidential uses, and shall have an open space component, all in accordance with the standards of section 17-172k.

2. Standards for the Manufacturing, Assembly and Office Tract.

- (a) The maximum tract area for the manufacturing, assembly and office tract shall be 40 acres.

- (b) Development of the manufacturing, assembly and office tract shall comply with the development standards of section 17-172*l*, 2.
(Ord. #05-1361, § I)

17-173 to 17-180 RESERVED.

* **Editor's Note:** Former subsection 17-3.2 a-m was renumbered as Article IX, sections 17-159-17-170. Sources contained herein include Ordinance Nos. 528, 551-80, 566-80, 576-80, 685-85, 686-85, §§ 17-29, 687-85, 690-85, § 1, 707-86, § 1, 723-86, §§ 14-29, 789-88, §§ 1-4, 6, 7, 791-88, §§ 2-7, 801-89, §§ 2, 4-7, 815-89, § 4, 90-837, § 2, 90-841, §§ 1-3, 90-851, § 1, 90-853, § 5, 90-857, § 1, 91-882, § 1, 91-894, § 1, 91-904, § 1, 92-910, §§ 2, 3, 92-916, §§ 2-5.

* **Editor's Note:** Ordinance No. 02-1268, codified herein was adopted on December 19, 2002.

* **Editor's Note:** New Jersey Council on Affordable Housing.

* **Editor's Note:** For definitions, see section 17-181, Words Defined.

ARTICLE X DEFINITIONS

17-181 WORDS DEFINED.

NOTE: Any word or term not defined herein or in the Municipal Land Use Law shall be used with a meaning of standard usage for the context in which the word is used.

"Accessory structure" shall mean the structure or building in which a permitted accessory use is conducted in association with a separate building on the same premises in which the primary permitted use is conducted.

"Administrative officer" shall mean, for stream corridor permits pursuant to Chapter XII, Section 12-3 entitled "Stream Corridor Protection", the zoning officer.

"Adverse effect" shall mean development designs, situations, or existing features on a developer's property, or any nearby property, creating, imposing, aggravating or leading to impractical, unsafe, unsatisfactory or noncomplying conditions such as a layout inconsistent with the zoning regulations; insufficient street width; unsuitable street grade; unsuitable street location; inconvenient street system; inadequate utilities such as water, drainage, shade trees, and sewerage; unsuitable size, shape and location of any area reserved for public use or land for open space in a planned development; infringement upon land designated as subject to flooding; and the creation of conditions leading to soil erosion by wind or water from excavation or grading; all as set forth in 40:55D-38 and measured against the design and performance standards of this chapter.

"Agricultural use /purpose" shall mean land which is devoted to the production for sale of plants and animals, including but not limited to: forages and sod crops; grain and feed crops, dairy animals and dairy products; poultry and poultry products; livestock, including beef, cattle, sheep, horses, ponies, mules or goats, including the breeding and raising of any or all such animals; bees and apiary products; fur animals; trees and forest products; or when devoted to and meeting the requirements and qualifications for payments to other compensation pursuant to a soil conservation program under an agreement with an agency of the Federal government. For purposes of this chapter, agricultural use does not include a dwelling. See definition of "Farm."

"Agriculture" shall mean the growing and harvesting of crops and/or the raising and breeding of poultry and livestock including dairies, nurseries, greenhouses and accessory buildings incidental to agricultural uses.

"Airport hazard" shall mean any use of land or water, or both, which may create a dangerous condition for persons or property in or about an airport or aircraft during landing or taking off at an airport; or, any structure or tree which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport.

"Airport hazard area" shall mean any area of land or water, or both, upon which an airport hazard might be created or established if not prevented by the "Air Safety and Hazardous Zoning Act" (P.L. 1983, c. 260) and related provisions of this chapter.

"Application for development" shall mean the application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance or direction of the issuance of a permit.

"Application review committee" shall mean an advisory committee comprised of two planning board members appointed by the chairman, the planning board attorney, township engineer, a representative of

the township health department, the administrative officer and when appropriate a representative of the board of adjustment formed for the purpose of reviewing and determining the completeness of all applications made to the planning board, as well as those applications referred by the board of adjustment which requires site plan review.

"Approving authority" shall mean the planning board unless a different agency is designated in the text of this chapter when acting pursuant to the authority of the Municipal Land Use Law.

"Atrium house" shall mean an attached unit similar to a townhouse except it is arranged to produce a private yard designed for privacy through the use of building walls on at least two sides of the yard with fencing and/or walls on the remaining two sides. More than two units can be attached.

"Bank" shall mean a commercial bank, savings and loan, or savings bank.

"Barn" shall mean an accessory building on a farm used primarily for the storage of grain, hay and other farm products, and for sheltering livestock.

"Building area" shall mean the horizontal projection in plan, of all covered or roofed areas of a structure, whether temporary or permanent.

"Building coverage" shall mean the area of a lot covered by buildings measured on a horizontal plan around the periphery of the foundation(s) and including the area under the roof of any structure supported by columns or walls as measured around the extremities of the roof above the columns.

"Child care /day care center" shall mean a facility for the care, development and supervision of children up to the age of 18 years, who attend the facility for less than 24 hours a day.

"Church" shall mean the principal structure used by a religious society or congregation incorporated pursuant to the provisions of N.J.S.A. 16:1-1 et seq., for public worship, ritual and ceremony.

"Circulation" shall mean systems, structures and physical improvements for the movement of people, goods, water, air, sewage or power by such means as streets, highways, railways, waterways, towers, airways, pipes and conduits, and the handling of people and goods by such means as terminals, stations, warehouses, and other storage buildings or transshipment points.

"Cluster development" shall mean an area to be developed as a single entity according to a plan containing residential housing units which have a common or public open space area as an appurtenance.

"COAH" shall mean the New Jersey Council on Affordable Housing.

"Common property" shall mean land or water, or a combination of land and water, together with improvements, within or related to a site designated as a development, and designed and intended for the use or enjoyment of residents and owners of the development. Common property includes common open space and may contain such complementary structures and improvements as are necessary and appropriate for the use or enjoyment of residents and owners of the development.

"Community residence for persons with head injuries" shall mean a community residential facility licensed pursuant to N.J.S.A. 30:11B-1 et seq. providing food, shelter and personal guidance, under such supervision as required, to not more than 15 persons with head injuries, who require assistance, temporarily or permanently, in order to live in the community, and shall include, but not be limited to: group homes, halfway houses, supervised apartment living arrangements, and hostels. Such a residence shall not be considered a health care facility within the meaning of the "Health Care Facilities Planning Act" (N.J.S.A. 25:2H-1 et al.).

"Community residence for the terminally ill" shall mean any community residential facility operated as a hospice program providing food, shelter, personal guidance and health care services, under such supervision as required, to not more than 15 terminally ill persons.

"Community shelter for victims of domestic violence" shall mean any shelter approved for a purchase of service contract and certified pursuant to standards and procedures established by regulation of the Department of Human Services pursuant to N.J.S.A. 30:14-1 et seq., providing food, shelter, medical care, legal assistance, personal guidance, and other services to not more than 15 persons who have been victims of domestic violence, including any children of such victims, who temporarily require shelter and assistance in order to protect their physical or psychological welfare.

"Conditional use" shall mean a use permitted in a particular zoning district only upon a showing that such use in a specified location will comply with the conditions and standards for the location or operation of such use as contained in the zoning ordinance, and upon the issuance of an authorization therefor by the planning board.

"Conventional subdivision" shall mean a subdivision which employs a fixed minimum lot size requirement, as specified in the appropriate district regulations.

"Corner lot" shall mean a lot located at the intersection of two streets. A lot abutting a curved street shall be considered a corner lot if straight lines drawn from the foremost point of the lot meet at an interior angle of less than 135 degrees.

"Critical areas" shall mean areas having serious soil limitations for development due to slopes exceeding 18 percent, flood hazard areas, stream corridors, seasonal high water tables less than 1.0 feet, good to excellent ground water recharge areas as shown in the master plan and natural resources inventory, depth to bedrock less than 2.0 feet, and Beech Grove climax vegetation. (Assistance can be received from the master plan and the township's natural resources inventory.)

"Cutoff angle (of a light fixture)" shall mean the angle, measured up from nadir, between the vertical axis and the first line of sight at which the bare source is not visible.

"Cutoff light fixture" shall mean a light fixture with less than 2.5 percent of its light distribution occurring at a vertical angle 90 degrees and above nadir, and less than ten percent of its light distribution occurring at a vertical angle 80 degrees and above nadir. This applies to all lateral angles around the fixture.

- a. *"Full cutoff light fixture"* shall mean a light fixture that produces no light at a vertical angle 90 degrees and above nadir, and no more than ten percent of its light distribution occurs at a vertical angle 80 degrees and above nadir. This applies to all lateral angles around the fixture.
- b. *"Semi-cutoff light fixture"* shall mean a light fixture with less than five percent of its light distribution occurring at a vertical angle 90 degrees and above nadir, and less than 20 percent of its light distribution occurring at a vertical angle 80 degrees and above nadir. This applies to all lateral angles around the fixture.

"Density" shall mean the permitted number of dwelling units per gross area of land to be developed.

"Density, design" shall mean a number expressing the number of units per acre on that portion of a tract devoted to a specific housing type, including streets, parking areas, driveways, and yards, but excluding other areas to be set aside for common property and/or public areas.

"Density, gross" shall mean a number expressing dwelling units per gross acre of land except that watercourses, areas with seasonal high water tables at the surface, and areas with slopes in excess of 20

percent slopes shall receive no density credit and may not be used in calculating the number of units to be permitted on the tract. Areas away from the stream, but within the 100-year flood plain, and areas with slopes between 10-20 percent, and areas with seasonable high water tables between 0.5 and 1.5 feet shall receive half credit. For purposes of this chapter, the delineation of areas of seasonal high water tables shall be as shown on the Soil Conservation Service maps, except that if an applicant desires to use site-specific information, the seasonal high water tables shall be certified and sealed by a licensed professional engineer based on tests witnessed by the township construction official.

"DEP approved well" shall mean a central water supply system for a development which obtains water from one or more deep wells which have been specifically approved by the Hopewell Township Municipal Utilities Authority and the New Jersey Department of Environmental Protection as not posing risks to the continued availability of water for other township users.

"Design flood (floodway or flood hazard area)" shall mean the relative size or magnitude of a flood, expressed as a design discharge in cubic feet per second, which is developed from hydrologic criteria, represents a major flood or reasonable expectancy, reflects both flood experience and flood potential, and is the basis of the delineation of the floodway and the flood hazard area and of the water surface elevations thereof. (Chapter XII.)

"Design flood profile (floodway or flood hazard area)" shall mean the elevations of the water surface of the floodway design flood and the flood hazard area design flood as shown on the flood map. (Chapter XII.)

"Developer" shall mean the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

"Development" shall mean the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or of any mining, excavation or landfill, any use or change in the use of any building or other structures, or land or extension of use of land for which permission is required pursuant to this chapter.

"Development disability or developmentally disabled" shall mean a severe, chronic disability of a person which: (1) is attributable to a mental or physical impairment or combination of mental or physical impairments; (2) is manifest before age 22; (3) is likely to continue indefinitely; (4) results in substantial functional limitations in three or more of the following areas of major life activity, that is, self-care, receptive and expressive language, learning, mobility, self-direction and capacity for independent living or economic self-sufficiency; and (5) reflects the need for a combination and sequence of special interdisciplinary or generic care, treatment or other services which are of lifelong or extended duration and are individually planned and coordinated. Developmental disability includes, but is not limited to, severe disabilities attributable to mental retardation, autism, cerebral palsy, epilepsy, spina bifida and other neurological impairments where the above criteria are met.

"Development fees" shall mean money paid by an individual, person, partnership, association, company, or corporation for the improvement of property as permitted in this ordinance and by COAH's rules.

"Development regulation" shall mean a zoning ordinance, subdivision ordinance, site plan ordinance, official map ordinance or other municipal regulation of the use and development of land, or amendment thereto adopted and filed pursuant to this law.

"Disability glare" shall mean the effect of stray light in the eye whereby visibility and visual performance are reduced.

"Discomfort glare" shall mean the sensation produced by luminance within the visual field that is sufficiently greater than the luminance to which the eyes are adapted, causing annoyance or discomfort, but not loss of visual performance.

"Disturbance" shall mean any activity involving the clearing, excavating, storing, grading, filling or transporting of soil or any other activity, which causes soil to be exposed to the danger of erosion.

"Drainage" shall mean the removal of surface water or groundwater from land by drains, grading or other means and includes control of runoff to minimize erosion and sedimentation during and after construction of development and means necessary for water supply preservation or prevention or alleviation of flooding.

"Drainage right-of-way" shall mean the lands required for the installation of stormwater sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage in accordance with Title 58, N.J.S.A.

"Driveway" shall mean a suitably maintained private road giving access from a public way to off-street traffic facilities and structures contiguous thereto.

"Dwelling, plex" shall mean a two, three or four unit dwelling in which the units are attached at the sides and/or rears in various combinations so the design incorporates a private balcony or patio or other limited outdoor, but private, space. The structure is usually designed to have the look of a large single family home.

"Dwelling, single family" shall mean a detached building containing one dwelling unit. For purposes of this chapter, modular homes shall be considered single family dwellings.

"Dwelling unit" shall mean a room or series of connected rooms containing living, cooking, sleeping and sanitary facilities for one family.

"Efficiency unit" shall mean a dwelling unit in a garden apartment building consisting of a bath plus one main room without permanent separations to be used for living, dining and bedroom facilities, with a kitchen area separated from the main room by either a permanent wall or a sliding or some other temporary partition.

"Equalized assessed value" shall mean the value of property determined by the municipal tax assessor through a process designed to ensure that all property in the municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of building permit may be established by the tax assessor utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the municipal tax assessor.

"Erosion and sediment control plan" shall mean a plan which fully indicates necessary land treatment measures, including a schedule of the timing for their installation, which will effectively minimize soil erosion and sedimentation. Such measures shall be equivalent to or exceed standards adopted by the New Jersey State Soil Conservation Committee and administered by the Mercer County Soil Conservation District. (Chapter IX.)

"Family" shall mean one or more persons customarily living as a single housekeeping unit. The family shall be deemed to include full-time servants who have no other employment. More than five persons, exclusive of domestic servants, not related by blood, marriage, adoption, or approved foster care arrangements, but living on the same premises, shall not be considered to constitute a "family."

"*Farm*" shall mean any large tract of land, and premises, containing five contiguous acres or more, plus acreage for the home, used for raising crops and rearing livestock or fowl and containing one or two dwelling units.

"*Farm conservation plan*" shall mean a plan which provides for use of land, within its capabilities and treatment, within practical limits, according to chosen use to prevent further deterioration of soil and water resources. (Chapter XII.)

"*Farm stand*" shall mean an accessory building located on a farm that is used only on a seasonal basis for the sale of vegetables, fruit and other consumable farm products actually raised on the farm on which the facility is located.

"*Fast food restaurant*" shall mean a commercial establishment where food and drink prepared for immediate consumption is purchased at a counter or drive-up window and either eaten on the premises, in the purchaser's automobile, or off the premises. Those restaurants where food is consumed only at tables on the premises and served either cafeteria style or by waiters and waitresses shall not be deemed "fast food restaurants." "Fast food restaurants" shall also not include those retail stores where food is primarily sold for preparation and consumption elsewhere, although as a secondary use of the premises, prepared food may also be sold over the counter for immediate consumption, such as a delicatessen.

"*Final plat*" shall mean the final map of proposed development presented for final approval in accordance with these regulations and which, if approved as a subdivision, shall be filed with the Mercer County Recording Officer.

"*Flood hazard area*" shall mean the floodway, and additional portions of the flood plain that are subject to flood flow at lesser depths and lower velocities than the floodway, that are inundated by the flood hazard area design flood and that are delineated on the flood map as Zone A. (Chapter XII.)

"*Flood maps*" shall mean maps filed with the township clerk pursuant to Chapter XII, section 12-2.

"*Flood plain*" shall mean the relatively flat area adjoining the channel which has been or may be hereafter covered by flood water of the stream.

"*Floodway*" shall mean the channel and portions of the adjacent flood plain that carry the greater part of flood flow at greater depths and velocities than do the other parts of the flood plain that constitute the minimum area required for the passage of flood flows without aggravating flood conditions upstream and downstream, that are necessary to preserve the natural regimen of the stream for the reasonable passage of the floodway design flood and that are delineated on the flood map. (Chapter IX.)

"*Floor area*" shall mean the sum of the gross horizontal areas of the floor or floors of a building which are enclosed and useable for human occupancy. Such areas or area shall be measured between the inside face of exterior walls. Such area or areas shall not include basement areas or accessory building space, whether the latter be attached or detached, or any parking garages.

"*Floor area ratio*" shall mean the sum of the area of all floors of buildings or structures compared to the total area of the site. For the purposes of calculating floor area ratio, the area of all floors of buildings or structures shall have the same meaning as "floor area" as defined above.

"*Footcandle (fc)*" shall mean a unit of illuminance on a surface one foot square in area onto which there is a uniform flux of one lumen.

"*Footlambert (fL)*" shall mean a unit of luminance of a surface reflecting or emitting light at the rate of one lumen per square foot. The average luminance of any reflecting surface is the product of the

illuminance in footcandles striking the surface times the reflectance of the surface.

"Garage" shall mean a detached accessory building or portion of a principal building for the parking or temporary storage of vehicles of the occupants of the principal building with adequate dimensions to accommodate one or more parked vehicles, a door able to be opened to permit the vehicle(s) to enter the building, and a driveway leading to the door(s).

"Garden apartment" shall mean a dwelling unit in a building having two or more dwelling units where entrance ways, hallways, basements, attics, heating systems, yards, and similar services in the building are shared in common, singly or in combination.

"General development plan" shall mean a comprehensive plan for the development of a planned development on a large tract as set forth in the applicable zoning district and with a development period of at least five years.

"Golf club" shall mean a private association of bona fide, dues paying members which owns, or leases for a term of not less than 99 years, 50 or more contiguous acres wholly or partly in the Township of Hopewell, and employs the same as a golf course for the sole use of bona fide members and their guests.

"Golf course" shall mean an area of 50 or more acres containing a full sized golf course of at least nine holes, together with the necessary and usual accessory uses and structures, such as, but not limited to: club house facilities, dining and refreshment facilities, swimming pools, tennis courts and the like, provided the operation of the accessory facilities is incidental and subordinate to the operation of the golf course.

"Gross floor area" shall mean the total floor area in a structure measured by using the inside face of exterior walls at each story. The floor area of units sharing a common wall shall be measured from the center of interior walls. In residential uses the gross floor area shall exclude the areas of the garage, attic, open porch or patio, cellar, utility areas, heating and cooling rooms and all portions of floor areas which have a ceiling height above them of less than 7.5 feet. In nonresidential structures, the gross floor area shall exclude areas used for utility, heating, cooling and other mechanical equipment and parking garages but shall include all other areas including cellars, warehousing and storage areas, regardless of ceiling height.

"Height" shall mean the vertical dimension of a structure, as measured from the average level of the finished grade along the wall of the structure facing the nearest street to the highest part of the structure, except that the following shall not be considered as part of the structure for these purposes if they are less than 50 feet high and are less than 25 percent of the maximum height for the structure which is permitted in the zoning district:

Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, air-conditioning equipment or similar mechanical equipment required to operate and maintain the building; fire or parapet walls; skylights; spires; cupolas; flagpoles; chimneys; and similar structures.

"Heliport" shall mean an airport or portion thereof for the service, storage and use of helicopters.

"Helistop" shall mean a small fenced landing area maintained by a commercial establishment for the picking up and discharge of its employees and guests by helicopters. It shall have no service or other facilities.

"Homeowners' association" shall mean a nonprofit corporation operating under a recorded land agreement through which (a) each lot owner, condominium owner, stockholder under a cooperative development, or other owner of property or interests in the project shall be a member; (b) each occupied

dwelling unit is subject to a charge for a proportionate share of the expenses for the organization activities and maintenance, including any maintenance costs levied against the association by the township, and (c) each owner and tenant has a right to use the common property.

"Horizontal illuminance" shall mean the illuminance on a horizontal plane, expressed in footcandles (fc).

"Hospital" shall mean any building or integrated group of buildings, containing 50 beds or more, licensed pursuant to the provisions of N.J.S.A. 30:11-1, in which surgical and laboratory facilities are located for the diagnosis, treatment and care of unrelated persons who are sick, wounded, infirm or aged.

"Hot tub" shall mean a structure placed on or below the ground and filled with water. The system includes devices to heat, circulate and filter the water, and may or may not have an accompanying deck. Hot tubs generally have more than 20 square feet of water surface area, but shall not have more than 60 square feet of water surface area. Facilities with more than 60 square feet of water surface area shall be considered swimming pools.

"IESNA" shall mean the Illuminating Engineering Society of North America, an organization that recommends standards for the lighting industry.

"Illuminance" shall mean the area density of the luminous flux incident at a point on a surface. It is a measure of light incident on a surface expressed in footcandles (fc).

"Industrial or office park" shall mean a total tract comprehensively planned, designed, and approved for industrial or office uses whether or not the buildings are erected in one development stage or over a period of time, but where the streets, utilities and lots and/or tenant's parcels are set forth on a plan for the entire tract prior to construction of any portion of the tract. As development takes place in accordance with the approved plans, changes may be made in the plans for the undeveloped section to accommodate subsequent land needs provided the modification conforms to logical extensions of installed segments of streets, drainage, utilities and other facilities. Parks designed for more than one building or for more than one tenant (but no subdivided lots) shall have buildings spaced so that the mortgage and/or lease lines shall conform to the requirements for lot lines as if the parcels were being subdivided and in order to establish conformance with this chapter for such matters as building setbacks, buffers, driveway locations, and distances between buildings.

"Interested party" shall mean (a) in a criminal or quasi-criminal proceeding, any citizen of the State of New Jersey; and (b) in the case of a civil proceeding in any court or in an administrative proceeding before a municipal agency, any person, whether residing within or without the municipality, whose right to use, acquire, or enjoy property is or may be affected by any action taken under this chapter, or whose rights to use, acquire, or enjoy property under this chapter, or under any other title or any law of this State or of the United States have been denied, violated or infringed by an action or a failure to act under this chapter.

"Judgment of compliance and repose" shall mean a judgment issued by the Superior Court approving the township's plan to satisfy its fair share obligation.

"Junk automobile or junk automobile body" shall mean any automobile which is no longer in actual use as a motor vehicle, or which is wholly unfit without rebuilding or reconditioning for use for public highway transportation, or which has been discarded for use as a motor vehicle.

"Land disturbance" shall mean any activity involving the clearing, grading, transporting, filling and any other activity which causes land to be exposed to the danger of erosion. (Chapter XII.)

"Light loss factor" shall mean the multiplier used in maintained illuminance calculations that accounts for

ballast factor, lamp lumen depreciation, luminaire dirt depreciation, and (for interior calculations) room surface dirt depreciation.

"Light trespass" shall mean any form of illuminance from a luminaire located on one property that emanates to another property.

"Loading area" shall mean that suitably maintained areas of required off-street traffic facilities devoted to one or more accessible loading spaces for the use of commercial vehicles servicing the premises.

"Lot" shall mean a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

"Lot area" shall mean the area contained within the lot lines, including wetland buffer areas, but not including any portion of a street nor any lands within the 100-year flood plain of any watercourse or lake site, wetlands, any areas reserved for future roadways, or areas encompassed within any easements, except that in areas with sewer service, lot areas need only deduct streets, future roadways, and 100-year flood plains. The minimum lot area shall be determined in accordance with the provisions of Articles VIII and IX of this chapter and in accordance with Chapter XVI of the Revised General Ordinances of the Township of Hopewell, with the more restrictive applying. The minimum lot area of a lot fronting on a street proposed to be widened in the adopted master plan shall be the minimum area required for the district in which it is located plus the additional area needed to anticipate the widening of this street.

"Lot averaging" shall mean a residential development option that allows a range of minimum lot areas, provided that the maximum density for the parcel is not exceeded.

"Lot coverage" shall mean that portion of lot area which by reason of structures, off-street traffic facilities or other improvements is highly resistant to infiltration by water and includes patios and gravel driveways.

"Lot depth" shall mean the shortest horizontal distance between the front lot line and a line drawn parallel to the front line through the midpoint of the rear lot line.

"Lot frontage" shall mean the horizontal distance between the side lot lines measured along the street lines. The minimum lot frontage shall be the same as the lot width except that on curved alignments with an outside radius of less than 900 feet, the lot frontage may be reduced to a percentage of the minimum lot width as set forth in the following chart. In the case of a corner lot, either side may be considered the lot frontage, but the front yard setback shall be met from all streets.

<i>Outside Radius of Street Right-of-Way</i>	<i>Reduced Lot Frontage as Percent of Lot Width</i>
Less than 500 ft.	75%
500-599 ft.	80%
600-699 ft.	85%
700-799 ft.	90%
800-899 ft.	95%
900 ft. or more	100%

"Lot line" shall mean any line forming a portion of the exterior boundary of a lot. The lot line is the same as the street line for that portion of a lot abutting a street. Lot lines extend vertically in both directions from ground level.

"Lot width" shall mean that dimension which is the length of a line connecting the points of intersection of the minimum front setback line and the side lot lines.

"Lower income" shall mean income limits established for low and moderate income levels. Low income for the average household is less than 50 percent of the median income. Moderate income is between 50 and 80 percent of the median. For purposes of this chapter, the median income shall be the applicable number published in the most recent "Income Limits" by the United States Department of Housing and Urban Development. The low and moderate income levels shall be based on the number of people in the household as shown in that publication as of the date of issuing each certificate of occupancy.

"Luminaire" shall mean light fixture; or complete lighting unit consisting of a lamp, or lamps, and ballasting when applicable, together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.

"Maintenance bond" shall mean a form of maintenance guarantee. Any security which may be accepted by the township committee so as to insure the maintenance and proper working of streets, utilities, sewers and the like as well as the viability of planting shrubbery or other improvements as may be required by the planning board. Such security shall be in the form permitted and subject to the same approval as is provided for performance guarantees.

"Maintenance guarantee" shall mean any security, other than cash, which may be accepted by the township for the maintenance of any improvements required by this chapter.

"Major subdivision" shall mean all subdivisions not classified as minor subdivisions.

"Manufacturing and assembly" shall mean an activity which involves the fabrication, reshaping, reworking, assembly or combining of products from previously prepared materials and which does not involve the synthesis of chemical or chemical products or the processing of any raw materials. Manufacturing includes light industrial operations such as electronic, machine parts and small component assembly, as opposed to heavy industrial operations such as automobile assembly or milling activities.

"Marsh or marshy land" shall mean any site of soft, wet land upon which the water table is at or near the surface level of the ground.

"Master plan" shall mean a composite of the mapped and written proposals recommending the physical development of the municipality, duly adopted by the planning board.

"Medical clinic" shall mean offices where patients are examined and treated by physicians or dentists practicing as a group, but where no beds, lodging or food are provided.

"Minimum lot width" shall mean the minimum permitted distance between the side lot lines, measured parallel to the street line at the minimum building setback. The lot frontage (i.e. the horizontal distance between the side lot lines, measured along the street lines) may not be less than the minimum lot width, except that on a curved street with an outside radius of less than 500 feet and straight side lot lines from the street to the minimum building setback the lot frontage may be reduced to not less than 75 percent of the required minimum lot width. In the case of a lot located at the corner of two streets, either side may be considered as the front.

"Minor site plan" shall mean a development plan of one or more lots which (1) proposes new development within the scope of development specifically permitted by ordinance as a minor site plan; (2) does not involve planned development, any new street or extension of any off-tract improvement which is to be prorated pursuant to N.J.S.A. 40:55D-42; and (3) contains the information reasonably required in order to make an informed determination as to whether the requirements established by ordinance for approval of a minor site plan have been met.

"Minor subdivision" shall mean a subdivision of land that does not involve (1) the creation of more than

three lots, inclusive of the remainder; any prior subdivision of the same parcel after April 23, 1968 will be included in determining how many lots are created; (2) a planned development; (3) any new street; (4) extension of any off-tract improvement, the cost of which is to be prorated pursuant to N.J.S.A. 40:55D-42.

"Mitigation" shall mean and include, but not be limited to, reforestation and stabilization of all disturbed stream banks and all other disturbed areas in the stream corridor and removal of all debris, re-establishment of the integrity of the surrounding habitat by undertaking all feasible actions, including, but not limited to, replacement of native vegetation lost as a result of the disturbance to the stream corridor or rehabilitation and cure of all other effects caused by disturbance to the stream corridor.

"Motel" shall mean a series of eight or more attached rental units with individual entrances from the exterior of the building to each unit operated as a business to provide lodging for transient guests.

"NCQLP" shall mean the National Council on Qualifications for the Lighting Professions, an organization that certifies core competence in the field of illumination engineering. Professionals who have passed a written test and maintain continuing education credits in accordance with NCQLP guidelines are recognized as LC, lighting certified, professionals.

"Nursery outlet" shall mean a building and adjacent outside areas used for the sale of plants, flowers, trees and related plant materials and tools for planting, fertilizing and landscaping.

"Nursery school" shall mean a facility for the care, development and supervision of children under the age of six years who attend the facility for less than 24 hours a day.

"Occupancy permit" shall mean any permit issued to permit the occupancy of a structure upon completion in accordance with plans and specifications previously approved by the appropriate township officer or agency.

"Off-site and off-tract improvements" shall mean improvements to accommodate conditions generated by a proposed development, including, but not limited to, new improvements and extensions and modifications of existing improvements. "Off site" means located outside the lot lines of the lot in question but within the property (of which the lot is a part) which is the subject of a development application or contiguous portion of a street or right-of-way. "Off-tract" means not located on the property which is the subject of a development application nor on a contiguous portion of a street or right-of-way.

"Open lands" shall mean that portion of land, including any farm-related dwelling or accessory buildings located thereon, that is voluntarily deed-restricted by the landowner for forest resource conservation or agricultural use in order to qualify for the open lands subdivision pursuant to this chapter.

"Open space" shall mean any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that such areas may be improved with only those buildings, structures, streets and off-street parking and other improvements that are designed to be incidental to the natural openness of the land.

"Owner" shall mean any individual, partnership, corporation, trustee or other legal entity having sufficient proprietary interest in the land sought to be subdivided or for which a variance or special exception use is sought to commence and maintain proceedings to the same under this chapter.

"Parking space" shall mean an area either within a structure or in the open for the parking of motor vehicles. The area of a parking space is intended to be sufficient to accommodate the exterior extremities

of the vehicle whether, in addition thereto, wheel blocks are installed within this area. The width and length of each space shall be measured perpendicular to each other regardless of the angle of the parking space to the access aisle or driveway.

"Patio home" shall mean a single family detached unit on a small lot with walls along the side yards for privacy, usually with the home placed along one side lot line. The front and rear yard can also be walled.

"Performance guarantee" shall mean any security, which may be accepted by a municipality, including cash; provided that the township shall not require more than ten percent of the total performance in cash.

"Permitted use" shall mean any use of land or buildings as permitted by this chapter.

"Plat" shall mean the map of a subdivision or site plan.

"Plat preliminary" shall mean the plat submitted as a part of the application for preliminary approval. (Article III.)

"Prime forested area" shall mean coniferous forest, deciduous forest, mixed forest and plantation, as depicted on Figure 7 of the 2002 Master Plan.

"Principal use" shall mean the main purpose for which any lot and/or structure is used.

"Private school" shall mean an institution of education whose general course work is comparable to the public school system and whose curriculum is approved by the New Jersey Department of Education or the New Jersey Department of Higher Education.

"Pro shop" shall mean an accessory use associated with a golf course in which golf and other sporting equipment, sportswear, and food and beverages may be purchased.

"Professional office" shall mean the office of a member of a recognized profession which shall be so designated by the approving authority upon finding by such approving authority that such occupation is professional in character and requires at least a bachelor's degree from an accredited college or university, licensing, and training and experience as a condition for the practice thereof, and that the practice of such occupation shall in no way adversely affect the safe and comfortable enjoyment of property rights in any zone to any greater extent than would the permitted uses listed in that district. The issuance of a State or local license for regulation of any such occupation shall not, alone, be deemed indicative of professional standing. When such office is combined with a residence, the conditions of a "home occupation" shall apply.

"Public areas" shall mean (1) public parks, playgrounds, trails, paths and other recreational areas; (2) other public open spaces; (3) scenic and historic sites; and (4) sites for schools and other public buildings and structures.

"Public development proposal" shall mean a master plan, capital improvement program or other proposal for land development adopted by the appropriate public body, or any amendment thereto.

"Public drainage way" shall mean the land reserved or dedicated for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water to safeguard the public against flood drainage, sedimentation, and erosion.

"Public open space" shall mean an open space area conveyed or otherwise dedicated to a municipality, municipal agency, board of education, State or county agency, or other public body for recreational or conservation uses.

"Public purpose" shall mean the use of land by a municipal, county, State or Federal agency or authority.

"Quadplex" shall mean a four-family building.

"Quarry" shall mean the place where quarrying is conducted and shall include the ways immediately adjacent thereto.

"Quarrying" shall mean the excavation, removal, handling and processing of stone, sand, or gravel extracted from the premises including the transportation, storage, crushing, grinding, pulverizing or mixing of the extracted raw materials and all uses and operations accessory thereto.

"Radial" shall mean as or following the course of the radius from a given point.

"Resident professional office" shall mean a single family house which is the actual residence as well as the office of a physician, dentist, lawyer, architect or other similar professional whose calling requires specialized knowledge and long and intensive academic preparation.

"Restaurant" shall mean a commercial establishment where food and drink are prepared, served and consumed. As used in this chapter, a "restaurant" shall not include a "fast food restaurant" as defined herein.

"Retention basin" shall mean any impoundment area with a permanent pool of water or pond made by constructing an embankment or by excavating a pit or both and shall include the outfall area related thereto.

"Sediment basin" shall mean a barrier or dam building at suitable locations to retain rock, sand, gravel, silt or other material. (Chapter XII.)

"Setback line" shall mean a line drawn parallel to a street line or lot line and located at the point of the building nearest to the street line or lot line beyond which a building does not project, except as permitted under the "yard" definitions below. The minimum yard requirements shall be the minimum required setbacks. All setbacks shall be measured horizontally and all setbacks extend vertically above and below the ground. All setbacks from public streets shall be measured from the proposed right-of-way width as shown on the adopted master plan, or from the existing right-of-way, whichever is greater.

"Shed, garden or tool" shall mean an accessory building for the storage of miscellaneous yard equipment and materials as well as an area for the use and/or storage of hand, electrical and gasoline powered tools and equipment. Any shed of 200 square feet in area or greater shall meet the garage setback requirements and any requirements of the construction code in effect at the time of approval.

"Shopping center" shall mean one or more buildings, or parts thereof, designed as a unit to be occupied by two or more retail businesses and conducted as an integrated and cohesively planned development. Where there is more than one building on a lot, the buildings shall be spaced as if they were to be on separate lots in order to establish conformance with this chapter for such matters as building setbacks, buffers, driveways and distance between buildings.

"Sight triangle" shall mean a triangular area outside the street right-of-way abutting two intersecting streets. The sight triangle is formed by the intersecting street lines and a line connecting a point on each line a set distance from the point of intersection.

"Silo" shall mean a tall cylindrical structure in which feed for livestock is stored.

"Skyglow" shall mean the luminance in the atmosphere caused by dust, water vapor, and other particles that reflect and scatter any stray light that is directed, reflected, or emitted into the atmosphere.

"Stormwater management facility" shall mean a facility which receives, stores, conveys, or discharges stormwater runoff and is designed in accordance with all applicable local, county, and State regulations. A stormwater management facility may be a retention or detention basin; infiltration structure; grassed swale; filter fabric; rip-rap channel; and/or stormwater outfall.

"Stream bank" shall mean the inclined sides of a stream channel or embankment.

"Stream corridor" shall mean all areas 150 feet from the centerline in both directions of all waterways that receive surface water runoff from an upland drainage area of 50 acres or more as may be shown on a map entitled "Hopewell Township Stream Centerlines and 150 Foot Buffer," prepared by the Stony Brook Millstone Watershed Association dated April 12, 2004, and as may be hereafter amended.

"Stream corridor averaging" shall mean reducing the required stream corridor area along specific lengths of retention basins in exchange for an equivalent increase in width elsewhere along the perimeter of the retention basin.

"Street" shall mean any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing State, county or municipal roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action as provided in N.J.S.A. 40:55D-35 or a street or way on a plat duly filed and recorded in the office of the county recording officer, prior to the appointment of a planning board and the grant to such board of the power to review plats, and includes the land between the street line, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street lines. For the purpose of this chapter, streets shall be classified as follows:

- a. Arterial streets are those which are used primarily for fast or heavy traffic.
- b. Collector streets are those which carry traffic from local streets to the arterial streets.
- c. Local streets are those which are used primarily for access to the abutting properties.
- d. Marginal access streets are streets which are parallel to and adjacent to arterial streets and provide access to abutting properties and protection from through traffic.
- e. Alleys are minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

"Street line" shall mean the lot line which constitutes the edge of the existing right-of-way or the right-of-way shown on the master plan, whichever would result in a larger right-of-way.

"Stripping" shall mean any activity which significantly disturbs vegetated or otherwise stabilized soil surface including clearing and grubbing operations. (Chapter XII.)

"Structure" shall mean any building or other artificial thing which is built or constructed, either above or below ground.

"Subdivision" shall mean the division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. The following shall not be considered subdivisions within the meaning of this chapter, if no new streets are created: (1) divisions of land found by the planning board or subdivision committee thereof, appointed by the chairman to be for agricultural purposes where all resulting parcels are five acres or larger in size; (2) divisions of property by testamentary or intestate provisions; (3) divisions of property upon court order including but not limited to judgments of foreclosure; (4) consolidation of existing lots by deed or other recorded instrument; and (5) the conveyance of one or more adjoining lots, tracts or parcels of land, owned by the same person or

persons and all of which are found and certified by the administrative officer to conform to the requirements of the municipal development regulations and are shown and designated as separate lots, tracts or parcels on the tax map or atlas of the municipality. The term "subdivision" shall also include the term "resubdivision."

"Subdivision committee" shall mean a committee of at least three planning board members appointed by the chairman with the approval of the board, formed for the purpose of classifying subdivisions in accordance with the provisions of this chapter and performing such other duties relating to land subdivision which may be conferred on this committee by the board.

"Substantial change" shall mean any increase in an approved structure's bulk or floor area where the result exceeds any of the requirements of the zoning district in which it is located, and where any changes exceed the limitations necessary to qualify as an "insubstantial change." An "insubstantial change" means a revision to a preliminary or final plat which does not violate any requirements of the township's ordinances, does not alter the amount of lower income housing or other forms of participating in the lower income housing program as set forth in the approved development, and does not have changes which exceed any of the following: setback in any yard of five feet; seven feet in building height; one percent in the approved floor area ratio; one percent in the approved lot coverage (building, paving and other coverage's); five feet in building spacing; three parking spaces; one loading space; five feet in driveway locations; and one percent of the area of the approved site disturbance. A substitution of similar landscaping material, lighting fixture, and signage is not a substantial change provided there is no change in approved quantities and/or dimensions.

"Substantive certification" shall mean a determination by COAH approving a municipality's housing element and fair share plan in accordance with the provisions of the Fair Housing Act and the rules and criteria as set forth by COAH. A grant of substantive certification shall be valid for a period of six years in accordance with the terms and conditions contained in the substantive certification.

"Surface water supply" shall mean that water will be supplied to all dwelling units in a development from a source other than wells located in the township or in Hopewell Borough or Pennington Borough.

"Swimming pool" shall mean a permanent structure placed partly or entirely below ground and filled with water for the purpose of swimming. Except for "hot tubs" as defined herein, a structure located above ground shall be considered a permanent swimming pool when the structure has a water depth greater than two feet and a water surface greater than 30 square feet.

"Tennis court" shall mean a flat area, with either a blacktopped or compacted earth surface, divided at the midpoint by a net. The area is usually fenced and shall include the "in bounds" area as well as the surrounding "out-of-bounds" area needed for player maneuverability.

"Townhouse" shall mean one dwelling unit in a line of three or more attached dwelling units, with each dwelling unit extending from the ground to the roof and having individual outside access and no interior rooms or hallways shared with other dwelling units.

"Tract" shall mean an area of land comprised of one or more lots having sufficient dimensions and area to meet the requirements of this chapter for the use(s) intended. The land area of any existing streets shall not be included in calculating the area of the tract.

"Unconstrained land" shall mean the area of a tract or parcel that does not contain floodplains, wetlands or slopes greater than 15 percent.

"Utility" shall mean services including, but not limited to, sewage treatment, water supply, gas, electric,

telephone, and cable TV.

"*Variance*" shall mean permission to depart from the literal requirements of the zoning provisions of this chapter.

"*Vertical existence*" shall mean the luminance reflected off a vertical surface, expressed in footcandles (IL).

"*Vertical illuminance*" shall mean the illuminance on a vertical plane, expressed in footcandles (fc).

"*Warehouse*" shall mean a building in which goods or merchandise is stored. The term shall include self-storage, mini, or other forms of commercial storage activities.

"*Water course*" shall mean a defined channel which accepts stormwater runoff from 50 acres or more.

"*Yard*" shall mean an area of generally open space extending between the closest point of any building measured at the foundation or facade of the building and a lot line or street line, except that incidental elements of a structure attached to the building, may penetrate into the required yard a distance no greater than two feet. These incidental penetrations shall be permitted for items such as, but not limited to, gutters, eaves, bow windows and window sills, steps, downspouts, roof overhangs, or chimneys, but shall not be for such items as open or enclosed roofs over patios or similar areas, or for porches, decks, balconies, or for any cantilevered areas having an outside wall or railing. All yards shall be measured horizontally and all minimum yard requirements extend vertically above and below the ground. In an apartment, townhouse, industrial or office park complex, shopping center, or other development where more than one building may be constructed on a lot, yards shall also be the open space extending between buildings. All yard dimensions shall be measured horizontally and at right angles to either a straight street line, lot line, or building facade or perpendicular to the point of tangent of curved lines and facades. The minimum distance between buildings in developments where there is more than one building on a lot shall be the sum of the two yards of the buildings and in no event shall two buildings be closer to one another than the sum of both required side yards, except that buildings that are accessory to an agricultural use on a farm shall be exempt from this spacing requirement.

"*Yard, front*" shall mean the area extending across the full width of a lot between a street line and the foundation or facade of the building except that incidental elements of a structure attached to the building may penetrate into the required yard a distance no greater than two feet. These incidental penetrations shall be permitted for items such as, but not limited to, gutters, eaves, bow windows and window sills, steps, downspouts, roof overhangs, or chimneys, but shall not be for such items as open or enclosed roofs over patios or similar areas, or for porches, decks, balconies, or for any cantilevered areas having an outside wall or railing. All yards shall be measured horizontally and all minimum yard requirements extend vertically above and below the ground. For apartments, townhouses, industrial or office park, shopping center, or other development where more than one building may be erected on a lot, the front yard shall be measured from the designated front of the building to an imaginary line a designated distance away from the front of the building. All buildings shall be set back at least ten feet from any utility easement.

"*Yard, rear*" shall mean the area extending across the full width of the lot between the rear lot line and the foundation or facade of the building except that incidental elements of a structure attached to the building may penetrate into the required yard a distance no greater than two feet. These incidental penetrations shall be permitted for items such as, but not limited to, gutters, eaves, bow windows and window sills, steps, downspouts, roof overhangs, or chimneys, but shall not be for such items as open or enclosed roofs over patios or similar areas, or for porches, decks, balconies, or for any cantilevered areas

having an outside wall or railing. All yards shall be measured horizontally and all minimum yard requirements extend vertically above and below the ground. For apartments, townhouses, industrial or office park, shopping center, or other development where more than one building may be erected on a lot, the rear yard' shall be measured from the designated rear of the building to an imaginary line a designated distance away from the rear of the building. All buildings shall be set back at least ten feet from any utility easement. On residential lots there shall be a minimum distance between the building and any Freshwater Wetland buffer and any floodway that is at least equal to 75 percent of the rear yard requirement for the district in which the lot is located.

"Yard, side" shall mean the area extending from the front yard to the rear yard and lying between each side lot line and the foundation or facade of the building, except that incidental elements of a structure attached to the building may penetrate into the required yard a distance no greater than two feet. These incidental penetrations shall be permitted for items such as, but not limited to, gutters, eaves, bow windows and window sills, steps, downspouts, roof overhangs, or chimneys, but shall not be for such items as open or enclosed roofs over patios or similar areas, or for porches, decks, balconies, or for any cantilevered areas having an outside wall or railing. All yards shall be measured horizontally and all minimum yard requirements extend vertically above and below the ground. The side yard for apartments, townhouses, industrial or office park complex, shopping center, or other development where more than one building may be erected on a lot shall be measured from the designated side of the building to an imaginary line a designated distance away from the side of the building. All buildings shall be set back at least ten feet from any utility easement.

"Zoning officer" shall mean that officer or employee of the township or his duly authorized deputy appointed by the township committee to administer and enforce the zoning provisions of this chapter.

"Zoning permit" shall mean the final permit issued to an applicant by the zoning officer and certifying the compliance of a particular structure or use with the provisions of the zoning requirements.

(Ord. #528; Ord. #566-80; Ord. #654-84, § 3; Ord. #662-84, § 1; Ord. #674-85, § 1; Ord. #686-85, § 30; Ord. #723-86, §§ 30, 31; Ord. #788-88, § 2; Ord. #798-88, § 5; Ord. #817-89, § 3; Ord. #90-851, § 2; Ord. #90-853, § 6; Ord. #91-985, § 1; Ord. #91-901, § 1; Ord. #94-978, § 6; Ord. #97-1074, § 1; Ord. #97-1079; Ord. #98-1086, §§ 18-20; Ord. #00-1171, § 2; Ord. #01-1218, § 3; Ord. #02-1268; Ord. #03-1298, § 4; Ord. #04-1325, § 22; Ord. #04-1328, § 5)

ARTICLE XI PLANNING BOARD

17-182 NAME.

There shall be a planning board to be known as "The Hopewell Township Planning Board." (Ord. #437; Ord. #572-80)

17-183 APPOINTMENT.

There shall be nine members, consisting of the four following classes:

Class I. Mayor.

Class II. One of the officials of the township other than a member of the township committee to be appointed by the mayor provided that the member of the environmental commission who is also a member of the planning board shall be deemed to be the Class II planning board member for purposes of this section in the event that there be among the Class IV members of the planning board both a member of the zoning board of adjustment and a member of the board of education.

Class III. A member of the township committee to be appointed by it. Class IV. Six other citizens of the township to be appointed by the mayor.

The members of Class IV shall hold no other municipal office, except that one such member may be a member of the zoning board of adjustment and one Class IV member may be a member of the board of education. The member of the environmental commission who is also a member of the planning board shall be a Class IV planning board member, unless there be among the Class IV members of the planning board both a member of the zoning board of adjustment and a member of the board of education, in which case the member common to the planning board and the environmental commission shall be deemed a Class II member of the planning board.

Class IV-a. Two other citizens of the township shall be appointed by the mayor as alternate members and shall meet the qualifications of Class IV members. Alternate members shall be designated at the time of appointment by the mayor as "Alternate No. 1" and "Alternate No. 2." The terms of the alternate members shall be for two years except that the terms of the alternate members shall be such that the term of not more than one alternate member shall expire in any one year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the mayor for the unexpired term only.

No alternate member shall be permitted to act on any matter in which he has either directly or indirectly any personal or financial interest. An alternate member may, after public hearing if he requests one, be removed by the governing body for cause.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote. (Ord. #437; Ord. #550-80; Ord. #572-80)

17-184 TERMS.

The term of the member composing Class I shall correspond to his official tenure. The terms of the members composing Class II and Class III shall be for one year or terminate at the completion of their respective terms of

office, whichever occurs first except for a Class II member who is also a member of the environmental commission. The term of a Class II or Class IV member who is also a member of the environmental commission shall be for three years or terminate at the completion of his term of office as a member of the environmental commission whichever occurs first.

The term of a Class IV member who is also a member of the zoning board of adjustment or the board of education shall terminate whenever he is no longer a member of such other body or at the completion of his Class IV term, whichever occurs first. The initial term of Class IV members first appointed after August 1, 1976, shall be so determined that to the greatest practicable extent the expiration of terms of the Class IV members shall be distributed evenly over the first four years after their appointment provided that the initial Class IV term of no member shall exceed four years. Thereafter, new members or members reappointed shall each be appointed for a term of four years. Notwithstanding the foregoing, each person who was a member of the planning board on August 1, 1976, shall continue in office until the completion of his term as provided by law immediately prior to that date. (Ord. #437; Ord. #572-80)

17-185 POWERS AND FUNCTIONS.

The planning board shall, as provided in applicable ordinances and State law, exercise its power in regard to:

- a. The master plan;
- b. Subdivision control and site plan review;
- c. The official map;
- d. The zoning ordinance including conditional uses;
- e. The capital improvements program;
- f. Variances and certain building permits in conjunction with subdivision site plan and conditional use approval;
- g. Participation in the preparation and review of programs or plans required by State or Federal law or regulation, as it deems advisable;
- h. Assembling of data on a continuing basis as part of a continuous planning process;
- i. Performing such other advisory duties as are assigned to it by ordinance or resolution of the township committee for the aid and assistance of the township committee or other agencies or officers;
- j. Reporting to the township committee on any proposed development regulations which are referred to it.
- k. Reviewing any matters which are referred to it pursuant to ordinance adopted by the township committee which provide by the reference to the planning board of any matter or class of matters before final action thereon by a municipal body or municipal officer having final authority thereon except for any matter under the jurisdiction of the board of adjustment. Whenever the planning board shall have made a recommendation regarding a matter authorized by this act to another municipal body, such recommendation may be rejected only by a majority of the full authorized membership of such other body.
- l. At the request of the developer, the planning board shall grant one informal review of a concept plan for a development for which the developer intends to prepare and submit an application for development. The developer shall not be required to submit any fees for such an informal review. The developer shall not be

bound by any concept plan for which review is requested and the planning board shall not be bound by any such review.

(Ord. #437; Ord. #572-80; Ord. #662-84, § 1)

17-186 ORGANIZATION AND PERSONNEL.

The planning board shall annually elect a chairman and a vice-chairman from the members of Class IV and select a secretary and an assistant secretary who may or may not be a member of the planning board or a municipal employee. The planning board may employ or contract for and fix the compensation of legal counsel, other than the township attorney, and experts and a staff, and pay for their services and for such other expenses as may be necessary and proper, not exceeding, in all, exclusive of gifts, the amount appropriated by the township committee for its use. (Ord. #437; Ord. #572-80)

17-187 SUBDIVISION AND SITE PLAN COMMITTEE.

The chairman of the planning board may appoint a subdivision and site plan committee consisting of at least three members of the planning board. This committee shall have the power to approve minor subdivisions by unanimous vote of those voting. It shall generally review and report to the board on major subdivisions and site plans. (Ord. #437; Ord. #572-80)

17-188 RULES AND REGULATIONS.

The planning board shall adopt, and may amend, reasonable rules and regulations, not inconsistent with any applicable ordinance or other legal requirement, for the administration of its functions, powers and duties. It shall furnish a copy thereof to any person upon request and may charge a reasonable fee for such copy. Copies of all such rules and regulations and amendments thereto shall be maintained in the office of the township administrator. (Ord. #437; Ord. #572-80)

17-189 MEETINGS OF THE PLANNING BOARD.

- a. *Regular Meetings.* The planning board shall meet regularly at least once a month, at the time and place specified in its rules. Meetings shall be held as scheduled unless cancelled because there are no applications for development to process.
- b. *Special Meetings.* A special meeting may be called by the chairman or on the request of any two members of the board at any time provided at least 48 hours notice thereon is given to the members of the board and to the public as required by law.
- c. No action shall be taken at any meeting without a quorum being present. A quorum shall be the majority of the full authorized membership of the board. All actions shall be taken by a majority vote of a quorum except as otherwise specified by law. Failure of a motion to receive the number of votes required to approve an application for development pursuant to the exceptional vote requirements of sections 17-5 or 17-53d. shall be deemed an action denying the application. All meetings shall be open to the public, except when a meeting is closed as provided by law.
- d. Minutes of every regular or special meeting shall be kept and shall include the names of the persons

appearing and addressing the board and of the persons appearing by attorney, the action taken by the board, the findings, if any, made by it and reasons therefor. The minutes shall thereafter be made available for public inspection during normal business hours at the office of the township administrator. Any interested party shall have the right to compel production of the minutes for use as evidence in any legal proceedings concerning the subject matter of such minutes. Such interested party may be charged a reasonable fee for reproduction of the minutes for his use.
(Ord. #437; Ord. #572-80; Ord. #662-84, § 1)

17-190 CONFLICT OF INTEREST.

No member of the planning board shall be permitted to act on any matter in which he has, either directly or indirectly, any personal or financial interest. (Ord. #437; Ord. #572-80)

17-191 PAYMENT OF TAXES.

Every application or appeal submitted to the planning board shall be accompanied by proof that no taxes are due or delinquent on the property which is the subject of such application in order that formal action can be taken with regard to the application or appeal. (Ord. #616-82)

17-192 APPLICATION REVIEW COMMITTEE.

The chairman may appoint an application review committee which shall be advisory in nature and comprised of two members of the planning board and two alternates who shall serve in their absence, planning board attorney and engineer, a representative of the township health department, the administrative officer, and a member of the board of adjustment, when said board refers an application to the committee for review. The purpose of the committee shall be to review all applications for development including but not limited to minor and major subdivisions and site plans to determine the completeness of each application and to perform such other duties which may be conferred on this committee by the board. (Ord. #674-85, § 1)

17-193 to 17-199 RESERVED.

ARTICLE XII BOARD OF ADJUSTMENT

17-200 ESTABLISHED.

There shall be a board of adjustment (sometimes also referred to as the zoning board) to be known as "The Hopewell Township Board of Adjustment." (Ord. #437; Ord. #572-80)

17-201 APPOINTMENT.

There shall be seven regular members and two alternate members who shall not hold any elective office or position under the township, except that one member may also be a member of the planning board. (Ord. #437; Ord. #554-80; Ord. #572-80)

17-202 TERM.

Each regular member shall serve for a term of four years. The initial terms of the members first appointed after August 1, 1976, shall be so determined that to the greatest practicable extent, the expiration of the terms of all regular members shall be distributed evenly over the first four years after their appointment, provided the initial term of no member shall exceed four years.

Alternate members shall be designated at the time of appointment as "Alternate No. 1" and "Alternate No. 2" and shall be appointed for a period of two years except that the expiration of such terms shall be distributed evenly over the first two years after their appointment. (Ord. #437; Ord. #554-80; Ord. #572-80)

17-203 POWERS AND FUNCTIONS.

The board of adjustment shall have the power to grant variances and other relief as provided in Chapter XVII and as otherwise provided by law.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote. (Ord. #437; Ord. #554-80; Ord. #572-80)

17-204 ORGANIZATION AND PERSONNEL

The board of adjustment shall annually elect a chairman and a vice-chairman from its members and select a secretary and an assistant secretary who may or may not be a member of the board of adjustment or a municipal employee. Within the limits of appropriations made available to it the board of adjustment may employ or contract for, and fix the compensation of an attorney, other than the township attorney, and experts and other staff and services as it shall deem necessary. (Ord. #437; Ord. #572-80)

17-205 RULES AND REGULATIONS.

The board of adjustment shall adopt, and may amend, reasonable rules and regulations, not inconsistent with any applicable ordinance or other legal requirement, for the administration of its functions, powers and duties. It

shall furnish a copy thereof to any person upon request and may charge a reasonable fee for such copy. Copies of all such rules and regulations and amendments thereto shall be maintained in the office of township administrator. (Ord. #437; Ord. #572-80)

17-206 MEETINGS.

The board of adjustment shall by its rules fix the time and place for holding its regular meetings for business authorized to be conducted by the board. Regular meetings shall be scheduled not less than once a month and shall be held as scheduled unless cancelled for lack of applications for development to process. Special meetings may be called by the chairman, or on the request of any two members of the board provided that notice is given to its members and the public in accordance with applicable regulations. No action shall be taken at any meeting without a quorum being present. A quorum shall be the majority of the full authorized membership of the board. All actions shall be taken by a majority vote of a quorum except as otherwise specified by law. Failure of a motion to receive the number of votes required to approve an application for development pursuant to the exceptional vote requirements of sections 17-5 or 17-53d. shall be an action denying the application. (Ord. #437; Ord. #572-80; Ord. #662-84, § 1)

17-207 MINUTES.

Minutes of every regular or special meeting shall be kept and shall include the names of the persons appearing and addressing the board and of the persons appearing by attorney, the action taken by the board, the findings, if any, made by it and reasons therefore. The minutes shall thereafter be made available for public inspection during normal business hours at the office of the township administrator. Any interested party shall have the right to compel production of the minutes for use as evidence in any legal proceedings concerning the subject matter of such minutes. Such interested party may be charged a reasonable fee for reproduction of the minutes for his use. (Ord. #437; Ord. #572-80)

17-208 CONFLICT OF INTEREST.

No member of the board of adjustment shall be permitted to act on any matter in which he has, either directly or indirectly, any personal or financial interest. (Ord. #437; Ord. #572-80)

17-209 PAYMENT OF TAXES.

Every application or appeal submitted to the zoning board of adjustment shall be accompanied by proof that no taxes or assessments for local improvements are due or delinquent on the property which is the subject of such application in order that formal action can be taken with regard to the application or appeal. (Ord. #615-82)

17-210 to 17-216 RESERVED.

ARTICLE XIII AFFORDABLE HOUSING

17-217 GENERAL ADMINISTRATION, PROCEDURES.*

17-217.1 Development Application Requirements.

Each development project containing lower income housing shall include in its application, assurances that purchasers and renters of lower income housing shall be required to qualify by income for the low or moderate income dwelling unit they intend to occupy and that subsequent purchasers or renters shall also qualify by income, adjusted for the date of the subsequent transaction. (Ord. #97-1060, § 17-217.1)

17-217.2 Affordability Criteria.

In order to ensure that both low and moderate income units are affordable to a range of households within each household size, the maximum average rent and price of low and moderate income units within each inclusionary development shall be affordable to households earning 57.5 percent of median income and the number of people in the household shall be limited to the criteria set for the number of bedrooms in each unit as set forth in section 17-92d.

- a. *For-Sale Dwelling Unit.* Moderate income sales units within each inclusionary development shall be available for at least three different prices and low income sales units shall be available for at least two different prices. The monthly cost of housing shall include mortgage (principal and interest), property taxes, insurance and homeowners' or condominium association fees. These costs shall not exceed 28 percent of the household's eligible gross monthly income.
- b. *For-Rent Dwelling Unit.* The monthly cost of housing shall include rent and an allowance for utilities consistent with the utility allowance approved by HUD for use in New Jersey. These costs, shall not exceed 30 percent of the monthly gross income of the household size.
- c. *Homeowners' Association Fees.* The payment of condominium or homeowners' association fees and special assessments by low and moderate income purchasers shall be 50 percent of the level paid by market purchasers.

(Ord. #97-1060, § 17-217.2)

17-217.3 Monitoring Period.

- a. The period for controlling the qualifying income of initial purchasers and renters, and for controlling subsequent sales prices and rent levels of a unit, shall be 30 years (40 years for nonprofit and limited-profit housing developments) from the date of the initial certificate of occupancy for the unit as upon issuance by the municipal construction official. For rehabilitated units, the period for controlling sales prices shall be six years and, for rental units, shall be ten years.
- b. The owner/operator of any developments containing rental units shall submit an annual report to the affordable housing committee (AHC) certifying that all lower income units are being rented at monthly costs consistent with subsection 17-217.2b. above. Enforcement and penalties shall be as set forth in subsection 17-218.9 of the township's municipal code.

(Ord. #97-1060, § 17-217.3)

17-217.4 Certificates of Eligibility.

No lower income housing unit shall, during this 30-year or 40-year period, as required, be occupied unless a

certificate of eligibility is issued by the AHC. A certificate of eligibility shall not be issued unless (i) the unit has been inspected and approved for occupancy by the township health department, and (ii) the unit is covered by a deed or lease that contains a covenant running to the developer and the township that specifies the following:

- a. That the office of the township administrator shall be notified before the sale, or change in tenant in the case of renter-occupied units, of each lower income unit;
- b. That each subsequent purchaser or tenant shall certify that the gross household income is within the then qualifying low or moderate income limits, as applicable, and the certification shall be submitted to the AHC in accordance with subsection 17-218.6 below;
- c. That the monthly cost of purchasing or renting, as the case may be, the lower income housing unit shall not exceed the affordability criteria set forth in subsection 17-217.2 above;
- d. The maximum qualifying income of a household shall be as set forth in the most recent publication titled "Eligible Income by County" published by NJ COAH or, absent such publication within the last two years, then the most recent United States Department of Housing and Urban Development "Family Income Limits." Each household shall document the "gross household income" to verify the household's eligibility. The AHC shall certify the "gross household income" to verify the household's eligibility. The AHC shall certify the "gross household income" for a period not to exceed 120 days based on the requirements of NJAC 5:93-9.1.
- e. In the case of a for sale unit, that a purchaser shall be entitled to sell the unit for a maximum resale price as set forth in subsection 17-218.6 below;
- f. In the case of a rental unit, units offered for rental shall continue to be offered as affordable rental units for at least the period required in subsection 17-217.3, above, and thereafter may be sold at prices affordable to moderate income households subject to the resale price controls set forth in subsection 17-218.6 below.
- g. In the case of a rental unit, that every occupant of a lower income rental unit shall, on or before April 15, file an annual statement of income and expense of occupancy for the household for the previous year with the owner/operator of the rental units, who shall in turn certify to the AHC that the units are being rented at monthly rents meeting the affordability criteria set forth in subsection 17-217.2.

Failure of a developer to comply with these requirements shall be cause for denial of certificates of occupancy for market-level units in the developments which have not already been issued. In the case of a resale or rental, failure to comply with these requirements shall be cause for the denial of a certificate of eligibility for the unit to be sold or rented.

(Ord. #97-1060, § 17-217.4)

17-217.5 Selection Procedures and Priorities.

Selection procedures and priorities for purchase and/or occupancy of low and moderate income housing units shall be as established in subsection 17-218.6 below and shall be monitored by the AHC. (Ord. #97-1060, § 17-217.5)

17-217.6 Affirmative Marketing Plan.

- a. *Applicability.* The Township of Hopewell has a 12-year cumulative fair share obligation to the year 1999 of 564 units of which 293 is new construction. This ordinance shall apply to all developments that contain proposed low and moderate income units that are listed below and any future developments that may occur:

Brandon Farms (138 Units)
 Pennington Pointe (5 units)
 Trafalgar (150 units)

- b. *Purpose.* The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of sex, age and number of children, to housing units which are being marketed by a developer/sponsor, municipality and/or designated administrative agency of affordable housing. The plan shall address the requirements of N.J.A.C. 5:93-11. In addition, the plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of race, color, sex, religion, handicap, age, familial status/size, or national origin. The Township of Hopewell is in the housing region consisting of Mercer, Monmouth and Ocean Counties. The affirmative marketing program is a continuing program and shall meet the following requirements:
- c. *Regional Advertising.* All newspaper articles, announcements, and requests for applications for low and moderate income units shall appear in the following daily and regional newspapers/publications.

Trenton Times
 Asbury Park Press
 Ocean County Observer

The primary marketing shall take the form of at least one press release sent to the above publications and a paid display advertisement in each of the above news-papers. Additional advertising and publicity shall be on an "as needed" basis.

The advertisement shall include a description of the street address of the units; directions to the housing units; number of bedrooms per unit; range of prices/rents; size of units; income information; and location of applications including business hours and where/how applications may be obtained.

- d. *Neighborhood Advertising.* All newspaper articles, announcements, and requests for applications for low and moderate income housing shall appear in the following neighborhood oriented weekly newspapers, religious publications, and organizational newsletters within the region:

Hopewell Valley News
 Princeton Packet
 Church Newsletters

- e. *Radio/TV Advertising.* The following regional radio and/or cable television stations shall be used:

Local Cable TV Access Channel
 WHWH
 WTTM

- f. *Location of Applications and Information.* The following is the location of the applications, brochure(s), sign(s), and/or poster(s) used as part of the affirmative marketing program including specific employment centers within the region:

Hopewell Township Municipal Building
 Pennington Branch of the Mercer County Library
 Sales Offices of Brandon Farms, Pennington Pointe & Trafalgar
 Janssen Pharmaceutical
 Educational Testing Service
 Mobil Oil

- g. *Community Contacts.* The following is a listing of counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are at least likely to apply for housing within the region:

Mercer County
Monmouth County
Ocean County

- h. *Data to County Boards of Realtors.* Quarterly flyers and applications shall be sent the Boards of Realtors in Mercer, Monmouth and Ocean Counties for publication in their journals and for circulation among their members. Applications shall be mailed to prospective applicants upon request.
- i. *Data to Social Agencies.* Additionally, quarterly informational circulars and applications shall be sent to the chief administrative employees of each of the following agencies in the counties within Mercer, Monmouth and Ocean Counties.

Welfare or Social Service Board
Rental Assistance Office (local D.C.A. office)
Office on Aging
Housing Agency or Authority
County Library
Area Community Action Agencies

- j. *Random Selection of Households.* The random selection of occupants of low and moderate income housing will be done by the township's AHC as set forth in sub-section 17-218.6.
- k. *Administrative Agency.* The Affordable Housing Management Service (hereafter "AHMS") is the agency under contract with Hopewell Township to administer the affirmative marketing program. AHMS has the responsibility to income-qualify low and moderate income households; to place income-eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units with income-qualified households; to continue to qualify households for reoccupancy of units as they become vacant during the period of affordability controls; to assist with advertising and outreach to low and moderate income households; and to enforce the terms and the deed restrictions and mortgage loan as per N.J.A.C. 5:93-9.1. The Hopewell Township Administrator is the designated housing officer to act as liaison to AHMS. AHMS shall provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law. The following service providers have agreed to perform the above services:
- l. *Priority for Households in the Housing Region.* Households who live and work in the Mercer, Monmouth and Ocean Counties housing region may be given preference for sales and rental units constructed within that housing region. Applicants living outside the housing region shall have an equal opportunity for units after regional applicants have been initially serviced. The township intends to comply with N.J.A.C. 5:93-11.7.
- m. *Developer Participation.* All developers of low and moderate income housing units shall be required to assist in the marketing of the affordable units in their respective developments.
- n. *Initiation and Continuance of Marketing Plan.* The marketing program shall commence at least 120 days before the issuance of either temporary or permanent certificates of occupancy. The marketing program shall continue until all low and moderate income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or reoccupancy of units continues to be necessary.

- o. *Monitoring Reports to COAH.* AHMS shall comply with the monitoring and reporting requirements as per N.J.A.C. 5:93-11.6 and 12.1.
(Ord. #97-1060, §17-217.6)

17-217.7 Reserved.

17-217.8 Homeowners' Association Fee Loan Program.

Low and moderate income owners of affordable housing units which are a part of a condominium or homeowners' association are required to pay monthly fees. If a low or moderate income owner is unable to stay current with the payment of said condominium homeowner association fees, then said homeowner may apply to the Affordable Housing Committee (AHC) established in subsection 17-218.1 herein below. AHC shall investigate the circumstances involving the homeowner's inability to stay current with the homeowner's condominium or homeowner's association fees. If AHC is satisfied that there is a bona fide reason for a low or moderate income owner's arrearage on their condominium or homeowner's association fees and is further satisfied that said owner is unable to pay on a current basis said fees, then AHC may authorize loan for a sum not to exceed two thousand five hundred (\$2,500.00) dollars through the Hopewell Township Affordable Housing Trust Account. The proceeds from said loans shall be paid directly to the condominium or homeowners' association for which said fees are in arrearage and due and owing. The homeowner receiving said loan shall be required to repay said loan with interest thereon established from time-to-time by AHC at the same rate the township is borrowing funds for its permanent financing at the time the loan is made; said interest and principal payments, however, shall be deferred and repayment need only occur when the homeowner sells the affordable housing unit. The homeowner shall be permitted to prepay both principal and interest at any time without penalty. Said loan shall act as a lien on the homeowner's property and shall be collectible in the same manner by the township as are overdue taxes. The homeowner shall execute a mortgage, mortgage note and such other documentation as required by AHC in order to receive said loan. (Ord. #02-1246, § 1; Ord. #07-1420)

17-218 AFFORDABLE HOUSING COMMITTEE. (AHC)*

17-218.1 Preamble.

In conjunction with its efforts to meet its lower income housing obligations, the township hereby creates the Affordable Housing Committee of Hopewell Township (AHC) to monitor the long-term compliance of the township's lower income housing obligation within housing developments containing low/moderate income housing. The committee's responsibilities will be to: establish tenanting/sale policies for use by developers/owners in sale, rental, resale and rerelease of low/moderate income units; establish and enact additional rules and procedures in accordance with the provisions of this section to assure that low and moderate income units constructed in Hopewell Township remain available to such families for a minimum 30 or 40 year period, as required. (Ord. #97-1060, § 17-218.1)

17-218.2 Membership; Terms of Office.

- a. The AHC shall consist of seven members, all of whom shall be appointed by the township committee and one of whom shall be a member of the township committee. One of the remaining six members shall be an occupant of a low/moderate income unit and shall be appointed within one year of issuance of a certificate of occupancy for such units. The township administrator and treasurer shall be ex-officio members of the AHC.

- b. The township committee may appoint alternate members.
- c. Attendance by four members or alternates shall constitute a quorum. Passage of any motion requires an affirmative vote by a majority of members present.
- d. The initial term of office of the AHC shall be two members for one year and two members for two years to be designated when making the appointment. The terms of office shall thereafter be two years with reappointment at the pleasure of the township committee. The term of the township committee member shall be one year. The appointments shall be made in such a manner so that the terms of approximately one-half of the members shall expire each year.
- e. The AHC shall elect a chairman and a vice-chairman from among its members, neither of whom shall be the township committee member. Their terms of office shall be one year and they shall be eligible for reelection. The committee may also elect a secretary, who need not be a member of the committee, and it may create and fill such other offices as it shall determine.
- f. The AHC shall submit annual budget requests and monthly financial statements to the township. The township committee may employ or assign at the request of the AHC such personnel or experts and other staff the AHC deems necessary, provided such obligations do not exceed the township budgetary allocation available to the AHC for such use.
(Ord. #97-1060, § 17-218.2; Ord. #04-1308)

17-218.3 Vacancies, Removal for Cause.

The township committee may remove any member of the AHC for cause on written charges served upon the member and after a hearing thereon, at which time the member shall be entitled to be heard either in person or by counsel. A vacancy in the committee occurring otherwise than by expiration of the term shall be filled for the unexpired term in the same manner as an original appointment. (Ord. #97-1060, § 17-218.3)

17-218.4 Powers.

- a. The AHC is hereby granted and shall have and exercise, in addition to other powers herein granted, all the powers necessary and appropriate to carry out and execute the purposes of this section, including but not limited to the following:
 - 1. To prepare and forward to the Hopewell Township Committee such rules and regulations as it deems necessary or appropriate to implement the purposes of this section. Such rules and procedures shall not become effective until approval by the township committee. However, if the township committee fails to act within 60 days, the rules shall become effective.
 - 2. To supply information to developers and families of low or moderate income to help them comply with the provisions of this section.
 - 3. To hold hearings upon due notice and adjudicate applications of individuals or households who believe themselves to be households of low or moderate income.
 - 4. To research and review requests from the New Jersey Mortgage Finance Agency and any other Federal, State, county or local agencies regarding funding or applications for funding.
- 5. To make recommendations to the township committee for a spending plan indicating existing funds and estimated future revenues, and setting forth pro-posed expenditures for how the township's Lower Income Housing Fund should be spent and to propose priorities for such expenditures.

6. To develop and monitor programs for rehabilitation of existing substandard units, including criteria for identifying substandard structures occupied by lower income households and recommendations for rehabilitation loans and/or grants to qualifying households.

b. In matters involving a hearing, the AHC shall give ten days written notice to all parties involved, and shall give all interested persons an opportunity to be heard.

(Ord. #97-1060, §17-218.4)

17-218.5 Definitions.

As used in this section:

"AHC" shall mean the affordable housing committee created by Ordinance No. 706-86.

"Gross household income" shall mean the total household income from all sources of all members of the household age 18 and older with verification as set forth in NJAC 5:93-9.1.

"Low and moderate income housing" shall mean dwelling units limited to occupancy by low and moderate income households. (Ord. #97-1060, §17-218.5)

17-218.6 Selection Procedures, Priorities, Income Eligibility, Price Standards, Restrictions, Reports.

The following procedures and priorities for dwelling unit initial sales, resales, initial rentals and re-rentals shall be monitored by the AHC:

a. *Selection Procedures.* The AHC shall establish a listing of qualified low and moderate income households and persons based on the categories below; the first such listing shall be compiled within 45 days of notification by a developer that low and/or moderate income units will be available for occupancy approximately six months thereafter. This listing, along with any such similar listing conforming to the selection categories set forth below as may be compiled by a developer and submitted to the AHC, shall form the basis of an initial pool or prospective purchasers or renters of the developer's initial sale/rental program.

Thereafter, at least quarterly, the AHC shall provide an updated list, recertifying categories of those households on the list which are likely to be reached in the coming year and who have not obtained a housing unit, and making appropriate adjustments for households whose status may have changed since the last certification. Those applicants wishing resale units only shall be so indicated. Prior to selling any unit, the owner shall contact the AHC for determination as to income eligibility of the prospective buyer and compliance with AHC rules and regulations.

b. *Income Eligibility.* Certification of the gross household income of listed households shall be accomplished by the developer/owner in the case of initial sales rentals/re-rentals and by the AHC in the case of resales as follows:

1. *Initial Sale/Rental and Subsequent Re-rentals.* The developer/owner shall certify to the AHC that each prospective purchaser/renter meets the selection categories and is income qualified. A developer/owner shall submit a certification folder on each applicant with appropriate documentation as to income and eligibility according to the selection categories. Documentation of household in-come shall comply with NJAC 5:93-9.1(b)2.

2. *Resales.* The AHC shall establish household income eligibility based on information to be submitted by a prospective purchaser corresponding to the documentation required under paragraph b,1. above.

A letter certifying income eligibility shall be issued for a period of 120 days. Said letter, or a notice of ineligibility, shall be issued by the AHC within 30 days of the receipt of a complete application. A finding of ineligibility may cause the township to seek a rescission of the sale/rental as provided for in paragraph c.3, below.

c. *Sale and Resale, Rental and Rerental Price Standards.*

1. Units initially sold or rented as low or moderate income shall remain so at re-sale or rental. A developer of sale or rental units shall provide the AHC with a listing, by unit type and size, of the maximum selling price of the low and/or moderate income units. If a rental unit is involved, a maximum rental price by unit type and size shall be provided. These sale, resale, rental or rerental levels shall not exceed affordability criteria established in subsection 17-217.2 above. In addition, an owner shall consult the AHC for the names of eligible buyers who might be listed in one of the priority categories prior to entering into a contract to sell a unit.
2. Maximum resale price shall equal the sum of the following:
 - (a) Price of unit paid by owner increased by 75 percent of the increase in the CPI-housing component only, for the Philadelphia region, which shall be measured from the first day of July preceding the year of purchase to the first day of July preceding the year of sale;
 - (b) Cost of reasonable permanent improvements for which a prior approval from the committee has been issued. Declaration value shall be based on actual documentation of labor and materials at the time of installation or a reasonable estimate by the owner of the value of the improvements, subject to the verification of building permit data regarding the construction value of the improvements;
 - (c) Cost of sale which includes realty transfer fee, attorneys' fees, and brokers' fees. The committee shall from time to time establish fee charge guidelines as to allowable charges so as not to jeopardize the affordability of the sale unit to a low or moderate income household.
3. Initial sale, resale, rental and rerental price restrictions including township remedies for noncompliance shall be provided for in deed restrictions subject to the township's attorney review and will not be regulated by the AHC. However, any conveyance to an ineligible person or sale/rental price established in excess of the restrictions at the time of occupancy is subject to rescission by the township. Any township costs and legal fees in obtaining rescission are to be borne by the seller or unit owner in the case of rental units.
4. In the event initial sale, resale, rental or rerental cannot be concluded after diligent marketing efforts within an established time period, then the variation of eligible household incomes as provided for in paragraph e. below shall be operable subject to the requirements stipulated therein.
5. All rental units sold after the expiration of the required period of affordability may continue to be rented, but at market-level rates, or may be sold as moderate income, owner-occupied units with an additional 20 year period of afford-ability consistent with all the requirements of this chapter.

d. *Variation of Eligible Household Income Standards.*

1. In the event a developer of lower income units, after documented diligent marketing efforts, cannot enter into a contract of sale or rental agreement of initially constructed units within a 60 day period after receipt of a certificate of occupancy for the lower income unit, the AHC shall permit the unit to be sold to households whose income exceeds the eligibility range as follows: Low income units may be sold or rented to households of moderate income; moderate income units may be sold or rented

to households with incomes up to but not exceeding 120 percent of the median income as defined herein. Any units permitted to be sold to households whose income exceeds the eligibility ranges shall remain subject to continued maximum resale price or rental restrictions as set forth elsewhere in this section.

2. If within 90 days after notification to the AHC that a rental unit has become vacant, and owner/operator of the rental unit is unable to enter into a lease agreement with a qualified tenant from a list of potential tenants provided by the AHC or through its own efforts, then the AHC shall permit the rental of the unit as outlined in paragraph e,1 above, subject to continued rental restrictions as set forth elsewhere in this section.
 3. If within 90 days of notification to the AHC of an intent to sell, an owner of a lower income unit has not become contractually obligated to sell the unit to a qualified buyer from a list of potential buyers provided to it by the AHC or through the owners' broker or through the owners' efforts, then the affordable housing committee shall permit the resale of the unit as outlined in paragraph e,1 above, subject to continued price restrictions as set forth elsewhere in this section.
- e. *Restriction on Use.* Low and moderate income units shall be sold or rented only to income-eligible low and moderate income households. All low and moderate income units shall comply with the Federal housing authority maximum occupancy standards for the number of people per dwelling unit size. Such units shall be the primary residence of the occupant(s). Purchasers or tenants may lease or sublet such units only to income-qualified households, at rent levels not exceeding those established for the unit, and only after approval by the AHC.
- f. *Program Reports.* Developers/owners of low and moderate income units initially marketed for sale or rental, as well as developers/owners of rental units, shall submit quarterly reports to the AHC identifying the units sold, rented or rereanted. These reports shall begin at the end of the first calendar quarters following initial occupancy, continuing to final completion of the project in the case of sale projects, or for the duration of income controls in the case of rental projects. These reports shall list by unit type and address the number of units sold or rented.
- (Ord. #93-948; Ord. #97-1060, §17-218.6)

17-218.7 Foreclosure Proceedings.

The AHC shall promptly establish written regulations dealing with foreclosure proceedings, extent of price controls continuation and distribution of funds from a foreclosure sale, subject to approval by the township committee. (Ord. #97-1060, §17-218.7)

17-218.8 Program Fee Requirements.

All developers of projects containing low and moderate income dwelling units shall be required to pay an initial registration fee at the time of issuance of a certificate of eligibility, in accordance with Chapter X of the Revised General Ordinances of the Township of Hopewell.

Upon resale or rental of such units, an additional fee shall be paid at the time of issuance of certificate of eligibility, in accordance with Chapter X of the Revised General Ordinances of the Township of Hopewell.

Such fees shall be as set forth in Chapter X of the Revised General Ordinances of the Township of Hopewell and those collected shall be maintained in an escrow account by the township and expended only in the exercise of the ANC's monitoring responsibilities and duties outlined herein.

(Ord. #97-1060, §17-218.8)

17-218.9 Enforcement; Applicability.

- a. Developers seeking final approval for projects containing low and moderate income dwelling units shall provide an affordable housing plan for their project that pro-vides necessary declaration of covenants and restrictions, which shall be reviewed by the township attorney, including provisions to assure the initial sale or rental as well as subsequent resales and rentals of dwelling units in accordance with the requirements of this section and section 17-92 of the township's land use and development ordinance. The affordable housing plan shall be subject to the approval of the planning board.
- b. Developers seeking final approval shall also provide a written affirmative marketing plan indicating how initial sale, rental and rental units will be marketed within the procedures and priorities established for such units herein in accordance with subsection 17-217.6 of the township's land use and development ordinance.
- c. In the event an applicant or developer fails to construct and sell or rent his required low and moderate income housing units in accordance with the provision of his approved affordable housing plan, the final plat approval, and this section, he shall be subject to a revocation of his development permit and cessation of issuances of certificates of occupancy until the development is brought into compliance. Revocation of such permits shall be preceded by written notice establishing a 30 day time period within which such noncompliance may be corrected.
(Ord. #706-86, § 1; Ord. #93-948; Ord. #97-1060, §17-218.9)

17-219 ACCESSORY APARTMENTS.**17-219.1 Purpose.**

An accessory apartment as defined hereinbelow is being authorized for the purpose of providing additional opportunities for low and moderate income housing within the Township of Hopewell. (Ord. #04-1307, § 1)

17-219.2 Definition.

An accessory apartment is a self-contained, residential unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance which is created to be occupied by a low- or moderate-income household. The accessory apartment may be created within an existing dwelling unit, may be created within an existing structure on a lot or be in addition to an existing home or accessory building. (Ord. #04-1307, § 1)

17-219.3 Additional Requirements.

The following additional conditions shall apply to accessory apartments:

- a. Accessory apartments, as defined hereinabove, shall be permitted within all zoning districts within the Township of Hopewell except the R-5 and R-6 districts and provided further that the lot upon which the accessory apartment shall be created meets all zoning requirements for said zone unless a variance is obtained from the appropriate Township Land Use Board; and
- b. Accessory apartments shall comply with all applicable statutes and regulations of the State of New Jersey in addition to all local building and health codes; and
- c. Accessory apartments shall be rented only to a household which is either a low or moderate income household at the time of the initial occupancy of the unit as defined by the Hopewell Township

Affordable Housing Program; and

- d. The accessory apartment shall, for a period of at least ten years from the date of the issuance of a certificate of occupancy for said apartment, be rented only to low- or moderate-income households; and
- e. Rents of accessory apartments shall be affordable to low- or moderate-income households as per the substantive regulations of the New Jersey Council on Affordable Housing (COAH) and shall include a utility allowance; and
- f. No more than ten accessory apartments shall be utilized to address the Hopewell Township Fair Share Obligation unless this ten unit cap is changed or waived by COAH; and
- g. There shall be a recorded deed or dedication of covenants and restrictions applied to the property upon which the accessory apartment is located running with the land and limiting its subsequent rental or sale within the requirements of paragraphs c. and d. above; and
- h. Each accessory apartment shall have a gross floor area of at least 350 square feet, but shall not exceed more than three bedrooms of living space, or 1200 square feet, or 25 percent of the floor area of the dwelling, whichever is greater, and shall have cooking facilities, a kitchen sink and a complete sanitary facility for the exclusive use of the occupants; and
- i. The accessory apartment shall have a separate door with direct access to the outdoors; and
- j. The accessory apartment shall have a potable water supply and a sanitary disposal system for the accessory apartment which shall be reviewed and approved by the township health officer; and
- k. The accessory apartment shall be affirmatively marketed to the housing region wherein the Township of Hopewell is located; and
- l. In the case of an accessory apartment created illegally or without proper permits which the property owner desires to legitimize as an accessory apartment under this section, all of the requirements of this section in addition to meeting COAH criteria shall apply and the subsidy provided for hereinbelow may be made available by the township to said owner; and
- m. At least one off-street parking space per bedroom or a maximum of two spaces shall be provided for each apartment.
(Ord. #04-1307, § 1)

17-219.4 Administration.

The Township of Hopewell shall designate an administrative entity to administer the accessory apartment program. Said administration shall include advertising, income qualification of prospective renters, setting rents and annual rental increases, maintaining a waiting list, distributing the subsidy provided for hereinbelow, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the accessory apartment program. The administrative agency so designated to administer this accessory apartment program shall only deny an application for an accessory apartment if the project is not in conformance with the COAH substantive requirements, the municipal zoning ordinance or this section. All denials shall be in writing with the reasons clearly set forth. In accordance with the COAH requirements, the Township of Hopewell shall provide at least ten thousand (\$10,000.00) dollars to subsidize the physical creation of an accessory apartment conforming to the requirements of this section and the COAH requirements. Prior to the grant of such subsidy, the property owner shall enter into a written agreement with the township ensuring that (i) the subsidy shall be used to create the accessory apartment and (ii) the apartment shall meet the requirements of this section and COAH regulations. (Ord. #04-1307, § 1)

17-219.5 Application Requirements.

All applicants wishing to create accessory apartments shall submit to the Township of Hopewell: (a) a sketch of the floor plans showing the locations, size, relationship of both the accessory apartment and the primary dwelling within the building or in another structure; and (b) rough elevations showing the modification of any exterior building facade to which changes are proposed and (c) a site development sketch showing the location of the existing dwelling and other existing buildings; all property lines; proposed addition, if any, along with the minimum building setback lines; the required parking spaces for both dwelling units and any manmade conditions which might affect construction.(Ord. #04-1307, § 1)

17-219.6 Fee Waivers.

In order to encourage the creation of accessory apartments, the Township of Hopewell shall waive all building permit and construction fees, except the State mandated training fees for an accessory apartment application. (Ord. #04-1307, § 1)

17-220 MUNICIPAL HOUSING LIAISON.

17-220.1 Purpose.

The purpose of this section is to create the administrative mechanisms needed for the execution of the Township of Hopewell's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985. (Ord. #06-1375)

17-220.2 Definitions.

As used in this section, the following terms shall have the meanings indicated:

Municipal housing liaison shall mean the employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for the Township of Hopewell.

Administrative agent shall mean the entity responsible for administering the affordability controls of some or all units in the affordable housing program for the Township of Hopewell to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

(Ord. #06-1375)

17-220.3 Establishment of Municipal Housing Liaison Position and Compensation; Powers and Duties.

- a. *Establishment of Position of Municipal Housing Liaison.* There is hereby established the position of municipal housing liaison for the Township of Hopewell.
- b. Subject to the approval of the Council on Affordable Housing (COAH), the municipal housing liaison shall be appointed by the township committee and may be a full or part-time municipal employee.
- c. The municipal housing liaison shall be responsible for oversight and administration of the affordable housing program for the Township of Hopewell, including the following responsibilities which may not be contracted out:

1. Serving as Hopewell Township's primary point of contact for inquiries from the State, affordable housing providers, administrative agents, and interested households;
 2. Monitoring the status of all restricted units in the Township of Hopewell's Fair Share Plan;
 3. Compiling, verifying, and submitting annual reporting as required by COAH;
 4. Coordinating meetings with affordable housing providers and administrative agents, as applicable;
 5. Attending continuing education programs as may be required by COAH;
 6. If applicable, serving as the administrative agent for some or all of the restricted units in Hopewell Township as described in paragraph f. below.
- d. Subject to approval by COAH, the Township of Hopewell may contract with or authorize a consultant, authority, government or any agency charged by the governing body, which entity shall have the responsibility of administering the affordable housing program of the Township of Hopewell. If Hopewell Township contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and affirmative marketing plan, the municipal housing liaison shall supervise the contracting administrative agent.
- e. *Compensation.* Compensation shall be fixed by the township committee at the time of the appointment of the municipal housing liaison.
- f. *Administrative Powers and Duties Assigned to the Municipal Housing Liaison.*
1. Affirmative Marketing.
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the affirmative marketing plan of the Township of Hopewell and the provisions of N.J.A.C. 5:80-26.15.
 2. Household Certification.
 - (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
 - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (c) Providing written notification to each applicant as to the determination of eligibility or noneligibility;
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
 - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
 - (f) Employing the random selection process as provided in the affirmative marketing plan of the Township of Hopewell when referring households for certification to affordable units.
 3. Affordability Controls.
 - (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;

- (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
 - (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
 - (d) Communicating with lenders regarding foreclosures; and
 - (e) Ensuring the issuance of continuing certificates of occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
4. Resale and Rental.
- (a) Instituting and maintaining an effective means of communicating information between owners and the administrative agent regarding the availability of restricted units for resale or rental; and
 - (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or rental.
5. Communicating with Unit Owners.
- (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
 - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
 - (c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.
6. Enforcement.
- (a) Ensure that all restricted units are identified as affordable within the tax assessor's office and any municipal utility authority (MUA) and upon notification to the administrative agent of change in billing address, payment delinquency of two consecutive billing cycles, transfer of title, or institution of a writ of foreclosure on all affordable units, notifying all such owners that they must either move back to their unit or sell it;
 - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contract in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent;
 - (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent can be made;
 - (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;

- (e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
 - (f) Establishing a rent-to-equity program;
 - (g) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
 - (h) Providing annual reports to COAH as required.
7. The administrative agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
(Ord. #06-1375)

17-221 ENFORCEMENT.

17-221.1 Purpose.

The purpose of this section of the Code is to facilitate enforcement of the provisions of the Hopewell Township Affordable Housing Program as well as to enforce the requirement of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., the New Jersey Council on Affordable Housing ("COAH") Substantive and Procedural Rules as they appear at N.J.A.C. 5:94-1 et seq. and N.J.A.C. 5:95-1 et seq. and the New Jersey Housing Mortgage Finance Agency Uniform Housing Affordability Controls appearing at N.J.A.C. 5:80-26.1 et seq. (Ord. #07-1409)

17-221.2 Noncompliance a Violation.

Any person or entity who violates any terms, conditions or requirements of the Hopewell Township Affordable Housing Program as set forth in this Article, as amended from time to time; violates any of the terms, conditions or requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., as may be amended from time to time; violates any of the terms, conditions or requirements of the Substantive and Procedural Rules of the New Jersey Council on Affordable Housing ("COAH") which appear at N.J.A.C. 5:94-1 et seq. and N.J.A.C. 5:95-1 et seq., as amended from time to time or violates the Uniform Housing Affordability Controls, terms, conditions or requirements as issued by the New Jersey Housing and Mortgage Finance Agency appearing at N.J.A.C. 5:80-26.1 et seq., as amended from time to time shall be subject to punishment in accordance with the general penalty provisions of this Code as they appear in Section 3-1 et seq. (Ord. #07-1409)

17-222 to 17-225 RESERVED.

* **Editor's Note:** Former subsection 17-7.la-f was renumbered as section 17-217, subsections 17-217.1-,17-217.6. Sources contained herein include Ordinance No. 706-86, § 1.

* **Editor's Note:** Former subsection 17-7.2a-i was renumbered as section 17-218, subsections 17-218.1–17-218.9. Sources contained herein include Ordinance Nos. 706-86, § 1.

ARTICLE XIV SITE IMPROVEMENT STANDARDS AND CONSTRUCTION DETAILS

17-226 INTENT.

These technical standards are intended to serve as township standards for the design, construction and operation of public improvements, when requirements for the same are not otherwise set forth by the New Jersey Department of Community Affairs pursuant to the Uniform Construction Code. (Ord. #782-88, § 4)

17-227 MINIMUM REQUIREMENTS.

These standards are interpreted to be minimum requirements and are not intended to substitute for a detailed design investigation on the part of any applicant or person being regulated hereunder, or under any related ordinance of the township. (Ord. #782-88, § 4)

17-228 APPLICABLE FEDERAL, STATE OR COUNTY REGULATIONS.

Whenever Federal, State or county regulations or standards are applicable, or may be applicable in lieu of the standards contained in this section, the more stringent design or construction procedure shall be deemed to apply. (Ord. #782-88, § 4)

17-229 ADOPTION OF STANDARDS AND DETAILS.

Site improvement standards and construction details as prepared by the township engineer are hereby adopted by reference, and are on file and available for inspection in the planning board and township clerk's office. Copies of these documents may be purchased at either the planning board or township clerk's office in the same manner as other public documents. Future revisions to said standards and details shall be by resolution of the township committee. (Ord. #782-88, § 4)

17-230 DRAINAGE SHALL BE CONCLUSIVE AS TO ANY QUESTIONS.

The standards and details shall be conclusive as to any question regarding design standards arising under this chapter. (Ord. #782-88, § 4)

17-231 MANNER OF CONSTRUCTION.

All construction of improvements required as a condition of subdivision or site plan approval shall be carried out in a workmanlike manner, subject to the approval of the township engineer. (Ord. #782-88, § 4)

17-232 NONCOMPLIANCE A VIOLATION.

If the township engineer shall find that construction is not being carried out in conformance with this chapter, he shall cause the person directing construction on site to be served personally with written notice stating that unless the conditions specified in the notice are corrected within ten working days all construction on the site shall be terminated until the conditions specified are corrected. A copy of the notice shall be sent by certified mail to the address of the person shown in the township records to have received the site plan or subdivision

approval under which the construction is being carried out.

Failure to comply with such notice within ten working days of such extensions thereof as the township engineer may grant shall be deemed a violation of this chapter. (Ord. #782-88, § 4)

17-233 to 17-240 RESERVED.

APPENDIX A - Application Checklist
(Reference Section 17-125)

TOWNSHIP OF HOPEWELL
CONCEPTUAL REVIEW CHECKLIST

Applicant's Name: _____

Address: _____

Owner's Name: _____

Address: _____

Development Name: _____

Hopewell Township Tax Block(s): _____, Lot(s): _____

Total Number of Proposed Lots/Square Footage
(Including Lands Remaining): _____

Existing Use of Property, Principal Structure, and Accessory Structures: _____

General Project Description: _____

History of any previous Planning Board/Zoning Board actions relating to the Tax Lot:

Use Additional Sheets If Required

Signature and Name of

Person Preparing Checklist:

Signature _____

Name

Date Signed

TOWNSHIP USE ONLY

Application No.: _____ *Date/Time Submitted* _____

Received By: _____

Administrative

<i>Appl. Use Only</i>		<i>Copies Required ARC PB</i>	<i>Twp Use Only</i>
_____ 1.	Submitted within published "window for submission."		
_____ 2.	Completed Application Forms, including Corporate Partnership Disclosure Affidavit.	_16_	
	<u>19</u>		
_____ 3.	Payment of Required Fees.		_
	<u>1</u>		
_____ 4.	Completed Escrow Agreement.	_1_	
	<u>1</u>		
_____ 5.	Receipt of Taxes Paid for current tax quarter from Tax Collector.		
		1	
	<u>1</u> _____		

_____ 6.	Completed Consent to Entry Form <u>1</u>	<u>1</u>	—
_____ 7.	Completed Conceptual Review Checklist. <u>17</u>	<u>10</u>	—
_____ 8.	Completed Waiver Request Form <u>17</u>	<u>10</u>	—
_____ 9.	Concept Plan folded, collated and bound. <u>18</u>	<u>15</u>	—
_____ 10.	Consistency with Wastewater Management Plan of the Township of Hopewell. <u>18</u>	<u>15</u>	—

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Health

*Appl.
Use
Only*

*Tw
Use
Only*

- _____ 1. Approximate location of all existing dwellings or buildings, septic systems, and wells, both on-site and on adjacent lots, within 200 feet of property boundary. _____
- _____ 2. Identification of on-site soils pursuant to the "Mercer County Soil Survey." _____
- _____ 3. Identification of underlying geologic formation pursuant to the "Environmental Resources Inventory" of the Township of Hopewell. _____
- _____ 4. The results of any preliminary soil tests and soil logs, if available. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ Date _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Engineering

Appl.
Use
Only

Twp
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Only

- _____ 1. Designed and drawn by the applicant, A.I.A., C.L.A., N.J.P.E., N.J.P.L.S. or N.J.P.P. A design by a licensed professional is recommended but not required for Conceptual review. _____
- _____ 2. Reproduction on standard sized sheets 30" x 42," 24" x 36," 15" x 21," 8 1/2" x 13," 8 1/2" x 11." _____
- _____ 3. A title block showing type of development (residential/ commercial/industrial), tax block and lot numbers and a scale of the drawing. _____
- _____ 4. A north arrow with reference notation. _____
- _____ 5. Existing topography extrapolated from U.S.G.S. map, with reference to quadrangle taken from. _____
- _____ 6. Existing and proposed on-site easements. _____
- _____ 7. "Critical Areas" as defined in the Land Use and Development Ordinance. _____
- _____ 8. "Wetlands," as identified on the recognized New Jersey Department of Environmental Protection Maps. _____

- _____ 9. Location and width of any proposed or existing on-site roadways. _____
- _____ 10. Location and approximate sizes of any proposed nonresidential buildings, parking areas, access drives, pedestrian and vehicular traffic circulation patterns, and parking stalls shall be shown. _____
- _____ 11. Method of and approximate area reserved for stormwater management. _____
- _____ 12. Right-of-way width of streets (existing and proposed) by dimension. _____
- _____ 13. A calculation of the number of parking spaces required based upon the gross floor area of proposed uses, shall be shown on the plans. _____
- _____ 14. All Proposed Utilities. Identify methods of wastewater disposal, potable water, solid waste disposal, electric gas, and telephone service. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Planning

*Appl.
Use
Only*

*Twp
Use
Only*

- _____ 1. Existing physical on-site features including watercourses, stream corridors, culverts or bridges, and rock out crops, trees and tree masses. _____
- _____ 2. "Critical Areas" as defined in the Land Use and Development Ordinance. _____
- _____ 3. "Gross Density" calculation based upon the definition of the Land Use and Development Ordinance. _____
- _____ 4. "Gross" and "Net" Lot Area calculations. _____
- _____ 5. A map showing, to scale, the site boundaries and adjacent lots within 500 feet. Approximate distances are to be shown by dimension. _____
- _____ 6. Anticipated bulk variances or design waivers shall be indicated on the plan. _____
- _____ 7. Master Plan amenities on the site or within 500 feet of the site boundaries. _____
- _____ 8. General location of proposed landscape buffers, trees and shrubs. Identification of existing and proposed on-site vegetation and trees by general species and size.

- _____ 9. Historic sites or scenic vistas on-site or within 200 feet of the site. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

**TOWNSHIP OF HOPEWELL
MINOR SUBDIVISION CHECKLIST**

Applicant's Name: _____

Address: _____

Owner's Name: _____

Address: _____

Development Name: _____

Hopewell Township Tax Block(s): _____, Lot(s): _____

Total Number of Proposed Lots (Including Lands Remaining): _____

Existing Use of Property, Principal Structure, and Accessory Structures: _____

General Project Description: _____

History of any previous Planning Board/Zoning Board actions relating to the Tax Lot:

Use Additional Sheets If Required

Signature and Name of
Person Preparing Checklist:

Signature _____

Name

Date Signed

TOWNSHIP USE ONLY

Application No.: _____ Date/Time Submitted _____

Received By: _____

Administrative

<i>Appl. Use Only</i>		<i>Copies Required</i>	<i>Twp Use Only</i>
		<i>ARC</i>	<i>PB</i>
_____	1. Submitted within published "window for submission."		
_____	2. Completed Application Forms, including Corporate Partnership Disclosure Affidavit.	<u>16</u>	-
	<u>19</u>		
_____	3. Payment of Required Fees.		
_____	4. Completed Escrow Agreement.	<u>1</u>	-
	<u>0</u>		
_____	5. Receipt of Taxes Paid for current tax quarter from Tax Collector.	<u>1</u>	-
	<u>1</u>		
_____	6. Completed Consent to Entry form	<u>1</u>	-
	<u>1</u>		

_____ 7.	Completed Minor Subdivision Checklist.	<u>10</u>	-
	<u>11</u>		
_____ 8.	Completed "Design Waiver Request" form.	<u>10</u>	-
	<u>17</u>		
_____ 9.	Certificate of Ownership.	<u>15</u>	-
	<u>18</u>		
_____ 10.	Minor Subdivision Plan(s) folded, collated, bound, signed and sealed with a common date of issue and revision.	<u>15</u>	-
	<u>18</u>		
_____ 11.	Traffic Analysis - collated, bound, signed, and sealed.	<u>11</u>	-
	<u>16</u>		
_____ 12.	Well Water Supply Evaluation Report - collated, bound, signed, and sealed.	<u>4</u>	-
	<u>4</u>		
_____ 13.	Existing Septic System Certification - signed and sealed.	<u>4</u>	<u>4</u>
_____ 14.	Water Quality Test Reports and Professionals certification of or existing on-site wells.	<u>4</u>	<u>4</u>
_____ 15.	Soil Test Reports collated, bound, signed and sealed.	<u>4</u>	<u>4</u>
	<u>4</u>		
_____ 16.	Consistency with Wastewater Management Plan of the Township of Hopewell.	<u>15</u>	-
	<u>18</u>		
_____ 17.	Proof of submission of a request for a wetlands letter of interpretation to the New Jersey Department of Environmental Protection a minimum of 60 days prior to submitting this application. Proof shall include acknowledgment of receipt by an official of the New Jersey Department of Environmental Protection.	<u>15</u>	-
	<u>18</u>		

<i>Appl.</i>		<i>Copies</i>	<i>Twp</i>
<i>Use</i>		<i>Required</i>	<i>Use</i>
<i>Only</i>		<i>ARC PB</i>	<i>Only</i>
_____ 18.	Submission of all wetlands reports and wetland delineation.	<u>5</u>	
		<u>3</u>	
_____ 19.	Completed Fiscal Impact Data Sheet.	<u>15</u>	-
	<u>18</u>		

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

II. Health

*Appl.
Use
Only*

*Twp
Use
Only*

- _____ 1. Proof of submission of Treatment Works or NJPDES permit applications for any wastewater disposal method or system not in compliance with NJAC 7:9A., any system proposing to discharge more than 2,000 gallons per day, or any proposed connection to a public sewer system requiring a Treatment Works permit application.

- _____ 2. Location of all existing sewage disposal systems on-site and within 200 feet of the boundary of the entire tract. _____
- _____ 3. Certification by a New Jersey Licensed Professional Engineer regarding adequacy of any and all existing on-site sewage disposal systems pursuant to Chapters 16 and 17. Potential reserve areas for modification of existing systems shall be shown on the plan. Application will be declared incomplete should failing or unsatisfactory conditions be noted, certified, or found to exist. _____
- _____ 4. Submission of laboratory test report for all existing on-site wells or potable water supplies pursuant to Chapter 16 and 17. Application will be declared incomplete should failing or unsatisfactory conditions be noted or found to exist (Bacteria, Nitrate, Volatile Organics and other items required by Health Officer). _____
- _____ 5. Soils Tests shall be provided for primary and reserve septic areas pursuant to Chapters 16 and 17. Test results submitted which are invalid because of expiration dates or do not comply with all provisions of Chapters 16 and 17 shall render the application incomplete. _____
- _____ 6. The Location and results of all complete, incomplete, unacceptable and unwitnessed profile pits, permeability tests, basin floods and percolation tests. All results shall be shown on a separate plan(s) entitled "Sewage Disposal and Water Supply Plan." All result locations shall be dimensioned to all proposed and existing lot lines, watercourses, easements, wetland limits, storm drainage pipes and basins, sewage disposal and water supply systems within 200 feet of the tests. _____
- _____ 7. Submission of individual soil test reports by soil log or test number for each test location in numerical ascending order shall be provided, according to proposed lot numbers. Each report shall be signed and sealed by a NJPE and coordinated with each lot number shown on the plan submitted. _____

*Appl.
Use*

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Use*

Only

Only

- _____ 8. Submission of well water supply evaluation report pursuant to Chapter 16. _____
- _____ 9. The location of all on-site, off-site and off-tract test wells, monitor wells, and existing wells within 500 feet of the test wells are to be shown pursuant to Chapter 16.

- _____ 10. Written documentation signed by the homeowners, or affidavits executed by the applicant proving permission. All wells within 500 feet of the test well shall be monitored. In the event monitoring is not permitted, the denial by the homeowner shall be submitted. In the event of a denial or no response, an affidavit by the applicant detailing efforts made to obtain permission and/or the reasons for denial shall also accompany the application. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ Date _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Engineering

Appl.
Use
Only

Twp
Use
Only

- _____ 1. Designed, drawn, signed and sealed by, A.I.A., C.L.A., N.J.P.E., N.J.P.L.S. or N.J.P.P. as appropriate. _____
- _____ 2. Blue or Blackline reproduction on standard sized sheets 30" x 42," 24" x 36," 15" x 21," 8 1/2" x 13." _____
- _____ 3. Acceptable title block containing minimum data as prescribed in N.J.S.A. 13:40-1.

- _____ 4. A north arrow with reference meridian. _____
- _____ 5. A legend identifying symbols and drafting techniques used. _____
- _____ 6. A boundary survey of the total tract signed and sealed by the preparing N.J. Professional Land Surveyor in accordance with N.J.S.A. 13:40-5. Where the total tract is greater than 50 acres and no new on-site roadways are proposed the survey may be limited to the area of subdivision. _____
- _____ 7. Plan of existing and proposed lot lines showing bearings and dimensions of all lots including the lands remaining to nearest 1/100th foot and areas to nearest 1/100th acre; all zoning setbacks with typical dimensions; dimensions to all existing and proposed structures; wetlands boundaries; stream corridor boundaries; identify and provide

disposition of all existing on-site structures. _____

_____ 8. List of tax blocks and lots with owners within 200 feet of lot being subdivided as shown on certified list provided by Township. _____

_____ 9. List of names and addresses of owners, applicants, and professionals preparing plans. _____

_____ 10. Signed Owner certification. _____

_____ 11. Location and general species classification of all existing tree masses, on-site and within 200 feet of the site boundaries. _____

_____ 12. All existing and proposed rights-of-way, easements, and lands to be dedicated to the municipality or reserved for specific uses shall be shown and dimensioned with areas to the nearest 1/100th acre. One copy of all existing easements shall be provided at the time of submission of the application. _____

*Appl.
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_____ 13. Provisions for routing, collection and discharge of storm water drainage. A composite grading and drainage plan of the entire development shall accompany each submission. This plan shall identify all high and low points, breaks in grade and tentative elevation at the corners of house locations on each lot _____

_____ 14. All existing and proposed utility service lines and laterals on-site and along the frontage of the site. This shall include storm drainage, water mains, sanitary mains, sump pump connections, electric, gas, cable TV and phone service. _____

_____ 15. All on-site wetlands shall be field identified by a qualified expert in accordance with NJDEP standards, surveyed and located on the plan by the applicant's New Jersey Professional Land Surveyor. A wetlands report identifying all observations and findings of the wetlands expert shall accompany the minor subdivision application. When the lands remaining are 50 acres or larger and are not within 50 feet of any proposed improvements, the applicant may certify on the plan that no construction shall occur upon the remaining lands until all on-site wetlands are identified in lieu of a site specific methods evaluation on the lands remaining. _____

_____ 16. A traffic report shall be submitted for those applications on New Jersey State Highway Route 29 or New Jersey State Highway Route 31 which will create one or more new driveway openings or openings will generate with an increase of 10 percent or more traffic. This report shall include but not be limited to on-site generated peak-hour traffic volumes; adequacy of highway to support proposed traffic; adequacy of proposed sight distances; analysis of need for acceleration/deceleration lanes; analysis of need for addition roadway striping, signage or reflectorization; and a summary and conclusion for the analysis. This report shall be prepared by a qualified New Jersey Licensed Professional Engineer. _____

_____ 17. Metes and bounds descriptions of all right-of-way dedications; sight triangles; drainage detention and conservation easements; reservations; and common driveway

easements.

_____ 18. Stream corridor delineation with requisite buffers preserved by easements. _____

_____ 19. Compliance with each and every design standard of the Land Use and Development Ordinance. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Planning

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Use
Only*

_____ 1. A key map showing the tract in question; all tax lots and blocks within 500 zoning within 500 feet, municipal boundaries; existing or proposed "Master Plan" facilities within 500 feet; Airport Hazard Areas; streams and waterways with identifying names extrapolated from tax maps or USGS quadrangle maps; and public roadways within 500 feet. The key map shall be at a scale of not less than 1" = 1000 feet. _____

_____ 2. Zoning requirements shall be tabulated to show all bulk requirements of the zone where located and the bulk data proposed by the application. This tabulation shall also identify compliance or noncompliance for all existing structures. All lot areas shown shall be identified as gross areas and net areas in accordance with the Land Use Ordinance definitions. Density shall be shown as defined by the Land Use and Development Ordinance. _____

_____ 3. Identification of tax block, lot and sheet number of tracts being subdivided and total proposed number of lots including the lands remaining, and number of lots or units for lower income housing. _____

_____ 4. Identification of existing on-site physical features including soils, geology, stream and water courses, rock out-crops, steep slopes, stream corridors and flood hazard area. Where the site is predominantly underlain, occupied, or otherwise characterized by one specific feature, a notation may be provided in lieu of a graphical representation. Stream corridors and flood hazard areas must be graphically identified. All sources used for the purpose must be referenced by document title, author, date of publication, and section or page number on the plan submitted for consideration.

_____ 5. Stream corridor delineation with requisite buffers preserved by easement. _____

- _____ 6. Cultural features, historic sites and critical viewsheds as mapped by the Township.

- _____ 7. Compliance with each and every design standard of the Land Use and Development Ordinance. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

**TOWNSHIP OF HOPEWELL
PRELIMINARY MAJOR SUBDIVISION CHECKLIST**

Applicant's Name: _____

Address: _____

Owner's Name: _____

Address: _____

Development Name: _____

Hopewell Township Tax Block(s): _____, Lot(s): _____

Total Number of Proposed Lots (Including Lands Remaining): _____

Existing Use of Property, Principal Structure, and Accessory Structures: _____

General Project Description: _____

History of any previous Planning Board/Zoning Board actions relating to the Tax Lot:

Use Additional Sheets If Required

Signature and Name of
Person Preparing Checklist:

Signature _____

Name

Date Signed

TOWNSHIP USE ONLY

Application No.: _____ Date/Time Submitted _____

Received By: _____

Administrative

<i>Appl. Use Only</i>		<i>Copies Required ARC PB</i>	<i>Twp Use Only</i>
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_____ 1. Submitted within published "window for submission."

_____ 2. Completed Application Forms, including Corporate or Partnership Disclosure Affidavit. _16_
19

_____ 3. Payment of Required Fees.

_____ 4. Completed Escrow Agreement. _1_
0

_____ 5. Receipt of Taxes Paid for current tax quarter from Tax Collector. _1_
1

_____ 6.	Completed Consent to Entry Form	_____1	_____
	<u>1</u>		
_____ 7.	Completed Preliminary Major Subdivision Checklist.	_____10	_____17
_____ 8.	Completed "Design Waiver Request" form.	_____10	_____
	<u>17</u>		
_____ 9.	Certificate of Ownership.	_____15	_____
	<u>18</u>		
_____ 10.	Tree Survey Plan.	_____15	_____
	<u>18</u>		
_____ 11.	Site Plan(s) folded, collated, bound, signed, and sealed.	_____15	_____
	<u>18</u>		
_____ 12.	Traffic Analysis - collated, bound, signed, and sealed.	_____11	_____
	<u>16</u>		
_____ 13.	Environmental Impact Assessment accompanied by a completed Environmental Impact Assessment checklist.	_____11	_____
	<u>17</u>		
_____ 14.	Stormwater management calculations collated, bound, signed and sealed with common preparation and/or revision dates.	_____3	_____3
_____ 15.	Completed Fiscal Impact Data Sheet.	_____15	_____
	<u>18</u>		
_____ 16.	Well Water Supply Evaluation - collated, bound, signed and sealed.	_____4	_____
	<u>4</u>		
_____ 17.	Existing Septic System Certification - signed and sealed.	_____4	_____4
_____ 18.	Water Quality Test Reports by NJDEP certified laboratory for existing on-site wells and test wells.	_____4	_____
	<u>4</u>		
_____ 19.	Soil Test Reports collated, bound, signed and sealed.	_____4	_____
	<u>4</u>		
_____ 20.	Consistency with Wastewater Management Plan of the Township of Hopewell.	_____15	_____
	<u>18</u>		

<i>Appl.</i>	<i>Copies</i>	<i>Twp</i>
<i>Use</i>	<i>Required</i>	<i>Use</i>
<i>Only</i>	<i>ARC PB</i>	<i>Only</i>

_____ 21. Proof of submission of a request for a wetlands Letter of Interpretation to the New Jersey Department of Environmental Protection a minimum of 60 days prior to submitting this application. Proof shall include acknowledgment of receipt by an official of the New Jersey Department

of Environmental Protection.

15 18

_____ 22. Submission of a wetlands report and wetlands delineation. 5
_____ 3 _____

_____ 23. Letter from Utility companies providing electric, telephone, cable TV and other services that under-ground utilities easements identified on the subdivision plans are acceptable for size and location. 15 -
17

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Health

*Appl.
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Only*

- _____ 1. Location of all existing sewage disposal systems on-site and within 200 feet of the boundary of the entire tract. _____
- _____ 2. Certification by a New Jersey Licensed Professional Engineer regarding adequacy of any and all existing on-site sewage disposal systems pursuant to Chapters 16 and 17. Potential reserve areas for modification of existing systems shall be shown on the plan. Application will be declared incomplete should failing or unsatisfactory conditions be noted, certified, or found to exist. _____
- _____ 3. Submission of laboratory test report for all existing on-site wells or potable water supplies pursuant to Chapter 16 and 17. Application shall be declared incomplete should failing or unsatisfactory conditions be noted or found to exist (Bacteria, Nitrate, Volatile organics, and other items required by the Health Officer). _____
- _____ 4. Soils Tests shall be provided for primary and reserve septic areas pursuant to Chapters 16 and 17. Test results submitted which are invalid because of expiration dates or do not comply with all provisions of Chapters 16 and 17 shall render the application incomplete. _____
- _____ 5. The Location and results of all complete, incomplete, unacceptable and unwitnessed profile pits, permeability tests, basin floods and percolation tests. All results shall be shown on a separate plan(s) entitled "Sewage Disposal and Water Supply Plan." All

result locations shall be dimensioned to all proposed and existing lot lines, watercourses, easements, wetland limits, sewage disposal and water supply systems within 200 feet of the tests.

6. Submission of individual soil test reports by soil log or test number for each test location in numerical ascending order shall be provided. Each report shall be signed and sealed by a New Jersey Licensed Professional Expert and coordinated with each lot number shown on the plan submitted.

7. Submission of well water supply evaluation pursuant to Chapter 16.

8. The location of all on-site, off-site, and off tract test wells, monitor wells, and existing wells within 500 feet of the test wells are to be shown pursuant to Chapter 16.

*Appl.
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9. Written documentation signed by the homeowners, or affidavits executed by the applicant proving permission. All wells within 500 feet of the test well shall be monitored in the event monitoring is not permitted, the denial by the homeowner shall be submitted. In the event of a denial or no response, an affidavit by the applicant detailing efforts made to obtain permission and/or the reasons for denial shall also accompany the application.

10. Proof of submission of Treatment Works or NJPDES permit applications for any wastewater disposal method or system not in compliance with NJAC 7:9A., any system proposing to discharge more than 2,000 gallons per day, or any proposed connection to a public sewer system requiring a Treatment Works permit application.

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Engineering

*Appl.
Use
Only*

*Twp
Use
Only*

- _____ 1. Designed, drawn, signed and sealed by N.J.P.E., L.S. or A.I.A. as appropriate. _____
- _____ 2. Blue or Blackline reproduction on standard sized sheets 30" x 42,"
24" x 36," 15" x 21," 8 1/2" x 13." _____
- _____ 3. Acceptable title block containing minimum data as prescribed by N.J.S.A. 13:40-1.

- _____ 4. All scales shall be written and graphically identified. Minimum scales for plan
preparation shall be as follows:
 - _____ a. Key Maps: 1" = 1000' _____
 - _____ b. Boundary and Topographic Survey: 1" = 100' _____
 - _____ c. Environmental Inventory Maps: 1" = 200' _____
 - _____ d. Grading and Drainage Plans: 1" = 50' _____
 - _____ e. Site Plans: 1" = 50' _____
 - _____ f. Plans and Profiles: 1" = 50' - Horizontal; 1" = 5' - Vertical Horizontal to Vertical
Ratio of scales being no more than 10. _____
 - _____ g. Sewage Disposal and Water Supply Plan: 1" = 50' _____
 - _____ h. Landscaping: 1" = 50' for street tree planting islands. Individual unit, island, or other
detailed landscaping being provided at a minimum of 1" = 30'. _____
- _____ 5. A north arrow with reference meridian. _____
- _____ 6. A legend identifying symbols and drafting techniques used. _____
- _____ 7. A border shall be placed on all plans. This border shall be 1/2" for the bottom, right side
and top of each plan with a 1 1/2" border on the left side. _____
- _____ 8. A boundary and topographic survey of the total tract signed and sealed by the preparing
N.J. Professional Land Surveyor in accordance with N.J.S.A. 13:40. Topography shall
be 5 foot intervals for slopes of 10% or greater, 2 foot intervals for slopes between 3%
and 10% and 1 foot intervals for slopes up to and including 3%. Topography within 200
feet from the subdivision boundary shall be shown. All topography

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shall be based on NGVD 1988 datum. Benchmarks shall be established within 500 feet of
the subdivision boundary and shown, together with appropriate references.

- _____ 9. Subdivision plan showing existing topography; all existing and proposed lot lines, lot
dimensions, gross and net lot areas; locations of on-site structures with dimensions to
proposed lots (if remaining after subdivision); wetland boundaries and areas; stream
corridor boundaries and areas; flood hazard boundaries and areas; all easement
boundaries and areas; all proposed streets showing name; right-of-way width and
cartway widths; common driveway locations; proposed widened roadway widths along
frontage of lot; sight triangle easements and boundaries; and a tabulation of zoning

requirements showing zone(s) in which lot is located, bulk requirements of zone(s), bulk requirements proposed by application (including conditional or accessing use requirements) and density. All dimensions shown shall be to nearest one foot and all areas shall be shown to nearest 1/10th acre where easement, flood hazard, stream corridor, or wetland areas overlap, only the most encumbering area is required to be shown.

10. All existing and proposed utility service lines and laterals on-site and along the frontage of the site. This shall include storm drainage, water mains, sanitary mains, sump pump connections, and underground electric and phone service.

11. Drainage and grading plan duplicating all data shown on the site plan (dimensions not required to determine slopes should not be shown). Existing and proposed contours with intervals of one foot where slopes are less than two percent; with intervals of two feet where slopes are between two percent and ten percent; and with intervals of five feet where slopes exceed ten percent; spot elevations at bottom of curb for every point of curvature or tangency, breaks in grade, and handicapped ramps; elevations of drainage inlet grates and manhole rims; storm and sanitary sewer pipe invert elevations; elevations at corners of proposed structures; finished first floor elevations; and elevations at loading ramps. Contours must be based on NGVD 1988 elevations and benchmarks must be shown. Where drainage swales are proposed, the elevation, percent longitudinal slope and typical cross section of the swales shall be shown.

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Proposed grading should be designed to provide a balanced cut and fill condition as much as practical.

12. Storm drainage profiles for all diversion swales, waterways, storm sewer pipe and any other conduit shall be provided. These profiles may be shown on a separate sheet entitled "Drainage Profiles," the detention basin plan or construction detail plans. Existing elevations shall be shown at 100-foot intervals. Proposed elevations for appurtenances shall be shown at 100-foot intervals, concrete structure elevations shall be shown at 50-foot intervals; invert elevations; elevations at grade changes. Proposed slopes shall be written.

13. A Stormwater Management Plan detailing all existing and proposed grades and contours, outlet structure details, conduit outlet protection details, all inverts of low flow channel with proposed longitudinal slope(s), typical cross section trash rack details, emergency spillway cross sections and profiles to point of discharge, construction details and designations of ultimate ownership of the basin.

14. Hydraulic calculations for storm water management showing, at minimum, no increase in runoff from the predevelopment conditions for the water quality 2, 10, and 100 year storm frequency as determined by "Urban Hydrology for Small Watersheds TR-55" Type III rainfall using the following criteria.

a. Pre-development conditions shall be considered as "good."

- _____ b. Post development conditions shall be considered as "poor" with maximum impervious coverage permitted by ordinance being used in developing post development curve numbers. _____
- _____ c. Calculations shall include a separate drainage area map for both pre and post development conditions with soil types, soil uses and flow patterns, time of concentration flow paths and flow lengths and slopes are identified. A separate drainage area map for inlets shall also be provided. _____
- _____ d. Routing of pre and post development flows through each basin using the mass storage equation and "Urban Hydrology for Small Watersheds TR-55." _____

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- _____ e. Emergency spillways shall be provided. The cross sections shall be designed to pass the 100-year post development inflow plus 50%. The invert shall be set at the crest of the 100-year storage elevation in the basin. _____
- _____ f. All detention basins shall be designed to serve as a sediment basin during and after construction in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey References. _____
- _____ g. Computations showing Compliance with the Regulations of the D & R Canal Commission and Mercer County Planning Board. _____
- _____ 15. Hydraulic calculations for storm water runoff collection systems shall be submitted. Calculations may use the rational method or Soil Conservation Service method pursuant to the Land Use and Development Ordinance. _____
- _____ 16. Plan and centerline profile for all proposed roadways showing existing elevations at 50 foot intervals; proposed elevations at 50 foot intervals and at all horizontal and vertical points of curvature, intersection and tangency; roadway stations at 100 foot intervals and all horizontal and vertical points of curvature, intersection and tangency; written vertical slopes, horizontal curve design radii lengths, and central angles, vertical curve lengths; storm and sanitary sewer piping, stormwater inlet locations, inverts, slopes horizontal offset dimensions, grate of rim elevations; curb lines and locations proposed contours; water mains and valves. _____
- _____ 17. Plans and centerline profiles shall be provided for widening of all existing roadways detailing of pavement grades, milling areas, drainage construction, and proposed curb locations. _____
- _____ 18. Half cross sections, 50 feet on center, shall be provided for all roadways to be widened. Each section shall include the location and NGVD 1988 elevation of all existing and proposed physical centerline; right-of-way centerline; edge of payments, right-of-way lines, sidewalk centerlines, sidewalk widths. In addition, the existing and proposed contours 25 feet from the proposed contours 25 feet from the proposed right-of-way line shall be shown. _____
- _____ 19. Typical construction details shall be provided on drawings designated as "Construction Details." Details to be shown shall include: typical roadway cross section; storm sewer

inlets and manholes (each type

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proposed); storm sewer headwalls, storm sewer trench; storm sewer flared-end section; underdrain; storm sewer step; curb; curb end treatment, depressed curb; sidewalk, handicapped ramp; street signs; warning and regulatory signs; mailbox, sump pump/underdrain to storm sewer connection; any "poured in place" concrete details and reinforcing schedules; and all retaining wall details. The typical details shown in the site improvement standards are preferred.

_____ 20. All on-site wetlands shall be field identified by a qualified expert in accordance with NJDEP standards, and surveyed, and located on the plan by the applicant's New Jersey Professional Land Surveyor. A wetlands report identifying all observations and findings of the wetlands expert shall accompany the site plan application. If the lands remaining are 50 acres or larger, and not to be built upon, wetlands will only be required to be identified within 150 feet of the proposed lots or any other on-site or off tract improvements. The applicant shall certify in writing that no construction shall occur upon the remaining lands until all on-site wetlands are identified.

_____ 21. A traffic report and analysis including but not limited to existing and background peak hour traffic volumes and distribution patterns; peak hour on-site generated traffic volumes and distribution patterns; existing and proposed traffic composition; analysis of adequacy of proposed on-site circulation patterns including proposed on-site circulation patterns including adequacy of truck and automobile turning radii; analysis of need for number of loading bays; existing and proposed levels of service and volume/capacity ratios; adequacy of proposed sight distances; analysis of need for acceleration/deceleration lanes; analysis of need for roadway striping, signage or reflectorization; need for signalization and a summary recommendation and conclusions for the analysis. The study area shall include the site as proposed by this application; the site as proposed by a master development plan; the existing and proposed roadway frontages of the site, and the nearest intersection of public roadways as measured away from the site in opposite directions. The roadways approaching the site shall be general reviewed for adequacy to support site generated traffic. This report shall be prepared by a New Jersey licensed Professional Engineer qualified to make the analysis as required herein.

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_____ 22. Compliance with each and every design standard of the Land Use and Development Ordinance.

_____ 23. Compliance with approved General Development Plan.

_____ 24. Intermittent and perennial streams, lakes and waterways with drainage areas 50 acres or larger and the 100-year flood hazard line of each.

_____ 25. Stream corridor delineation with requisite buffers preserved by easement.

tabulation shall also identify compliance or noncompliance for all existing structures. All lot areas shown shall be identified as gross and net areas in accordance with ordinance definitions. Density shall be shown as defined by the Land Use and Development Ordinance.

- _____ 3. Compliance with each and every design standard of the Land Use and Development Ordinance.
- _____ 4. Compliance with approved General Development Plan.
- _____ 5. Stream corridor delineation with requisite buffers preserved by easement.
- _____ 6. Compliance with Historic Preservation Commission criteria for on-site structures or features and any historic sites or features within 200 feet of site boundary.
- _____ 7. Cultural features, historic sites and critical viewsheds as mapped by the Township.
- _____ 8. Identification and Location of Affordable Housing Units.

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Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Landscaping and Lighting

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- _____ 1. Aerial extent of tree cover for each woodland stand 10,000 sq. ft. or greater in area with a brief description of the typical tree species found within the stand, the average size of the trees measured 4-1/2' above grade, the average height of the woodland stand, and the general health of the woodland stand. This information may be combined with other environmental information and shown on the Environmental Resource Inventory Summary Map as part of the Environmental Assessment, instead. If this is done, provide a note referring to the Environmental Resource Inventory Summary Map on the Landscape and Lighting Plan.
- _____ 2. The surveyed location of each individual tree 6" or > measured 4-1/2' above grade located inside the limit of disturbance and extending 25' outside the limit of disturbance. A tree preservation chart showing the species and health of each individual tree located inside the limit of disturbance and extending 25' outside the limit of disturbance, and whether each tree is proposed to remain, to be removed, or to be transplanted.
- _____ 3. Proposed trees, shrubs, groundcovers, and vegetative plants with key, detailing the following information:

- _____ a. Proposed plant names, both common and scientific. _____
- _____ b. Proposed plant sizes in caliper, height, and/or width at the time of installation.

- _____ c. Type of nursery stock, (i.e. balled and burlapped or container) and size planting.

- _____ d. Proposed plant spacing and any other comments relating to installation. _____
- _____ e. Planting notes, including a specification that the plants shall conform to the American Standard for Nursery Stock, latest revision. _____
- _____ f. Delineation showing which areas are to be irrigated. _____
- _____ 4. Landscape maintenance specifications _____
- _____ 5. Planting details conforming with current horticultural practices. _____
- _____ 6. Pedestrian and bicycle circulation systems, including width proposed and materials.

- _____ 7. Outdoor pedestrian spaces with landscape architectural elements detailed. _____
- _____ 8. Construction details for pedestrian and bicycle circulation systems, outdoor spaces, and site furnishings. _____

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Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

**TOWNSHIP OF HOPEWELL
FINAL MAJOR SUBDIVISION CHECKLIST**

Applicant's Name: _____

Address: _____

Owner's Name: _____

Address: _____

Development Name: _____

Hopewell Township Tax Block(s): _____, Lot(s): _____

Total Number of Proposed Lots (Including Lands Remaining): _____

Existing Use of Property, Principal Structure, and Accessory Structures: _____

General Project Description: _____

History of any previous Planning Board/Zoning Board actions relating to the Tax Lot:

Use Additional Sheets If Required

Signature and Name of
Person Preparing Checklist:

Signature

Name

Date Signed

TOWNSHIP USE ONLY

Application No.: _____ Date/Time Submitted _____

Received By: _____

Administrative

<i>Appl. Use Only</i>		<i>Copies Required</i>	<i>Twp Use Only</i>
		<i>ARC</i>	<i>PB</i>
_____	1. Submitted within published "window for submission."		
_____	2. Completed Application Forms, including Corporate or Partnership Disclosure Affidavit.	<u>16</u>	-
	<u>19</u>		
_____	3. Payment of Required Fees.		
_____	4. Completed Escrow Agreement.	<u>1</u>	-
	<u>0</u>		
_____	5. Receipt of Taxes Paid for current tax quarter from Tax Collector	<u>1</u>	-
	_____	<u>1</u>	-
_____	6. Completed Consent to Entry Form	<u>1</u>	-
	<u>1</u>		
_____	7. Completed Final Major Subdivision Checklist	<u>10</u>	-
	<u>17</u>		
_____	8. Completed "Design Waiver Request" form.	<u>10</u>	-
	<u>17</u>		
_____	9. Certificate of Ownership.	<u>15</u>	-
	<u>18</u>		

- _____ 10. Final Major Subdivision Plan(s) folded, collated, bound, signed, and sealed with a common date of issue and revision. 15 -
18
- _____ 11. Signed copy of Preliminary plans with copy of Resolution of Approval. 15 -
17 _____
- _____ 12. Certification that all conditions of preliminary major subdivision approval have been satisfied and that Preliminary Major Subdivision plans have been signed by and are on file with the Hopewell Township Planning Board. For any project seeking relief from this item, an itemized description detailing any and all outstanding items and the status of each. 15 -
17
- _____ 13. Letter from Postmaster of Post Office serving proposed subdivision that street names are acceptable. 15 -
17
- _____ 14. Letter from Utility companies providing electric, telephone, cable TV and other services that underground utilities easements identified on the subdivision plans are acceptable for size and location. 15 17

<i>Appl.</i>	<i>Copies</i>	<i>Twp</i>
<i>Use</i>	<i>Required</i>	<i>Use</i>
<i>Only</i>	<i>ARC PB</i>	<i>Only</i>

- _____ 15. Proposed text of all deed restrictions, restrictions to be included in all contracts of sale and any other form of restriction imposed as part of the subdivision approval or to be imposed by the Developer. 15 -
17

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Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Health

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<i>Use</i>	<i>Use</i>

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- _____ 1. Compliance with any and all conditions of preliminary major subdivision approval and the preliminary major subdivision checklist. _____
- _____ 2. Final septic system design criteria and grading shown on "Sewage Disposal and Water Supply Plan." _____
- _____ 3. Proof of submission of Treatment Works or NJPDES permit applications for any wastewater disposal method or system not in compliance with NJAC 7:9A., any system proposing to discharge more than 2,000 gallons per day, or any proposed connection to a public sewer system requiring a Treatment Works permit application.

- _____ 4. Provision for temporary water and sewer to sales offices and construction offices.

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Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Engineering

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- _____ 1. Compliance with any and all conditions of preliminary major subdivision approval and the preliminary major subdivision checklist. All documents submitted for preliminary major subdivision approval shall be appropriately revised, retitled, dated, and submitted for final major subdivision approval. All documents submitted shall bear the same date. _____
- _____ 2. An estimate of all construction quantities for all on-site improvements which shall be dedicated to the public or planned to be monitored by a Homeowners Association. This estimate shall include all construction quantities for all site improvements shown on the approved preliminary plan and shall be signed, sealed and dated by a New Jersey Licensed Professional Engineer. _____
- _____ 3. An estimate of all construction quantities for all off-site or off-tract improvements required to be constructed as part of the approved preliminary major subdivision plan. This estimate shall be based on the off-tract improvement plans and shall be signed,

sealed, and dated by the prepared New Jersey Licensed Professional Engineer.

4. Metes and bounds descriptions for right-of-way dedications, sight triangle easement; drainage; detention; or conservation easements; common driveway easements; cul-de-sac easements and all other easements or rights-of-way which shall be dedicated to the public or planned to be maintained by a Homeowners Association. Descriptions may be by reference to Final Plat.

5. Detailed project phasing plan includes proposed construction sequence, routes to and from site construction methods, hours of operation, construction traffic control plans, temporary construction traffic office locations, and any other construction-related plans.

6. A final plat of major subdivision complying with the "Map Filing Law" of the State of New Jersey.

7. A Developer's Agreement approved and executed by the Hopewell Township Committee.

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8. Detailed site plan showing location of proposed construction trailers and sales facilities; design of parking, access, grading drainage, soil erosion and sediment control landscaping and temporary lighting at a scale of not smaller than 1" = 50' each facility location.

9. All project identification sign sizes, mounting details, lighting, and lettering type and sizes.

10. Block and Lot numbers approved by Tax Assessor.

11. Copies of all Federal, State, County and local permits obtained as part of preliminary approval.

12. Provide site lighting plan when roadway illumination requirements of subsection 17-90.3b. are applicable.

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Application Reviewed By: _____ Date _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Planning

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- _____ 1. Compliance with any and all conditions of preliminary major subdivision approval and the preliminary major subdivision checklist. All documents submitted for preliminary major subdivision approval shall be appropriately revised, retitled, dated, and submitted for final major subdivision approval. All documents submitted shall bear the same date. _____
- _____ 2. Detailed project phasing plan includes proposed construction sequence, routes to and from site construction methods, hours of operation, construction traffic control plans, temporary construction traffic office locations, and any other construction-related plans. _____
- _____ 3. A Developer's Agreement approved and executed by the Hopewell Township Committee. _____
- _____ 4. All project identification sign sizes, mounting details, lighting, and lettering type and sizes. _____
- _____ 5. Block and Lot numbers approved by Tax Assessor. _____
- _____ 6. Copies of all Federal, State, County and local permits obtained as part of preliminary approval. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ Date _____

Recommendation: _____

complete/incomplete

Items Not Provided: _____

**TOWNSHIP OF HOPEWELL
PRELIMINARY SITE PLAN CHECKLIST**

Applicant's Name: _____

Address: _____

Owner's Name: _____

Address: _____

Development Name: _____

Hopewell Township Tax Block(s): _____, Lot(s): _____

Total Floor Area Existing: _____

Proposed: _____

Existing Use of Property, Principal Structure, and Accessory Structures: _____

General Project Description: _____

History of any previous Planning Board/Zoning Board actions relating to the Tax Lot:

Use Additional Sheets If Required

Signature and Name of
Person Preparing Checklist:

Signature

Name

Date Signed

TOWNSHIP USE ONLY

Application No.: _____ Date/Time Submitted _____

Received By: _____

Administrative

<i>Appl. Use Only</i>		<i>Copies Required ARC PB</i>	<i>Twp Use Only</i>
_____	1. Submitted within published "window for submission."		
_____	2. Completed Application Forms, including Corporate or Partnership Disclosure Affidavit.	_16_	
	<u>18</u>		
_____	3. Payment of Required Fees.		
_____	4. Completed Escrow Agreement.	_1_	
	<u>0</u>		
_____	5. Receipt of Taxes Paid for current tax quarter from tax Collector.	_1_	
	_____	1	
_____	6. Completed Consent to Entry Form.	_1_	
	<u>1</u>		
_____	7. Completed Preliminary Site Plan Checklist.	_10_	
	<u>17</u>		
_____	8. Completed "Design Waiver Request" form.	_10_	
	<u>17</u>		
_____	9. Certificate of Ownership.	_15_	
	<u>18</u>		
_____	10. Tree Survey Plan.	_15_	

18

- _____ 11. Site Plan(s) folded, collated, bound, signed, and sealed. 15 -
18
- _____ 12. Traffic Analysis - collated, bound, signed, and sealed. 11 -
16
- _____ 13. Environmental Impact Assessment accompanied by a completed
Environmental Impact Assessment checklist. 11 -
17
- _____ 14. Storm water management calculations collated, bound, signed and sealed
with common preparation and/or revision dates. 3 3
- _____ 15. Completed Fiscal Impact Data Sheet. 15 -
18
- _____ 16. Well Water Supply Evaluation - collated, bound, signed and sealed.
_____ 4 _____
4 _____
- _____ 17. Existing Septic System Certification - signed and sealed. 4 4
- _____ 18. Water Quality Test Reports by NJDEP certified laboratory for existing
on-site wells and test wells. 4 -
4
- _____ 19. Soil Test Reports collated, bound, signed and sealed. 4 -
4
- _____ 20. Consistency with Wastewater Management Plan of the Township of
Hopewell. 15 -
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- _____ 21. Proof of submission of a request for a wetlands Letter of Interpretation to
the New Jersey Department of Environmental Protection a minimum of
60 days prior to submitting this application. Proof shall include
acknowledgment of receipt by an official of the New Jersey Department
of Environmental Protection. 15 -
17
- _____ 22. Submission of a wetlands report and wetlands delineation. 5
_____ 3 _____
- _____ 23. Letter from Utility companies providing electric, telephone, cable TV
and other services that underground utilities easements identified on the
subdivision plans are acceptable for size and location. 15 17

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Application Reviewed By: _____ Date _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Health

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- _____ 1. Location of all existing sewage disposal systems on-site and within 200 feet of the boundary of the entire tract. _____
- _____ 2. Certification by a New Jersey Licensed Professional Engineer regarding adequacy of any and all existing on-site sewage disposal systems pursuant to Chapter 16 and 17. Potential reserve areas for modification of existing systems shall be shown on the plan. Application will be declared incomplete should failing or unsatisfactory conditions be noted, certified, or found to exist. _____
- _____ 3. Submission of laboratory test report for all existing on-site wells or potable water supplies pursuant to Chapter 16 and 17. Application shall be declared incomplete should failing or unsatisfactory conditions be noted or found to exist (Bacteria, Nitrate, Volatile organics, and other items required by the Health Officer). _____
- _____ 4. Soils Tests shall be provided for primary and reserve septic areas pursuant to Chapters 16 and 17. Test results submitted which are invalid because of expiration dates or do not comply with all provisions of Chapters 16 and 17 shall render the application incomplete. _____
- _____ 5. The Location and results of all complete, incomplete, unacceptable and unwitnessed profile pits, permeability tests, basin floods and percolation tests. All results shall be shown on a separate plan(s) entitled "Sewage Disposal and Water Supply Plan." All result locations shall be dimensioned to all proposed and existing lot lines, watercourses, easements, wetland limits, sewage disposal and water supply systems within 200 feet of the tests. _____
- _____ 6. Submission of individual soil test reports by soil log or test number for each test location in numerical ascending order shall be provided. Each report shall be signed and sealed by a New Jersey Licensed Professional Engineer and coordinated with each lot number shown on the plan submitted. _____
- _____ 7. Submission of well water supply evaluation pursuant to Chapter 16. _____

_____ 8. The location of all on-site, off-site, and off tract test wells, monitor wells, and existing wells within 500 feet of the test wells are to be shown pursuant to Chapter 16.

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_____ 9. Written documentation signed by the homeowners, or affidavits executed by the applicant proving permission. All wells within 500 feet of the test well shall be monitored. In the event monitoring is not permitted, the denial by the homeowner shall be submitted. In the event of a denial or no response, an affidavit by the applicant detailing efforts made to obtain permission and/or the reasons for denial shall also accompany the application.

_____ 10. Proof of submission of Treatment Works or NJPDES permit applications for any wastewater disposal method or system not in compliance with NJAC 7:9A., any system proposing to discharge more than 2,000 gallons per day, or any proposed connection to a public sewer system requiring a Treatment Works permit application.

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Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Engineering

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_____ 1. Designed, drawn, signed and sealed by A.I.A., C.L.A., N.J.P.E., N.J.P.L.S. or N.J.P.P. as appropriate.

_____ 2. Blue or Blackline reproduction on standard sized sheets 30" x 42," 24" x 36", 15" x 21," 8 1/2" x 13."

_____ 3. Acceptable title block containing minimum data as prescribed by N.J.S.A. 13:40-1.

- _____ 4. All scales shall be written and graphically identified. Minimum scales for plan preparation shall be as follows:
 - _____ a. Key Maps: 1" - 1000'
 - _____ b. Boundary and Topographic Survey: 1" = 100'
 - _____ c. Environmental Inventory Maps: 1" = 200'
 - _____ d. Grading and Drainage Plans: 1" = 50'
 - _____ e. Site Plans: 1" = 50'
 - _____ f. Plans and Profiles: 1" = 50' - Horizontal; 1" = 5' Vertical
Horizontal to Vertical Ratio of scales being no more than 10.
 - _____ g. Sewage Disposal and Water Supply Plan: 1" = 50'
 - _____ h. Landscaping: 1" = 50' for street tree planting islands. Individual unit, island, or other detailed landscaping being provided at a minimum of 1" = 30.'
- _____ 5. A north arrow with reference meridian.
- _____ 6. A legend identifying symbols and drafting techniques used.
- _____ 7. A border shall be placed on all plans. This border shall be 1/2" for the bottom, right side and top of each plan with a 1 1/2" border on the left side.
- _____ 8. A boundary and topographic survey of the total tract signed and sealed by the preparing N.J. Professional Land Surveyor in accordance with N.J.S.A. 13:40. Topography shall be 5 foot intervals for slopes of 10% or greater, 2 foot intervals for slopes between 3% and 10% and 1 foot intervals for slopes up to and including 3%. Topography within 200 feet from the subdivision boundary shall be shown. All

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topography shall be based on NGVD 1988 datum. Benchmarks shall be established within 500 feet of the subdivision boundary and shown, together with appropriate references.

- _____ 9. All existing and proposed utility service lines and laterals on site and along the frontage of the site. This shall include storm drainage, water mains, sanitary mains, sump pump connections, and underground electric and phone service.
- _____ 10. Site Plan showing the proposed use and site improvements including but not limited to: existing topography; location of all proposed structures with dimensions to boundaries; location of all existing structures to remain or to be removed; proposed access aisles with curb-to-curb dimensions for width; curb radii dimensions; automobile parking stalls with dimensions for width and depth; truck loading and parking aisle and stalls with dimensions for stall length and width; type of truck to use loading area; typical truck radii detail; loading dock locations; all sidewalk locations and dimensions; provisions for handicapped; location of benchmark; flood hazard areas; wetlands boundaries; stream corridor areas; easement areas; traffic warning and regulatory signs; and trees to be removed/remain.

_____ 11. Drainage and grading plan duplicating all data shown on the site plan (dimensions not required to determine slopes should not be shown). Existing and proposed contours with intervals of one foot where slopes are less than two percent; with intervals of two feet where slopes are between two percent and ten percent; and with intervals of five feet where slopes exceed ten percent; spot elevations at bottom of curb for every point of curvature or tangency; breaks in grade, and handicapped ramps; elevations of drainage inlet grates and manhole rims; storm and sanitary sewer pipe invert elevations; elevations at corners of proposed structures; finished first floor elevations; and elevations at loading ramps. Contours must be based on NGVD 1988 elevations and benchmarks must be shown. Where drainage swales are proposed, the elevation, percent longitudinal slope and typical cross section of the swales shall be shown.

Proposed grading shall be designed to provide a balanced cut and fill condition as much as practical.

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_____ 12. Storm drainage profiles for all diversion swales, waterways, storm sewer pipe and any other conduit shall be provided. These profiles may be shown on a separate sheet entitled "Drainage Profiles", the detention basin plan or construction detail plans. Existing elevations shall be shown at 100-foot intervals. Proposed elevations for appurtenances shall be shown at 100-foot intervals, concrete structure elevations shall be shown at 50-foot intervals; invert elevations; elevations at grade changes. Proposed slopes shall be written.

_____ 13. A Stormwater Management Plan detailing all existing and proposed grades and contours, outlet structure details, conduit outlet protection details, all inverts of low flow channel with proposed longitudinal slope(s), typical cross section trash rack details, emergency spillway cross sections and profiles to point of discharge, construction details and designations of ultimate ownership of the basin.

_____ 14. Hydraulic calculations for stormwater detention showing no increase in runoff from the pre-development conditions for the water quality 2, 10 and 100 year storm frequency as determined by "Urban Hydrology for Small Watersheds TR-55" Type III rainfall using the following criteria.

- _____ a. Pre-development conditions shall be considered as "good."
- _____ b. Post development conditions shall be considered as "poor" with maximum impervious coverages permitted by ordinance being used in developing post development curve numbers.
- _____ c. Calculations shall include a separate drainage area map for both pre- and post-development conditions with soils types, soil uses and flow patterns, time of concentration flow paths and flow lengths and slopes being identified. A separate drainage area map for inlets shall also be provided.
- _____ d. Routing of pre- and post-development flows through each basin using the mass storage equation and "Urban Hydrology for Small Watersheds TR-55."

_____ e. Emergency spillways shall be provided. The cross sections shall be designed to pass the 100-year post development inflow plus 50%. The invert shall be set at the crest of the 100-year storage elevation in the basin. _____

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_____ f. All detention basins shall be designed to serve as a sediment basin during and after construction in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey References. _____

_____ g. Computations showing Compliance with the Regulations of the D & R Canal Commission and the Mercer County Planning Board. _____

_____ 15. Hydraulic calculations for stormwater runoff collection systems shall be submitted. Calculations may use the rational method or Soil Conservation Service method pursuant to the Land Use and Development Ordinance. _____

_____ 16. Typical construction details shall be provided on drawings designated as "Construction Details." Details to be shown shall include: typical roadway cross section; storm sewer inlets and manholes (each type proposed); storm sewer headwalls, storm sewer trench; storm sewer flared-end section; underdrain; storm sewer step; curb; curb end treatment, depressed curb; sidewalk, handicapped ramp; street signs; warning and regulatory signs; mailbox, sump pump/underdrain to storm sewer connection; any "poured in place" concrete details and reinforcing schedules; and all retaining wall details. The typical details shown in the site improvement standards are preferred. _____

_____ 17. All on-site wetlands shall be field identified by a qualified expert in accordance with NJDEP standards, and surveyed, and located on the plan by the applicant's New Jersey Professional Land Surveyor. A wetlands report identifying all observations and findings of the wetlands expert shall accompany the site plan application. If the lands remaining are 50 acres or larger, and not to be built upon, wetlands will only be required to be identified within 150 feet of the proposed lots or any other on-site or off tract improvements. The applicant shall certify in writing that no construction shall occur upon the remaining lands until all on-site wetlands are identified.

_____ 18. Half cross sections, 50 feet on center, shall be provided for all roadways to be widened. Each section shall include the location and NGVD 1988 elevation of all existing and proposed physical centerline; right-of-way centerline; edge of pavements, right-of-way lines, sidewalk centerlines, sidewalk widths. In addition, the existing and proposed contours 25 feet from the proposed right-of-way line shall be shown.

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_____ 19. A traffic report and analysis including but not limited to existing and background peak hour traffic volumes and distribution patterns; peak hour onsite generated traffic volumes and distribution patterns; existing and proposed traffic composition; analysis of

adequacy of proposed on-site circulation patterns including adequacy of truck and automobile turning radii; analysis of need for number of loading bays; existing and proposed levels of service and volume/capacity ratios; adequacy of proposed sight distances; analysis of need for acceleration/deceleration lanes; analysis of need for roadway striping, signage or reflectorization; need for signalization and a summary recommendation and conclusions for the analysis. The study area shall include the site as proposed by this application; the site as proposed by a master development plan; the existing and proposed roadway frontages of the site, and the nearest intersection of public roadways as measured away from the site in opposite directions. The roadways approaching the site shall be generally reviewed for adequacy to support site generated traffic. This report shall be prepared by a New Jersey licensed Professional Engineer qualified to make the analysis as required herein.

- _____ 20. Compliance with each and every design standard of the Land Use and Development Ordinance. _____
- _____ 21. Compliance with approved General Development Plan. _____
- _____ 22. Intermittent and perennial streams, lakes, and waterways with drainage areas 50 acres or larger and the 100-year flood hazard line of each. _____
- _____ 23. Stream corridor delineation with requisite buffers preserved by easement. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Planning

*Appl.
Use
Only*

*Twp
Use
Only*

- _____ 1. A key map sheet showing the tract in question: north arrow; zoning district limits; tax lot numbers, tax block numbers, tax sheet numbers; owners names as identified on certified list provided by Township for track in question and all lots within 200 feet of total tract; Municipal Boundaries; Existing or proposed "Master Plan" features or facilities on the site or within 500 feet of total tract; Airport Hazard Areas; signature and seal of licensed professional; names and address of owner applicant and professional preparing the map; owners certification; zoning data for each zone with all proposed data and deficiencies listed, and index of sheets (where applicable). All measurements specified herein shall be measured radially from the boundary and shall include all lots, zones, etc. on opposite sides of roads and within other municipalities. _____

_____ 2. Site Plan showing the proposed use and site improvements including but not limited to: existing topography; location of all proposed structures with dimensions to boundaries; location of all existing structures to remain or to be removed; proposed access aisles with curb-to-curb dimensions for width; curb radii dimensions; automobile parking stalls with dimensions for width and depth; truck loading and parking aisle and stalls with dimensions for stall length and width; type of truck to use loading area; typical truck radii detail; loading dock locations; all sidewalk locations and dimensions; provisions for handicapped; location of bench mark; flood hazard areas; wetlands boundaries; stream corridor areas; easement areas; traffic warning and regulatory signs; and trees to be removed/remain. _____

_____ 3. Zoning requirements shall be tabulated to show all bulk requirements of the zone or zones in which the site plan is located and the bulk data proposed by the application. This tabulation shall also identify compliance or noncompliance for all existing structures. All lot areas shown shall be identified as gross and net areas in accordance with ordinance definitions. Density shall be shown as defined by the Land Use and Development Ordinance. _____

_____ 4. Architectural floor plans for each floor and for each elevation. These plans shall be signed and sealed by a New Jersey Licensed Architect. _____

*Appl.
Use
Only*

*Twp
Use
Only*

_____ 5. Compliance with each and every design standard of the Land Use and Development Ordinance. _____

_____ 6. Compliance with approved General Development Plan. _____

_____ 7. Compliance with Historic Preservation Commission criteria for onsite structures or foundations and any sites or features within 200 feet of site boundary. _____

_____ 8. Identification and Location of Affordable Housing Units. _____

_____ 9. Stream corridor delineation with requisite buffers preserved by easement. _____

_____ 10. Cultural features, historic sites, and critical view sheds, as mapped by the Township.

TOWNSHIP USE ONLY

Application Reviewed By: _____ Date _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Landscaping and Lighting

Appl.
Use
Only

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Use
Only

- _____ 1. Aerial extent of tree cover for each woodland stand 10,000 sq. ft. or greater in area with a brief description of the typical tree species found within the stand, the average size of the trees measured 4-1/2' above grade, the average height of the woodland stand, and the general health of the woodland stand. This information may be combined with other environmental information and shown on the Environmental Resource Inventory Summary Map as part of the Environmental Assessment, instead. If this is done, provide a note referring to the Environmental Resource Inventory Summary Map on the Landscape and Lighting Plan. _____
- _____ 2. The surveyed location of each individual tree 6" or > measured 4-1/2' above grade located inside the limit of disturbance and extending 25' outside the limit of disturbance. A tree preservation chart showing the species and health of each individual tree located inside the limit of disturbance and extending 25' outside the limit of disturbance, and whether each tree is proposed to remain, to be removed, or to be transplanted.
- _____ 3. Proposed trees, shrubs, groundcovers, and vegetative plants with key, detailing the following information: _____
 - _____ a. Proposed plant names, both common and scientific. _____
 - _____ b. Proposed plant sizes in caliper, height, and/or width at the time of installation. _____
 - _____ c. Type of nursery stock, (i.e. balled and burlapped or container) and size planting. _____
 - _____ d. Proposed plant spacing and any other comments relating to installation. _____
 - _____ e. Planting notes, including a specification that the plants shall conform to the American Standard for Nursery Stock, latest revision. _____
 - _____ f. Delineation showing which areas are to be irrigated. _____

- _____ 4. Landscape maintenance specifications. _____
- _____ 5. Planting details conforming with current horticultural practices. _____

*Appl.
Use
Only*

*Twp
Use
Only*

- _____ 6. Pedestrian and bicycle circulation systems, including width proposed and materials. _____

- _____ 7. Outdoor pedestrian spaces with landscape architectural elements detailed. _____

- _____ 8. Construction details for pedestrian and bicycle circulation systems, outdoor spaces, and site furnishings. _____

- _____ 9. Details of all outdoor light fixtures, including building mounted fixtures and illuminated signage. Fixture details shall include:

- _____ a. Manufacturer's catalog cuts, indicating lamping and including all accessory components. _____
- _____ b. Photometric reports with graphic candela curve illustrating vertical distribution from nadir to 180 degrees. _____
- _____ c. Lamp catalog cut sheet indicating wattage. For reflector lamps, PAR and MR, also include beam distribution angles. _____

- _____ 10. Lighting Plan: Scale of plan shall not be greater than 1" = 50'. Plan shall include:

- _____ a. Maintained horizontal illumination levels indicated on a maximum grid spacing of 10 feet. _____
- _____ b. Location and mounting height for each fixture. _____

- _____ 11. Schedule of operation and method used to control each fixture shall be indicated in schedule or by note on Lighting Plan. _____

- _____ 12. Calculation summary to include:

- _____ a. Minimum maintained horizontal illumination (fc). _____
- _____ b. Average maintained horizontal illumination (fc). _____
- _____ c. Maximum maintained horizontal illumination (fc). _____
- _____ d. Maximum-to-minimum Uniformity Ratio. _____
- _____ e. Maintained vertical illumination at 5 feet above grade, facing inward at parking lot perimeter where minimum horizontal illuminance occurs (fc). _____
- _____ f. Maximum maintained vertical illumination at 5 feet above grade at edge of property line (fc). _____

*Appl.
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Only*

- _____ g. Average maintained vertical existence of signage (fL). _____

_____ 13. Foundation construction details for light poles. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

**TOWNSHIP OF HOPEWELL
FINAL SITE PLAN CHECKLIST**

Applicant's Name: _____

Address: _____

Owner's Name: _____

Address: _____

Development Name: _____

Hopewell Township Tax Block(s): _____ Lot(s): _____

Total Floor Area Existing: _____

Proposed: _____

General Project Description: _____

History of any previous Planning Board/Zoning Board actions relating to the Tax Lot:

Use Additional Sheets If Required

Signature and Name of
Person Preparing Checklist:

Signature

Name

Date Signed

TOWNSHIP USE ONLY

Application No.: _____ Date/Time Submitted _____

Received By: _____

Administrative

<i>Appl. Use Only</i>		<i>Copies Required</i>	<i>Twp Use Only</i>
		<i>ARC</i>	<i>PB</i>
_____	1. Submitted within published "window for submission."		
_____	2. Completed Application Forms, including Corporation or Partnership Disclosure Affidavit	<u>16</u>	-
	<u>19</u>		
_____	3. Payment of Required Fees.		
_____	4. Completed Escrow Agreement.	<u>1</u>	-
	<u>0</u>		
_____	5. Receipt of Taxes Paid for current tax quarter from Tax Collector.		
	_____ <u>1</u> _____		
	<u>1</u> _____		
_____	6. Completed Consent to Entry Form	<u>1</u>	-
	<u>1</u>		
_____	7. Completed Final Site Plan Checklist	<u>10</u>	-
	<u>17</u>		

- _____ 8. Completed "Design Waiver Request" form. _10_
17
- _____ 9. Certificate of Ownership. _15_
18
- _____ 10. Final Site Plan(s) folded, collated, bound, signed, and sealed with a common date of issue and revision. _15_
18
- _____ 11. Copy of resolution of Preliminary Site Plan approval. _15_
17
- _____ 12. Certification that all conditions of preliminary site plan approval have been satisfied and Preliminary Site Plans have been signed by and are on file with the Hopewell Township Planning Board. For any project seeking relief from this item, an itemized description detailing any and all outstanding items and the status of each. _15_
17
- _____ 13. Letter from Utility companies providing electric, telephone, cable TV and other services that under-ground utilities easements identified on the subdivision plans are acceptable for size and location. _15_
17
- _____ 14. Written documentation addressed to the Planning Board from all agencies guaranteeing utility service to the site (including electricity, telephone, gas and cable TV). Such documentation shall indicate any and all conditions for obtaining such service. _15_
17

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Health

Appl.
Use
Only

Twp
Use
Only

- _____ 1. Compliance with any and all conditions of preliminary site plan approval and the preliminary site plan checklist. _____
- _____ 2. Final septic system design criteria and grading shown on "Sewage Disposal and Water Supply Plan." _____

- _____ 3. Proof of submission of Treatment Works or NJPDES permit applications for any wastewater disposal method or system not in compliance with NJAC 7:9A., any system proposing to discharge more than 2,000 gallons per day, or any proposed connection to a public sewer system requiring a Treatment Works permit application.

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Engineering

*Appl.
Use
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*Twp
Use
Only*

- _____ 1. Compliance with any and all conditions of preliminary site plan approval and the preliminary site plan checklist. All documents submitted for preliminary site plan approval shall be appropriately revised, retitled, dated, and all documents submitted shall bear the same date. _____
- _____ 2. Architectural elevations - front, left side, right side, and rear signed and sealed by a New Jersey Licensed Architect. All plans to bear a common date of issue with final site plan. _____
- _____ 3. An estimate of all construction quantities for all on-site and off-tract improvements to

public property or improvements which shall be dedicated to the public or planned to be maintained by a Homeowners Association.

- _____ 4. Metes and bounds descriptions for all right-of-way dedications, sight triangle easement; drainage; detention; or conservation easements; and common driveway easements.
- _____ 5. Detailed project phasing plan including proposed construction sequences, routes to and from site, construction methods, hours of operations, construction traffic control plans, temporary construction office locations, and any other construction-related plans.
- _____ 6. A Developer's Agreement approved and executed by the Hopewell Township Committee when improvements to public property or improvements which shall be dedicated to the public or a Homeowners Association are part of the approval.
- _____ 7. Detailed site plan showing location of proposed construction trailers and sales facilities; design of parking, access, grading drainage, soil erosion and sediment control and landscaping at a scale of not smaller than 1" = 50' each facility location.
- _____ 8. All project identification sign sizes, mounting details, lighting, and lettering type and sizes.
- _____ 9. Block and Lot numbers approved by Tax Assessor.
- _____ 10. Copies of all Federal, State, County and local permits obtained as part of preliminary approval.

*Appl.
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Only*

*Twp
Use
Only*

- _____ 11. Details of all outdoor light fixtures not included with Preliminary Site Plan Approval, including building mounted fixtures and illuminate signage. Fixture details shall include:
 - _____ a. Manufacturer's catalog cuts, indicating lamping and including all accessory components.
 - _____ b. Photometric report with graphic candela illustrating vertical distribution from nadir to 180 degrees.
 - _____ c. Lamp catalog cut sheet indicating wattage. For reflector lamps, PAR and MR, also include beam distribution angles.
- _____ 12. Lighting Plan: Scale of plan shall not be greater than 1" = 50'. Plan shall include:
 - _____ a. Initial horizontal illumination levels indicated on a maximum grid spacing of 10 feet.
 - _____ b. Maintained horizontal illumination levels indicated on a maximum grid spacing of 10 feet.

- _____ c. Location and mounting height for each fixture. _____
- _____ d. Schedule of operation and method used to control each fixture. _____
- _____ 13. Calculation summary to include:
- _____ a. Minimum maintained horizontal illumination (fc). _____
- _____ b. Average maintained horizontal illumination (fc). _____
- _____ c. Maximum maintained horizontal illumination (fc). _____
- _____ d. Maximum-to-minimum Uniformity Ratio. _____
- _____ e. Maintained vertical illumination at 5 feet above grade, facing inward at parking lot perimeter where minimum horizontal illuminance occurs (fc). _____
- _____ f. Maximum maintained vertical illumination at 5 feet above grade of property line (fc). _____
- _____ g. Average maintained vertical existence of signage (fL). _____
- _____ h. Average initial horizontal illumination (fc). _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Planning

*Appl.
Use
Only*

*Twp
Use
Only*

- _____ 1. Compliance with any and all conditions of preliminary site plan approval and the preliminary site plan checklist. All documents submitted for preliminary site plan approval shall be appropriately revised, retitled, dated, and all documents submitted shall bear the same date. _____
- _____ 2. Architectural elevations - front, left side, right side, and rear signed and sealed by a New Jersey Licensed Architect. All plans to bear a common date of issue with final site plan. _____
- _____ 3. Detailed project phasing plan including proposed construction sequences, routes to and from site, construction methods, hours of operations, construction traffic control plans, temporary construction office locations, and any other construction-related plans. _____
- _____ 4. A Developer's Agreement approved and executed by the Hopewell Township Committee when improvements to public property or improvements which shall be dedicated to the

public or a Homeowners Association are part of the approval.

- _____ 5. Detailed site plan showing location of proposed construction trailers and sales facilities; design of parking, access, grading drainage, soil erosion and sediment control, landscaping and lighting at a scale of not smaller than 1" = 50' each facility location.
- _____ 6. All project identification sign sizes, mounting details, lighting, and lettering type and sizes.
- _____ 7. Block and Lot numbers approved by Tax Assessor.
- _____ 8. Copies of all Federal, State, County and local permits obtained as part of preliminary approval.

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

**TOWNSHIP OF HOPEWELL
GENERAL DEVELOPMENT PLAN CHECKLIST**

Applicant's Name: _____

Address: _____

Owner's Name: _____

Address: _____

Development Name: _____

Hopewell Township Tax Block(s): _____ Lot(s): _____

Total Number of Proposed Lots (Including Lands Remaining): _____

Existing Use of Property, Principal Structure, and Accessory Structures: _____

General Project Description: _____

History of any previous Planning Board/Zoning Board actions relating to the Tax Lot:

Use Additional Sheets If Required

Signature and Name of
Person Preparing Checklist:

Signature

Name

Date Signed

TOWNSHIP USE ONLY

Application No.: _____ Date/Time Submitted _____

Received By: _____

Administrative

<i>Appl. Use Only</i>		<i>Copies Required</i>	<i>Twp Use Only</i>
		<i>ARC</i>	<i>PB</i>
_____	1. Submitted within published "window for submission."		
_____	2. Completed Application Forms, including Corporation or Partnership Disclosure Affidavit	<u>16</u>	-
	<u>21</u>		
_____	3. Payment of Required Fees.		
_____	4. Completed Escrow Agreement.	<u>1</u>	-
	<u>0</u>		
_____	5. Receipt of Taxes Paid for current tax quarter from Tax Collector.	<u>1</u>	-
	<u>1</u>		
_____	6. Completed Consent to Entry Form	<u>1</u>	-
	<u>1</u>		
_____	7. Completed General Development Plan Checklist	<u>10</u>	-
	<u>20</u>		
_____	8. Completed "Design Waiver Request" form.	<u>10</u>	-
	<u>20</u>		
_____	9. Certificate of ownership.	<u>15</u>	-
	<u>20</u>		
_____	10. Tree Survey Plan.	<u>15</u>	-
	<u>20</u>		
_____	11. General Development Plan(s) folded, collated, bound, signed, and sealed.	<u>15</u>	-

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TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Health

*Appl.
Use
Only*

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Only*

- _____ 1. Location of all existing sewage disposal and water supply systems on the site in question and within 500 feet of the total tract boundary of the site plan. _____
- _____ 2. Location and results of all complete, incomplete, unacceptable, and unwitnessed subsurface soil and/or geological investigations. All results shall be shown on a separate plan(s) entitled "Sewage Disposal and Water Supply Plan." All tests shall be dimensioned to all proposed and existing: lot lines, watercourses, detention basin easements, wetlands, -sewage disposal and water supply systems within 200 feet of the tests. _____
- _____ 3. Submission of individual soil investigation reports by soil log or test number for each test. _____
- _____ 4. Location of all proposed water supply system appurtenances including but not limited to mains, hydrants, and standpipes. _____
- _____ 5. Location of all on-site aand off-site test and monitor wells-and wells within 500 feet of the test wells are to be shown pursuant to these locations shall be indicated pursuant to Chapter 16, Section 16-7. _____
- _____ 6. Written documentation signed by the homeowners, or affidavits executed by the applicant proving permission to monitor a well within 500 feet of the test well, was denied; must accompany the application. _____
- _____ 7. Location of all sanitary sewage collection system appurtenances including but not limited

to gravity mains, pump stations, and force mains. _____

_____ 8. Commitment from water supply and/or sewer utility company indicating willingness and capability to serve development proposed. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

Engineering

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_____ 1. Designed, drawn, signed and sealed by A.I.A., C.L.A., N.J.P.E., N.J.P.L.S or N.J.P.P. as appropriate. _____

_____ 2. Blue or Blackline reproduction on standard sized sheets 30" x 42," 24" x 36," 15" x 21," 8 1/2" x 13." _____

_____ 3. Acceptable title block containing minimum data as prescribed by N.J.S.A. 13:40-1. _____

_____ 4. All scales shall be written and graphically identified. Minimum scales for plan preparation shall be as follows: _____

_____ a. Key Maps: 1" - 1000' _____

_____ b. Boundary and Topographic Survey: 1" = 100' _____

_____ c. Environmental Assessment Maps: 1" = 200' _____

_____ d. Storm Water Management Plans: 1" = 100' _____

_____ e. Utility Plans: 1" = 100' _____

_____ f. Sewage Disposal and Water Supply Plan: 1" = 100' _____

_____ g. Land Use Plans and Circulation Plans _____

_____ 5. A north arrow with reference meridian. _____

_____ 6. A legend identifying symbols and drafting techniques used. _____

_____ 7. A border shall be placed on all plans. This border shall be 1/2" for the bottom, right side and top of each plan with 1 1/2" border on the left side. _____

_____ 8. A boundary and topographic survey of the total tract signed and sealed by the preparing N.J. Professional Land Surveyor in accordance with N.J.S.A. 13:40. Topography shall be 5 foot intervals for slopes of 10% or greater, 2 foot intervals for slopes between 3% and 10% and 1 foot intervals for slopes up to and including 3%. Topography within 200

feet from the subdivision boundary shall be shown. All topography shall be based on NGVD 1988 datum. Benchmarks shall be established within 500 feet of the subdivision boundary and shown, together with appropriate references.

9. General Site Architecture.

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10. All on-site wetlands shall be field identified by a qualified expert in accordance with NJDEP standards, and surveyed, and located on the plan by the applicant's New Jersey Professional Land Surveyor. A wetlands report identifying all observations and findings of the wetlands expert shall accompany the site plan application. If the lands remaining are 50 acres or larger, and not to be built upon, wetlands will only be required to be identified within 150 feet of the proposed lots or any other on-site or off tract improvements. The applicant shall certify in writing that no construction shall occur upon the remaining lands until all on-site wetlands are identified.

11. A traffic report and analysis including, but not limited, to existing and background peak hour traffic volumes and distribution patterns; peak hour onsite generated traffic volumes and distribution patterns; existing and proposed traffic composition; analysis of adequacy of proposed on-site circulation patterns including proposed on-site circulation patterns including adequacy of truck and automobile turning radii; analysis of need for number of loading bays; existing and proposed levels of service and volume/capacity ratios; adequacy of proposed sight distances; analysis of need for acceleration/deceleration lanes; analysis of need for roadway striping, signage or reflectorization; need for signalization and a summary recommendation and conclusions for the analysis. The study area shall include the site as proposed by this application; the site as proposed by a master development plan; the existing and proposed roadway frontages of the site, and the nearest intersection of public roadways as measured away from the site in opposite directions. The roadways approaching the site shall be generally reviewed for adequacy to support site generated traffic. This report shall be prepared by a New Jersey licensed Professional Engineer qualified to make the analysis as required herein.

12. Hydraulic calculations for stormwater runoff collection systems shall be submitted. Calculations may use the rational method or Soil Conservation Service method in accordance with subsection 17-2.4(f). These calculations shall provide general storm sewer trunk line sizing and culvert or bridge crossing-sizes and locations.

13. Any special considerations for soil erosion and sediment control must be noted as part of the General Development Plan.

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14. Form and text of proposed agreements. This form shall contain all wording, phrasing, and restrictive language in the format which will be recorded with the County Clerk's

Office including all restrictions related to the future control over rent and resale prices of lower income housing units.

15. A detailed report prepared by a Professional Engineer licensed in the State of New Jersey detailing all water supply and sewage-disposal system demands. Detailed computations for each use proposed in accordance with appropriate New Jersey Department of Environmental Protection (NJDEP) Criteria, detailed support data for all deviations from NJDEP criteria shall be included. All system demands shall be based upon actual period of use in order to identify maximum average daily flows. Water supply system criteria shall include to necessity for standpipes for five flows.

16. Circulation plan showing general location and types of transportation facilities including parking, loading and pedestrian systems as well as improvements to existing transportation system, both on-tract and off- tract. A traffic management plan for reducing peak hour traffic including staggered work hours, flex-time, van pooling, corporate sponsored transit plans, or similar programs shall be included. In any instance where the site abuts a railroad, consideration shall be given for a potential railroad station.

17. Utility plan showing proposed locations of sewage collection and treatment systems, water supply and distribution systems, methods of handling solid waste disposal, recycling of recyclable materials, and a plan for the operation and maintenance of the proposed utilities.

18. Stormwater management plan showing proposed method of controlling storm water runoff on and off site, including provisions for ground water recharge and compliance with any watershed management criteria.

TOWNSHIP USE ONLY

Application Reviewed By: _____ Date _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

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Planning

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1. A key map sheet showing the tract in question: north arrow; zoning district limits; tax lot numbers, tax block numbers, tax sheet numbers; owners names as identified on certified list provided by Township for track in question and all lots within 200 feet of total tract; Municipal Boundaries; Existing or proposed "Master Plan" features or facilities on the site or within 500 feet of total tract; Airport Hazard Areas; signature and seal of licensed professional; names and address of owner applicant and professional preparing the map; owners certification; zoning data for each zone with all proposed data and deficiencies

listed, and index of sheets (where applicable). All measurements specified herein shall be measured radially from the boundary and shall include all lots, zones, etc. on opposite sides of roads and within other municipalities.

- _____ 2. Land use plan indicating general locations of land uses to be included. Including farmland to be preserved, total number of dwelling units by types and location, and total amount of nonresidential floor area. Computation of residential densities and floor area ratios of each use shall be identified on the plan. _____
- _____ 3. Zoning requirements shall be tabulated to show all bulk requirements of the zone(s) in which the site plan is located and the bulk data proposed by the application. This tabulation shall also identify compliance or noncompliance for all existing structures. All lot areas shown shall be identified as gross and net areas in accordance with ordinance definitions. Density shall be shown as defined by the Land Use and Development Ordinance. _____
- _____ 4. General Site Architecture. _____
- _____ 5. Open Space Plan showing proposed open space, conservation areas, recreation areas, buffer areas and general description of proposed improvements in open space areas together with provisions for operations and maintenance. _____
- _____ 6. Form and text of proposed agreements. This form shall contain all wording, phrasing, and restrictive language in the format which will be recorded with the County Clerk's Office including all restrictions related to the future control over rent and resale prices of lower income housing units. _____

*Appl.
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Use
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- _____ 7. Circulation plan showing general location and types of transportation facilities including parking, loading and pedestrian systems as well as improvements to existing transportation system, both on tract and off tract within the planned development and any proposed improvements to the existing transportation system outside the planned development. A traffic management plan for reducing peak hour traffic including staggered work hours, flex-time, van pooling, corporate sponsored transit plans, or similar programs shall be included. In any instance where the site abuts a railroad, consideration shall be given for a potential railroad station. _____
- _____ 8. Utility plan showing proposed locations of sewage collection and treatment systems, water supply and distribution systems, methods of handling solid waste disposal, recycling of recyclable materials, and a plan for the operation and maintenance of the proposed utilities. _____
- _____ 9. Community facilities plan indicating the scope and type of supporting community facilities including, but not limited to, educational, cultural, historic, library, hospital, fire house, police station, and recreation. _____
- _____ 10. A housing plan outlining the number of housing units to be provided and the extent to which any housing obligation assigned to the municipality pursuant to P.L. 1985,c.222 (C.52:27D-301 et al.) will be fulfilled by the development. _____

_____ 11. Local service plan indicating those public services which the applicant proposes to provide and which may include, but not be limited to water, sewer, cable TV, solid waste disposal, recycling, emergency services, communication services and hazardous waste management. _____

_____ 12. Compliance with Historic Preservation Commission criteria for on-site structures or features and any historic sites or features within 200 feet of site boundary. _____

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Use
Only*

_____ 13. A fiscal report describing the anticipated demand on municipal services to be generated by the planned development and any other financial impacts to be faced by municipalities or school districts as a result of the completion of the planned development. The fiscal report shall also include a detailed projection of property tax revenues which will accrue to the county, municipality, fire district and school district according to the timing schedule proposed and following completion of the development in its entirety. _____

_____ 14. A proposed timing schedule in the case of a planned development whose construction is contemplated over a period of years, including any terms or conditions which are intended to protect the interest of the public and of the residents who occupy any sections of the planned development prior to the completion of the development in its entirety. _____

_____ 15. A municipal development agreement, which shall mean a written agreement between a municipality and a developer relating to the planned development. _____

TOWNSHIP USE ONLY

Application Reviewed By: _____ *Date* _____

Recommendation: _____
complete/incomplete

Items Not Provided: _____

APPENDIX A

**TOWNSHIP OF HOPEWELL
AQUIFER TEST AND ANALYSIS CHECKLIST***

INSTRUCTIONS:

1. Applicability.

This checklist shall be completed by all applicants for residential subdivision applications of two new lots or more and all site plan applications and shall be completed with the application review package.

2. Submission Waiver.

If an applicant can show that, given the expected average daily demand and distance to other nearby wells and other resources, such as, but not limited to, wetlands and streams, the subdivision will not induce drawdown in any existing or future wells or other resources adjacent to the subdivision boundaries or any existing or future wells or other resources within the subdivision, then the applicant can request a waiver from the Planning Board or Board of Adjustment for all or some of the requirements of this ordinance.

3. Other Requirements.

The instructions pertaining to the type of application, i.e. minor subdivision, major subdivision or site plan, shall be incorporated herein by reference.

*NOTE: Checklist requirements are to be finalized after review by the planning board.

Zoning Map

November 2002

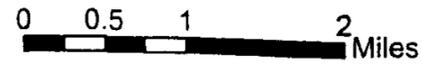
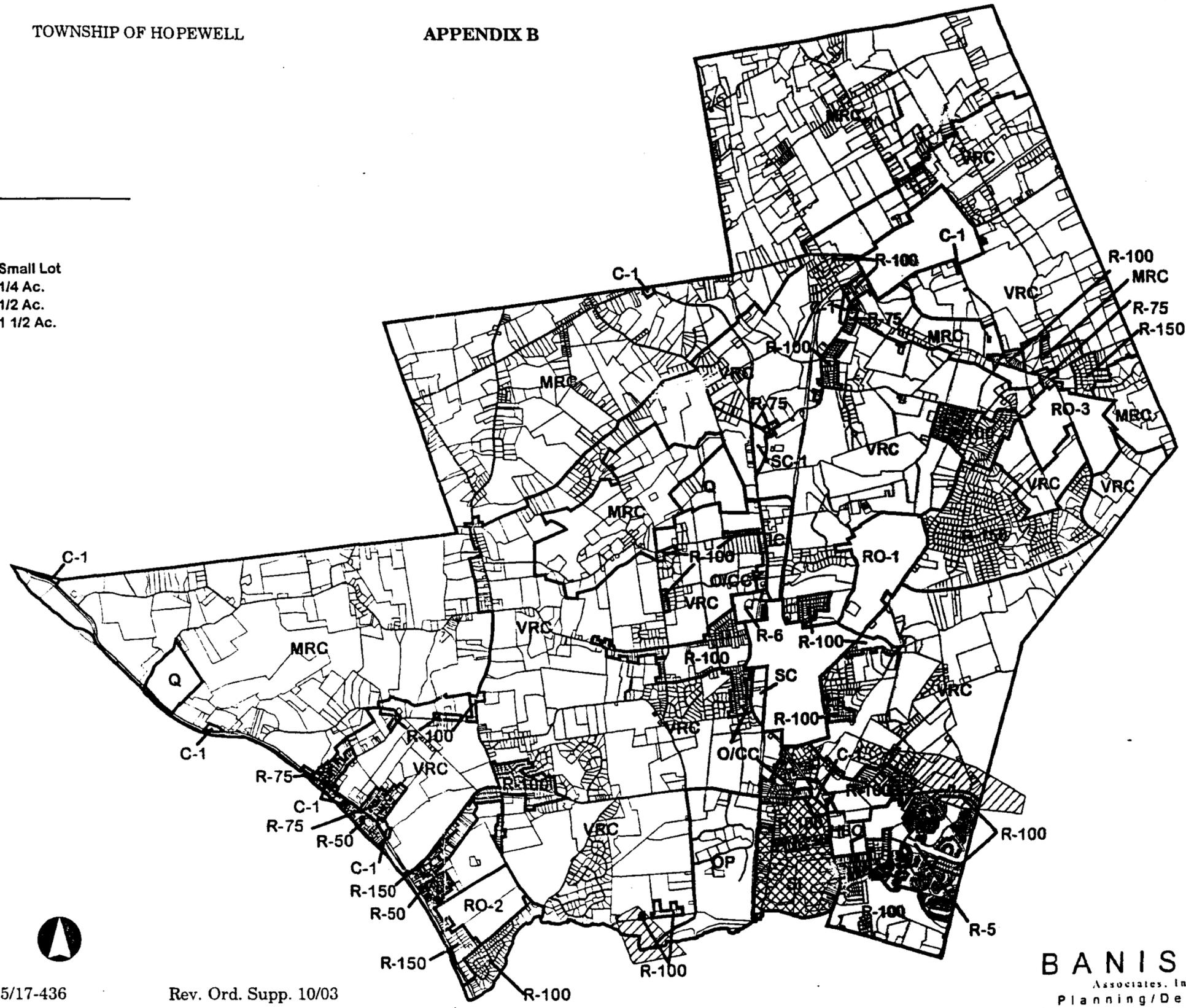
TOWNSHIP OF HOPEWELL

APPENDIX B

Legend

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

-  Airport Hazard Area
-  TND Overlay



Data Source:
Van Cleef Engineering Assoc.

17-435/17-436

Rev. Ord. Supp. 10/03

BANISCH

Associates, Inc.

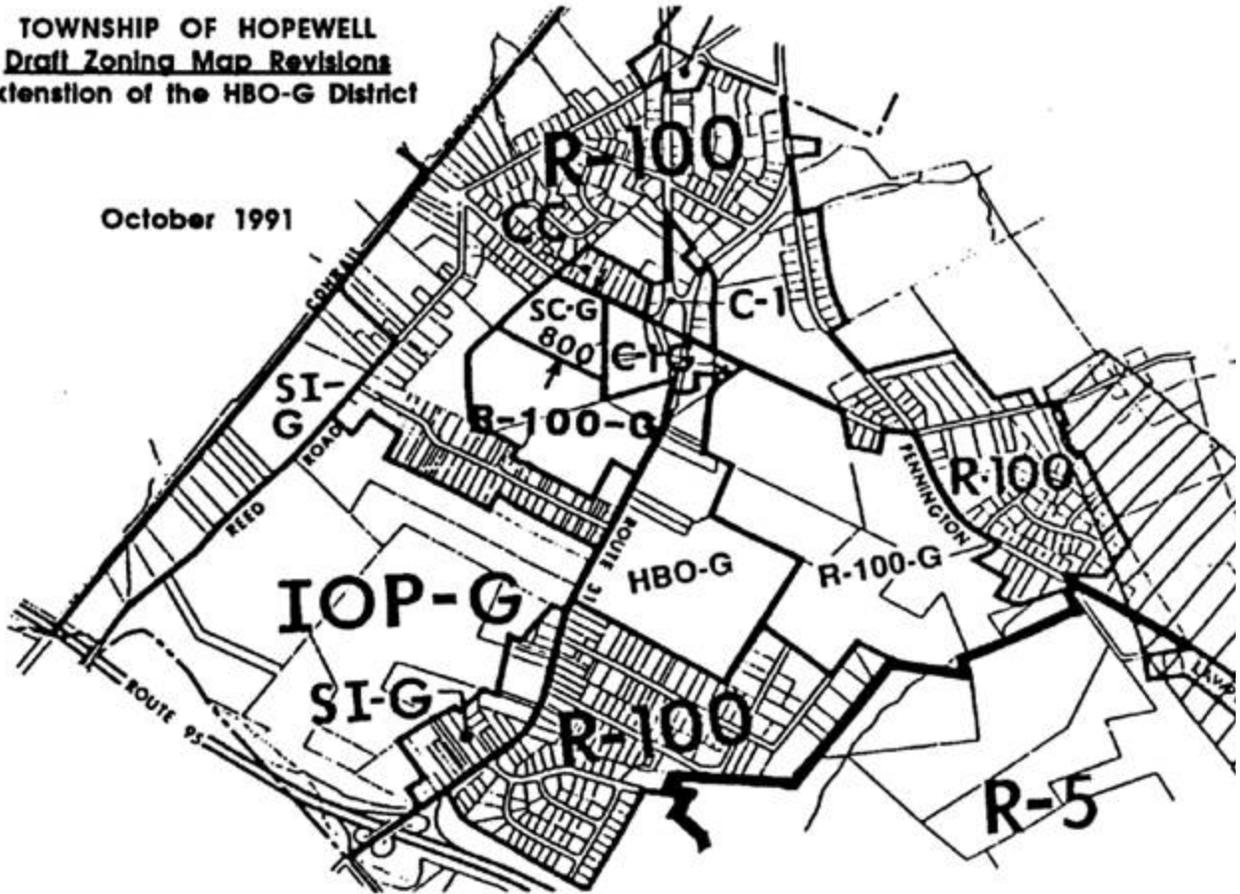
Planning/Design

PO Box 154, Sergeantsville, New Jersey 08857
(908) 762-0833 fax banisch@earthlink.net

APPENDIX C - Zoning Map Amendments

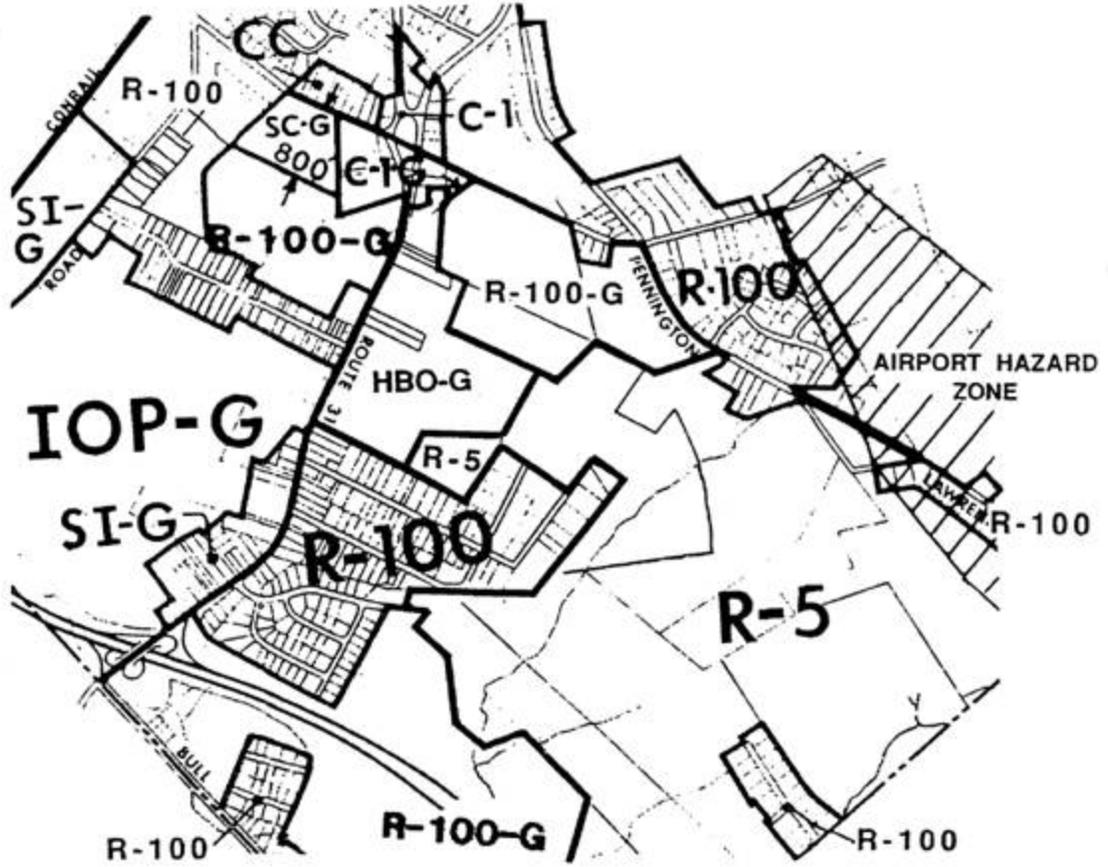
TOWNSHIP OF HOPEWELL
Draft Zoning Map Revisions
Extension of the HBO-G District

October 1991



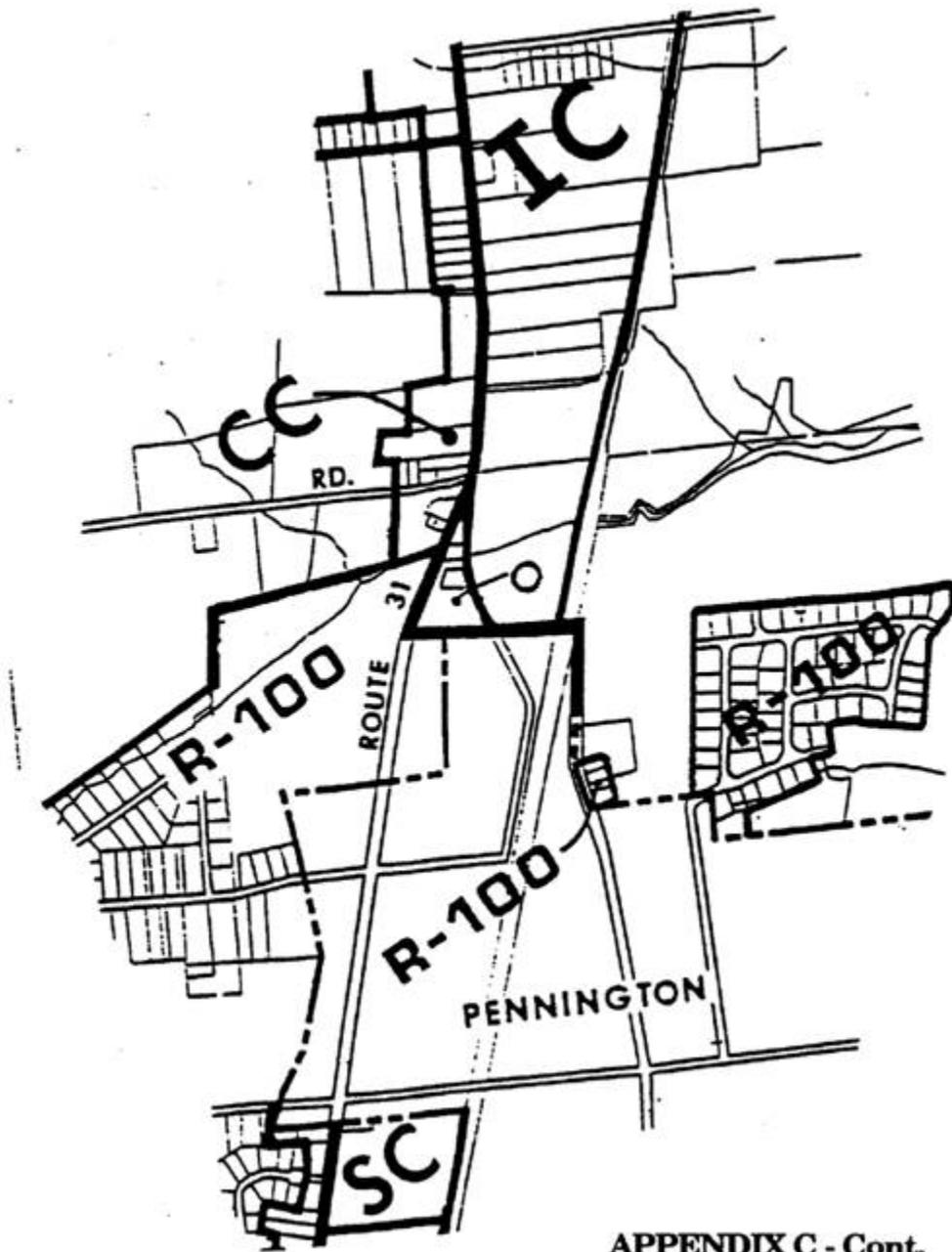
APPENDIX C - Cont.

ZONING AMENDMENT
Jan. 1995
Extension of R-5 District



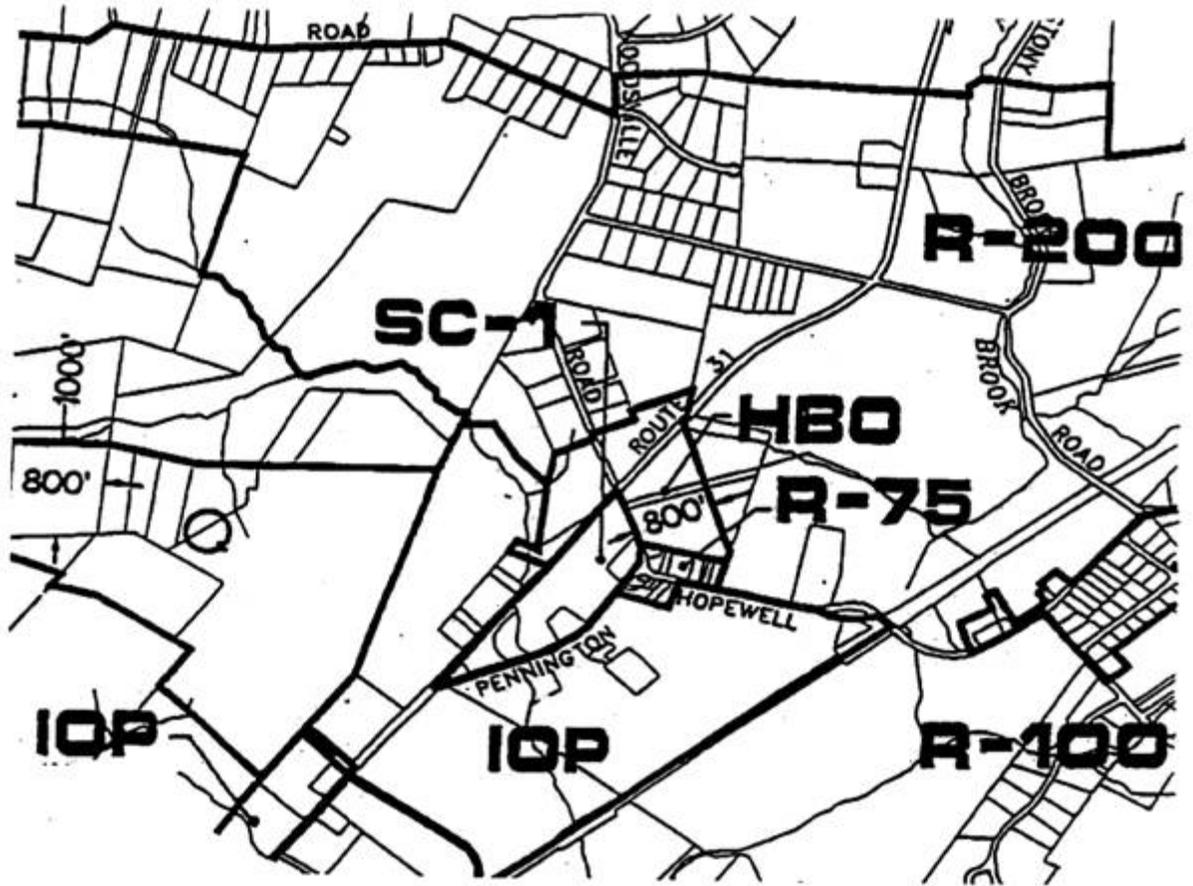
APPENDIX C - Cont.

ZONING AMENDMENT
R-100 Zone Extension
(Ord. #96-1049, October 7, 1996)



APPENDIX C - Cont.

ZONING AMENDMENT
HBO District Zone Extension
(Ord. #97-1068, April 21, 1997)



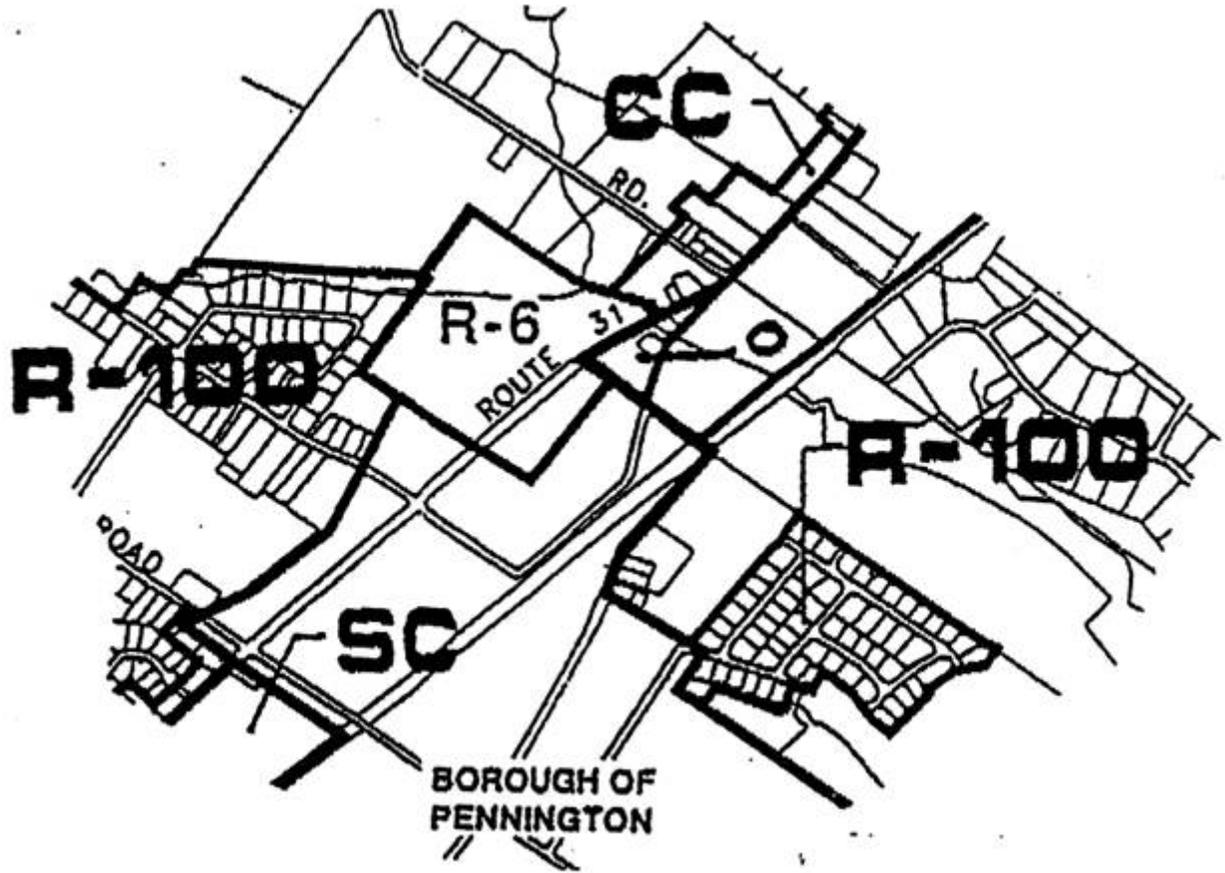
APPENDIX C - Cont.

ZONING AMENDMENT
Extension of C-1-G District
(Ord. #97-1073, 8-4-97)



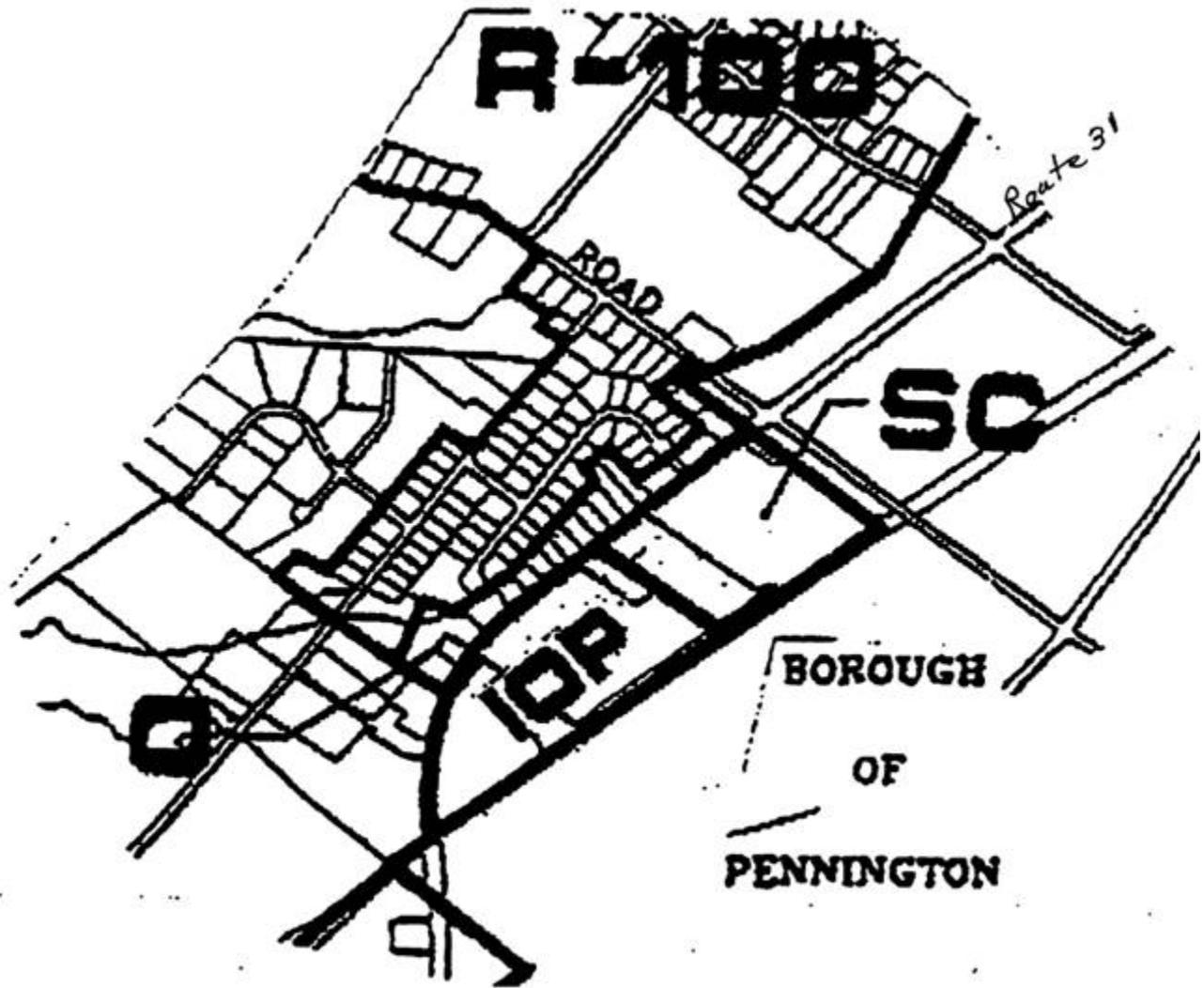
APPENDIX C - Cont.

ZONING AMENDMENT
Extension of the HBO-G District
and add new R-6 District
(Ord. #97-1084, November 3, 1997)



APPENDIX C - Cont.

ZONING AMENDMENT
SC District Extension
(Ord. #97-1089, December 1, 1997)



APPENDIX C - Cont.

**A Portion of
Hopewell Township Zoning Map
Amendment for the OP Zone
(Ord. #04-1326, December 13, 2004)**

November 2002
Revised November 2003
Revised November 2004

Legend

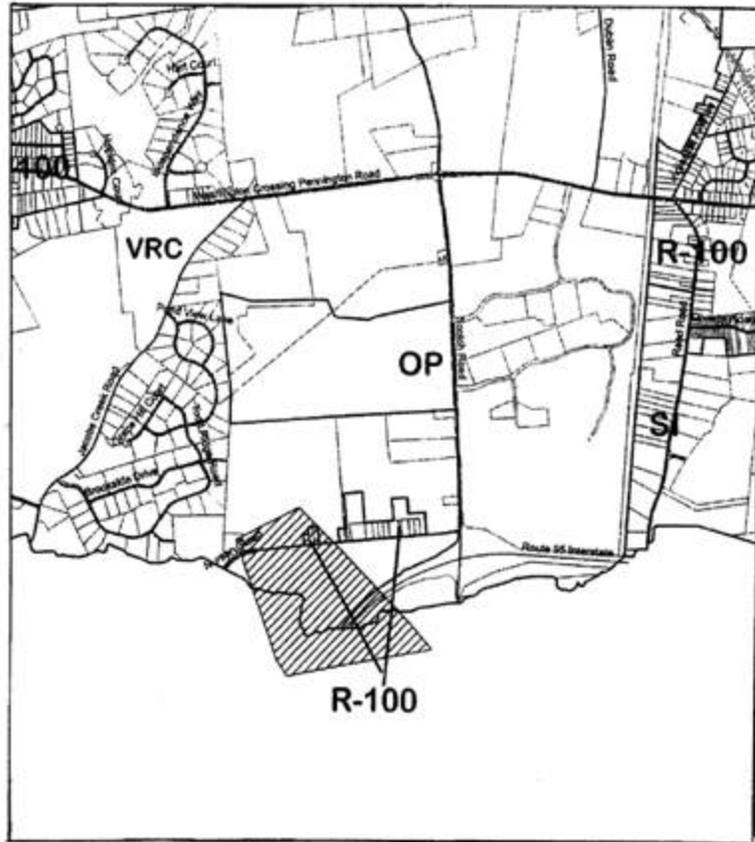
Zone	Zone Name
A-1	Residential 1 (Single)
A-2	Age Restricted Residential
A-3	Residential, Single-Family, Small Lot
A-75	Residential, Single-Family, 1/8 Ac.
A-100	Residential, Single-Family, 1/2 Ac.
A-150	Residential, Single-Family, 1/2 Ac.
WC	Valley Resource Conservation
WRC	Wooded Resource Conservation
O-1	Neighborhood Retail Commercial
SO & SO-1	Shopping Center
HO	Highway Business Office
CO	Office/Commercial Conversion
SI	Special Industrial
SP	Office Park
MI	Industrial/Commercial
MO-1	Manufacturing Office
MO-2	Manufacturing Office
MO-3	Manufacturing Office
IS	Heavy

 Airport Hazard Area



Data Source:
Van Cleaf Engineering Assoc.

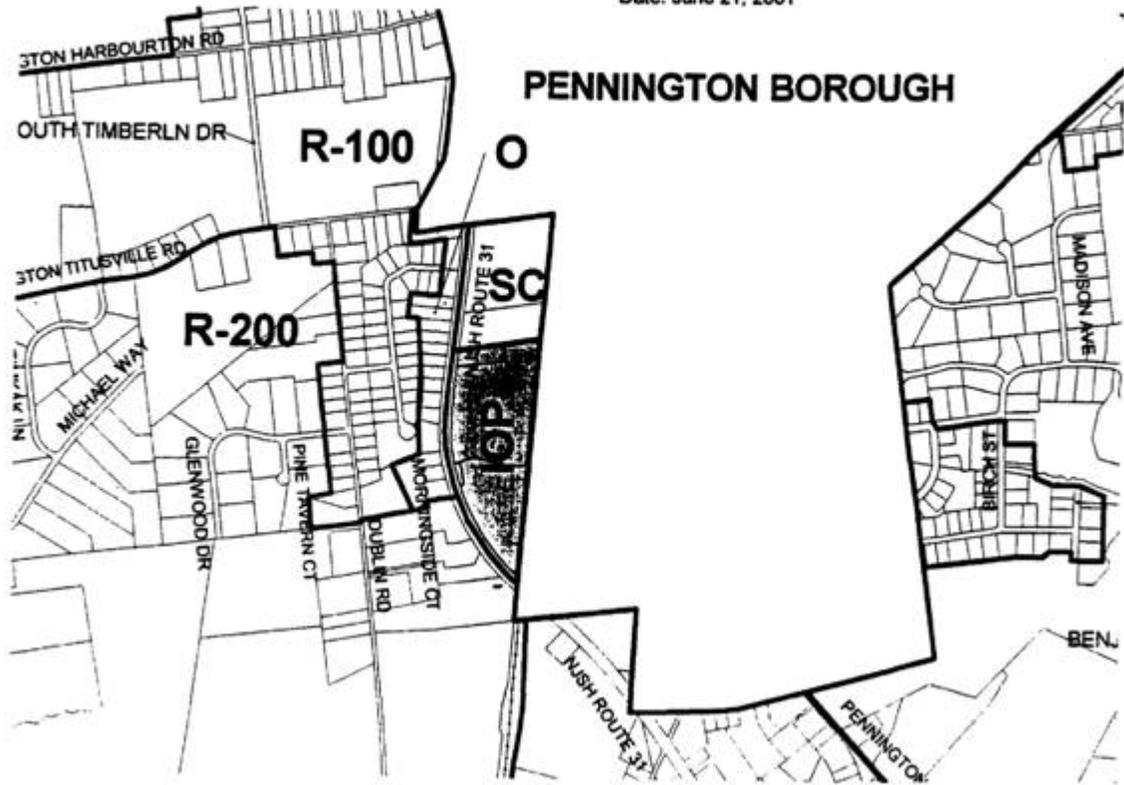
E.A.N.I.S.C.H.
Engineering & Architecture



ZONING AMENDMENT
Creates OP District
(Ord. #01-1207, September 20, 2001)

Schedule A-1

Date: June 21, 2001



ZONING AMENDMENT
Creates OP District
(Ord. #01-1207, September 20, 2001)

Schedule A-2

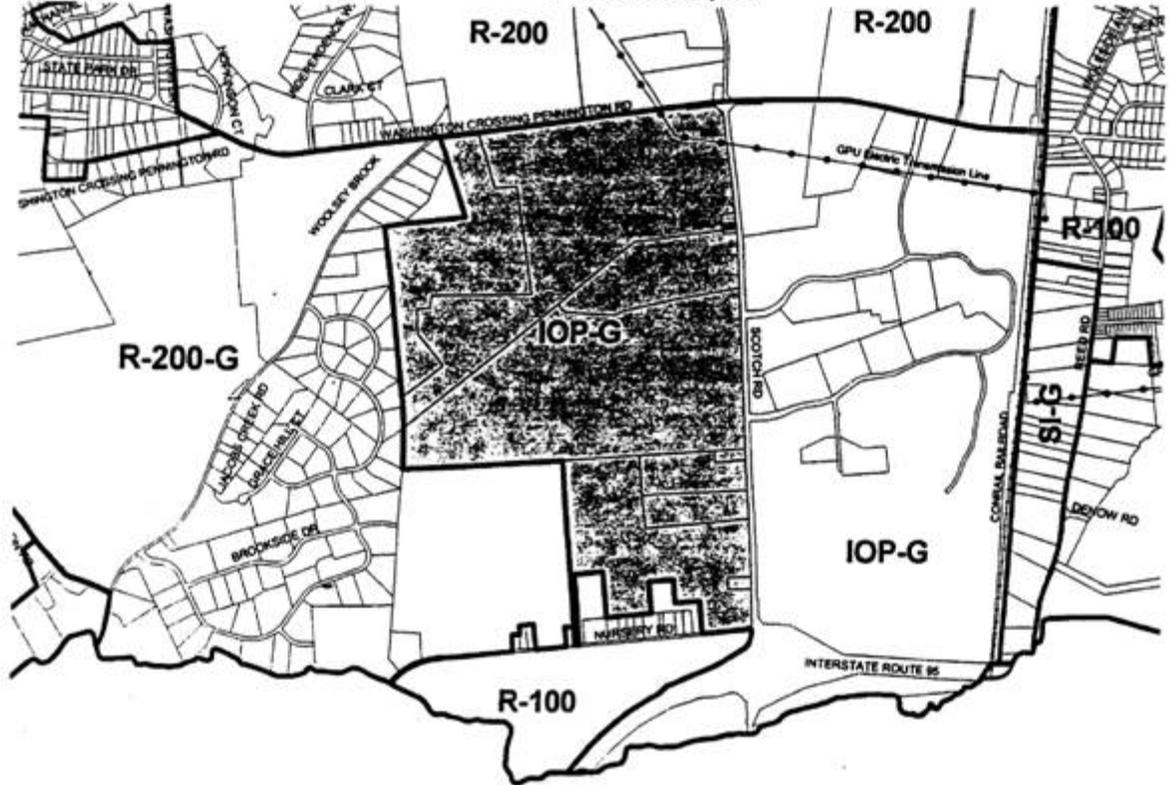
Date: June 21, 2001



ZONING AMENDMENT
Creates OP District
(Ord. #01-1207, September 20, 2001)

Schedule A-3

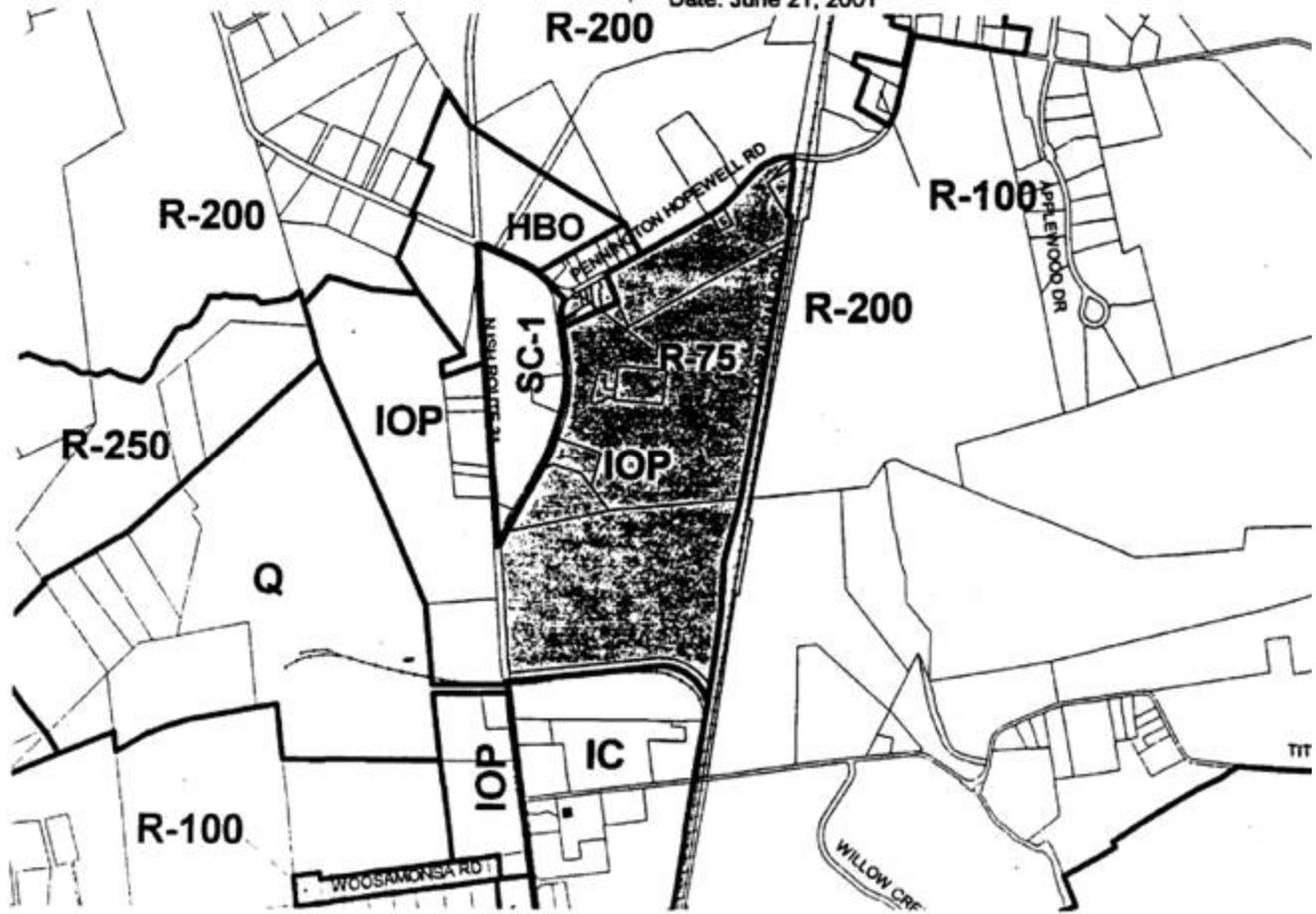
Date: June 21, 2001



ZONING AMENDMENT
Creates OP District
(Ord. #01-1207, September 20, 2001)

Schedule A-4

Date: June 21, 2001



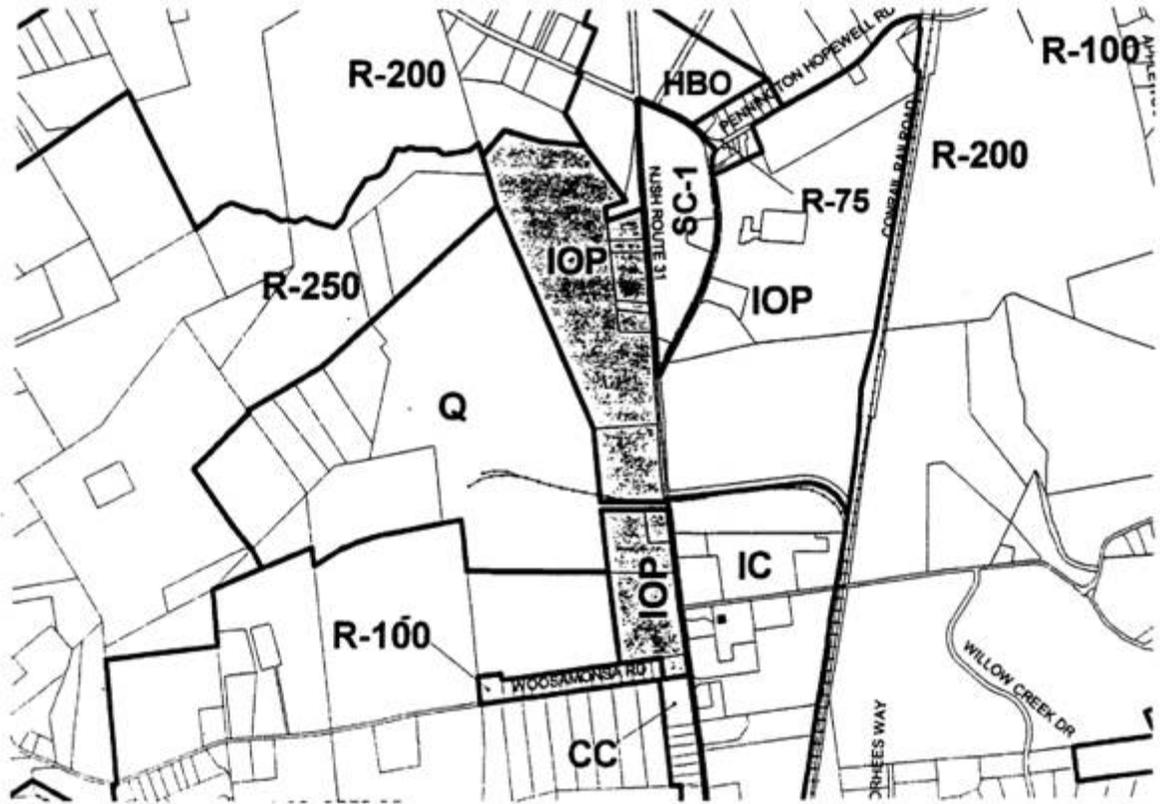
ZONING AMENDMENT

Creates OP District

(Ord. #01-1207, September 20, 2001)

Schedule A-5

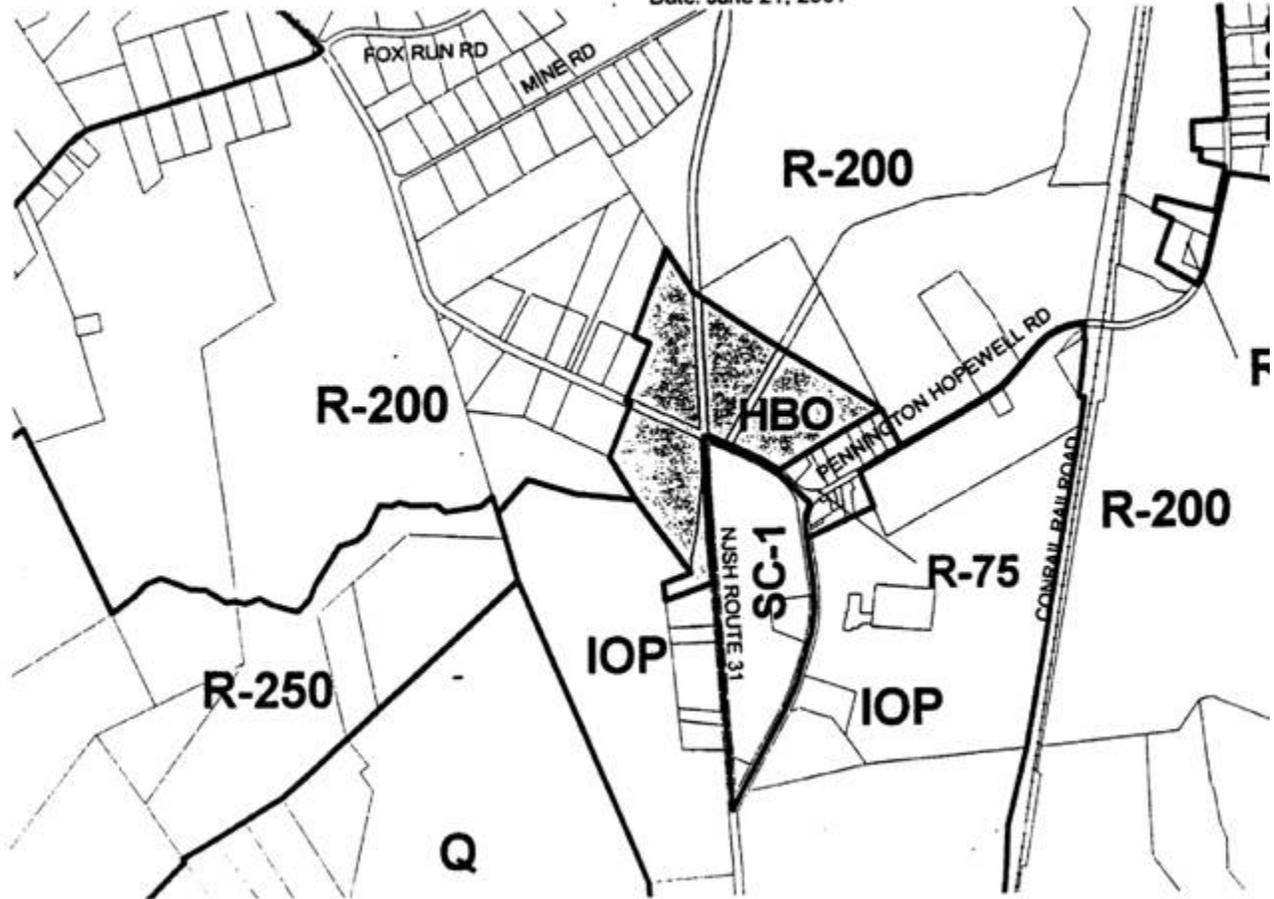
Date: June 21, 2001



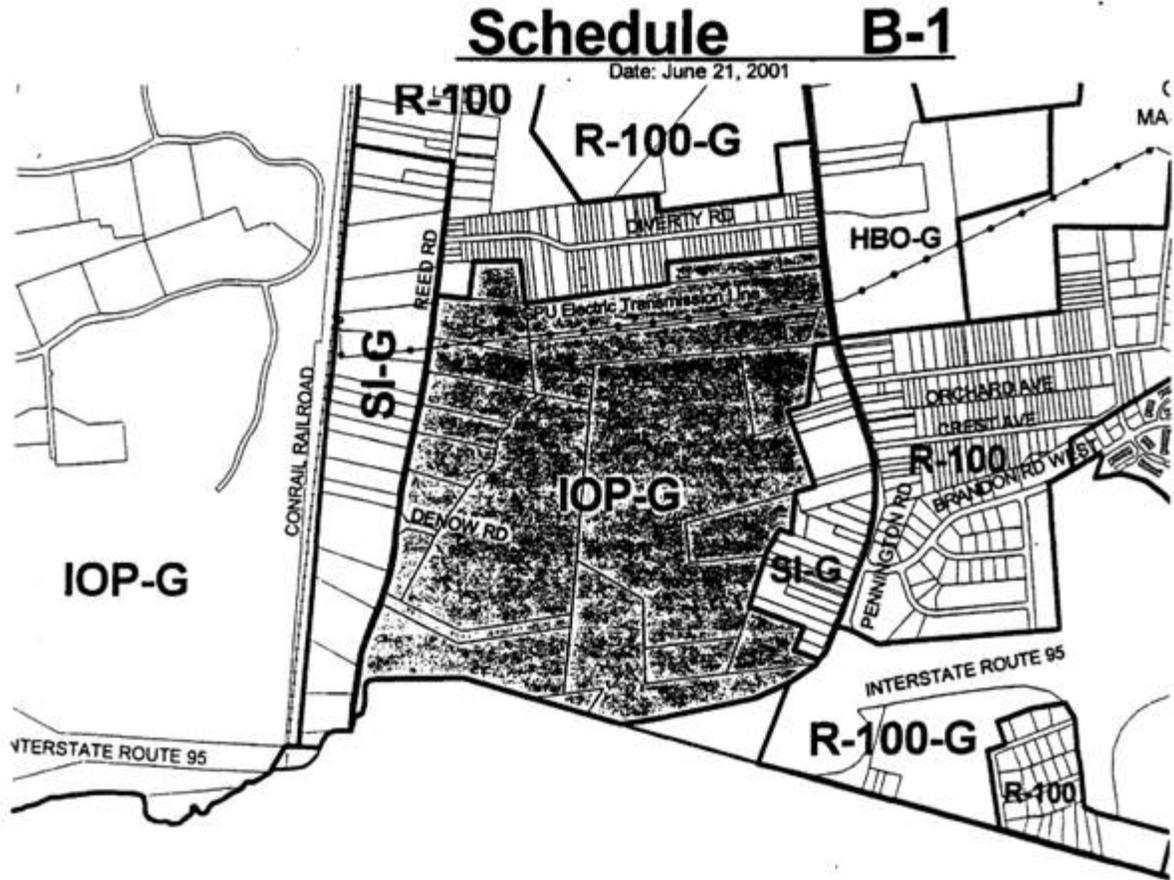
ZONING AMENDMENT
Creates OP District
(Ord. #01-1207, September 20, 2001)

Schedule A-6

Date: June 21, 2001



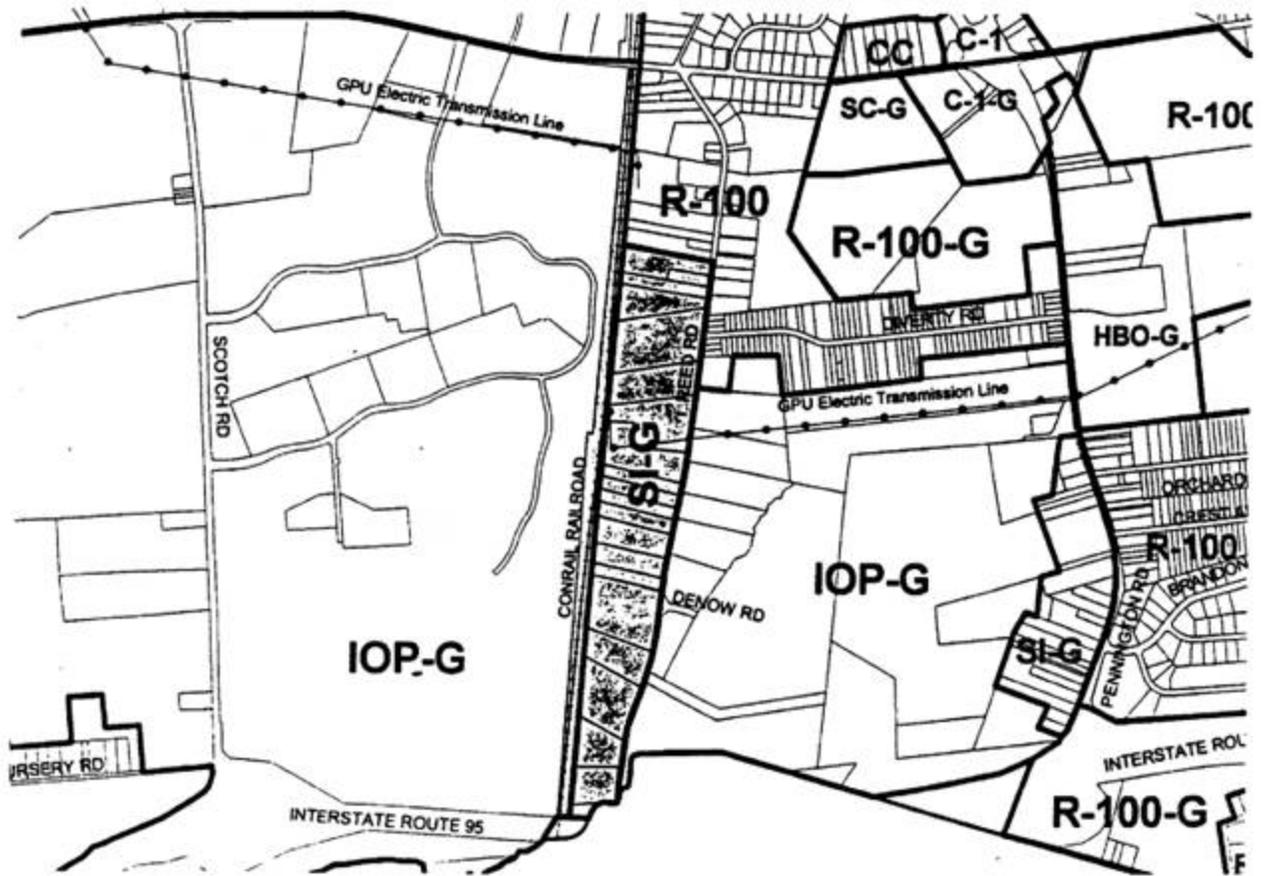
ZONING AMENDMENT
Expands the SI District
(Ord. #01-1208, September 20, 2001)

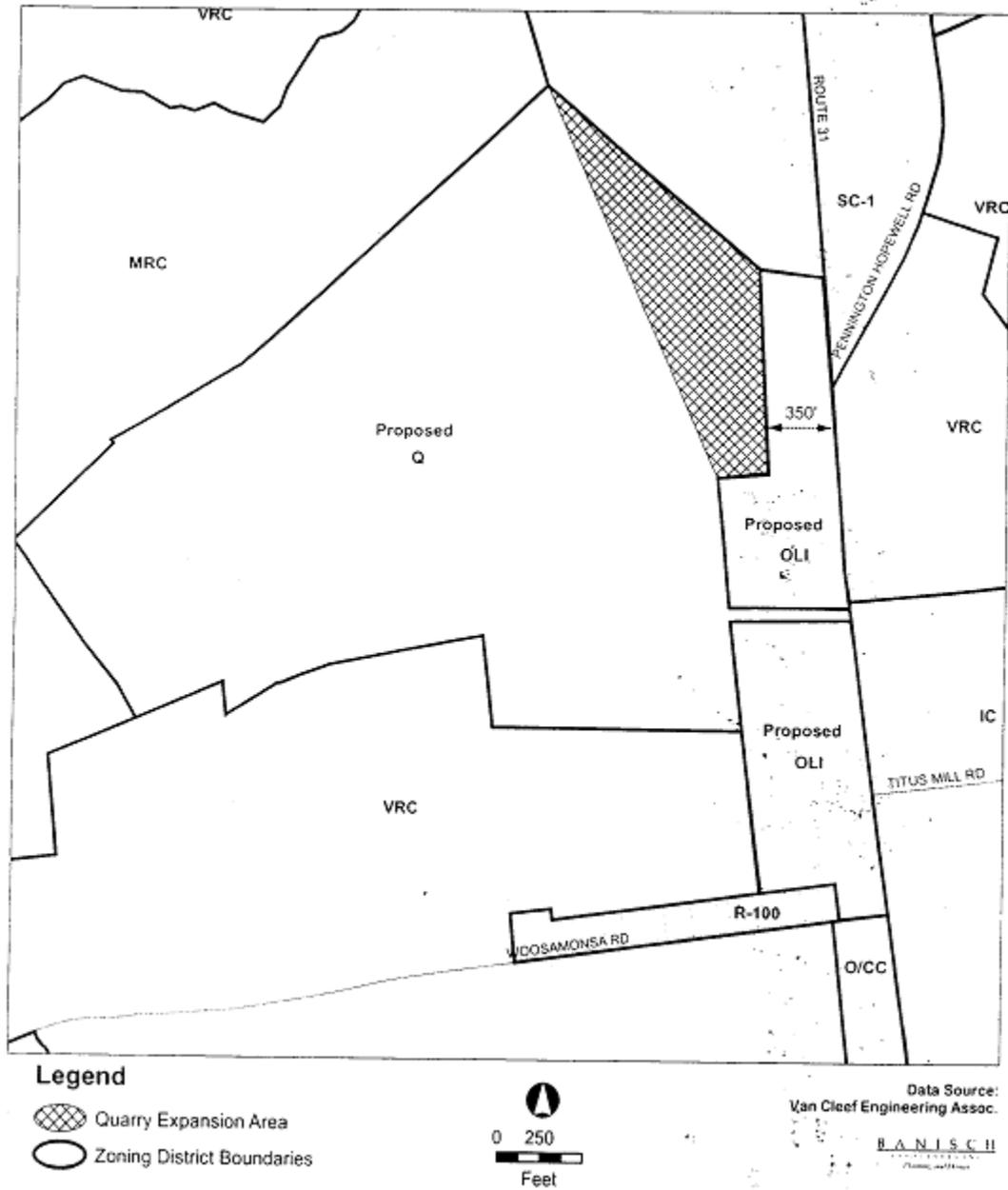


ZONING AMENDMENT
Expands the SI District
(Ord. #01-1208, September 20, 2001)

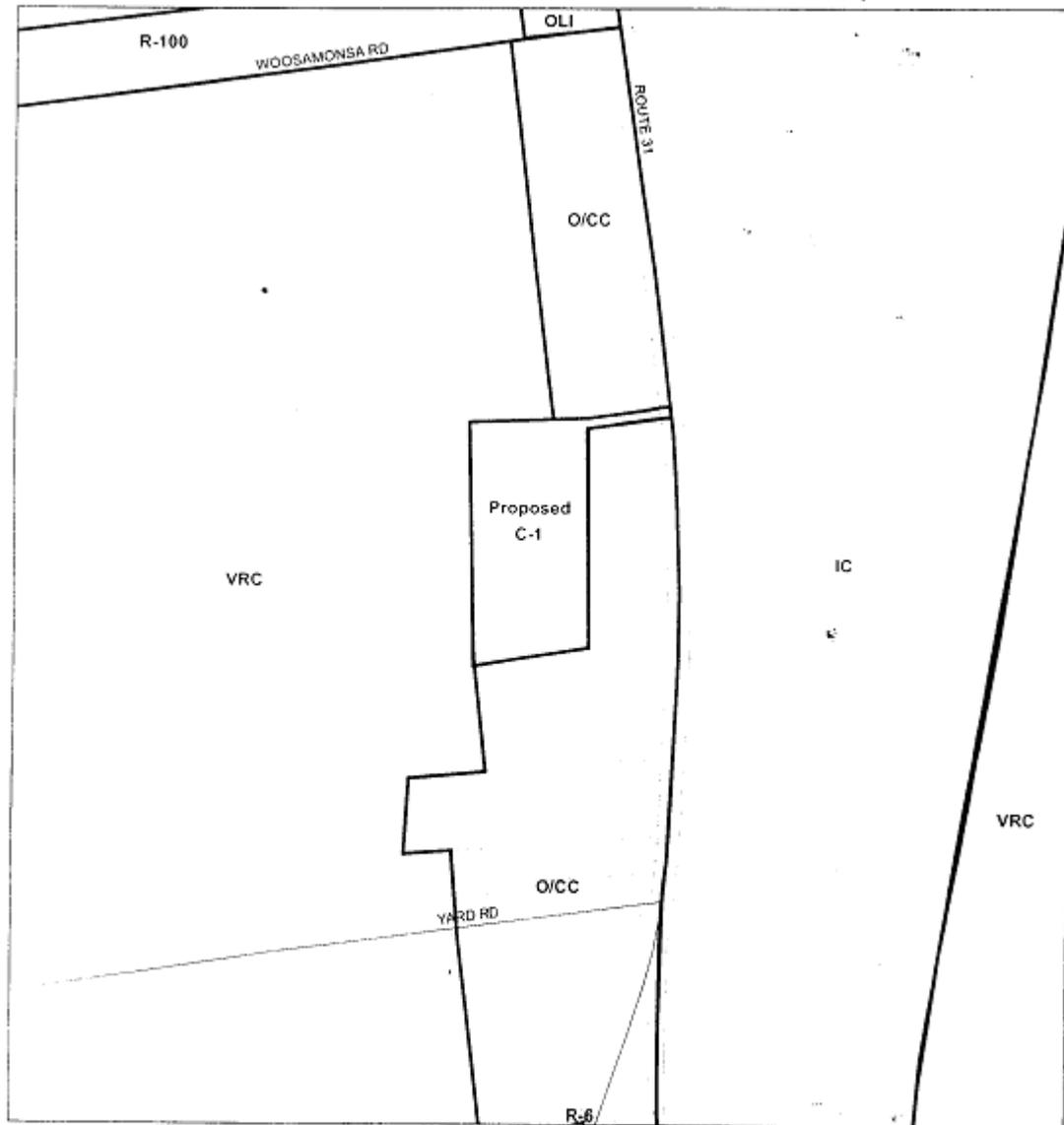
Schedule B-2

Date: June 21, 2001



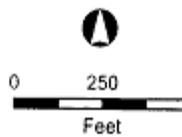


ZONING MAP AMENDMENT
 Portion of Hopewell Township - Block 49, portion of Lot 19
 September 2005
 (Ord. #05-1360, November 14, 2005)



Legend

○ Zoning District Boundaries



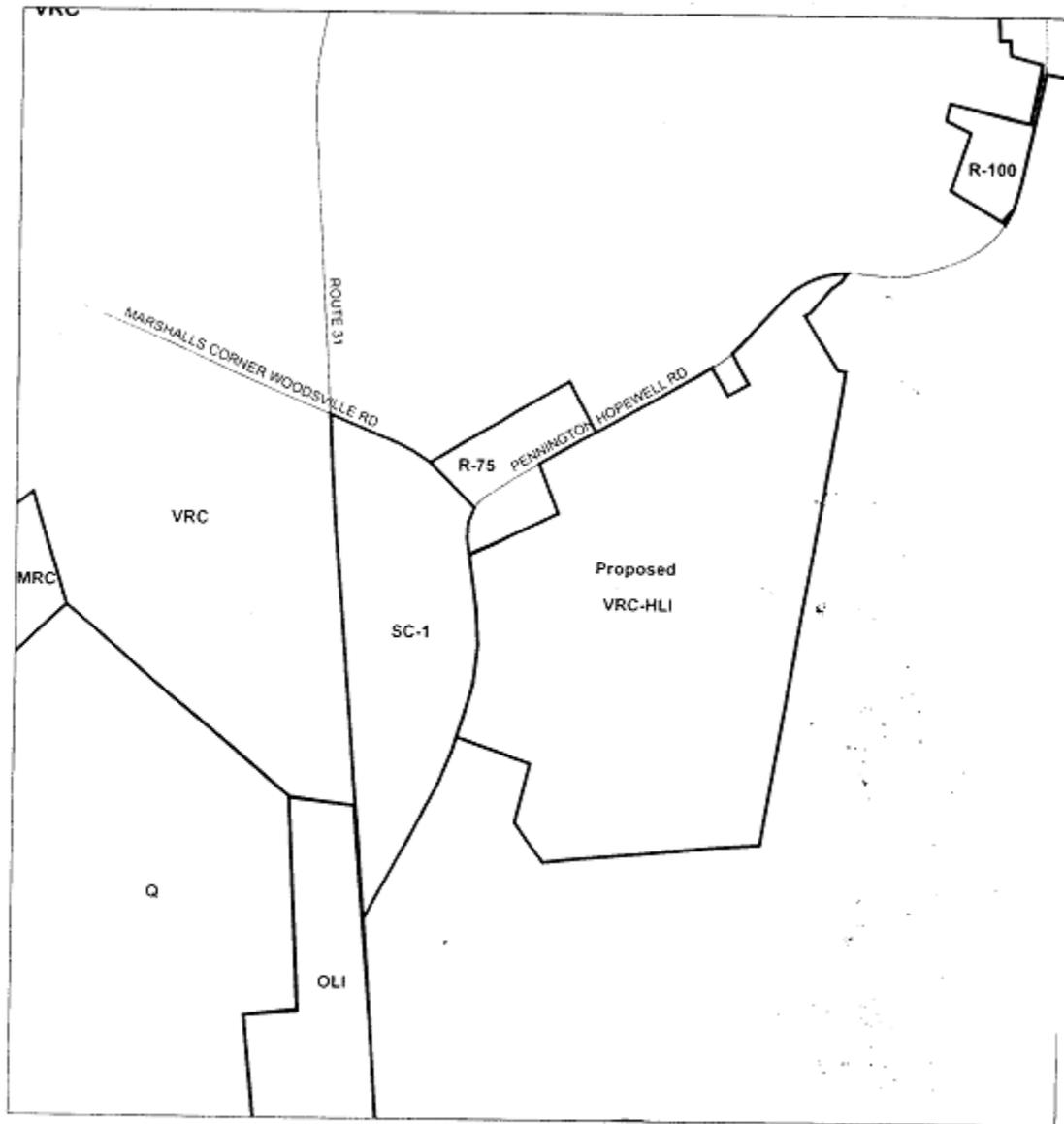
Data Source:
Van Cleef Engineering Assoc.

BANISCH
CONSULTANTS
PLANNING & DESIGN

APPENDIX C - Cont.

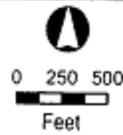
ZONING MAP AMENDMENT
Portion of Hopewell Township
Block 37, Lots 17.01, 17.02, 17.03 & 17.04

September 2005
(Ord. #05-1361, November 14, 2005)



Legend

○ Zoning District Boundaries



Data Source:
Van Cleef Engineering Assoc.

BANISCH
ENGINEERS & ARCHITECTS
P.C.

TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY

ORDINANCE NO. 08-1430

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL,
COUNTY OF MERCER AND STATE OF NEW JERSEY,
AMENDING CHAPTER XVII OF THE CODE ENTITLED
“LAND USE AND DEVELOPMENT” THROUGH
THE ESTABLISHMENT OF A NEW ARTICLE XVI ENTITLED
“GROWTH SHARE AND AFFORDABLE HOUSING PROVISIONS”

WHEREAS, the New Jersey Supreme Court and New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”) and the Fair Housing Act, N.J.S.A. 52:27D-301, et seq. (“FHA”) that every municipality in New Jersey has an affirmative obligation to facilitate the provision of affordable housing; and

WHEREAS, the New Jersey Council on Affordable Housing (“COAH”) is the State administrative agency created pursuant to the FHA vested with primary jurisdiction for the administration of affordable housing obligations in accordance with sound regional planning considerations in New Jersey; and

WHEREAS, COAH’s Third Round Substantive Rules (N.J.A.C. 5:94-1 et seq.) implement a “growth share” approach to affordable housing production which requires affordable housing to be produced in conjunction with market-rate residential and nonresidential growth and development within Hopewell Township; and

WHEREAS, Hopewell Township desires to implement the “growth share” policies promulgated by COAH in its Third Round Substantive Rules in an effort to foster the production of affordable housing opportunities for qualified low and moderate income households through COAH’s third round, which extends from 1999 to 2018.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Committee of Hopewell Township that the Land Use Ordinance of Hopewell Township be and is hereby amended as follows:

Section 1. The following new Sections are hereby added to a new Article XVI of Chapter XVII, Land Use and Development, to read as follows:

ARTICLE XVI
Growth Share and Affordable Housing Provisions

17-252 Applicability

- a. This subsection of the land use regulations of Hopewell Township sets forth mechanisms by which developers shall provide for a fair share of affordable housing based on growth that is associated with development taking place within Hopewell Township.
- b. Residential Development. All residential development in the R-50, R-75, R-100, R-150, VRC and MRC zoning districts that results in the construction of four or more market-rate dwelling units in accordance with N.J.A.C. 5:94-1 et seq., shall be subject to the “growth share” provisions of this ordinance.
- c. Non-residential development. All non-residential development in the HBO, O/CC and SI zoning districts that results in an increase in gross floor area of any existing non-residential structure or the construction of a new non-residential structure in accordance with N.J.A.C. 5:94-1 et seq., shall be subject to the “growth share” provisions of this ordinance. For all non-residential development in the OP, RO-1, RO-2 and RO-3 zoning districts, the first 50 percent of floor area of any preliminary site plan approval shall be subject to the growth share provisions of this ordinance, with the remaining 50 percent of floor area subject to the development fee provisions of Section 10-7 of the Township Code.

- d. The applicant for a development approval shall submit an affordable housing plan with the initial application for completeness. The affordable housing plan shall specify the manner in which the applicant will address the affordable housing obligation, as permitted by ordinance. The plan shall be subject to review by the Planning Board Attorney, Planning Board planner and the Township affordable housing coordinator for consistency with the ordinance. Compliance with the terms of COAH's rules and the approved plan shall be a condition of any development approval that is granted.

17-253 Residential Growth Share Provisions

- a. All residential development which results in the construction of four market-rate dwelling units in Hopewell Township in the R-50, R-75, R-100, R-150, VRC and MRC zoning districts shall provide one affordable unit for every four market rate units constructed. If the affordable unit is constructed on site the applicant shall receive one additional market-rate unit for each affordable unit. **If it is not feasible to construct the affordable unit on-site, then it may be constructed off-site, and the applicant shall receive 0.5 additional market rate unit for each affordable unit.**

Since the four market rate units, one affordable unit and one additional market rate unit will exceed the 2,000 gallons of wastewater flow that are permitted with a standard septic system, the development shall be served by either public sewers or a small, community wastewater treatment system approved by the N.J. Department of Environmental Protection.

- b. For developments that result in a number of market-rate residential units not evenly divisible by four, the developer may construct the additional affordable unit on-site or alternatively, the developer may make a payment in lieu of constructing the additional affordable unit. If the developer selects the latter option, the amount of said payment shall be established by subtracting any whole multiples of four from the total number of market-rate residential units being created, dividing any remaining number of units by four and multiplying the resulting fraction by the subsidy required to create an affordable housing unit in Hopewell Township.

The actual payment in lieu of construction made by the developer may be negotiated with the Township considering the actual land cost of the site(s) identified for affordable housing construction elsewhere within Hopewell Township or the substitution of land, site preparation and/or construction services for all or a portion of the monetary payment otherwise required.

- c. All residential development in the R-50, R-75, R-100, R-150, VRC and MRC zoning districts consisting of less than four residential units is subject to the payment of development fees as set forth in Section 10-7 of the Township Code.
- d. As an alternative to fulfilling the affordable housing requirements set forth in a. through c. above, developers of residential units in the R-50, R-75, R-100, R-150, VRC and MRC zoning districts may elect to construct an affordable housing unit elsewhere in Hopewell Township or purchase an existing residential unit elsewhere in Hopewell Township in accordance with Hopewell Township's market to affordable program, and/or municipally-sponsored rental program which shall comply with applicable COAH rules at N.J.A.C. 5:94-1 et seq.
- e. All residential development not subject to the provisions of a. through d. above, **including residential developments of three units or less**, shall be subject to the provisions governing development fees as set forth in Section 10-7 of the Township Code and **N.J.A.C 5:94-8.3(c)2.**

17-254. Non-Residential Growth Share Provisions

- a. All non-residential development in the HBO, O/CC and SI zoning districts that results in an increase in gross floor area of any existing non-residential building or the construction of a new non-residential building in Hopewell Township shall provide one affordable unit for every 16 jobs that results from the application of standards adopted by COAH (presently found in Appendix D of N.J.A.C. 5:94-1 et seq.) and based on use groups, as

defined by the International Building Code (IBC) which has been incorporated by reference into the Uniform Construction Code (UCC). For all non-residential development in the OP, RO-1, RO-2 and RO-3 zoning districts, the first 50 percent of floor area of any development approval shall provide one affordable unit for every 16 jobs that results from the application of the above standards, with the remaining 50 percent of floor area subject to the development fee provisions of Section 10-7 of the Township Code.

- b. Except as set forth in c. below, non-residential developers in HBO, O/CC, SI, OP, RO-1, RO-2 and RO-3 zoning districts may construct an affordable housing unit elsewhere in Hopewell Township or purchase an existing residential unit elsewhere in Hopewell Township in accordance with Hopewell Township's market to affordable program, and/or municipally-sponsored rental program which shall comply with applicable COAH rules at N.J.A.C. 5:94-1 et seq. Affordable units also may be constructed on-site or in a mixed use building. If constructed on-site or in a mixed use building, the floor area of the affordable units shall not be in the calculation of floor area for the purposes of this Article.
- c. As an alternative to fulfilling the affordable housing requirements set forth in a. above, the non-residential developer may make a payment in lieu of constructing the affordable units. The amount of said payment shall be determined by establishing the number of jobs to be created in a development by using the conversion factors published by COAH as Appendix D in N.J.A.C. 5:94-1 et seq., dividing by 16 to determine the number of affordable housing units required and multiplying the resulting figure by the subsidy required to create an affordable housing unit in Hopewell Township.
- d. For developments that result in a number of jobs not evenly divisible by 16, the developer may construct the additional affordable unit off-site in accordance with subsection b. above or alternatively, the developer may make a payment in lieu of constructing an additional affordable unit in accordance with subsection d above. If the developer selects the latter option, the amount of said payment shall be established by subtracting any whole multiples of 16 from the total number of jobs being created, dividing any remaining number of jobs by 16 and multiplying the resulting fraction by the subsidy required to create an affordable housing unit in Hopewell Township.

The actual payment in lieu of construction made by the developer may be negotiated with the Township considering the actual land cost of the site(s) identified for affordable housing construction elsewhere within Hopewell Township or the substitution of land, site preparation and/or construction services for all or a portion of the monetary payment otherwise required.
- e. All non-residential development in the HBO, O/CC and SI zoning districts creating less than 16 jobs is subject to the payment of development fees as set forth in Section 10-7 of the Township Code.
- f. All non-residential development not subject to the provisions of subsections a. through e. above shall be subject to the provisions of development fees as set forth in Section 10-7 of the Township Code.

17-255. General Provisions for Constructing Affordable Units

- a. Affordable housing units being constructed on-site or off-site shall meet the requirements of the Hopewell Township's affordable housing ordinance, and shall be in conformance with COAH's third round rules at N.J.A.C. 5:94-1 et seq. and the Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 et seq., including, but not limited to, requirements regarding phasing schedule, controls on affordability, low/moderate income split, heating source, maximum rent and/or sales prices, affordability average, bedroom distribution, and affirmative marketing.
- b. To the greatest extent possible, affordable housing units being provided within inclusionary developments shall be disbursed throughout inclusionary developments and shall be located within buildings designed to be architecturally indistinguishable from the market-rate units otherwise being constructed within the development. To that end, the scale, massing, roof pitch and architectural detailing (such as the selection of exterior

materials, doors, windows, etc.) of the buildings containing the affordable housing units shall be similar to and compatible with that of the market-rate units.

- c. Single-family attached buildings in the form of semi-detached (side-by-side) units or duplex (over and under) units, triplex and quadplex buildings shall be deemed to be permitted uses in the underlying zone when created for the purpose of meeting the growth share obligation on-site and shall conform to the bulk standards set forth in subsection 17-92.d.3.

17-256. Payment in Lieu Provisions

- a. Any payment in lieu amount shall be derived from the analysis of the subsidy required to create an affordable housing unit in Hopewell Township, which analysis shall be on file in the office of the Planning Board. The subsidy shall be adjusted annually based on the actual construction cost of an affordable housing unit, utilizing such indicators as the Consumer Price Index for housing, the NJ Department of Community Affairs construction indicators, or such other reliable source.
- b. All payments in lieu of constructing affordable housing shall be deposited by Hopewell Township into an affordable housing trust fund to be established by Hopewell Township in conformance with regulations established by COAH and shall at all times be identifiable from development fees. These funds shall be used by Hopewell Township in accordance with regulations established by COAH to create new affordable housing opportunities within the physical boundaries of Hopewell Township.

Section 2. Severability. The various parts, sections, and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

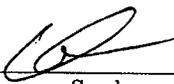
Section 3. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law, but not before the New Jersey Council on Affordable Housing adopts the pending amendments to COAH's Third Round Substantive Rules.

Date Introduced: March 24, 2008

Date Advertised: April 10, 2008

Date Adopted: May 12, 2008



Vanessa Sandom
Mayor

ATTEST:



Annette C. Bielawski
Township Clerk

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

ORDINANCE NO. 08-1453

**AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL
DESIGNATING THE "MARSHALL'S CORNER SCHOOLHOUSE" AS A
HISTORIC LANDMARK WITHIN THE TOWNSHIP OF
HOPEWELL AND AMENDING AND SUPPLEMENTING
THE OFFICIAL ZONING MAP AND ORDINANCES OF
THE TOWNSHIP OF HOPEWELL**

WHEREAS, the Township of Hopewell has established a Register of Historic Landmarks pursuant to Ordinance No. 00-1142, in order to preserve and regulate Historic Districts and Historic Landmarks within the Township of Hopewell; and

WHEREAS, the Historic Preservation Commission of Hopewell Township published legal notice for its hearing of September 16, 2008, at which the "Marshall's Corner Schoolhouse" was found to have historic significance under the terms of Ordinance 00-1142; and

WHEREAS, the "Marshall's Corner Schoolhouse", which is located at 95 Pennington Hopewell Road (Block 34, Lot 8 on the Hopewell Township Tax Map), is the site of 1 building located on a .76 acre parcel; and

WHEREAS, the "Marshall's Corner Schoolhouse" represents the character and form of nineteenth century schoolhouses in Hopewell Township as a one room structure with a gable end facing the road, and is one of the few such remaining schoolhouses in the Township; and

WHEREAS, the "Marshall's Corner Schoolhouse" is an important part of the remaining fabric of a village named for storekeeper and State Assemblyman William Marshall; and

WHEREAS, the Hopewell Township Historic Preservation Commission has found that the "Marshall's Corner Schoolhouse" is unique in its stone construction, with stonework and windows fully intact; and

WHEREAS, the Township Committee of the Township of Hopewell therefore believes that the "Marshall's Corner Schoolhouse" is of historic significance and should be designated as an historic landmark within the Township of Hopewell pursuant to and in accordance with Ordinance No. 00-1142.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hopewell, in the County of Mercer and State of New Jersey, as follows:

1. That the "Marshall's Corner Schoolhouse" as referenced above, shall be designated as an Historic Landmark within the Township of Hopewell, pursuant to and in accordance with Ordinance No. 00-1142.

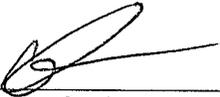
2. That the Official Zoning Map and Ordinances of the Township of Hopewell shall be amended and supplemented accordingly, in order to reflect this historic designation.

3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

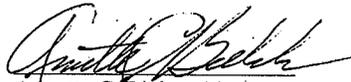
5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Date Introduced: November 10, 2008
Date Advertised: November 20, 2008
Date Adopted: December 8, 2008



Vanessa Sandom
Mayor

Attest:


Annette C. Bielawski
Municipal Clerk

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

ORDINANCE NO. 08-1452

**AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL
DESIGNATING THE "ENOS TITUS FARMSTEAD" AS A
HISTORIC LANDMARK WITHIN THE TOWNSHIP OF
HOPEWELL AND AMENDING AND SUPPLEMENTING
THE OFFICIAL ZONING MAP AND ORDINANCES OF
THE TOWNSHIP OF HOPEWELL**

WHEREAS, the Township of Hopewell has established a Register of Historic Landmarks pursuant to Ordinance No. 00-1142, in order to preserve and regulate Historic Districts and Historic Landmarks within the Township of Hopewell; and

WHEREAS, the Historic Preservation Commission of Hopewell Township published legal notice for its hearing of September 16, 2008, at which the "Enos Titus Farmstead" was found to have historic significance under the terms of Ordinance 00-1142; and

WHEREAS, the "Enos Titus Farmstead", which is located at 340 Rocky Hill Road (Block 45, Lot 1.02 on the Hopewell Township Tax Map), is the site of a farmstead including 1 dwelling, 1 large barn and accessory buildings located on a 2.24 acre parcel; and

WHEREAS, the "Enos Titus Farmstead" retains significant exterior architectural elements of its time, including a Federal period frieze board and crown, fluted door casings, and beaded clapboard siding, as well as intact interiors dating to circa 1800; and

WHEREAS, the farmhouse on the site was built by Enos Titus, an elder in the Presbyterian church in Pennington, and a person whose family was important to the nineteenth century life of Pennington; and

WHEREAS, the house and nineteenth century barn are a familiar landmark along an historical regional road; and

WHEREAS, the Hopewell Township Historic Preservation Commission has found that the "Enos Titus Farmstead" possesses a house and barn comprising one of several historically evocative sites in an open agricultural landscape, surrounded by preserved farmland and including additional historic farm structures; and

WHEREAS, the Township Committee of the Township of Hopewell therefore believes that the "Enos Titus Farmstead" is of historic significance and should be designated as an historic landmark within the Township of Hopewell pursuant to and in accordance with Ordinance No. 00-1142.

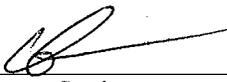
NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hopewell, in the County of Mercer and State of New Jersey, as follows:

1. That the "Enos Titus Farmstead" as referenced above, shall be designated as an Historic Landmark within the Township of Hopewell, pursuant to and in accordance with Ordinance No. 00-1142.
2. That the Official Zoning Map and Ordinances of the Township of Hopewell shall be amended and supplemented accordingly, in order to reflect this historic designation.
3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Date Introduced: November 10, 2008
Date Advertised: November 20, 2008
Date Adopted: December 8, 2008



Vanessa Sandom
Mayor

Attest:


Annette C. Bielawski
Municipal Clerk

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

ORDINANCE NO. 08-1451

**AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL
DESIGNATING THE "RUNYON-TITUS BARN" AS A
HISTORIC LANDMARK WITHIN THE TOWNSHIP OF
HOPEWELL AND AMENDING AND SUPPLEMENTING
THE OFFICIAL ZONING MAP AND ORDINANCES OF
THE TOWNSHIP OF HOPEWELL**

WHEREAS, the Township of Hopewell has established a Register of Historic Landmarks pursuant to Ordinance No. 00-1142, in order to preserve and regulate Historic Districts and Historic Landmarks within the Township of Hopewell; and

WHEREAS, the Historic Preservation Commission of Hopewell Township published legal notice for its hearing of September 16, 2008, at which the "Runyon-Titus Barn" was found to have historic significance under the terms of Ordinance 00-1142; and

WHEREAS, the "Runyon-Titus Barn", located at 115 Route 31 North (Block 37, Lot 19 on the Hopewell Township Tax Map), is the site of a barn and springhouse located on a 67 acre parcel; and

WHEREAS, the "Runyon-Titus Barn" was first constructed in approximately 1740 by one of the immigrant families in the Township, in a saltbox form no longer found elsewhere in our region; and

WHEREAS, the "Runyon-Titus Barn" was modified by Andrew Titus, Jr. prior to 1800 to suit the larger, changing farming operations of the day; and

WHEREAS, the Hopewell Township Historic Preservation Commission has found that the "Runyon-Titus Barn" marks the location of a circa 1740 farmstead site and demonstrates the construction technology of the second generation of farmers in Hopewell Township, and the creative structural innovations of a later owner; and

WHEREAS, the Township Committee of the Township of Hopewell therefore believes that the "Runyon-Titus Barn" is of historic significance and should be designated as an historic landmark within the Township of Hopewell pursuant to and in accordance with Ordinance No. 00-1142.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hopewell, in the County of Mercer and State of New Jersey, as follows:

1. That the "Runyon-Titus Barn" as referenced above, shall be designated as an Historic Landmark within the Township of Hopewell, pursuant to and in accordance with Ordinance No. 00-1142.
2. That the Official Zoning Map and Ordinances of the Township of Hopewell shall be amended and supplemented accordingly, in order to reflect this historic designation.
3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Date Introduced: November 10, 2008
Date Advertised: November 20, 2008
Date Adopted: December 8, 2008



Vanessa Sandom
Mayor

Attest:



Annette C. Bielawski
Municipal Clerk

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

ORDINANCE NO. 08-1450

**AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL
DESIGNATING THE "HARBOURTON BLACKSMITH'S HOUSE"
AS A HISTORIC LANDMARK WITHIN THE TOWNSHIP OF
HOPEWELL AND AMENDING AND SUPPLEMENTING
THE OFFICIAL ZONING MAP AND ORDINANCES OF
THE TOWNSHIP OF HOPEWELL**

WHEREAS, the Township of Hopewell has established a Register of Historic Landmarks pursuant to Ordinance No. 00-1142, in order to preserve and regulate Historic Districts and Historic Landmarks within the Township of Hopewell; and

WHEREAS, the Historic Preservation Commission of Hopewell Township published legal notice for its hearing of September 16, 2008, at which the "Harbourton Blacksmith's House" was found to have historic significance under the terms of Ordinance 00-1142; and

WHEREAS, the "Harbourton Blacksmith's House", which is located at 1459 Trenton Harbourton Road (Block 52, Lot 1 on the Hopewell Township Tax Map), is the site of 1 dwelling and accessory buildings located on a 1.72 acre parcel; and

WHEREAS, the "Harbourton Blacksmith's House" was the residence of the blacksmith serving the neighborhood of the village of Harbourton in Hopewell Township and the site of the blacksmith shop from at least 1826 until after 1900, in addition to being the site of the third schoolhouse for the Harbourton neighborhood; and

WHEREAS, the Hopewell Township Historic Preservation Commission has found that the long, flat south façade of the "Harbourton Blacksmith's House" demonstrates a distinct period in architecture with two front entrances and associated pairs of windows typical of its time, as well as being a familiar landmark for almost two centuries for northbound travelers on an historical regional road; and

WHEREAS, the Township Committee of the Township of Hopewell therefore believes that the "Harbourton Blacksmith's House" is of historic significance and should be designated as an historic landmark within the Township of Hopewell pursuant to and in accordance with Ordinance No. 00-1142.

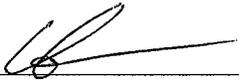
NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hopewell, in the County of Mercer and State of New Jersey, as follows:

1. That the "Harbourton Blacksmith's House" as referenced above, shall be designated as an Historic Landmark within the Township of Hopewell, pursuant to and in accordance with Ordinance No. 00-1142.
2. That the Official Zoning Map and Ordinances of the Township of Hopewell shall be amended and supplemented accordingly, in order to reflect this historic designation.
3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Date Introduced: November 10, 2008
Date Advertised: November 20, 2008
Date Adopted: December 8, 2008



Vanessa Sandom
Mayor

Attest:



Annette C. Bielawski
Municipal Clerk

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

ORDINANCE NO. 08-1449

**AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL
DESIGNATING THE "TITUSVILLE STORE" AS A
HISTORIC LANDMARK WITHIN THE TOWNSHIP OF
HOPEWELL AND AMENDING AND SUPPLEMENTING
THE OFFICIAL ZONING MAP AND ORDINANCES OF
THE TOWNSHIP OF HOPEWELL**

WHEREAS, the Township of Hopewell has established a Register of Historic Landmarks pursuant to Ordinance No. 00-1142, in order to preserve and regulate Historic Districts and Historic Landmarks within the Township of Hopewell; and

WHEREAS, the Historic Preservation Commission of Hopewell Township published legal notice for its hearing of September 16, 2008, at which the "Titusville Store" was found to have historic significance under the terms of Ordinance 00-1142; and

WHEREAS, the "Titusville Store", which is located at 34 River Drive (Block 134, Lot 13 on the Hopewell Township Tax Map), is the site of 1 building located on a .5 acre parcel; and

WHEREAS, Titusville is a unique part of the history of Hopewell Township related to commerce along the Delaware & Raritan Canal and Delaware River; and

WHEREAS, the "Titusville Store" predates the start of the village that became Titusville and became its first Post Office in 1834 upon completion of the Canal and thereafter the first store in the village having been owned by Joseph Titus, the founder of the village and a person important to the history of the village and the Township of Hopewell as a whole; and

WHEREAS, the Hopewell Township Historic Preservation Commission has found that the "Titusville Store" possesses the stone construction, well preserved architecture, and prominent location demonstrating the building design of its time; and

WHEREAS, the Township Committee of the Township of Hopewell therefore believes that the "Titusville Store" is of historic significance and should be designated as an historic landmark within the Township of Hopewell pursuant to and in accordance with Ordinance No. 00-1142.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hopewell, in the County of Mercer and State of New Jersey, as follows:

1. That the "Titusville Store" as referenced above, shall be designated as an Historic Landmark within the Township of Hopewell, pursuant to and in accordance with Ordinance No. 00-1142.
2. That the Official Zoning Map and Ordinances of the Township of Hopewell shall be amended and supplemented accordingly, in order to reflect this historic designation.
3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

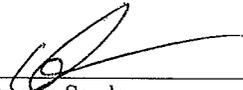
4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Date Introduced: November 10, 2008

Date Advertised: November 20, 2008

Date Adopted: December 8, 2008



Vanessa Sandom
Mayor

Attest:


Arnette C. Bielawski
Municipal Clerk

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

ORDINANCE NO. 08-1448

**AN ORDINANCE TO SUPPLEMENT CHAPTER XVII – LAND USE AND
DEVELOPMENT, ARTICLE XV "HISTORIC PRESERVATION"
OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL**

WHEREAS, the Hopewell Township Historic Preservation Commission was established to ensure the protection, enhancement and perpetuation of historic buildings, structures, sites, objects, improvements and districts within the Township; and

WHEREAS, the Village of Harbourton is comprised of a collection of well preserved eighteenth and nineteenth century buildings that demonstrate the past domestic, agrarian, commercial and religious life Hopewell Township, including families who have farmed the land to be included in the district for more than two centuries, the Orlando property which has been placed in farmland preservation, the Harbourton Baptist Church, the stone portion of the Harbourton Store which contains the gable-end date stone marked 1768 and the initials "JH" to commemorate the founder of the village, John Harbourt; and

WHEREAS, the rural landscape to the south and east of the Village of Harbourton remains largely undeveloped and in agricultural use; and

WHEREAS, the intersection of two regional roads of colonial origin, has served as the reason for the existence of this crossroads village, and facilitated the commerce and travel of Hunterdon and Mercer Counties from the mid eighteenth century to the present day; and

WHEREAS, the Historic Preservation Commission has determined that this is one of the best preserved crossroads villages in Hopewell Township, and the only crossroads village which can be seen in its historical landscape; and

WHEREAS, recognizing the historic significance of this crossroads village, the Hopewell Township Historic Preservation Commission has resolved that the Hopewell Township Register of Historic Places should include an historic district to be known as the "Harbourton Rural Historic District"; and

WHEREAS, any such designation must be made by the Township Committee.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hopewell, in the County of Mercer, State of New Jersey, that Chapter XVII – Land Use and Development, Article XV – Historic Preservation, Section 244 – Designation of Historic Landmarks and Historic Districts of the Revised General Ordinances of the Township of Hopewell, be supplemented follows:

SECTION I.

17-244.5 Historic Districts Designated

a. Harbourton Rural Historic District

1. The "Harbourton Rural Historic District" shall be designated as an historic district within the Township of Hopewell.

2. The Harbourton Rural Historic District shall consist of those properties, or parts thereof, designated on the plan entitled "Harbourton Rural Historic District" as determined by the Hopewell Township Historic Commission, which plan shall amend the Hopewell Township Zoning Map.

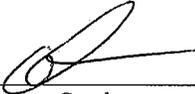
SECTION II.

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

SECTION III.

This ordinance shall take effect upon final passage and publication in accordance with the law.

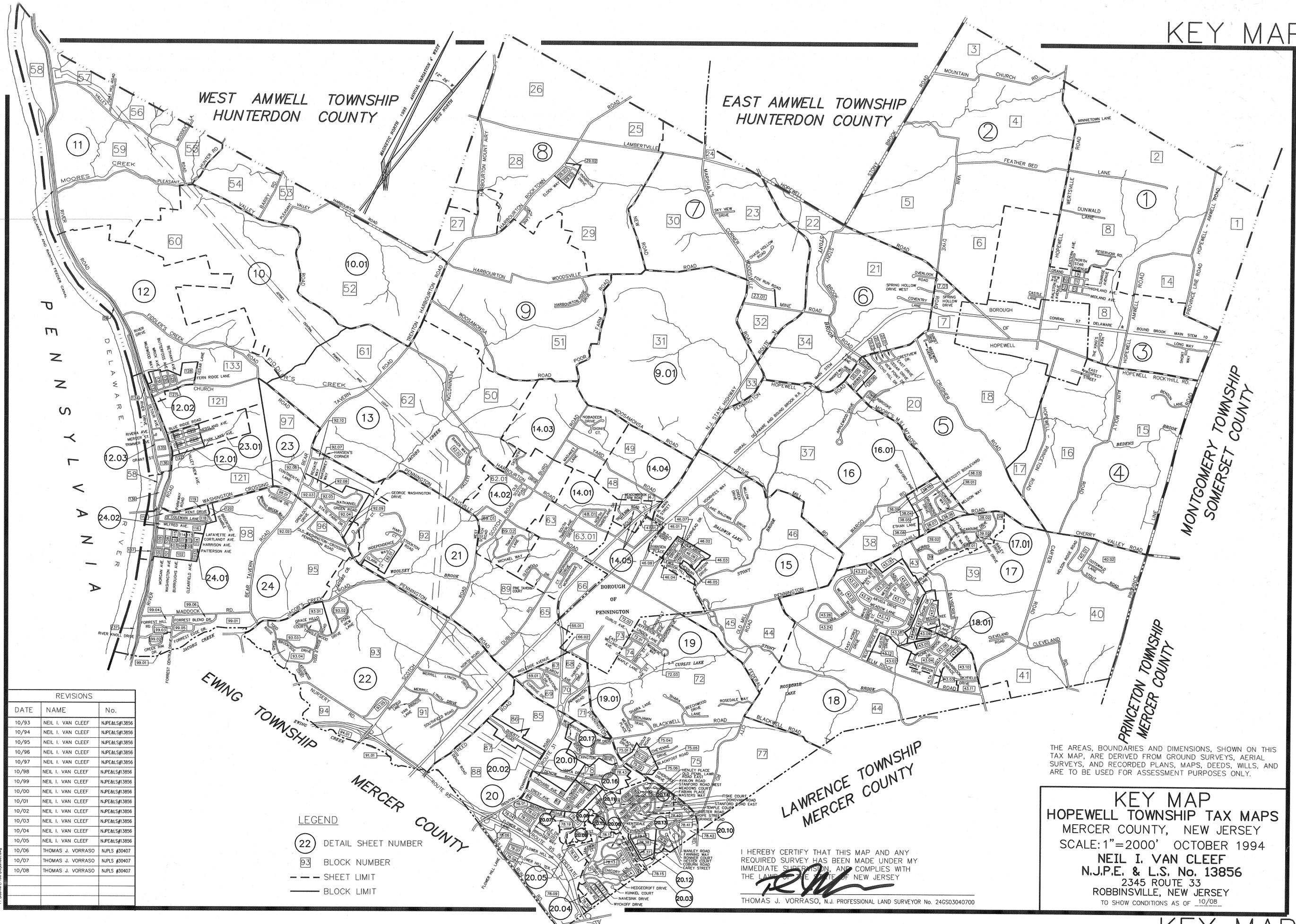
Date Introduced: October 27, 2008
Dated Advertised: October 30, 2008
Date Adopted: November 24, 2008



Vanessa Sandom
Mayor

Attest:


Annette C. Biefawski
Municipal Clerk



REVISIONS

DATE	NAME	No.
10/93	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/94	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/95	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/96	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/97	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/98	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/99	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/00	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/01	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/02	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/03	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/04	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/05	NEIL I. VAN CLEEF	N.J.P.E.&L.S.#13856
10/06	THOMAS J. VORRASSO	N.J.P.L.S.#30407
10/07	THOMAS J. VORRASSO	N.J.P.L.S.#30407
10/08	THOMAS J. VORRASSO	N.J.P.L.S.#30407

- LEGEND
- 22 DETAIL SHEET NUMBER
 - 93 BLOCK NUMBER
 - SHEET LIMIT
 - BLOCK LIMIT

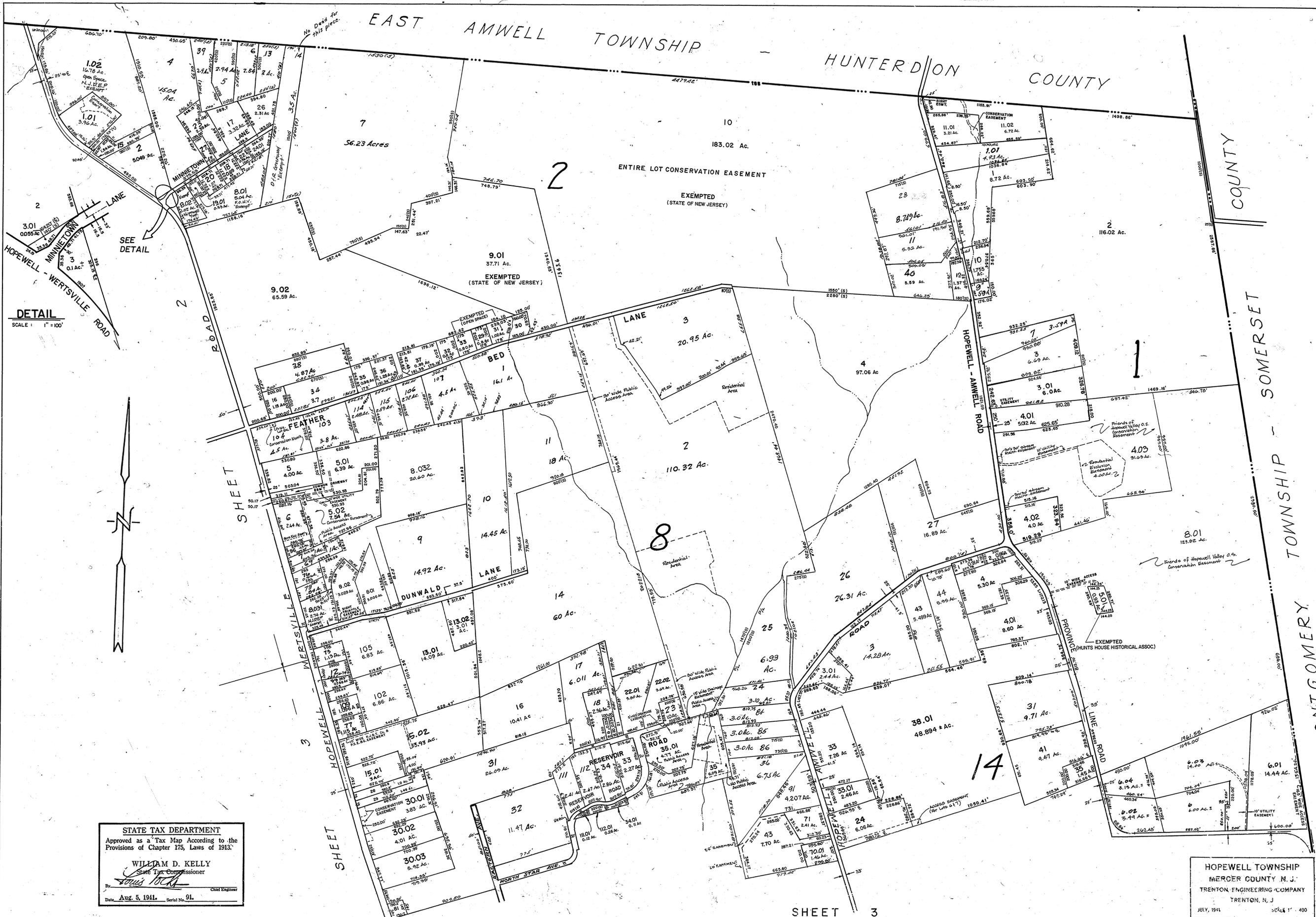
THE AREAS, BOUNDARIES AND DIMENSIONS, SHOWN ON THIS TAX MAP, ARE DERIVED FROM GROUND SURVEYS, AERIAL SURVEYS, AND RECORDED PLANS, MAPS, DEEDS, WILLS, AND ARE TO BE USED FOR ASSESSMENT PURPOSES ONLY.

KEY MAP
HOPEWELL TOWNSHIP TAX MAPS
 MERCER COUNTY, NEW JERSEY
 SCALE: 1"=2000' OCTOBER 1994
NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 ROUTE 33
 ROBBINSVILLE, NEW JERSEY
 TO SHOW CONDITIONS AS OF 10/08

I HEREBY CERTIFY THAT THIS MAP AND ANY REQUIRED SURVEY HAS BEEN MADE UNDER MY IMMEDIATE SUPERVISION, AND COMPLIES WITH THE LAWS OF THE STATE OF NEW JERSEY

THOMAS J. VORRASSO

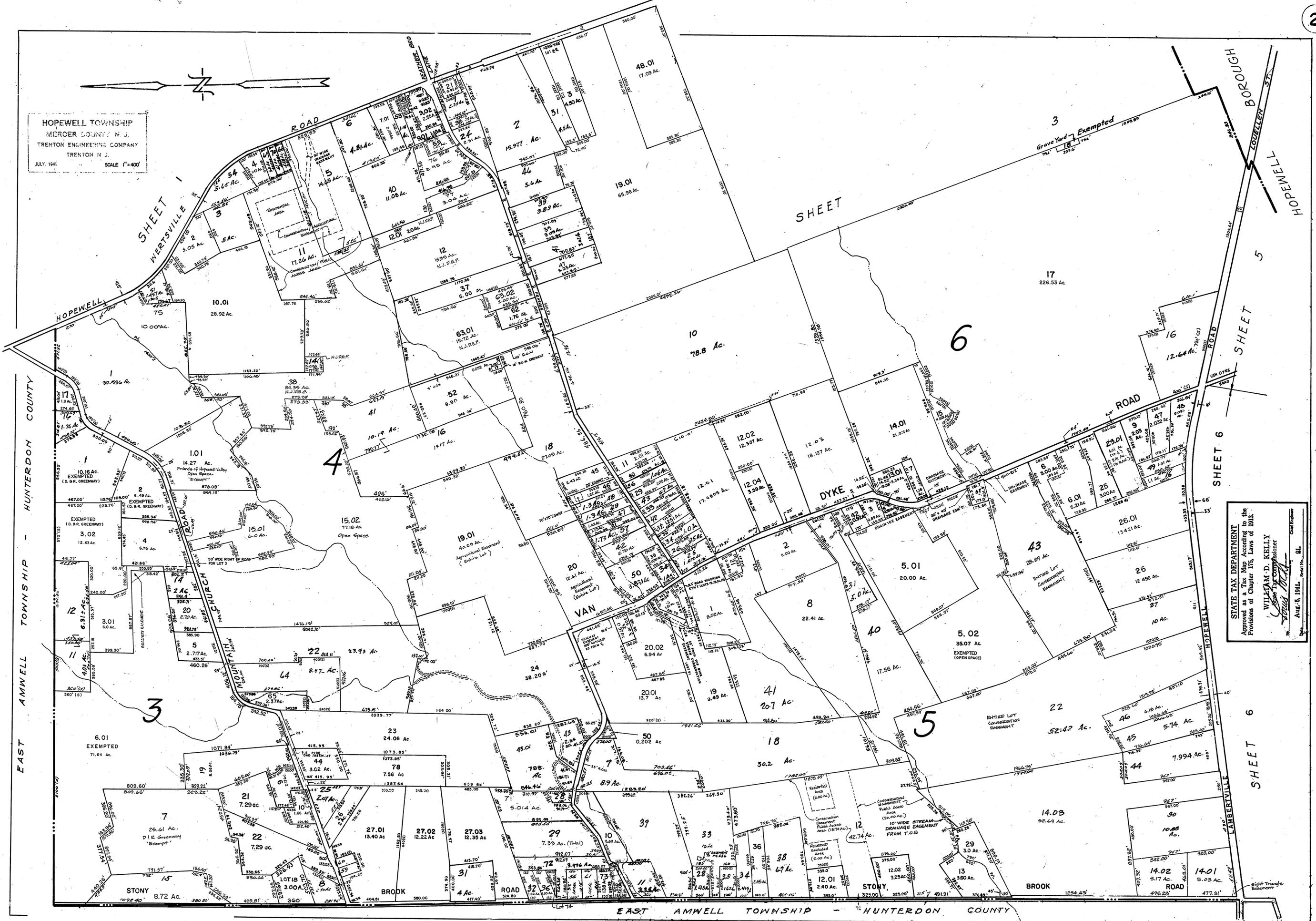
THOMAS J. VORRASSO, N.J. PROFESSIONAL LAND SURVEYOR No. 246S03040700



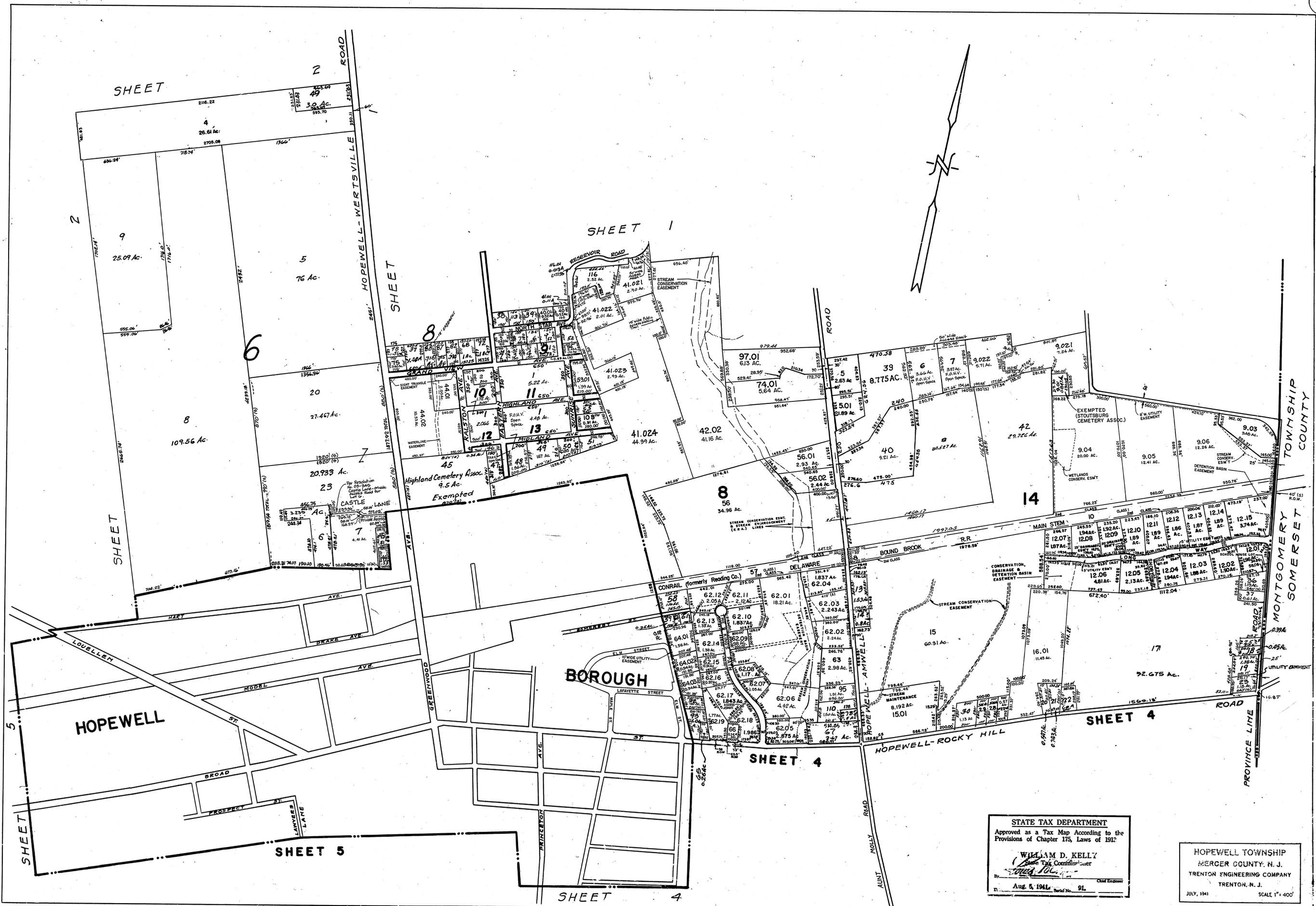
STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By *Louis Tocha*
 Chief Engineer
 Date Aug. 5, 1941. Serial No. 91

HOPEWELL TOWNSHIP
 MERCER COUNTY N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 1" = 100'

HOPEWELL TOWNSHIP
 MERCER COUNTY N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON N. J.
 JULY, 1941 SCALE 1"=400'



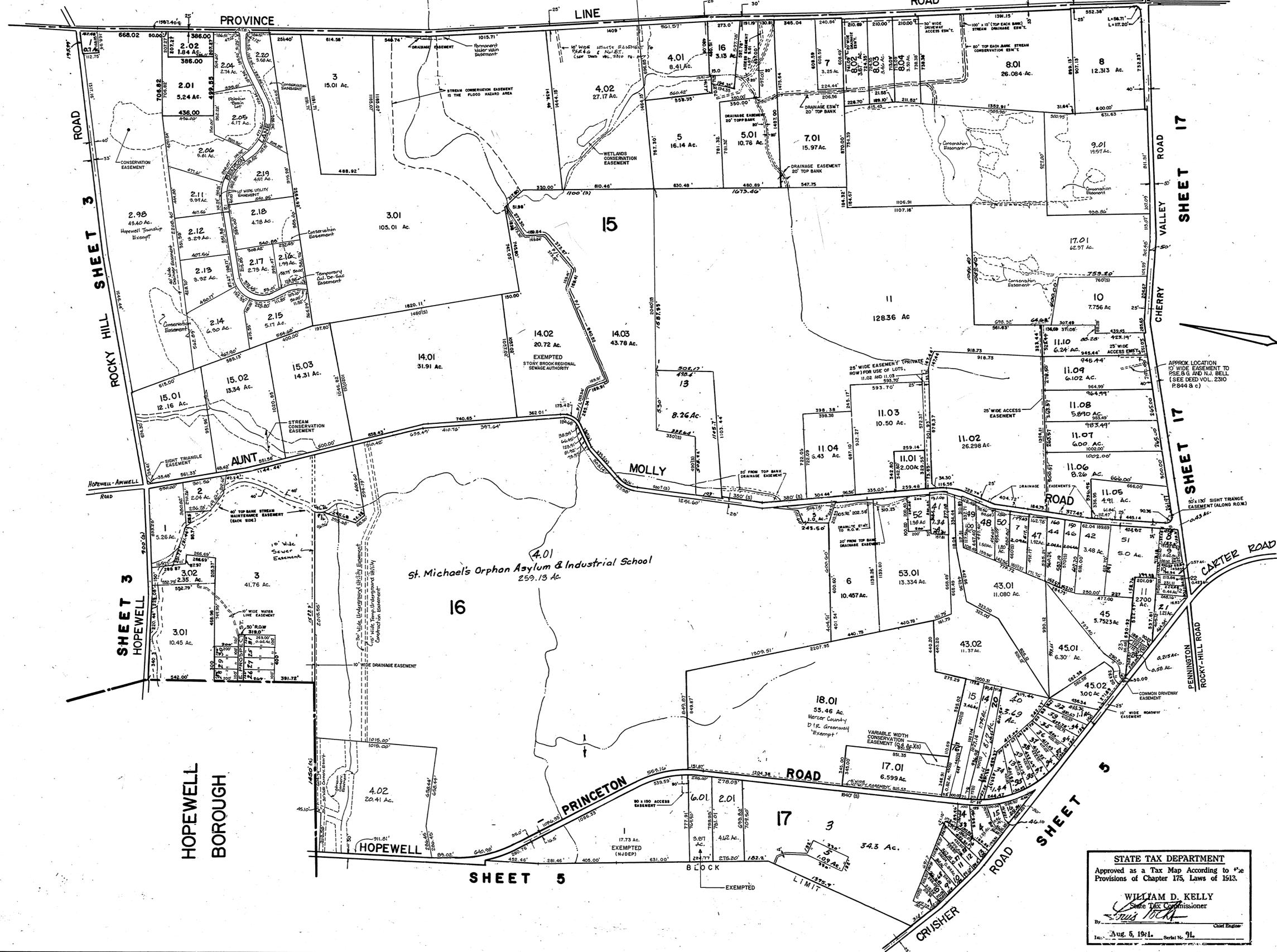
STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 AUG 15, 1941, Serial No. 91



STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1912
 WILLIAM D. KELLY
 State Tax Commissioner
 Aug. 5, 1941

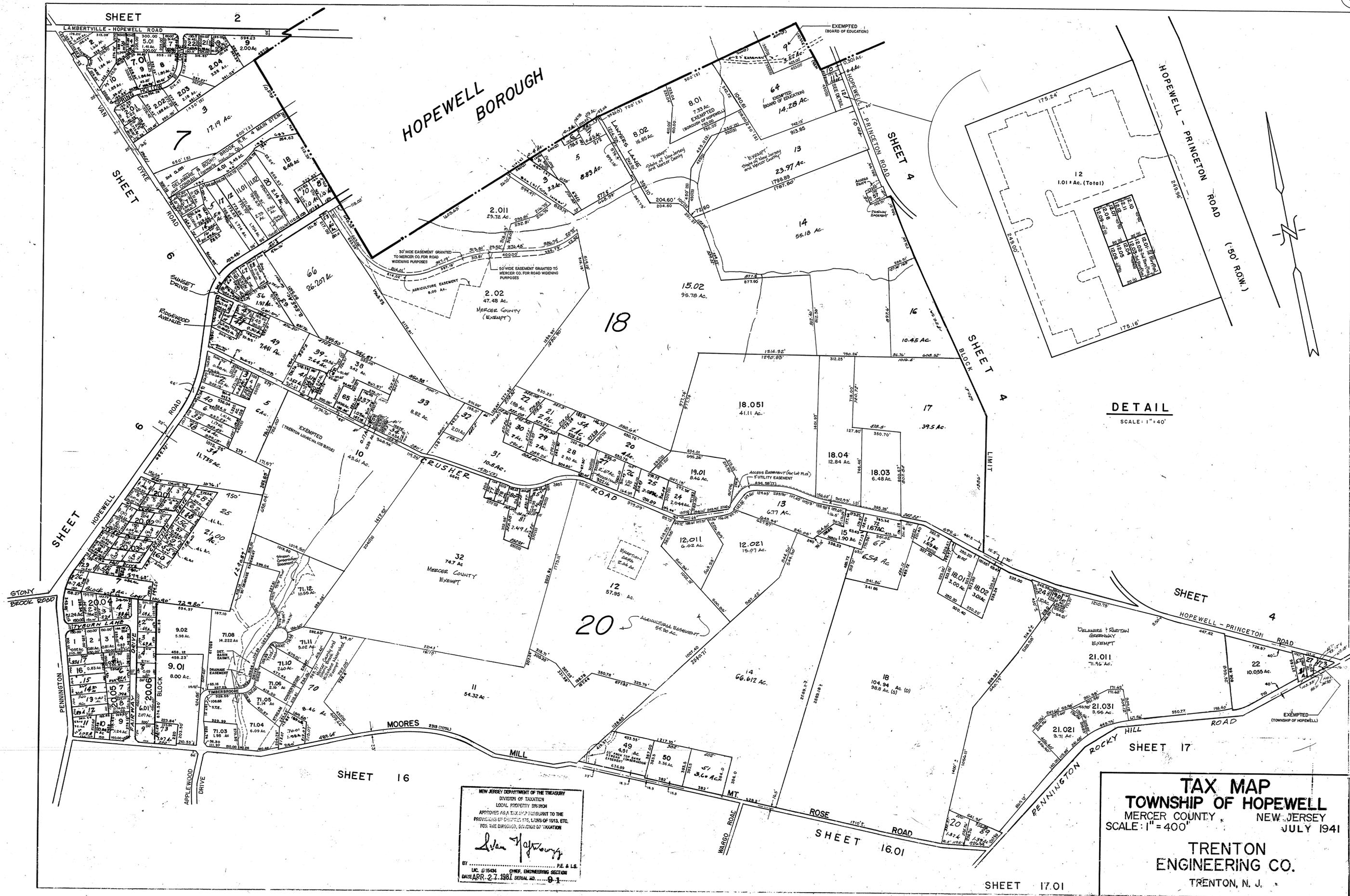
HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 SCALE 1" = 400'

MONTGOMERY TOWNSHIP SOMERSET COUNTY



STATE TAX DEPARTMENT
 Approved as a Tax Map According to the Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: *Wm. D. Kelly*
 Aug. 5, 1914. Serial No. 91.

HOPEWELL TOWNSHIP
 MERCER COUNTY N.J.
 TRENTON-ENGINEERING COMPANY
 TRENTON, N.J.
 JULY, 1914. SCALE 1" = 400'



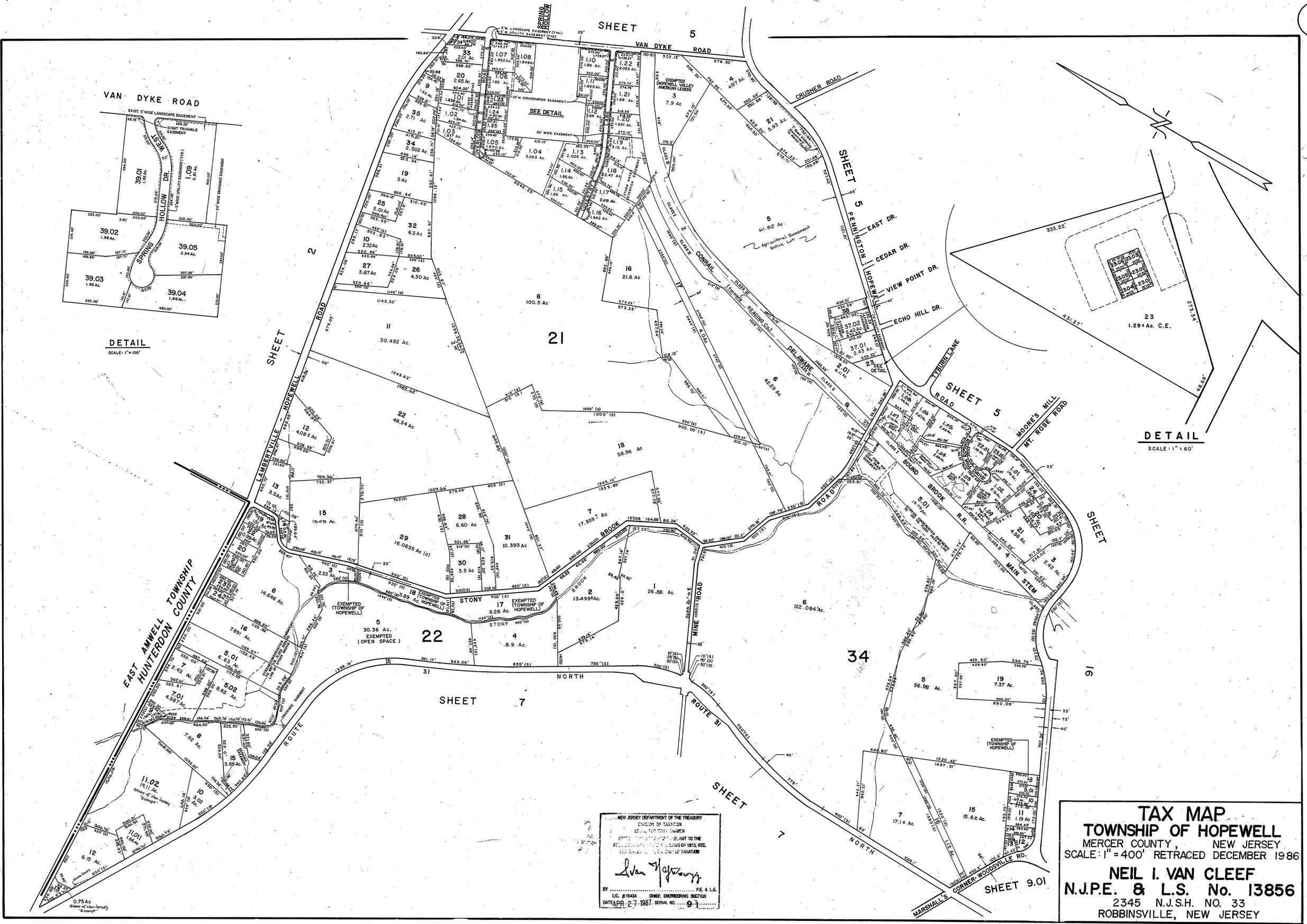
NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY BRANCH
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 175, LAWS OF 1913, ETC.
 FOR THE DISTRICT, DIVISION OF TAXATION

Ivan H. Johnson

BY: ILC. 515084 CHIEF, ENGINEERING SECTION
 DATE: APR. 27, 1941 SERIAL NO. 9-1

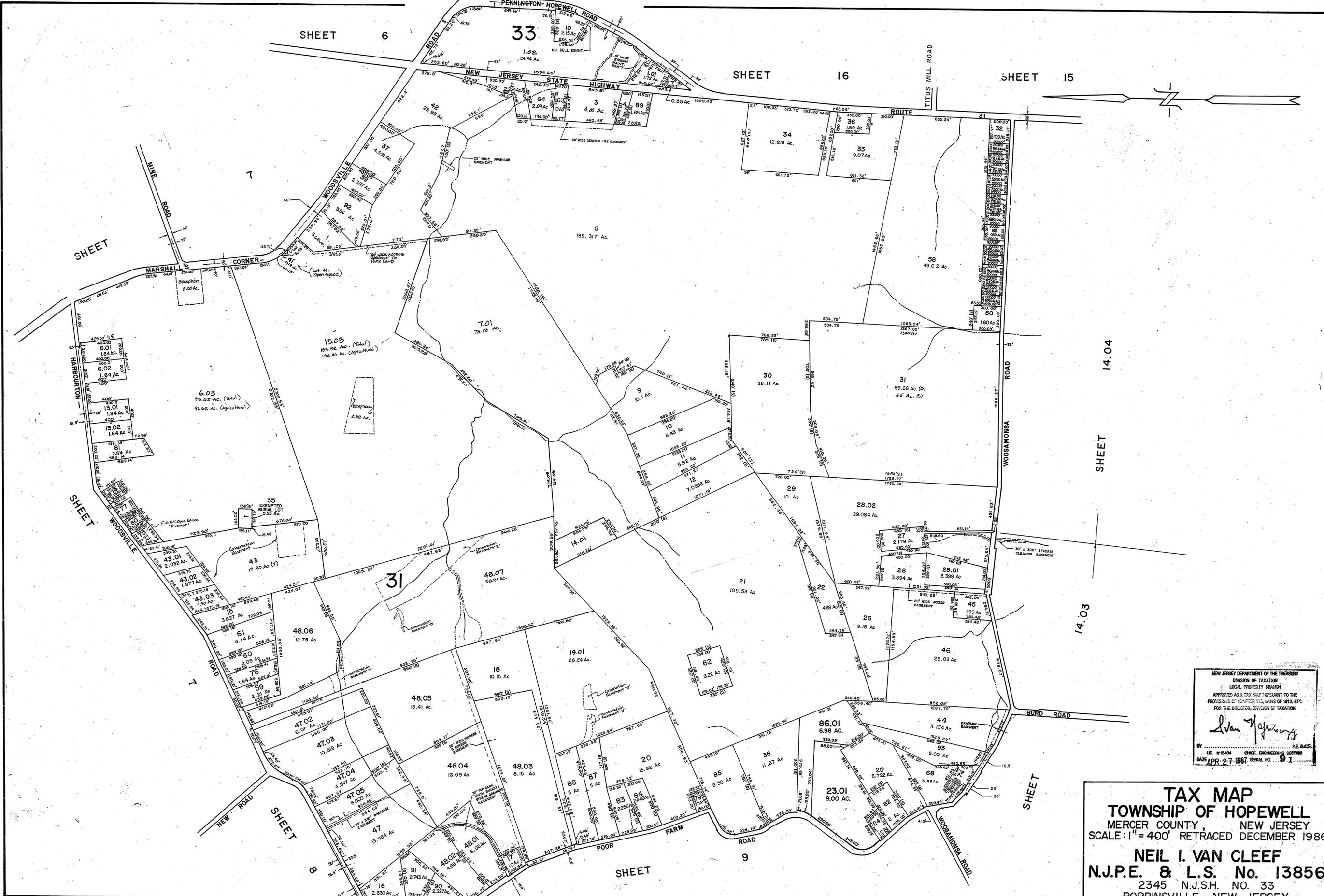
TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY NEW JERSEY
 SCALE: 1" = 400'
 JULY 1941

TRENTON
ENGINEERING CO.
 TRENTON, N. J.



NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL TAX MAPS SECTION
 PREPARED IN ACCORDANCE WITH THE
 PROVISIONS OF THE TAX MAP ACT OF 1973, ETC.
 BY: *Neil I. Van Cleaf*
 P.E. & L.S.
 DATE: APR. 27, 1987. SERIAL NO. 9-7

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1" = 400' RETRACED DECEMBER 1986
NEIL I. VAN CLEEF
N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. NO. 33
 ROBBINSVILLE, NEW JERSEY



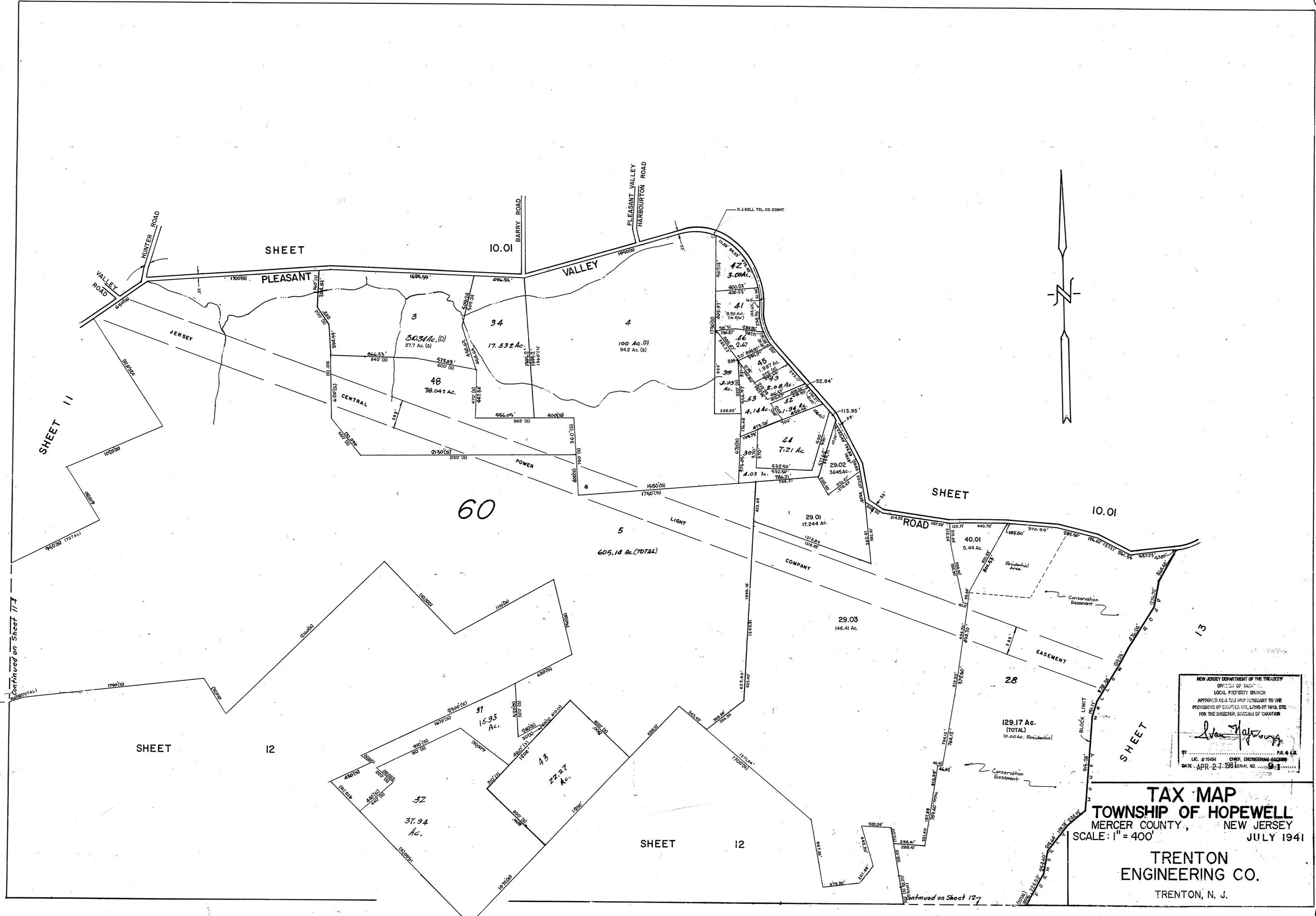
NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY BRANCH
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF COMPILER 17C, LAWS OF 1913, ETC.
 FOR THE DIRECTOR, DIVISION OF TAXATION

Neil I. Van Cleeff

BY: _____ P.E. & L.S.
 LIC. # 16434 CHIEF, ENGINEERING SECTION
 DATE APR. 27 1987 SERIAL NO. 21

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1" = 400' RETRACED DECEMBER 1986

NEIL I. VAN CLEEF
N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. NO. 33
 ROBBINSVILLE, NEW JERSEY



Continued on Sheet 11

Continued on Sheet 12

Continued on Sheet 12

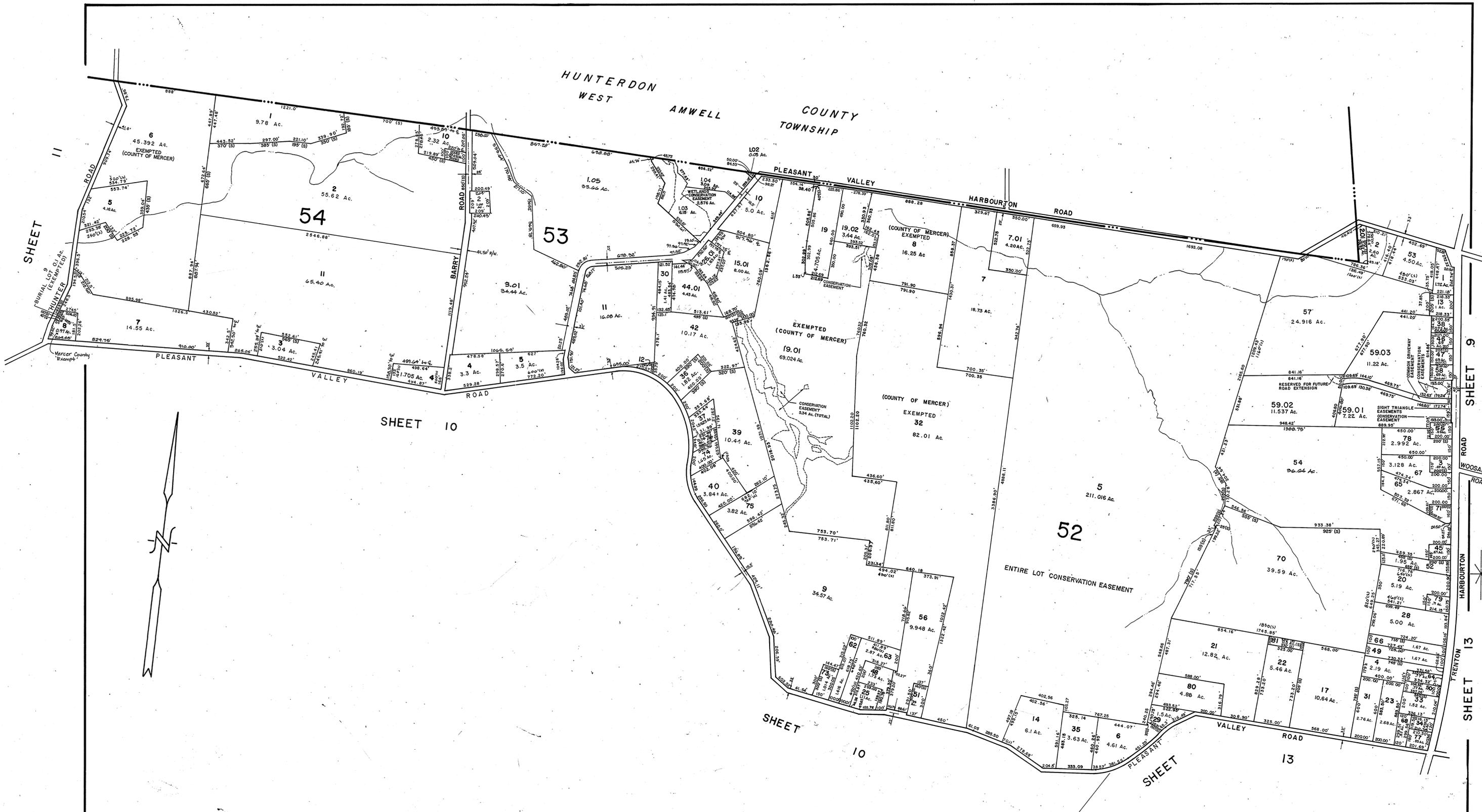
NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY BRANCH
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 176, LAWS OF 1913, ETC.
 FOR THE DIRECTOR, BUREAU OF TAXATION

John H. [Signature]

BY LIC. #15424 CHIEF ENGINEERING SURVEYOR
 DATE - APR - 27 - 1938 BERNARD NO. 103

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1" = 400'
 JULY 1941

TRENTON ENGINEERING CO.
 TRENTON, N. J.



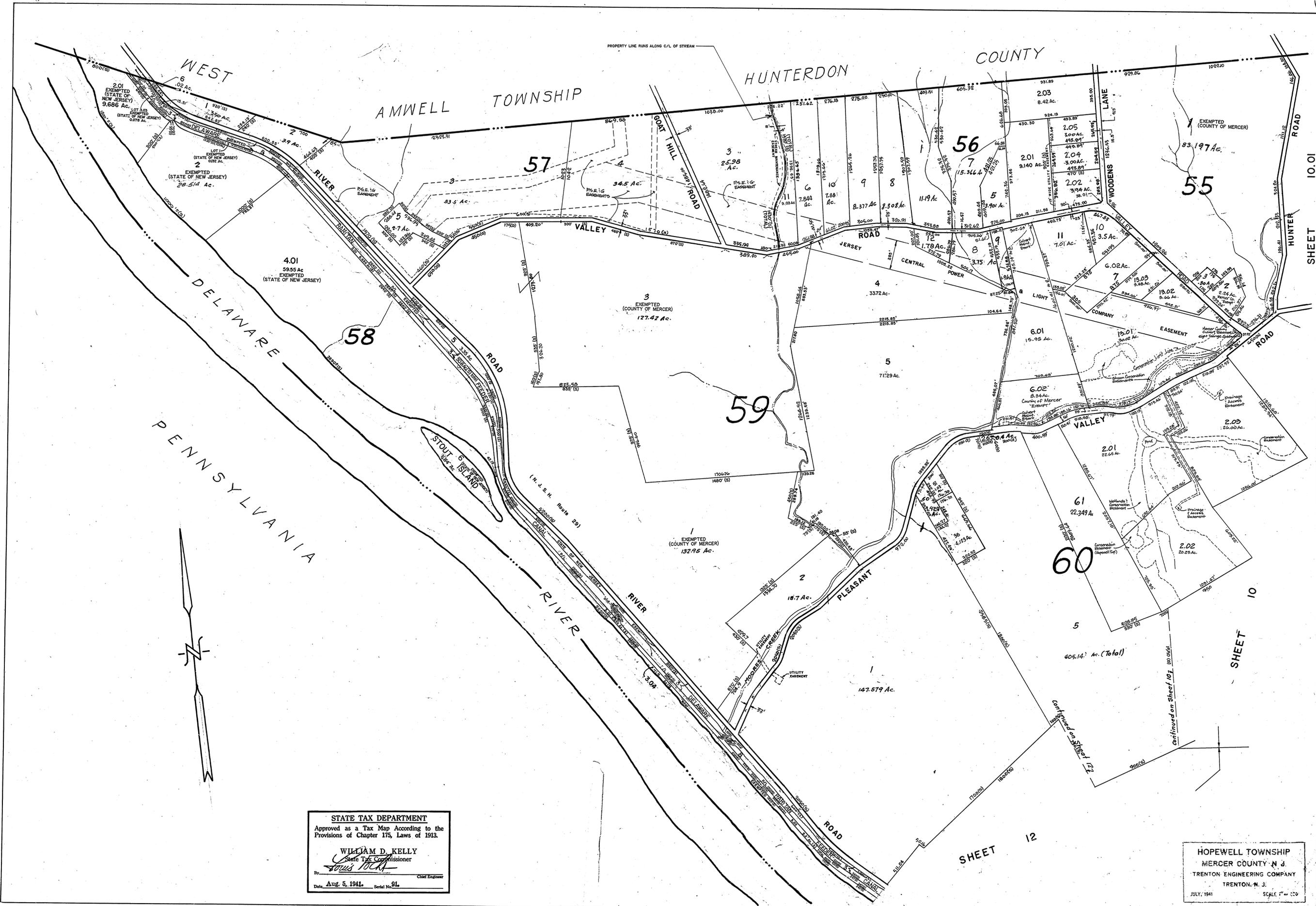
NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY BRANCH
 APPROXIMATELY AS SHOWN SUBJECT TO THE
 PROVISIONS OF THE REVISED STATUTES OF 1914, ETC.
 FOR THE RECORD, DIVISION OF TAXATION

Neil I. Van Cleaf

BY: L.C. #15494 CHIEF, ENGINEERING SECTION
 DATE APR. 27, 1987 SERIAL NO. 9-1

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1" = 400' RETRACED DECEMBER 1986

NEIL I. VAN CLEEF
N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. NO. 33
 ROBBINSVILLE, NEW JERSEY

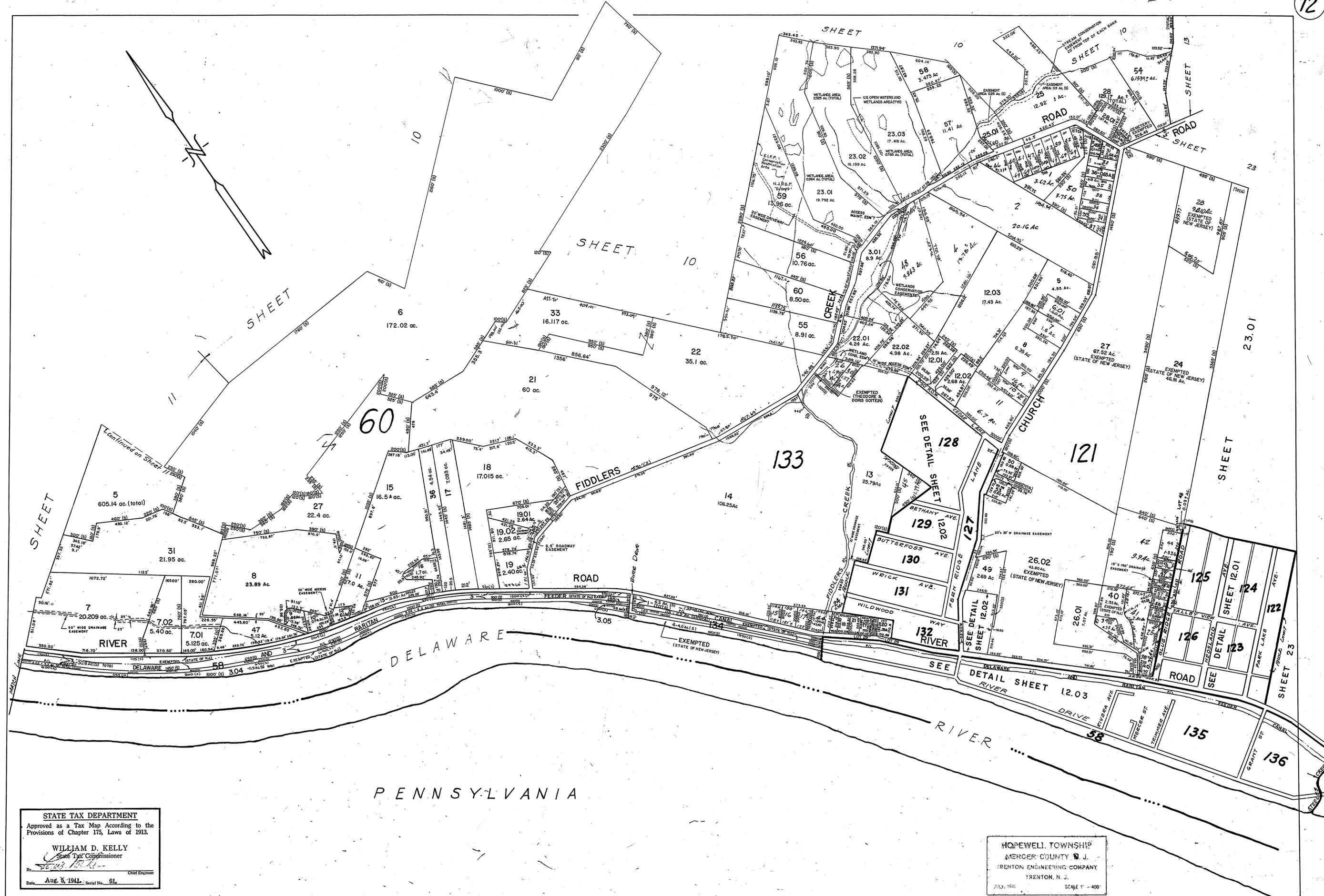


STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: *W.D. Kelly*
 Chief Engineer
 Date: Aug. 5, 1941. Serial No. 81

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941. SCALE 1" = 225'

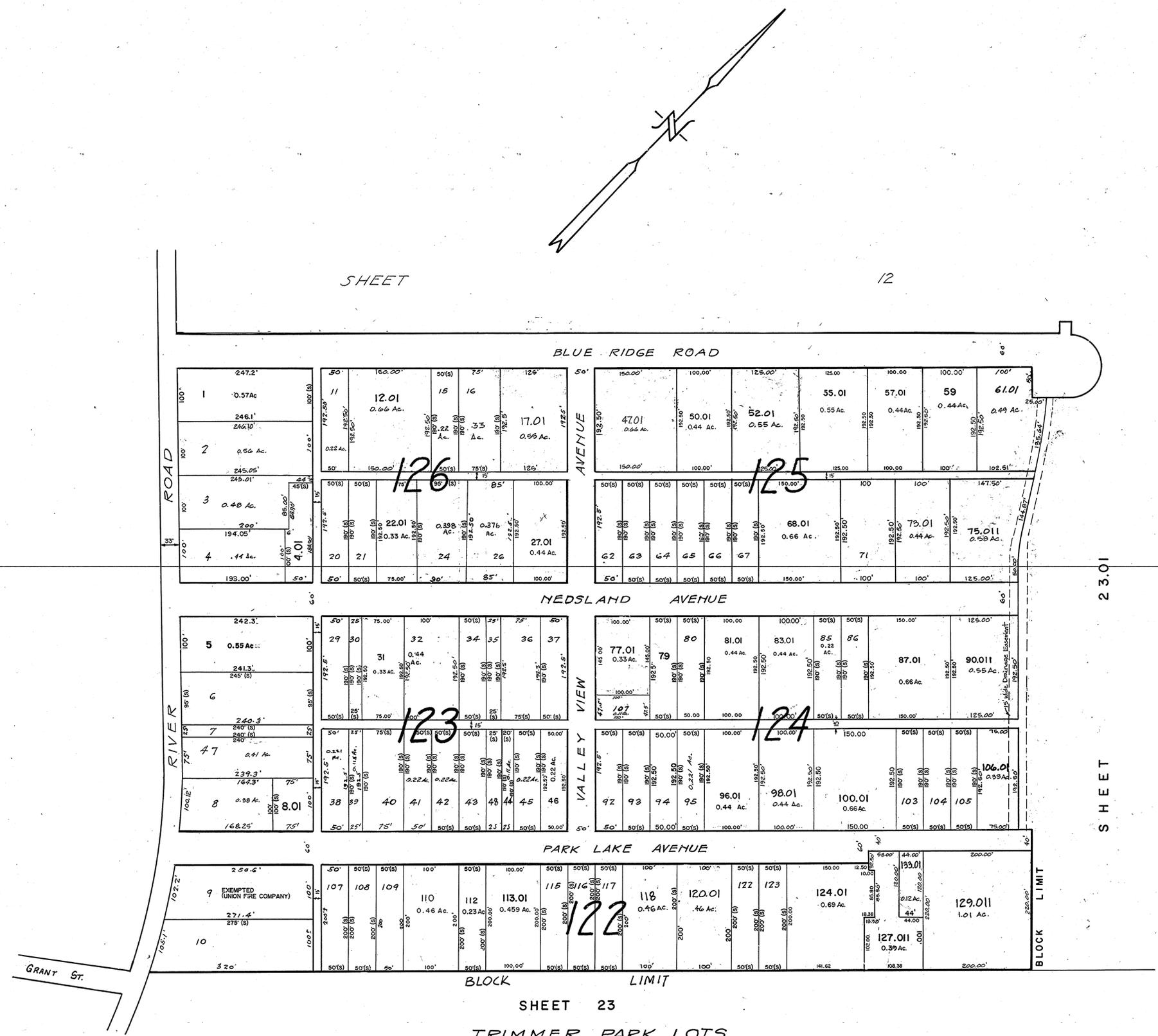
SHEET 12

SHEET 10



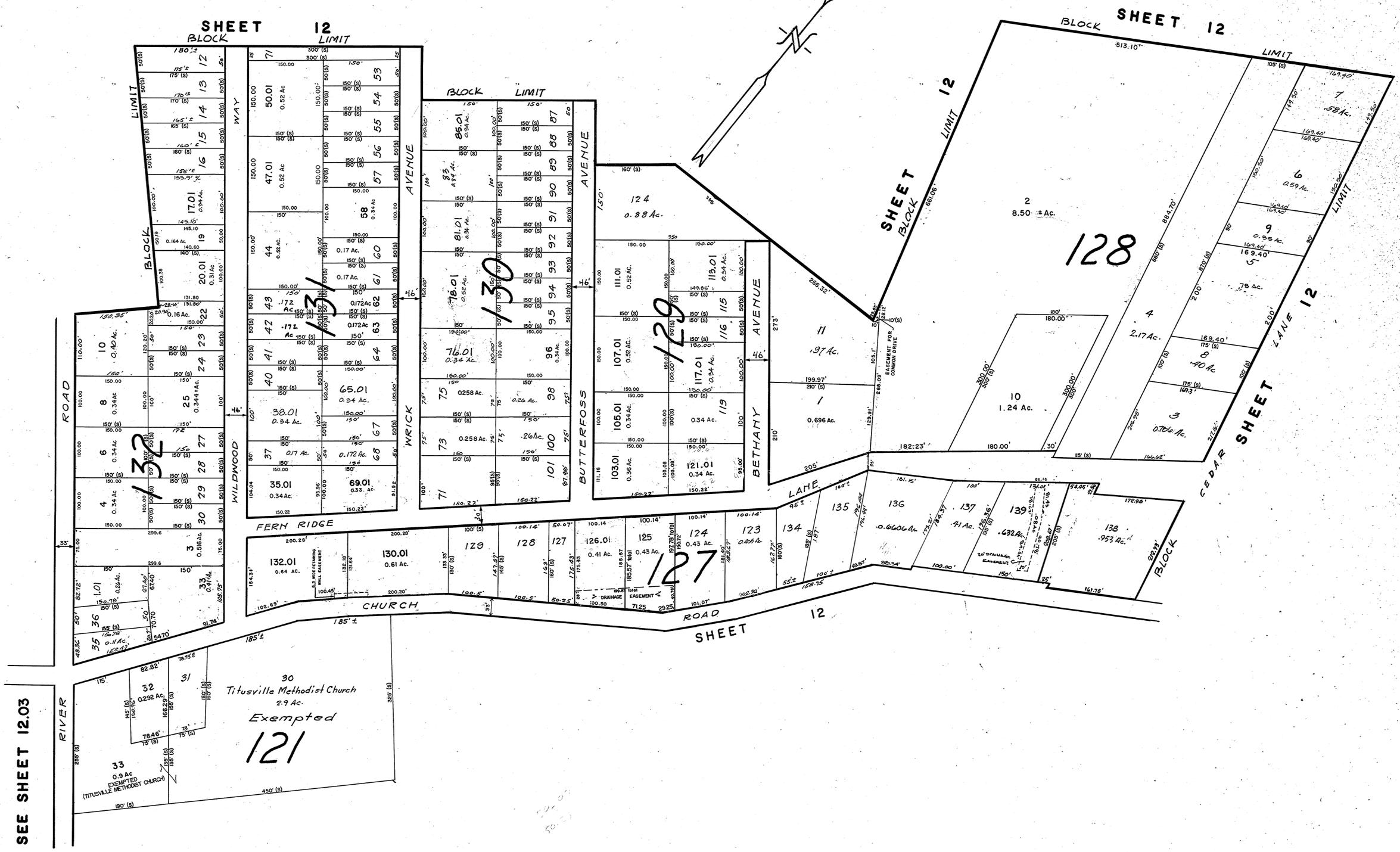
STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 Chief Engineer
 Date, Aug. 5, 1944, Serial No. 91

HOPWELL TOWNSHIP
 MERCER COUNTY, N. J.
 PRENTON ENGINEERING COMPANY
 PRENTON, N. J.
 SCALE 1" = 400'



STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 173, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: *[Signature]* Chief Engineer
 Date: Aug. 5, 1944. Serial No. 81

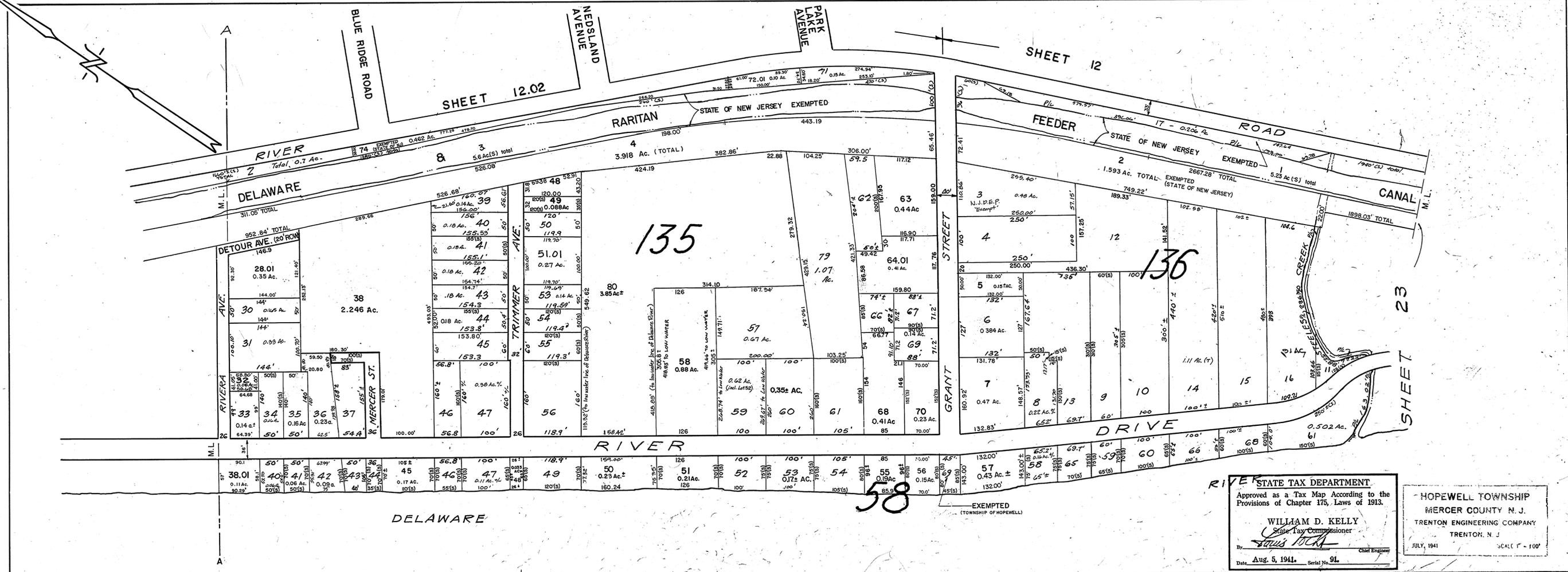
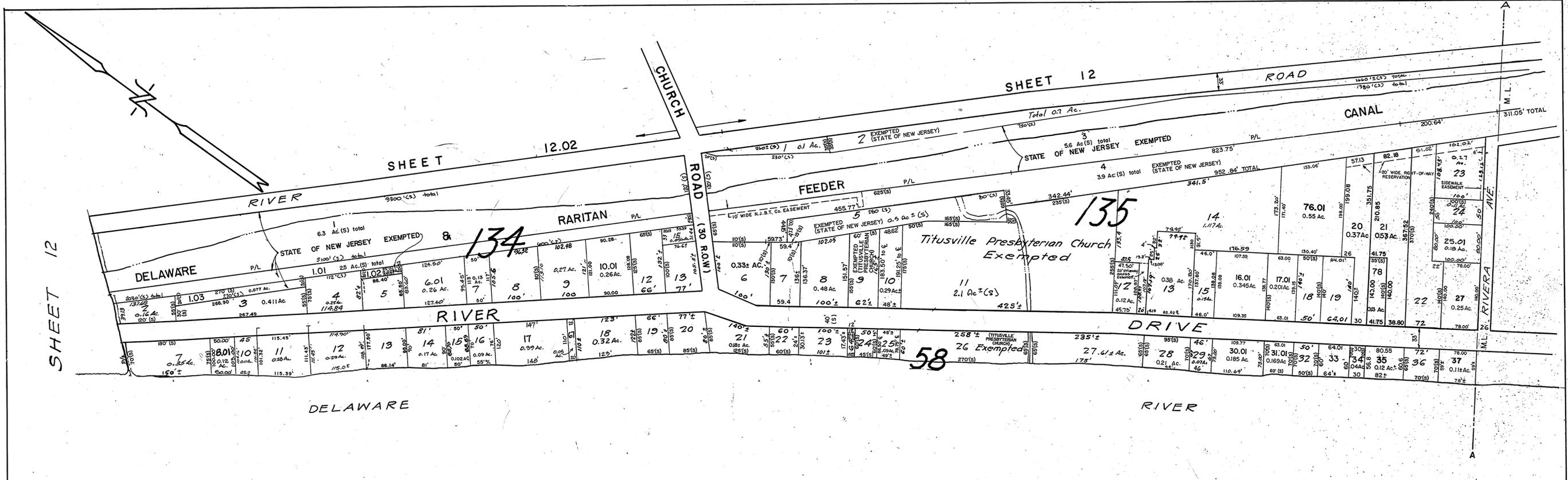
HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 PHILADELPHIA, N. J.
 JULY, 1943 SCALE 1" = 100'



SEE SHEET 12.03

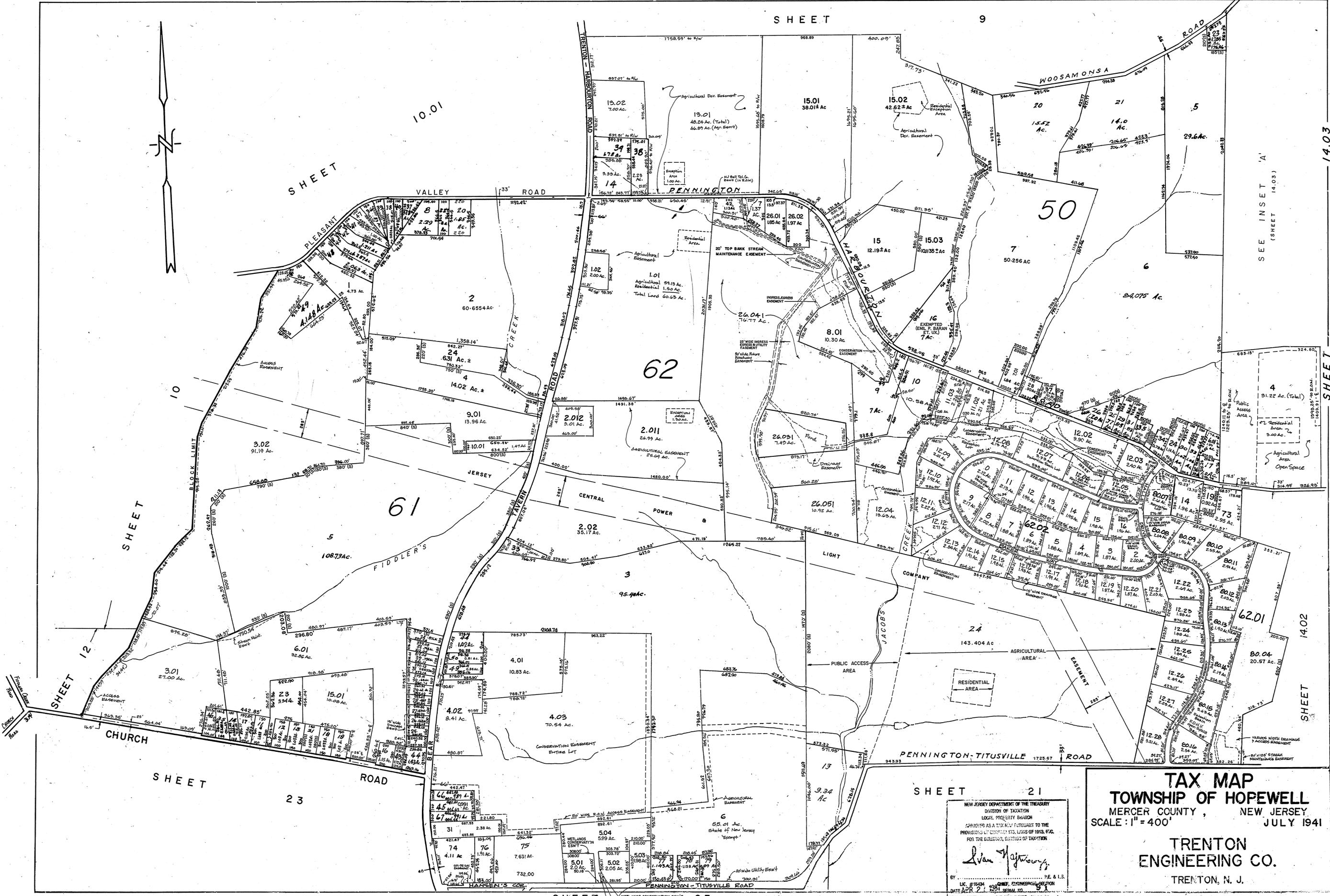
STATE TAX DEPARTMENT
 Approved as a Tax Map According to the Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: *Louis P. Kelly*
 Chief Engineer
 Date: Aug. 5, 1941, Serial No. 91.

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 SCALE 1" = 100'



STATE TAX DEPARTMENT
 Approved as a Tax Map According to the Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: *James P. Kelly* Chief Engineer
 Date: Aug. 5, 1941. Serial No. 91.

HOPEWELL TOWNSHIP
 MERCER COUNTY N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941. SCALE 1" = 100'



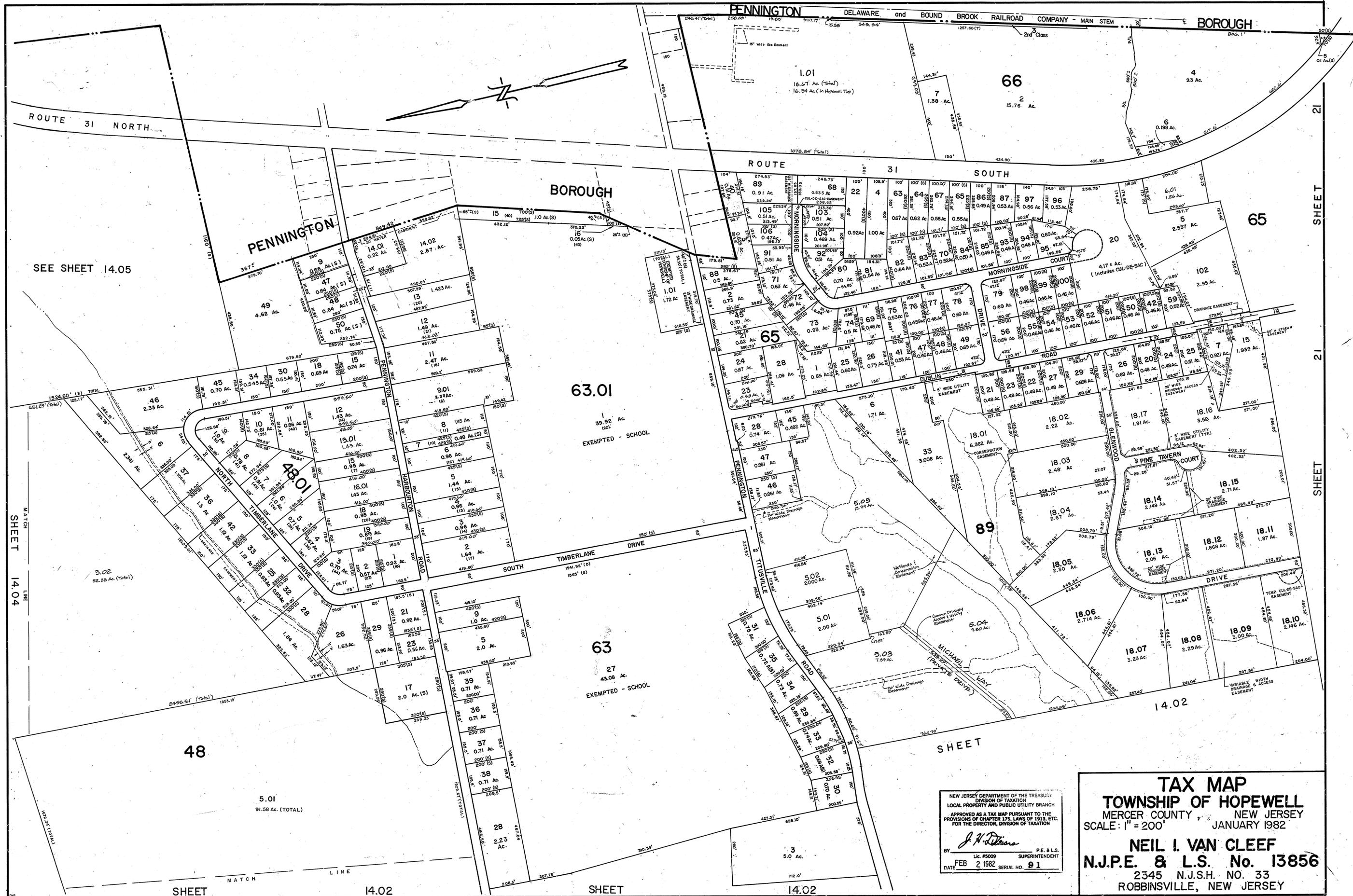
TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1" = 400'
 JULY 1941

TRENTON ENGINEERING CO.
 TRENTON, N. J.

NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY TAXATION
 SPRINGS AS A TAX NEW FORECAST TO THE
 PROVISIONS OF COMPACT 1913, ETC.
 FOR THE DISTRICTS, DIVISIONS OF TAXATION.

Evan H. Johnson

BY: _____ P.E. & L.S.
 LIC. #1634 _____ ENGINEERING SECTION
 DATE APR 21, 1951 SERIAL NO. 51



SEE SHEET 14.05

SHEET 14.04

SHEET

14.02

SHEET

14.02

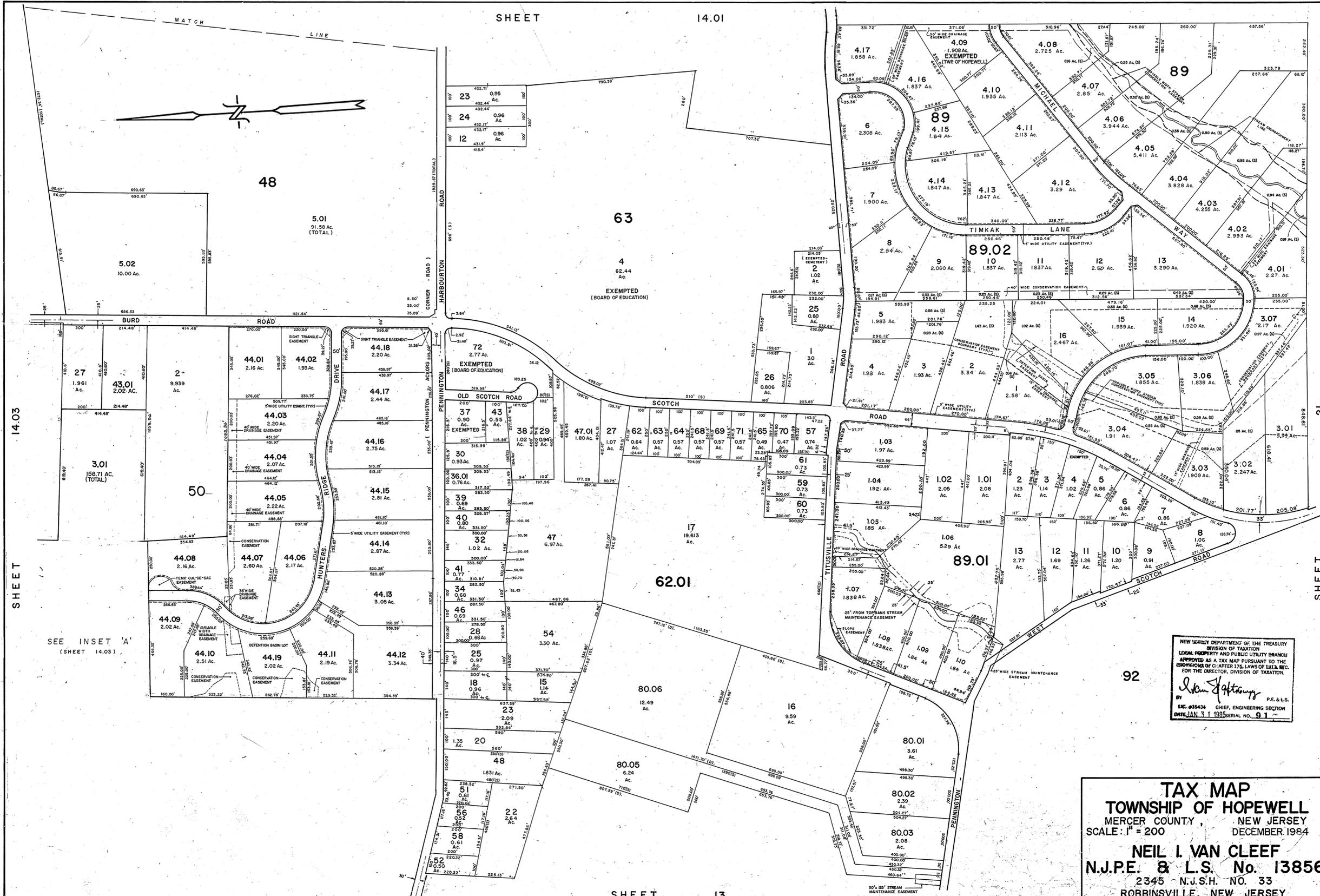
SHEET

NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY AND PUBLIC UTILITY BRANCH
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 175, LAWS OF 1913, ETC.
 FOR THE DIRECTOR, DIVISION OF TAXATION

J. H. Deane
 P.E. & L.S.
 Lic. #5009 SUPERINTENDENT
 DATE FEB 2 1982 SERIAL NO. 91

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1" = 200'
 JANUARY 1982

NEIL I. VAN CLEEF
N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. NO. 33
 ROBBINSVILLE, NEW JERSEY



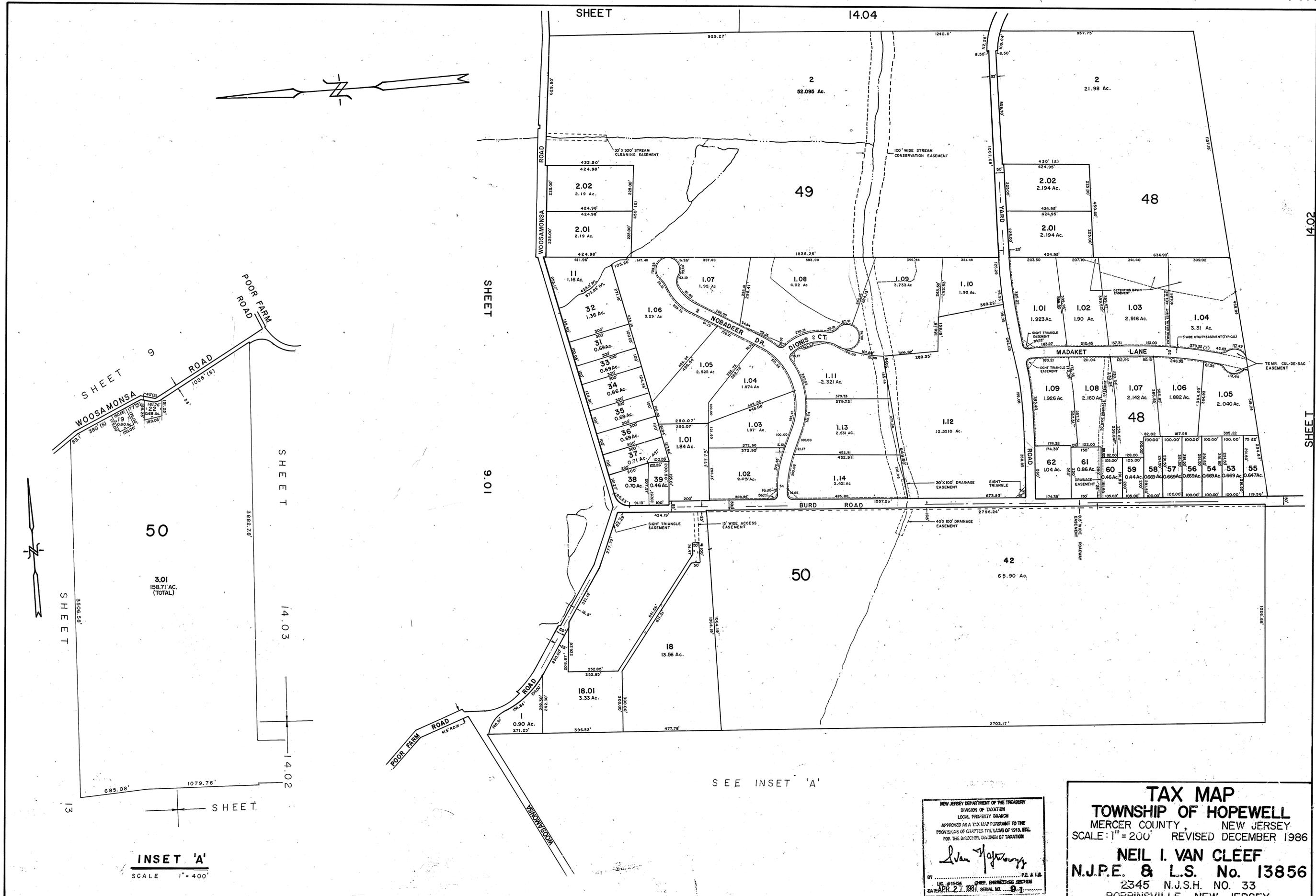
SEE INSET 'A'
(SHEET 14.03)

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION
LOCAL PROPERTY AND PUBLIC UTILITY BRANCH
APPROVED AS A TAX MAP PURSUANT TO THE
PROVISIONS OF CHAPTER 172, LAWS OF 1984, N.J.A.C. 17:27
FOR THE DIRECTOR, DIVISION OF TAXATION.

Neil I. Van Cleef
P.E. & L.S.
LIC. #35434 CHIEF, ENGINEERING SECTION
DATE JAN 31 1985 SERIAL NO. 91

TAX MAP
TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY
SCALE: 1" = 200'
DECEMBER 1984

NEIL I. VAN CLEEF
N.J.P.E. & L.S. No. 13856
2345 N.J.S.H. NO. 33
ROBBINSVILLE, NEW JERSEY



INSET 'A'
SCALE 1" = 400'

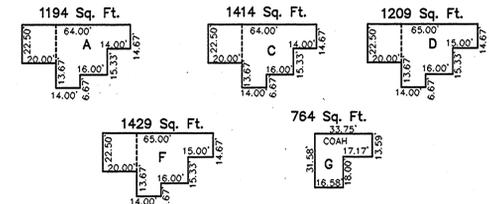
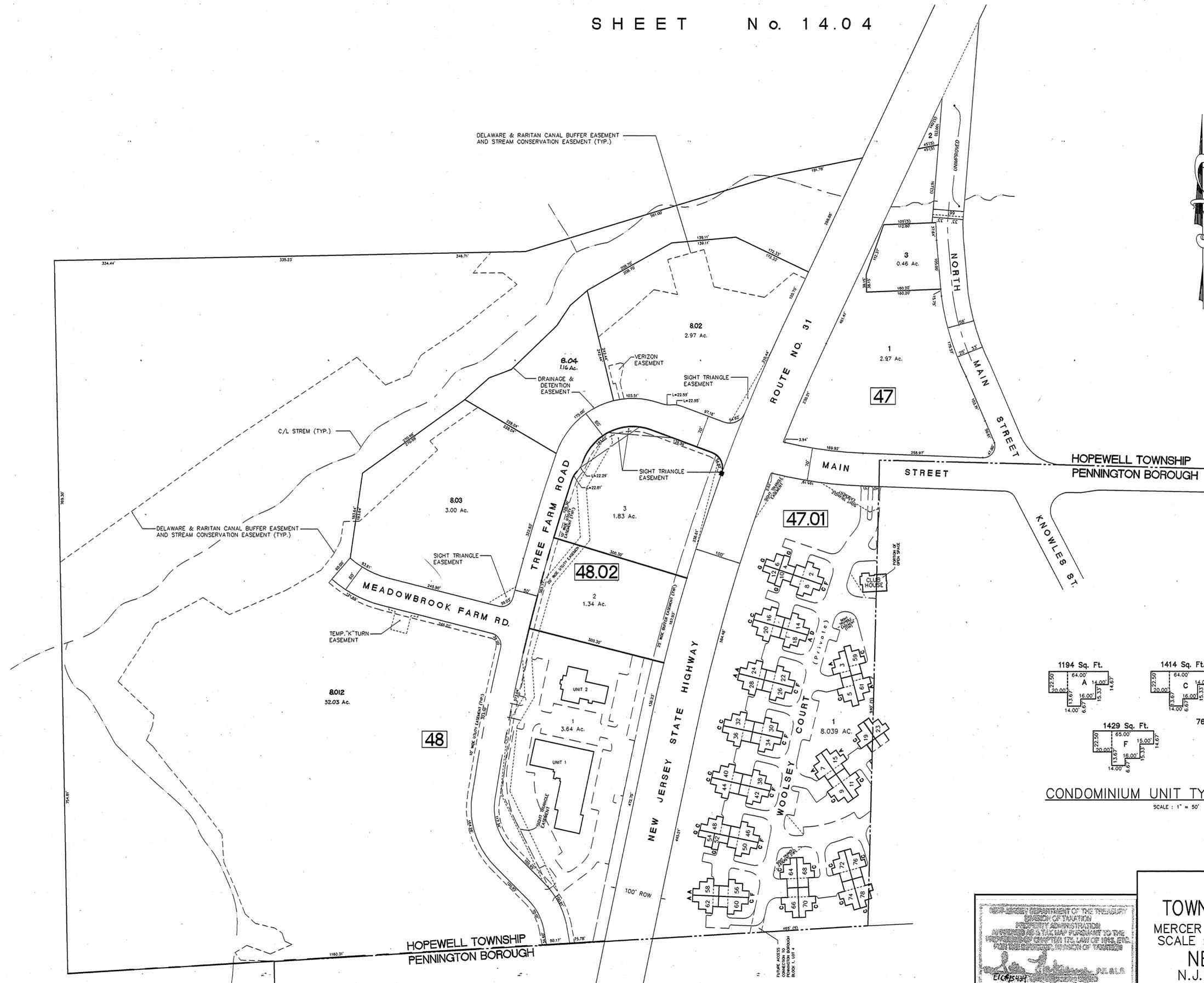
SEE INSET 'A'

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION
LOCAL PROPERTY BRANCH
APPROVED AS A TAX MAP PURSUANT TO THE
PROVISIONS OF CHAPTER 175, LAWS OF 1915, ETC.
FOR THE DIRECTOR, DIVISION OF TAXATION

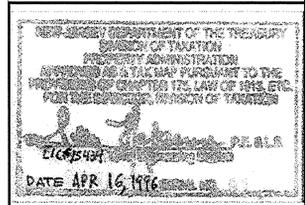
Neil I. Van Cleeff

BY _____ P.E. & L.S.
LIC. #1504 CNEF, ENGINEERING SECTION
DATE APR. 27, 1987, SERIAL NO. 9-1

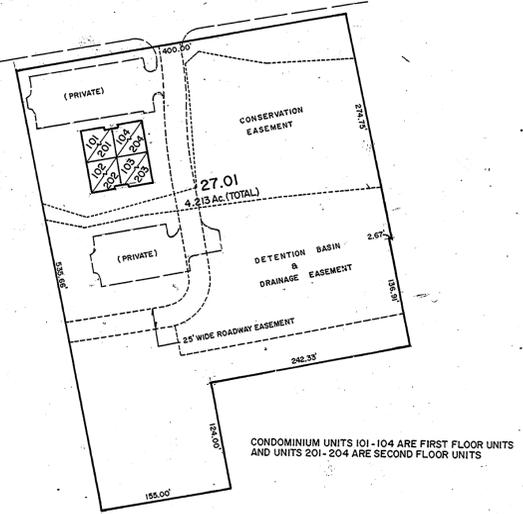
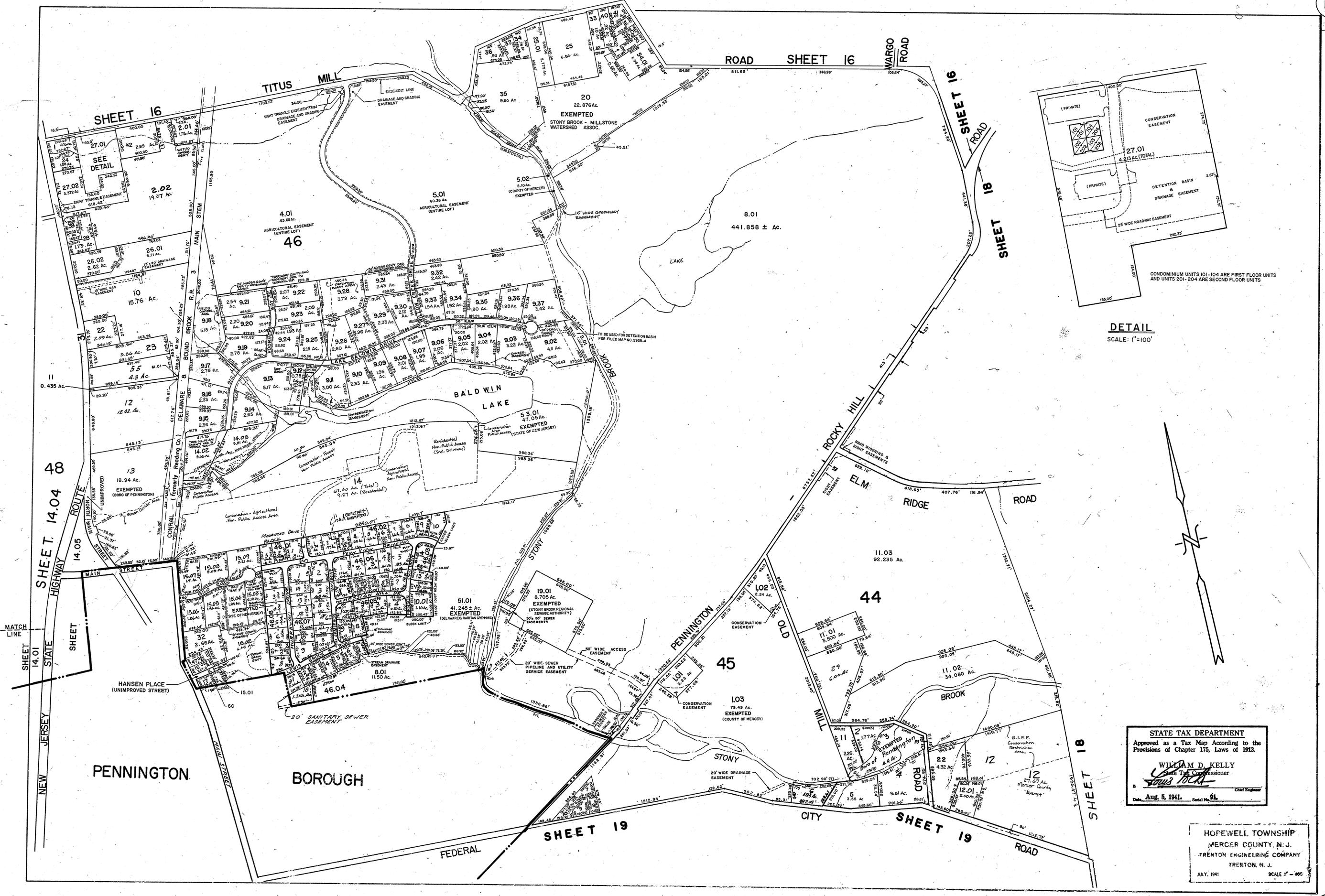
TAX MAP
TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY
SCALE: 1" = 200' REVISED DECEMBER 1986
NEIL I. VAN CLEEF
N.J.P.E. & L.S. No. 13856
2345 N.J.S.H. NO. 33
ROBBINSVILLE, NEW JERSEY



CONDOMINIUM UNIT TYPE DETAILING
SCALE: 1" = 50'



TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1"=100' NOVEMBER, 1995
NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBBINSVILLE, NEW JERSEY



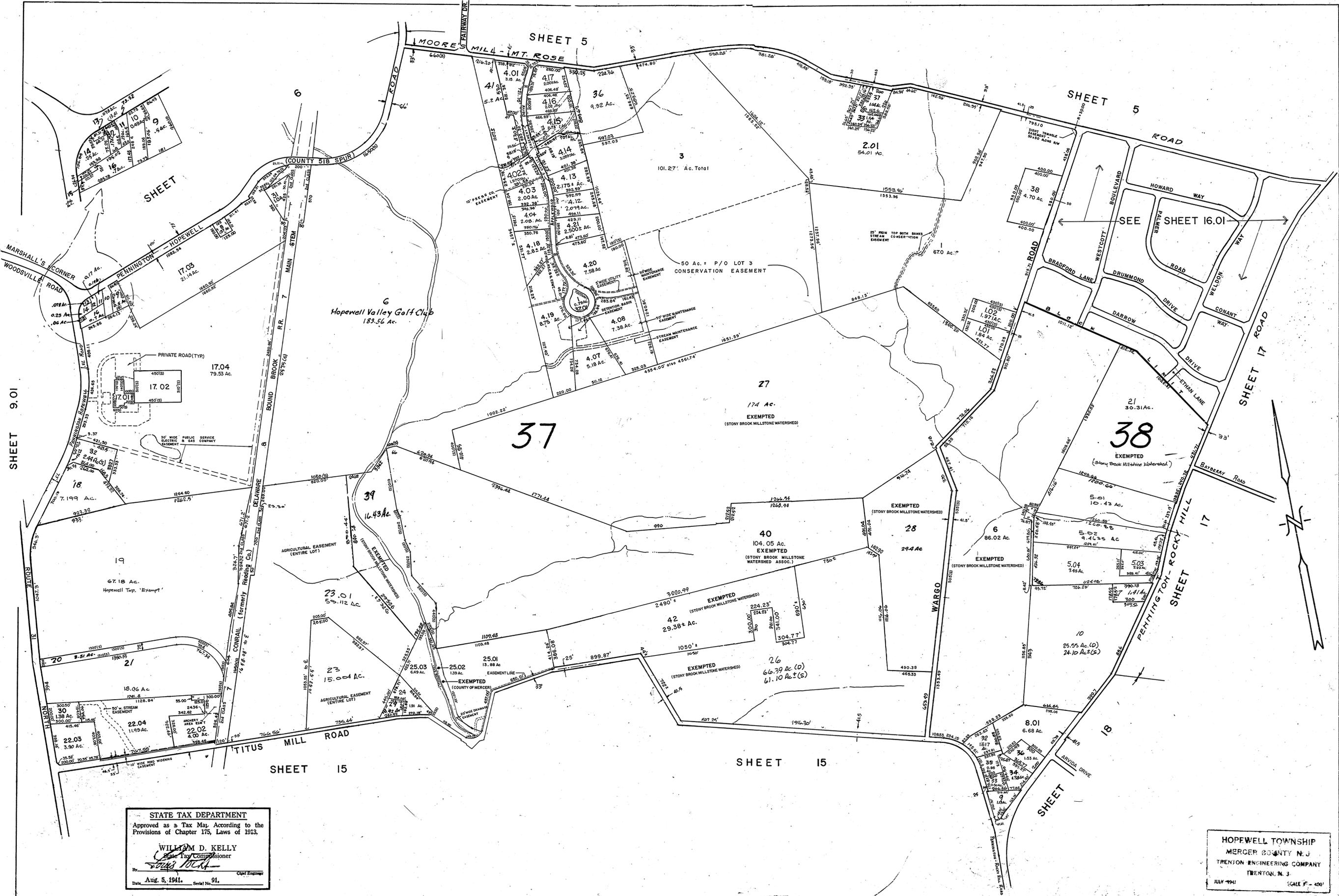
STATE TAX DEPARTMENT
Approved as a Tax Map According to the Provisions of Chapter 175, Laws of 1913.

WILLIAM D. KELLY
State Tax Commissioner

W.D. Kelly
Chief Engineer

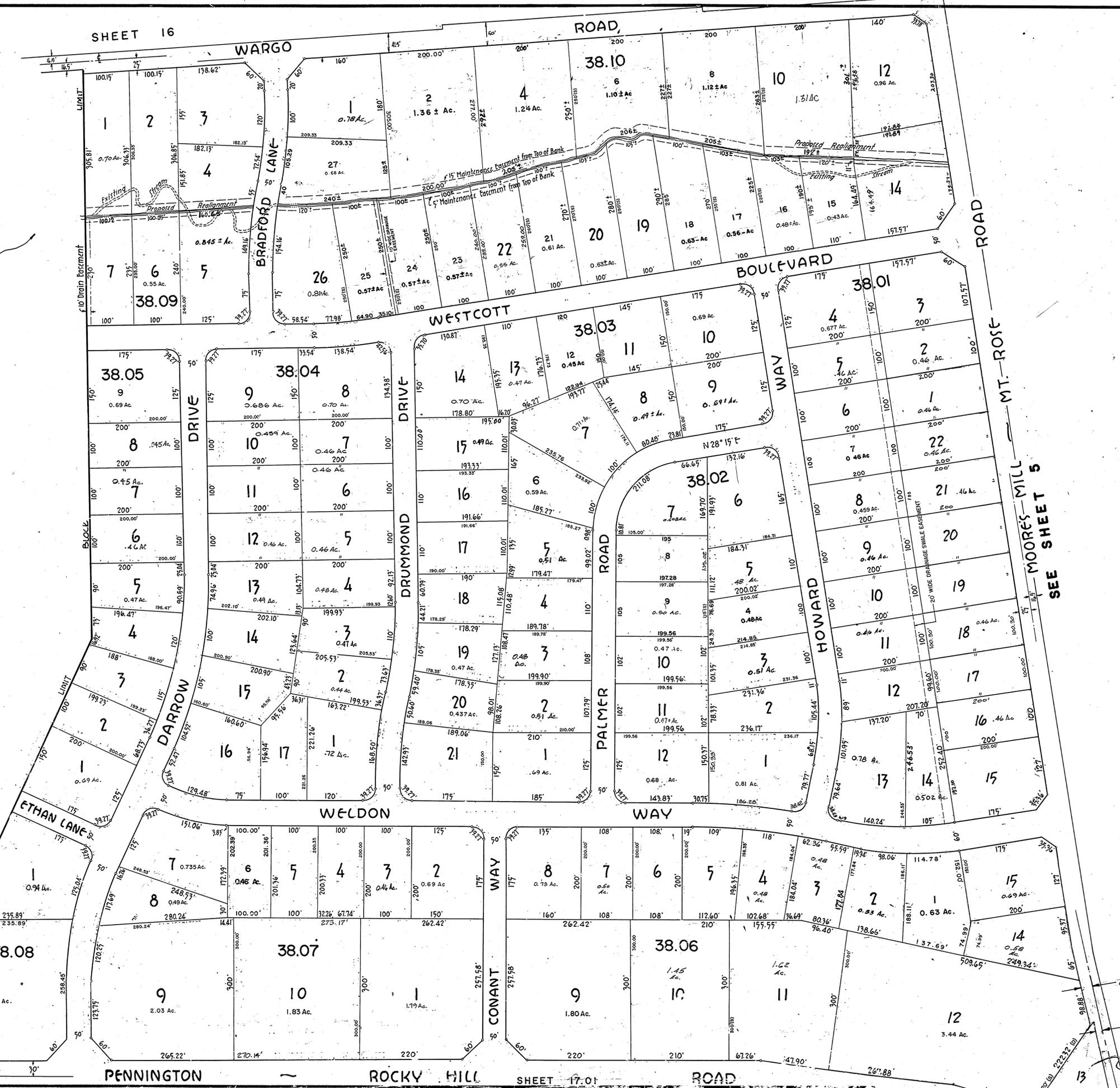
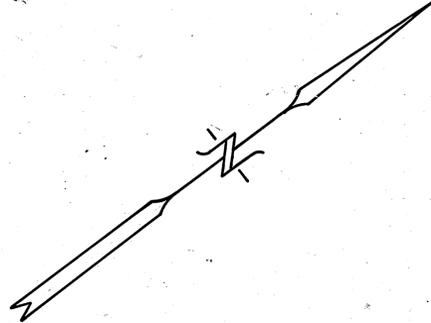
Date: Aug. 5, 1941. Serial No. 61.

HOPWELL TOWNSHIP
MERCER COUNTY, N.J.
TRENTON ENGINEERING COMPANY
TRENTON, N. J.
JULY, 1941 SCALE 1"=400'



STATE TAX DEPARTMENT
 Approved as a Tax Map According to the Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: *[Signature]*
 Date: Aug. 5, 1941. Serial No. 91.

HOPWELL TOWNSHIP
 MERCER COUNTY N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY 1941 SCALE 1" = 400'



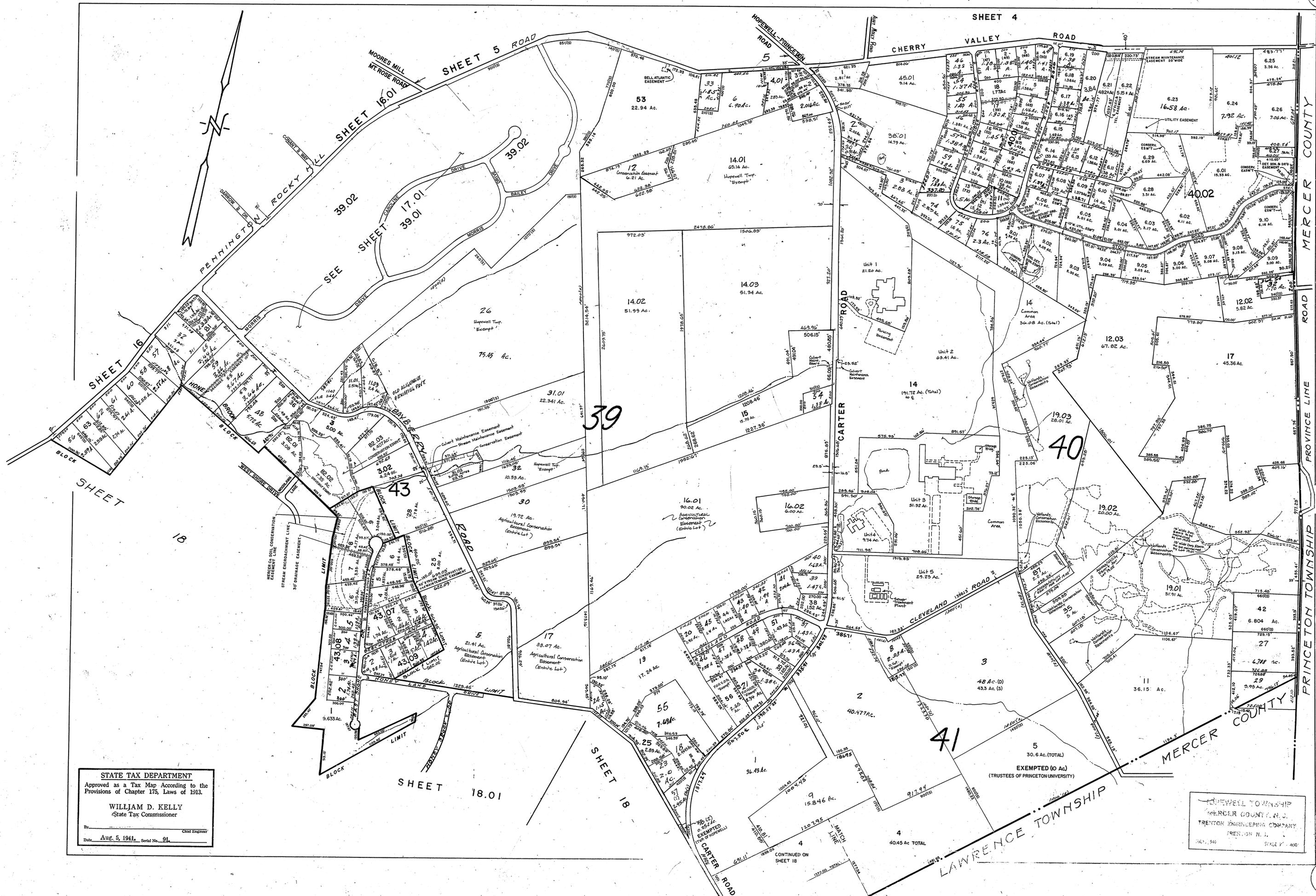
SEE

SEE

SEE SHEET 5

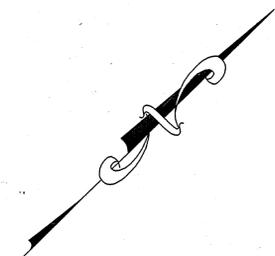
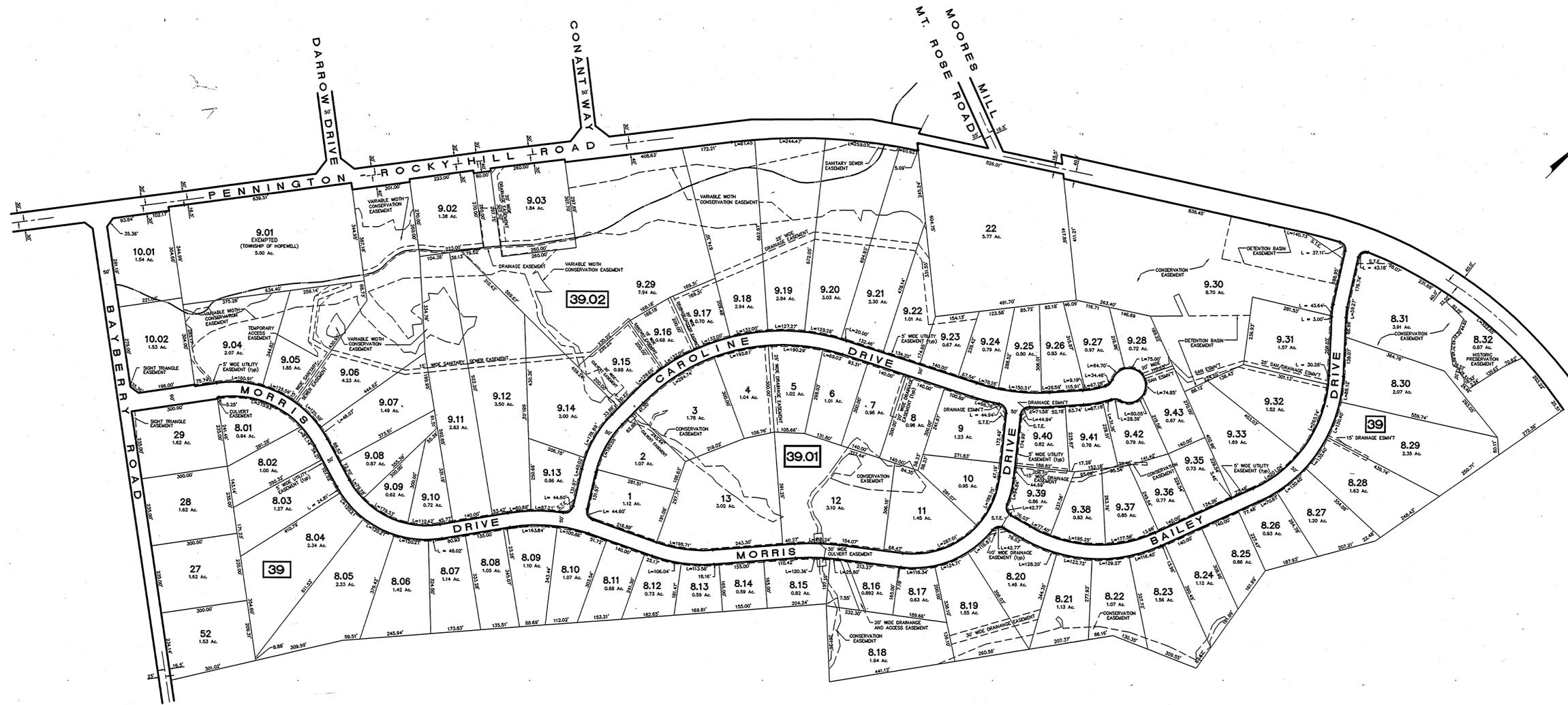
HOPEWELL TOWNSHIP
 MERCER COUNTY, N.J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N.J.
 JULY 1941
 REDRAWN OCT. 1946

DETAIL
 SCALE: 1" = 100'



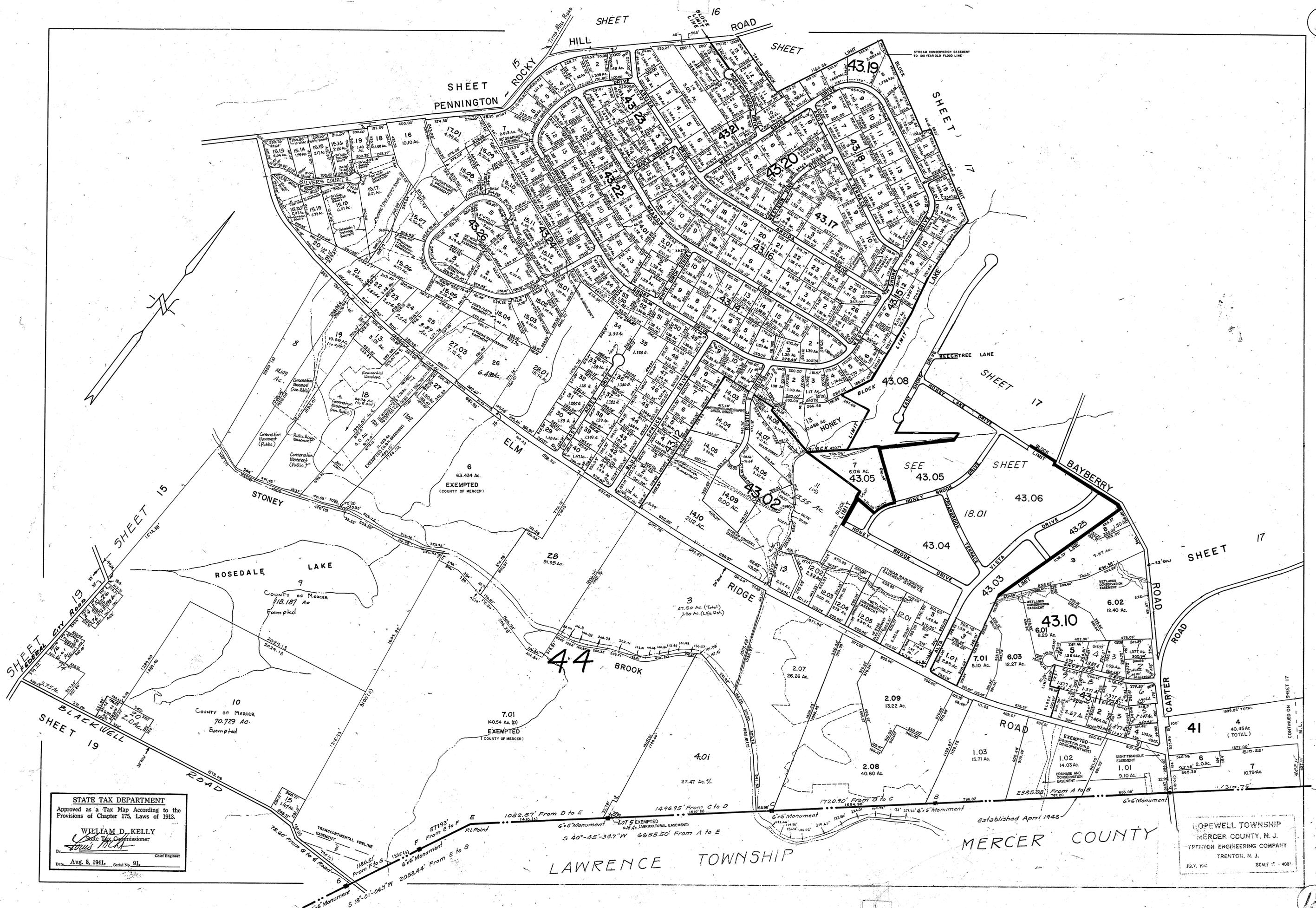
STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 Chief Engineer
 Date: Aug 5, 1941. Serial No. 91.

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 SCALE 1" = 400'



NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 PROPERTY ADMINISTRATION
 APPROVED AS A TAX MAP PURSUANT TO THE AUTHORITY OF
 N.J.S.A. 54:1-13 & 54:50-1
 FOR THE DIRECTOR, DIVISION OF TAXATION
[Signature] C.T.A.
 JAMES COLLIER, ENGINEERING SECTION
[Signature] C.T.A.
 WILLIAM H. BLACK, PRINCIPAL ENGINEER UTILITIES
 DATE: JUL 23 1997 SERIAL NO. 91

TAX MAP
 TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1"=200' DECEMBER 1996
 NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBINSVILLE, NEW JERSEY

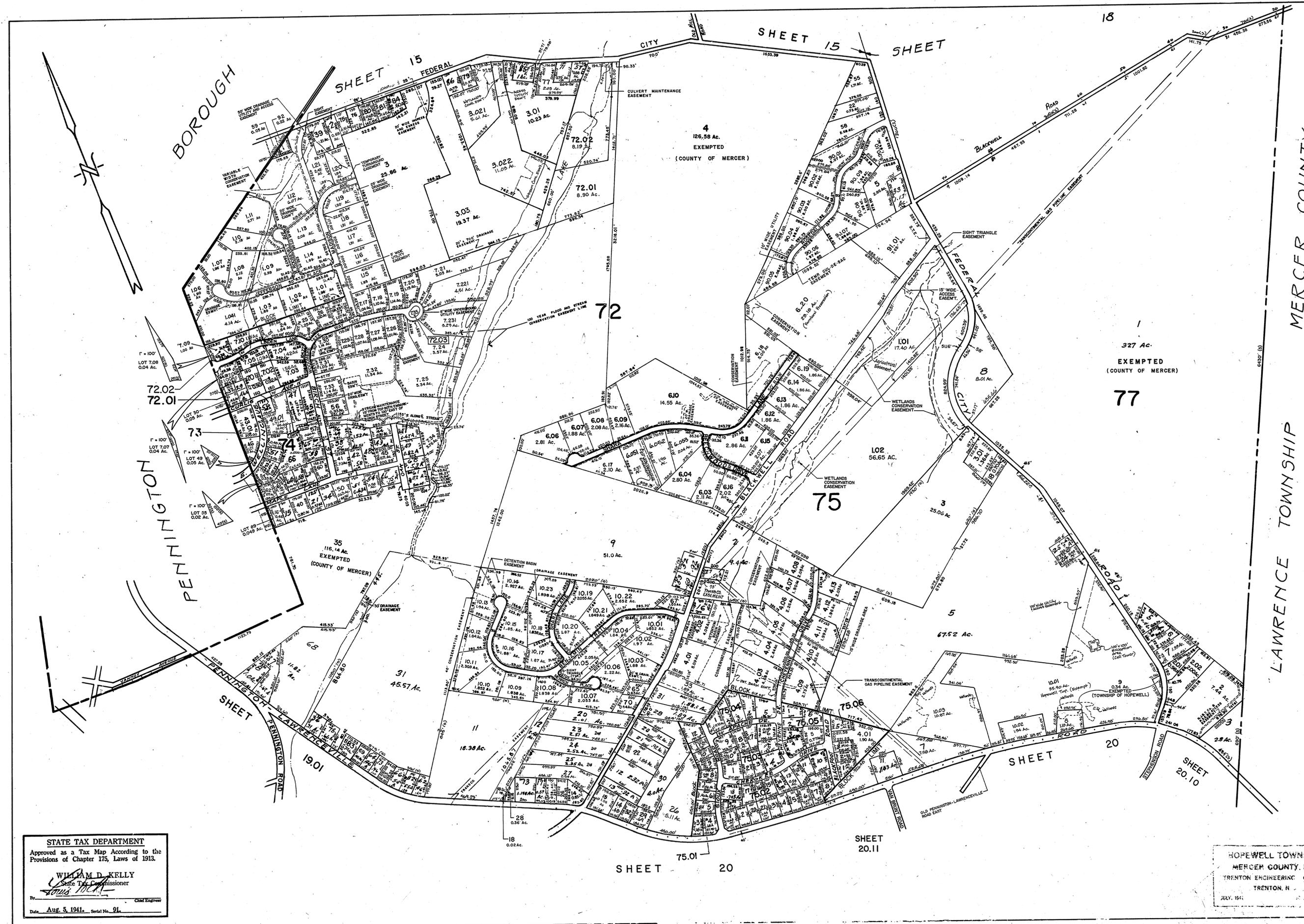


STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: *Louis M. Kelly*
 Chief Engineer
 Date: Aug. 5, 1941, Serial No. 91

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRINITY ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 SCALE 1" = 400'



ELM-RIDGE-PARK
 HOPEWELL TWP. - MERCER CO., N.J.
 Scale: 1" = 100'
 June 8, 1957



BOROUGH

PENNINGTON

MERCER COUNTY
LAWRENCE TOWNSHIP

STATE TAX DEPARTMENT
 Approved as a Tax Map According to the Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 Date Aug. 5, 1941. Serial No. 91.

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941

DETAIL "B"
SCALE: 1"=200'

DETAIL "A"
SCALE: 1"=300'

79

78.07

SHEET 19

78.42

78.41

78.40

78.39

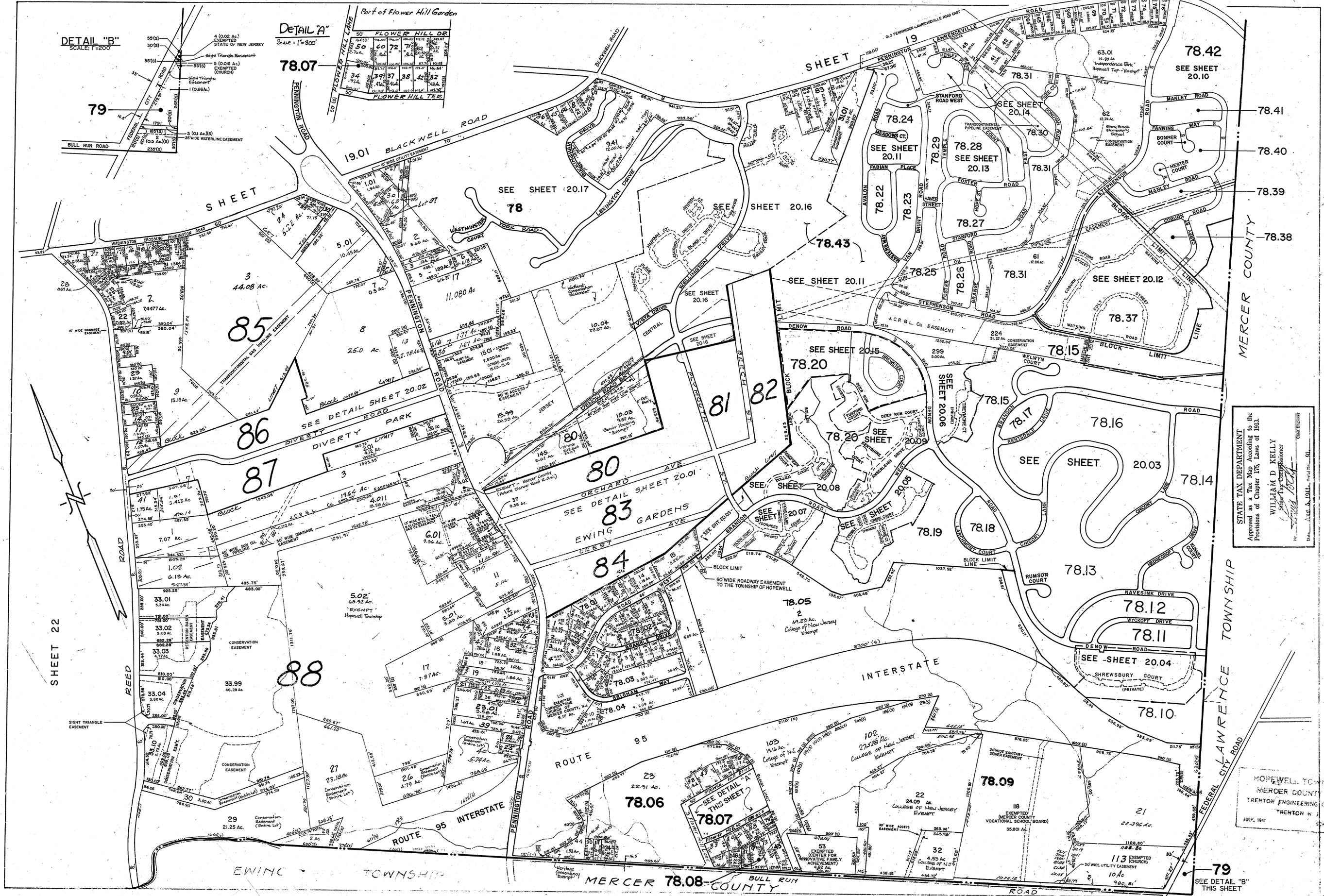
78.38

MERCER COUNTY

STATE TAX DEPARTMENT
Approved as a Tax Map According to the
Provisions of Chapter 175, Laws of 1913.
WILLIAM D. KELLY
Senior Tax Commissioner

HOPEWELL TOWNSHIP
MERCER COUNTY
TRENTON ENGINEERING COMPANY
TRENTON, N.J.
JULY, 1941
SCALE: 400'

79
SEE DETAIL "B"
THIS SHEET



SHEET 20
TRENTON PENNINGTON ROAD - NJ STATE HIGHWAY ROUTE 31

SHEET 20.11
DENON ROAD

SHEET 20.16

SHEET 20.15

SHEET 20.08

SHEET 20.03

SHEET 20



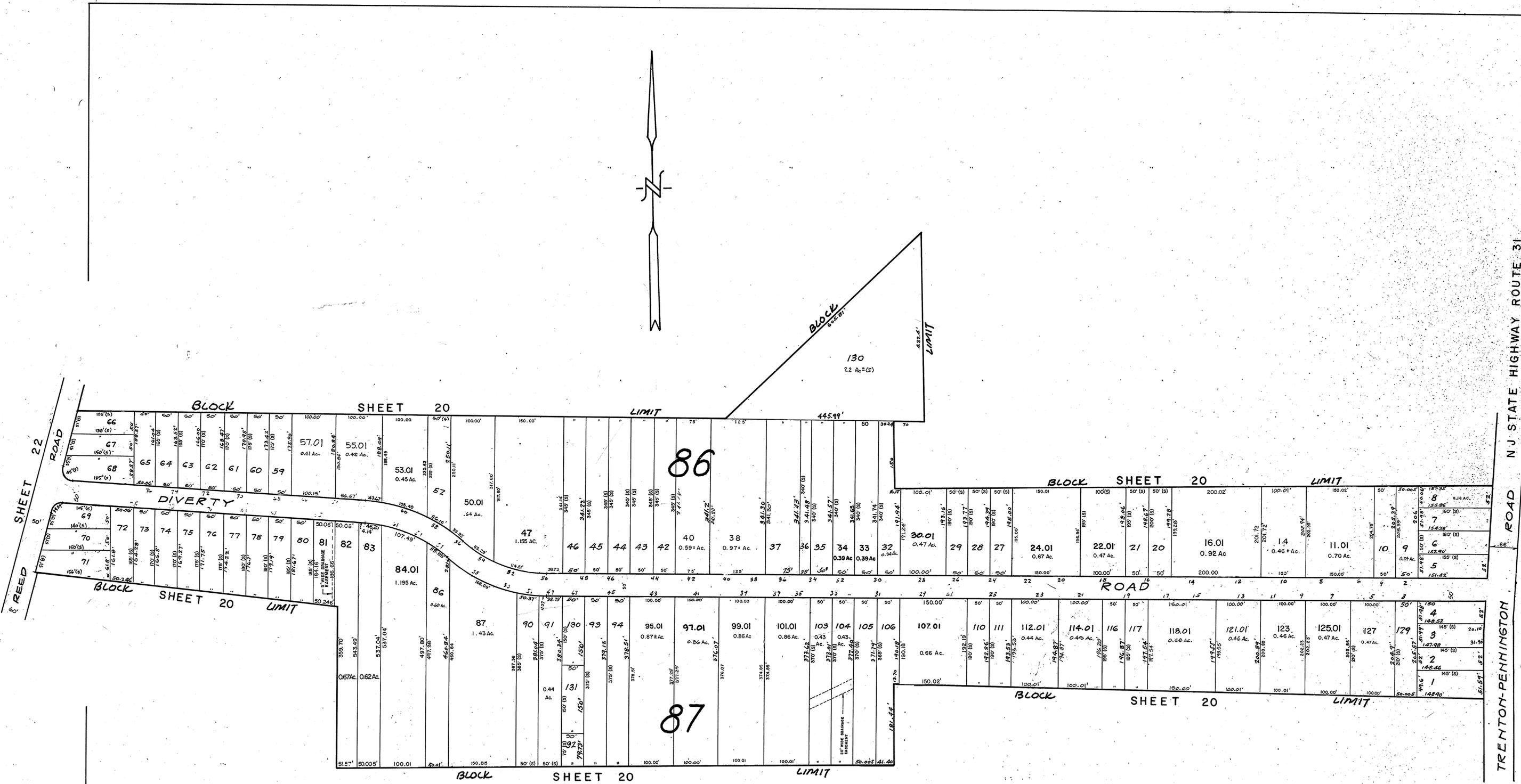
STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.

WILLIAM D. KELLY
 State Tax Commissioner

By: _____
 Chief Engineer

Date: Aug. 5, 1941. Serial No. 91.

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 SCALE



STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: Louis Beck Chief Engineer
 Date: Aug. 5, 1941. Serial No. 91.

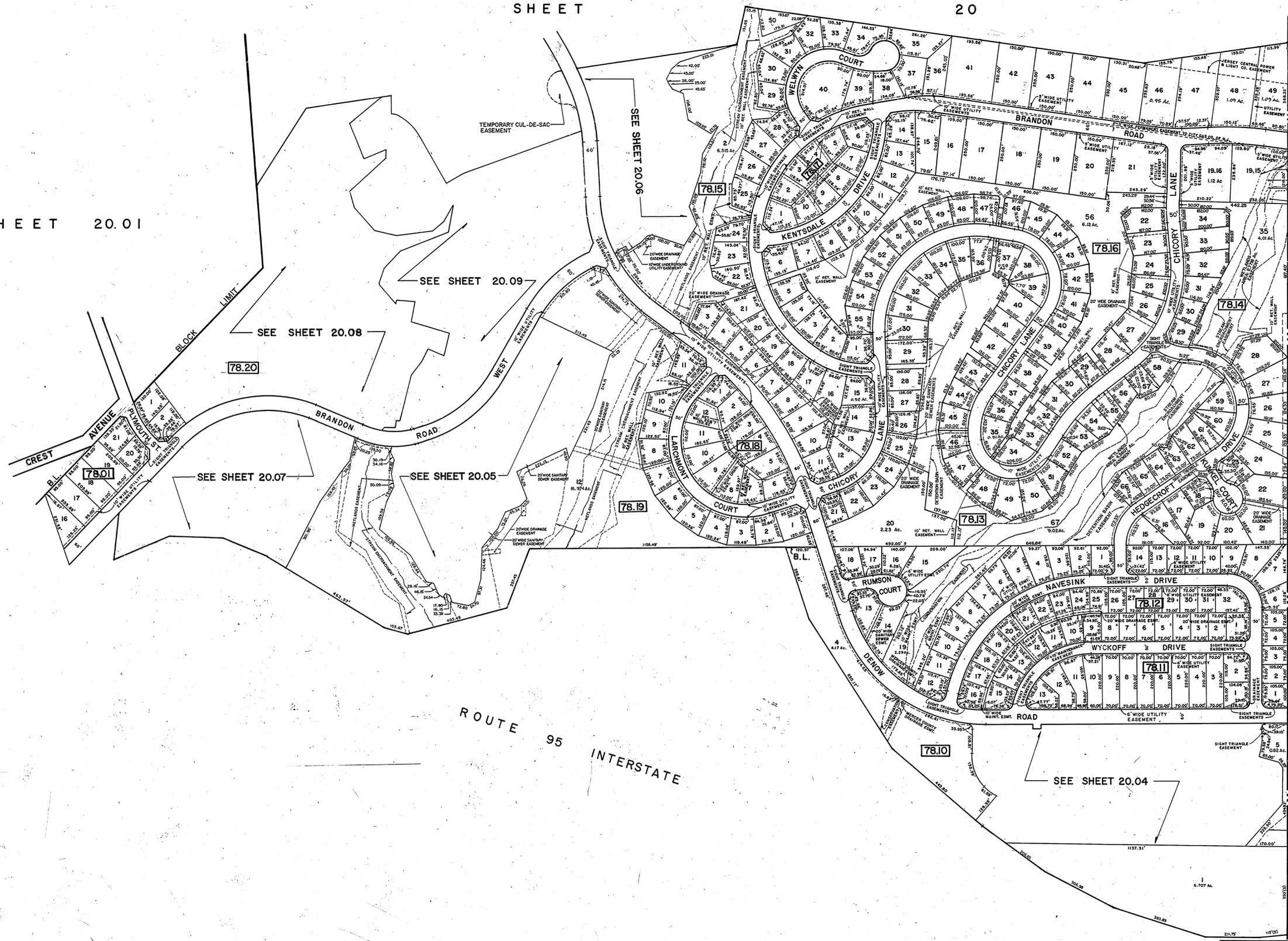
DIVERTY PARK TRACT

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 SCALE 1" = 100'

SHEET

20

SHEET 20.01



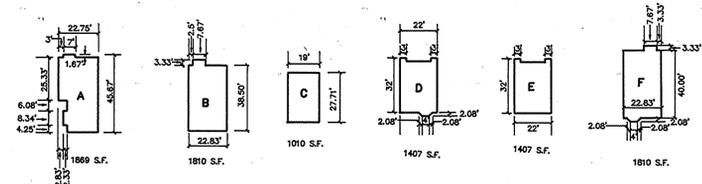
LAWRENCE TOWNSHIP, MERCER COUNTY

ROUTE 95 INTERSTATE

SHEET 20

NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 PROPERTY ADMINISTRATION
 PREPARED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 175, LAWS OF 1917,
 FOR THE PURPOSES, DIVISION OF TAXATION
 JUN 4 1992

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1"=200' AUGUST 1992
NEIL I. VAN CLEEF
N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. NO. 33
 ROBBINSVILLE, NEW JERSEY



SHEET 20.03

DENOW ROAD

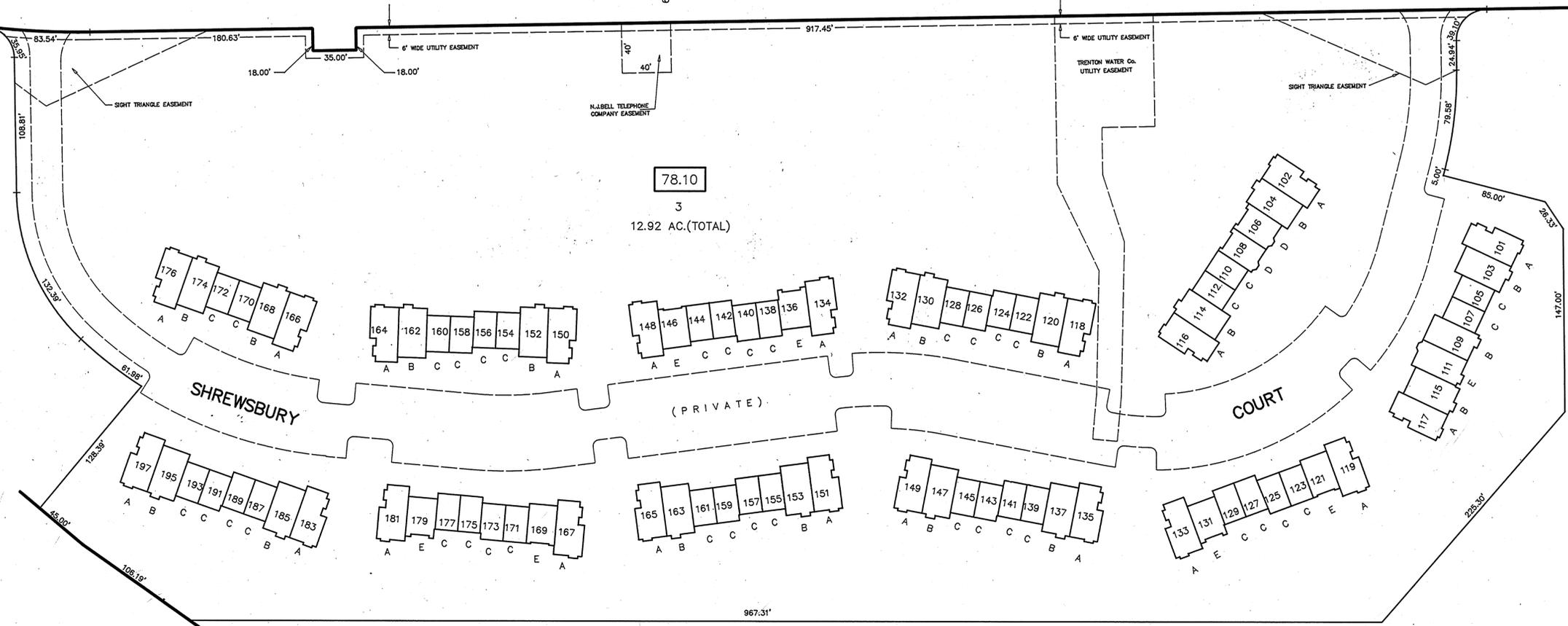
NAVESINK DRIVE

LAWRENCE TOWNSHIP
MERCER COUNTY

SHEET 20.03

SHEET 20.03

78.10
3
12.92 AC.(TOTAL)



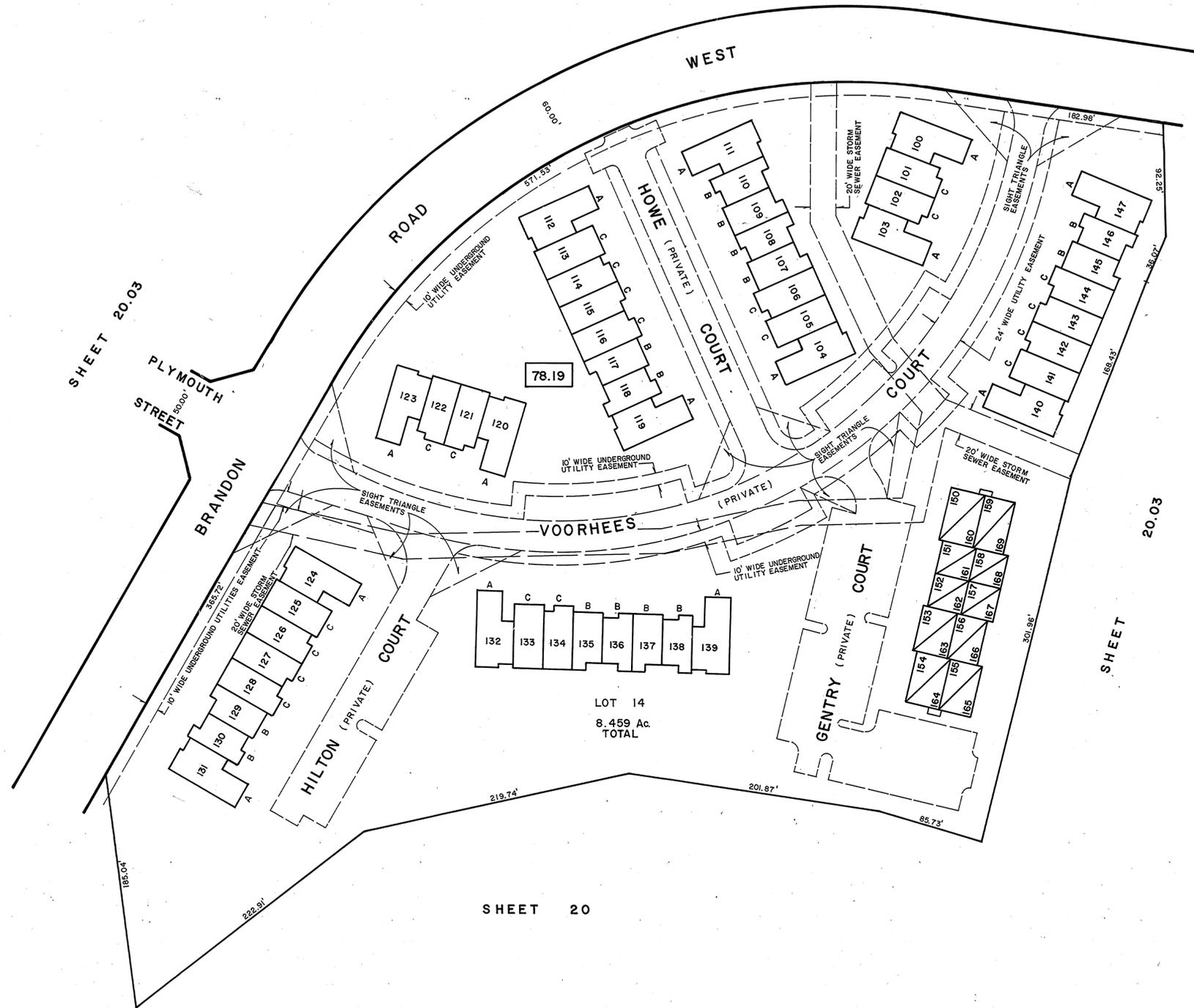
SHEET 20.03

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION
LOCAL GOVERNMENT BUREAU
RECEIVED AS A TAX MAP SUBMITTAL TO THE
DIVISION OF CHIEF OF TAXES OF 1993, ETC.
FOR THE DIRECTOR, DIVISION OF TAXATION

Neil I. Van Cleeff P.E. & L.S.
INC. 15434 CHIEF ENGINEERING SECTION
DATE FEB 18 1994 SERIAL NO. 091

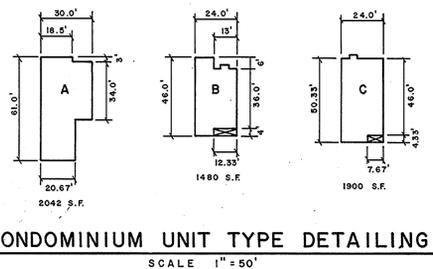
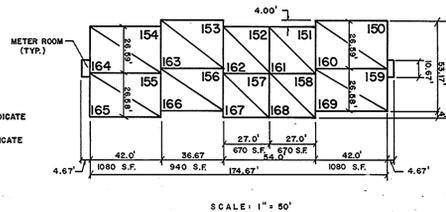
TAX MAP
TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY
SCALE: 1" = 50' OCTOBER, 1993
NEIL I. VAN CLEEF
N.J.P.E. & L.S. NO.13856
2345 ROUTE 33, ROBBINSVILLE, N.J.

SHEET 20.08



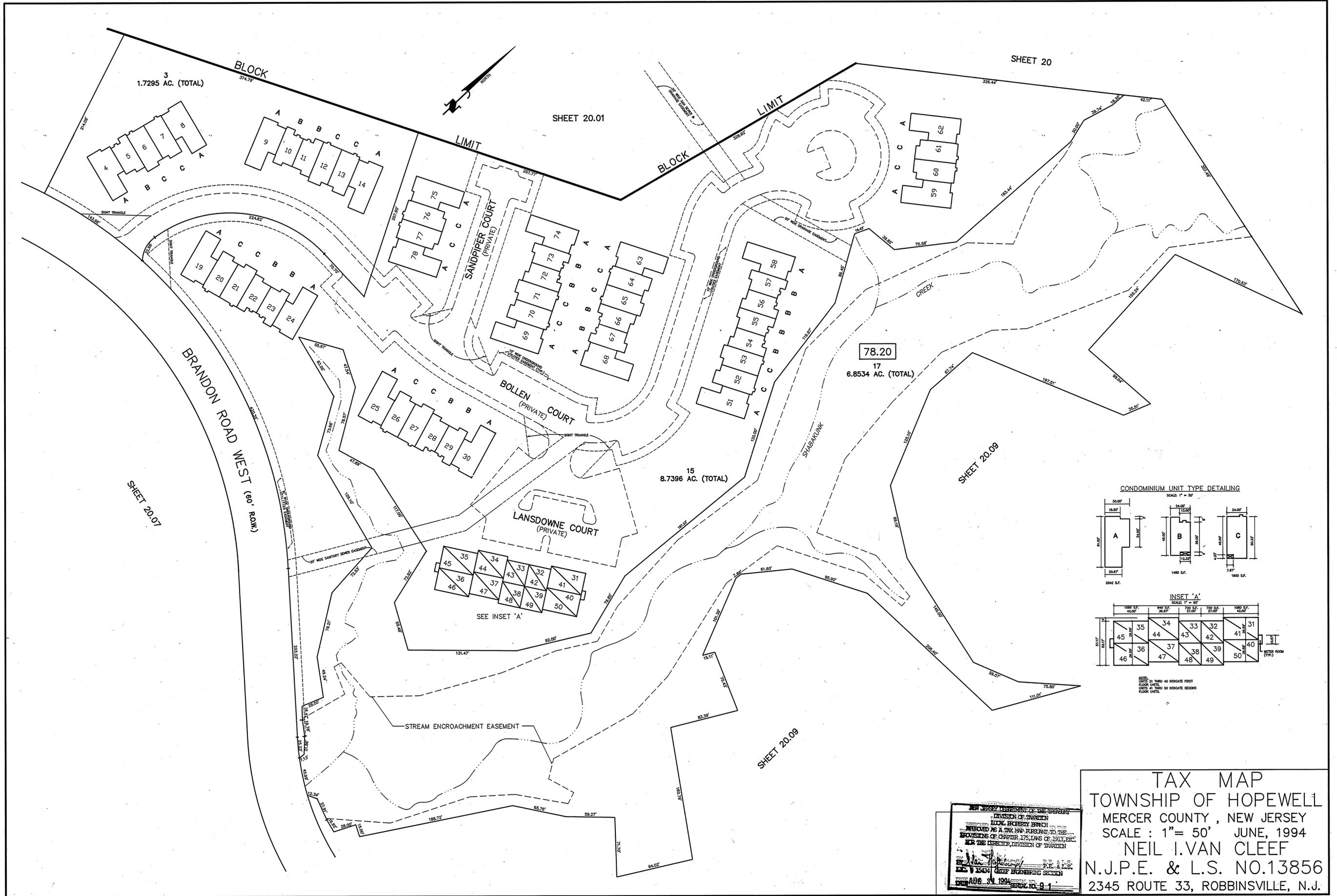
SHEET 20

NOTE:
 UNITS 150 THRU 159 INDICATE
 FIRST FLOOR UNITS.
 UNITS 160 THRU 169 INDICATE
 SECOND FLOOR UNITS.



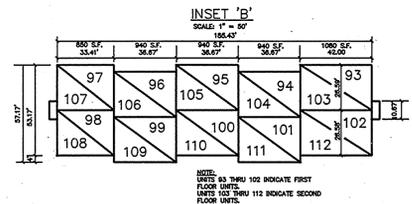
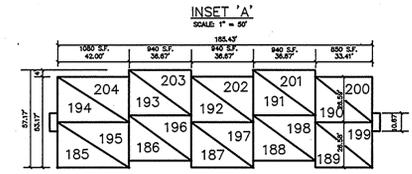
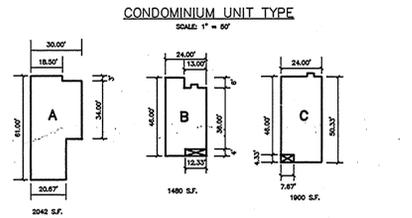
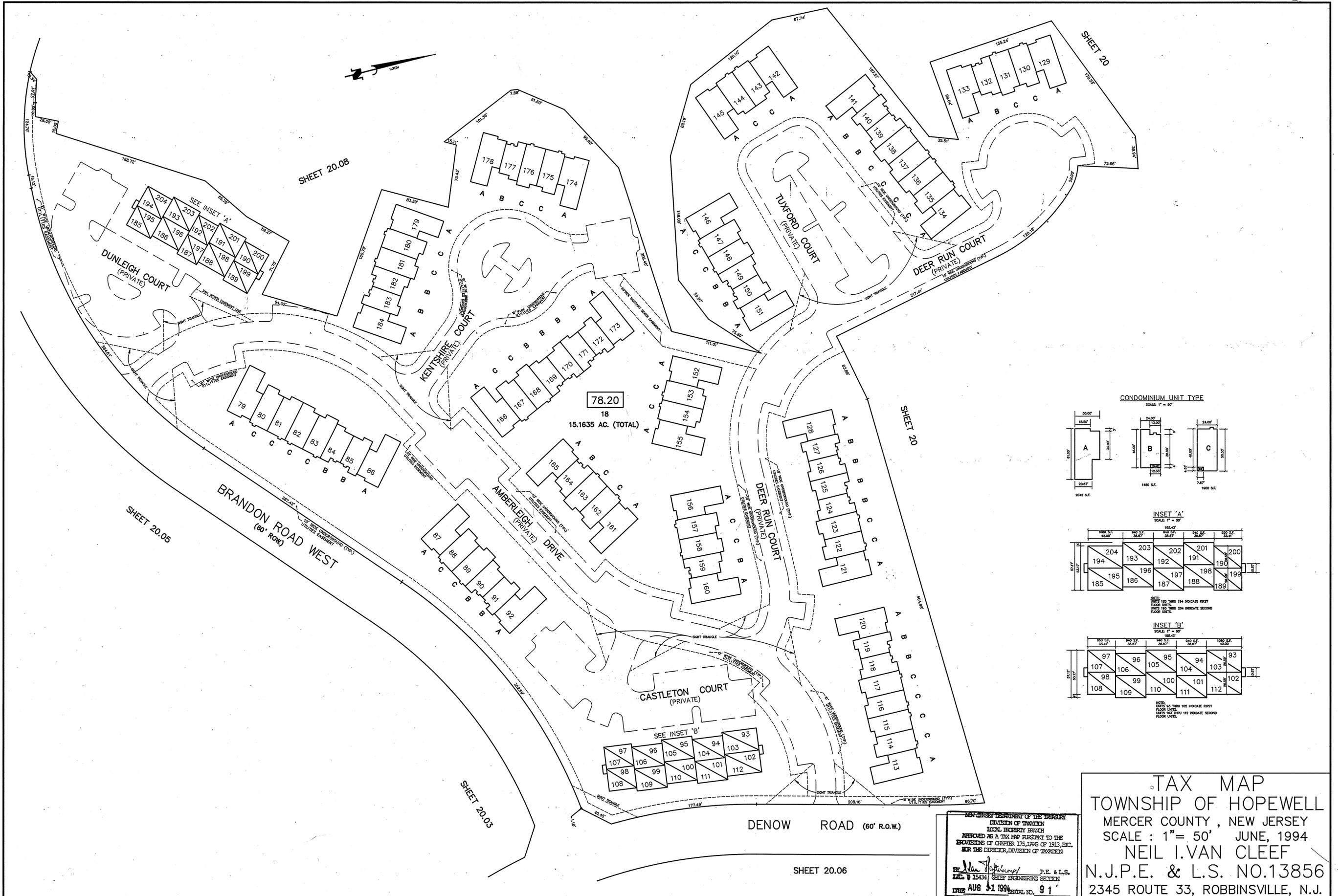
NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY TAX
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 175, LAWS OF 1913, ETC.
 FOR THE DIRECTOR, DIVISION OF TAXATION
 NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. NO. 33
 ROBBINSVILLE, NEW JERSEY
 MAR 7 1994 SERIAL NO. 91

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1" = 50' FEBRUARY 1994
 NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. NO. 33
 ROBBINSVILLE, NEW JERSEY



NEW JERSEY DEPARTMENT OF TREASURY
 DIVISION OF TAXATION
 LOCAL EXERCISES BRANCH
 RECORDED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 175, LAWS OF 1913, ENCL.
 FOR THE DIRECTOR, DIVISION OF TAXATION
 NEIL I. VAN CLEEF
 P.E. & L.S.
 CHIEF ENGINEERING SECTION
 DATE: AUG 31 1994
 BOOK NO. 9-1

TAX MAP
 TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1" = 50' JUNE, 1994
 NEIL I. VAN CLEEF
 N.J.P.E. & L.S. NO. 13856
 2345 ROUTE 33, ROBBINSVILLE, N.J.



NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 LOCAL PROPERTY BRANCH
 APPROVED AS A TAX MAP PURSUANT TO THE PROVISIONS OF CHAPTER 175, LWS OF 1913, ETC. BY THE DIRECTOR, DIVISION OF TAXATION
 By *Neil I. Van Cleaf* P.E. & L.S.
 DEC. 9 15434 CHIEF ENGINEERING SECTION
 DATE AUG 31 1994 SERIAL NO. 91

TAX MAP
 TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1" = 50' JUNE, 1994
 NEIL I. VAN CLEEF
 N.J.P.E. & L.S. NO.13856
 2345 ROUTE 33, ROBBINSVILLE, N.J.

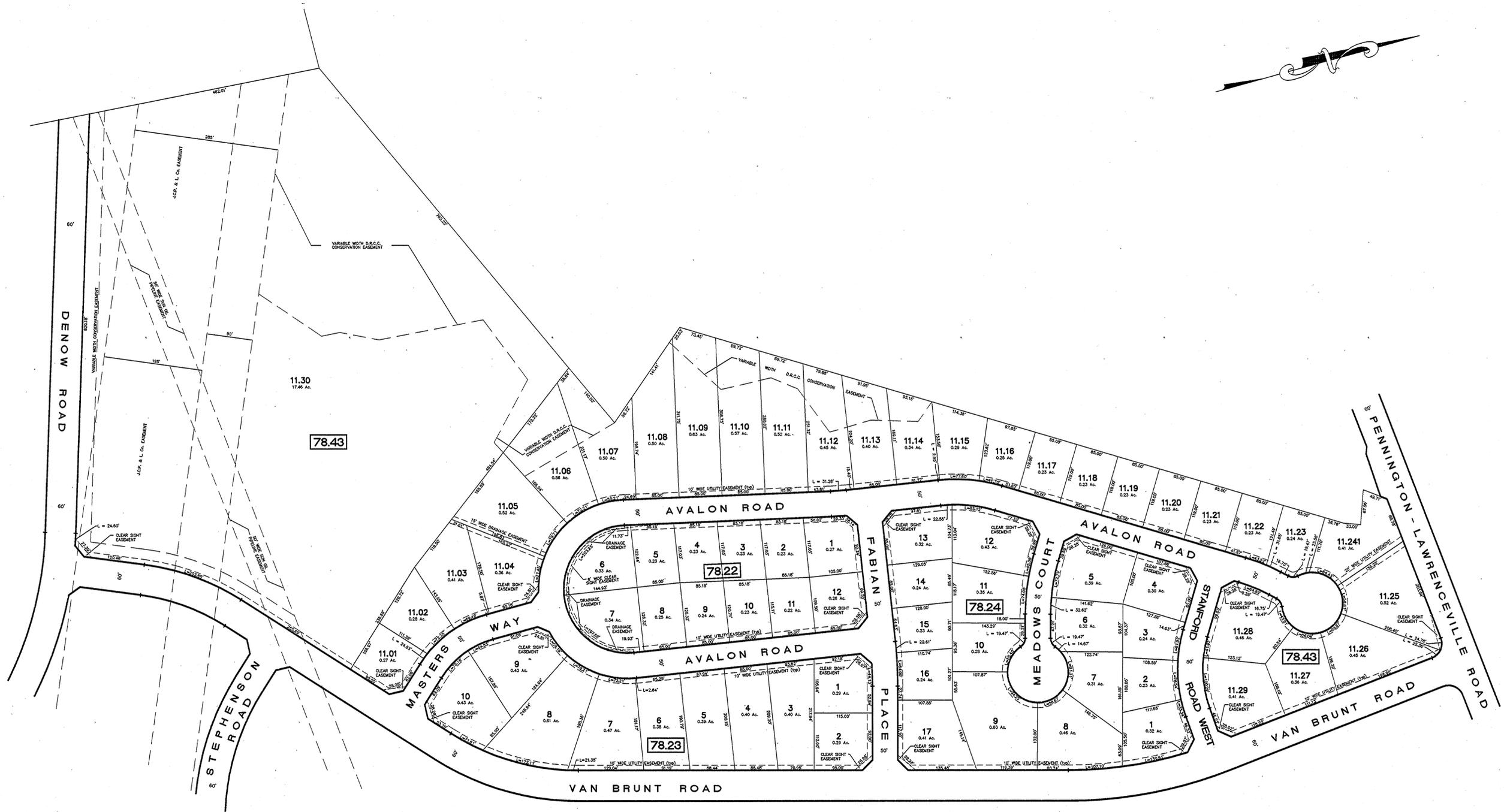


NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 PROPERTY ADMINISTRATION
 APPROVED AS A TAX MAP PURSUANT TO THE
 PROVISIONS OF CHAPTER 175, LAW OF 1913, ETC.
 FOR THE DIRECTOR, DIVISION OF TAXATION

Neil I. Van Cleeff P.E. & L.S.
 U.S. CIVIL ENGINEERING SECTION

DATE APR 16 1995 SERIAL NO. 91

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1"=100' DECEMBER 1995
NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBBINSVILLE, NEW JERSEY

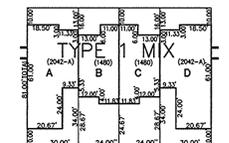
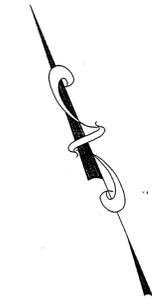
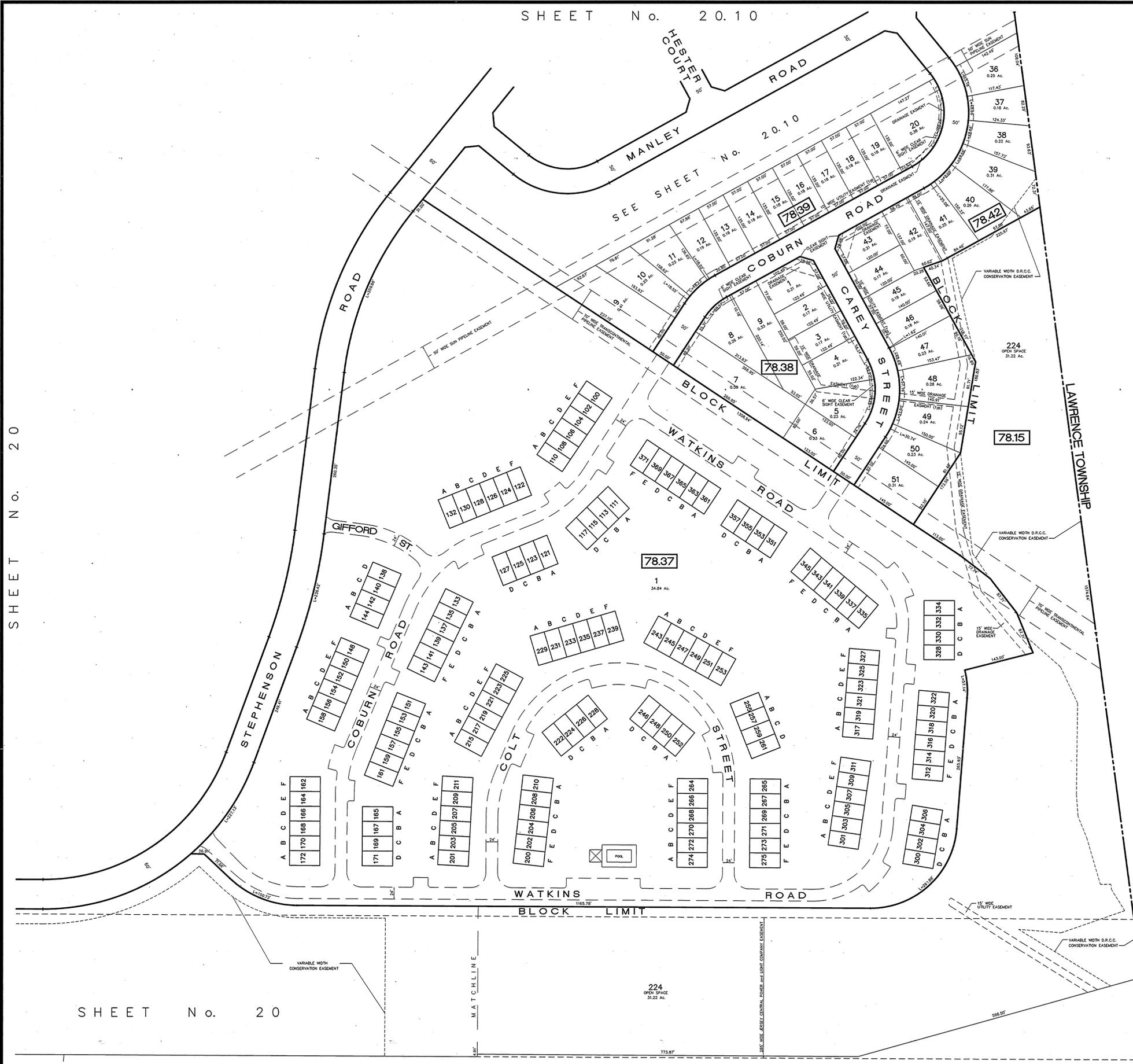


NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 PROPERTY ADMINISTRATION
 APPROVED AS A TAX MAP PURSUANT TO THE AUTHORITY OF
 N.J.S.A. 17:27-13 & 14-10.1
 FOR THE DIRECTOR, DIVISION OF TAXATION
William F. Black
 WILLIAM F. BLACK, PROFESSIONAL ENGINEER - UTILITIES
 DATE: OCT 23 1997 SERIAL NO. 91

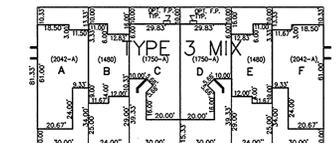
TAX MAP
 TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1"=100' DECEMBER 1996
 NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBINNSVILLE, NEW JERSEY

SHEET No. 20.10

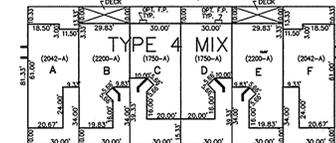
SHEET No. 20



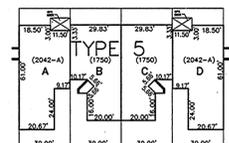
UNITS 111, 113, 115, 117
 UNITS 138, 140, 142, 144
 UNITS 222, 224, 226, 228
 UNITS 246, 248, 250, 252
 UNITS 256, 257, 259, 261
 UNITS 300, 302, 304, 306
 UNITS 328, 330, 332, 334



UNITS 100, 102, 104, 106, 108, 110
 UNITS 162, 164, 166, 168, 170, 172
 UNITS 200, 202, 204, 206, 208, 210
 UNITS 301, 303, 305, 307, 309, 311



UNITS 122, 124, 126, 128, 130, 132
 UNITS 133, 135, 137, 139, 141, 143
 UNITS 151, 153, 155, 157, 159, 161
 UNITS 145, 150, 152, 154, 156, 158
 UNITS 201, 203, 205, 207, 209, 211
 UNITS 215, 217, 219, 221, 223, 225
 UNITS 229, 231, 233, 235, 237, 239
 UNITS 243, 245, 247, 249, 251, 253
 UNITS 264, 266, 268, 270, 272, 274
 UNITS 265, 267, 269, 271, 273, 275
 UNITS 312, 314, 316, 318, 320, 322
 UNITS 317, 319, 321, 323, 325, 327
 UNITS 335, 337, 339, 341, 343, 345
 UNITS 361, 363, 365, 367, 369, 371



UNITS 165, 167, 169, 171
 UNITS 351, 353, 355, 357
 UNITS 121, 123, 125, 127

CONDOMINIUM UNIT DETAILS
 NOT TO SCALE

SHEET No. 20

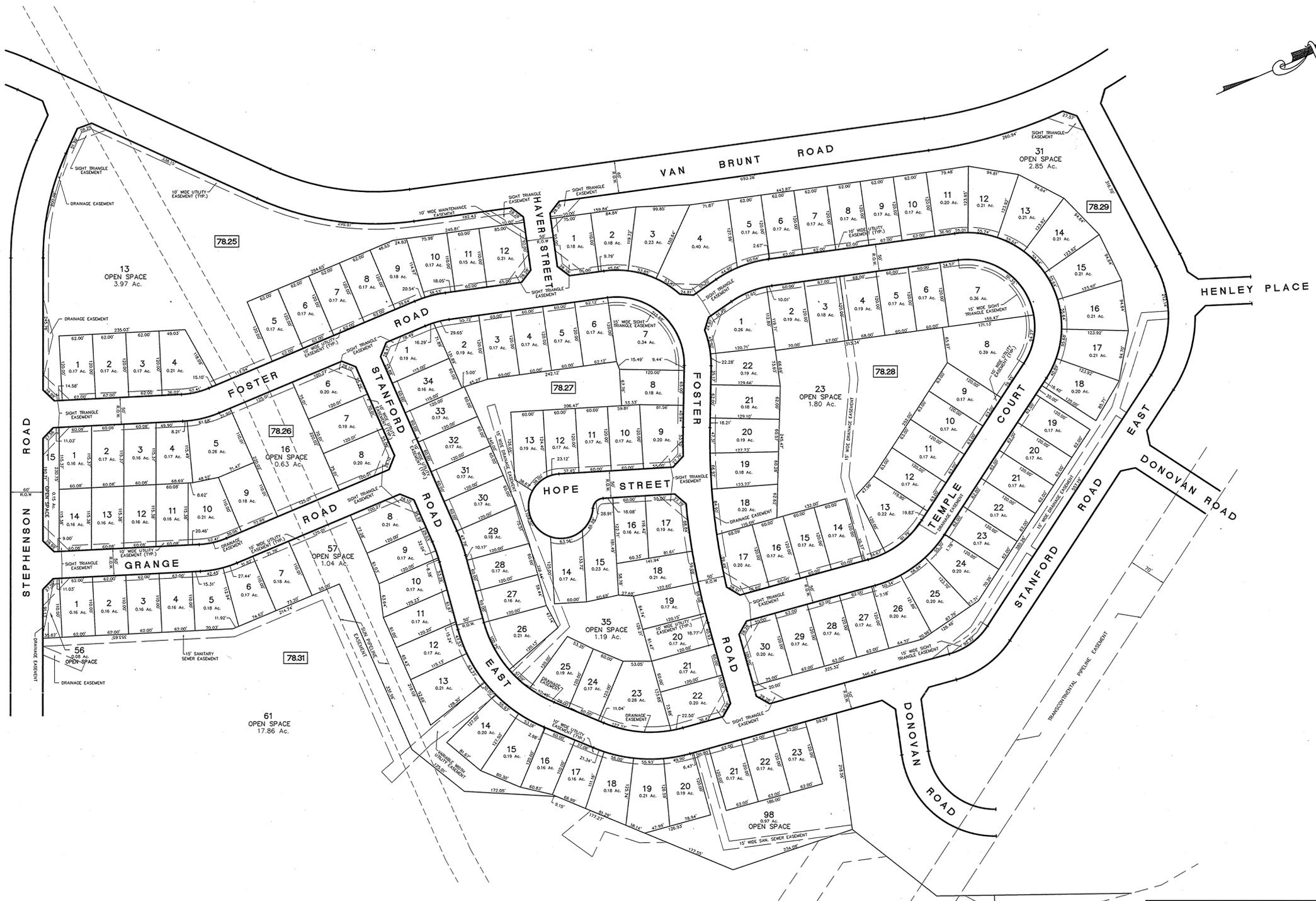
SHEET No. 20.03

NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 PROPERTY ADMINISTRATION
 APPROVED AS A TAX MAP PURSUANT TO THE AUTHORITY OF
 N.J.S.A. 54:15 & 54:50-1
 FOR THE DIRECTOR, DIVISION OF TAXATION
James Cole C.T.A.
 JAMES COLE, CHIEF, ENGINEERING SECTION
William H. Black C.T.A.
 WILLIAM H. BLACK, PRINCIPAL ENGINEER UTILITIES
 DATE: JUL 17 1997 SERIAL NO. 91

TAX MAP
 TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1"=100' APRIL 1997
 NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBBINSVILLE, NEW JERSEY

SHEET No. 20

SHEET No. 20.14



TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE : 1"=100' NOVEMBER 1997
NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBBINSVILLE, NEW JERSEY



SHEET No. 20.11

SHEET No. 20

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE : 1"=60' NOVEMBER 1998
NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBBINSVILLE, NEW JERSEY

SHEET No. 20.11

SHEET No. 20

78

78.15

SHEET No. 20

DENOW ROAD

VAN BRUNT ROAD

DENOW ROAD

BREWSTER COURT

COURT

DEER RUN COURT

SHEET No. 20.09

SHEET No. 20.08

SHEET No. 20.01

82

BLOCK LIMIT LINE

D.R.C.C. CONSERVATION EASEMENT

78.20

328
8.78 Ac.

78.20

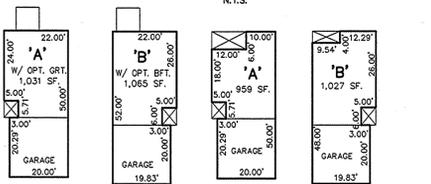
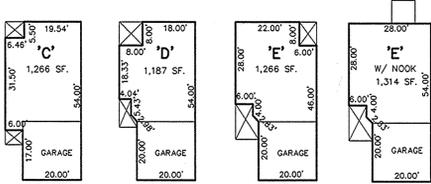
78.21

1
1.59 Ac.
OPEN SPACE

78.20

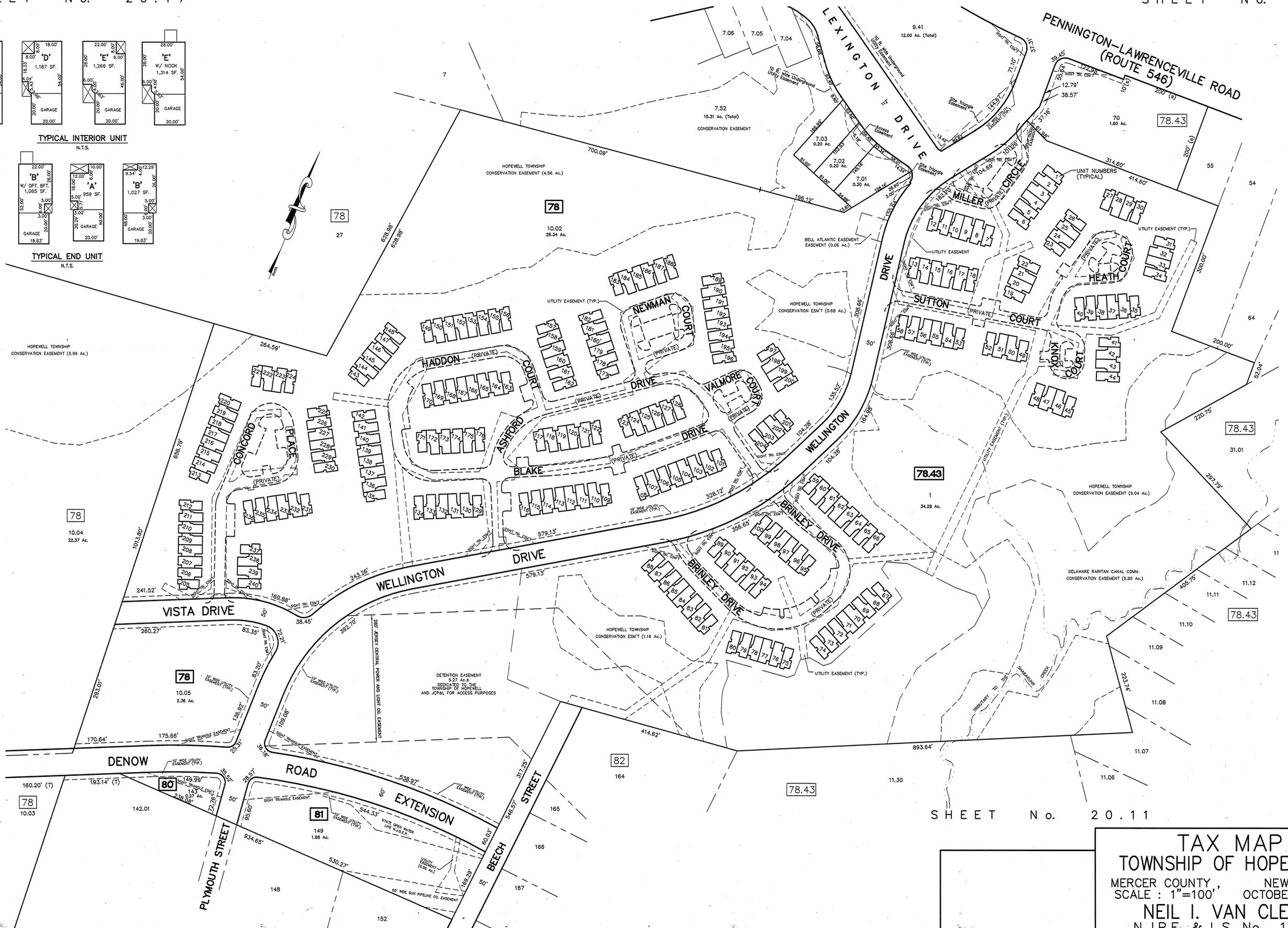
327
1.84 Ac.
OPEN SPACE

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE : 1"=50' NOVEMBER 1998
NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBBINSVILLE, NEW JERSEY



SHEET No. 20

SHEET No. 20



HOPEWELL TOWNSHIP CONSERVATION EASEMENT (5.99 AC.)

78
10.04
22.37 Ac.

78
10.02
26.34 Ac.

78.43
34.28 Ac.

78.43
70
1.60 Ac.

78.43
31.01

78.43
11.10

78
10.05
2.36 Ac.

82
164

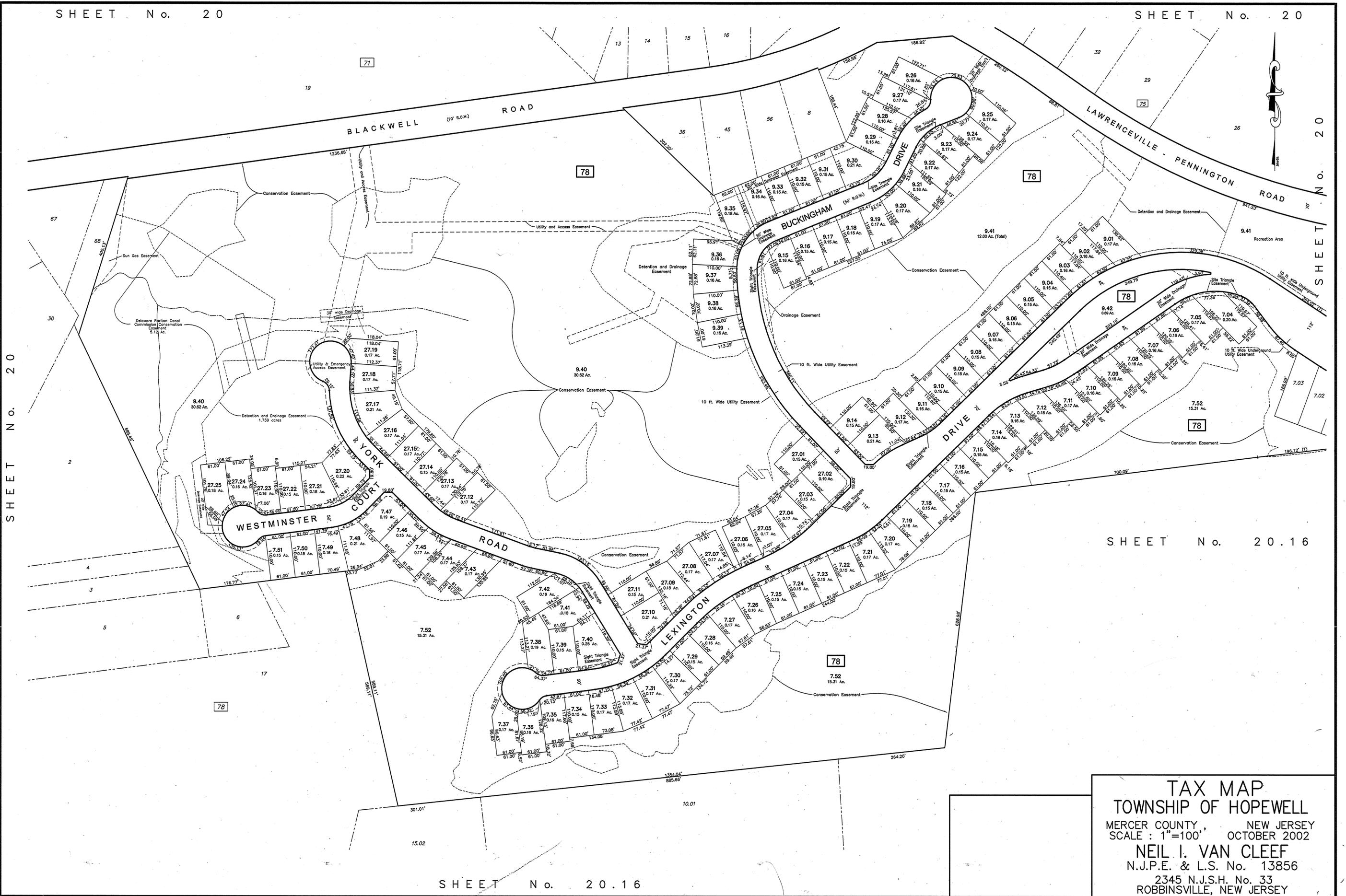
78.43

SHEET No. 20.11

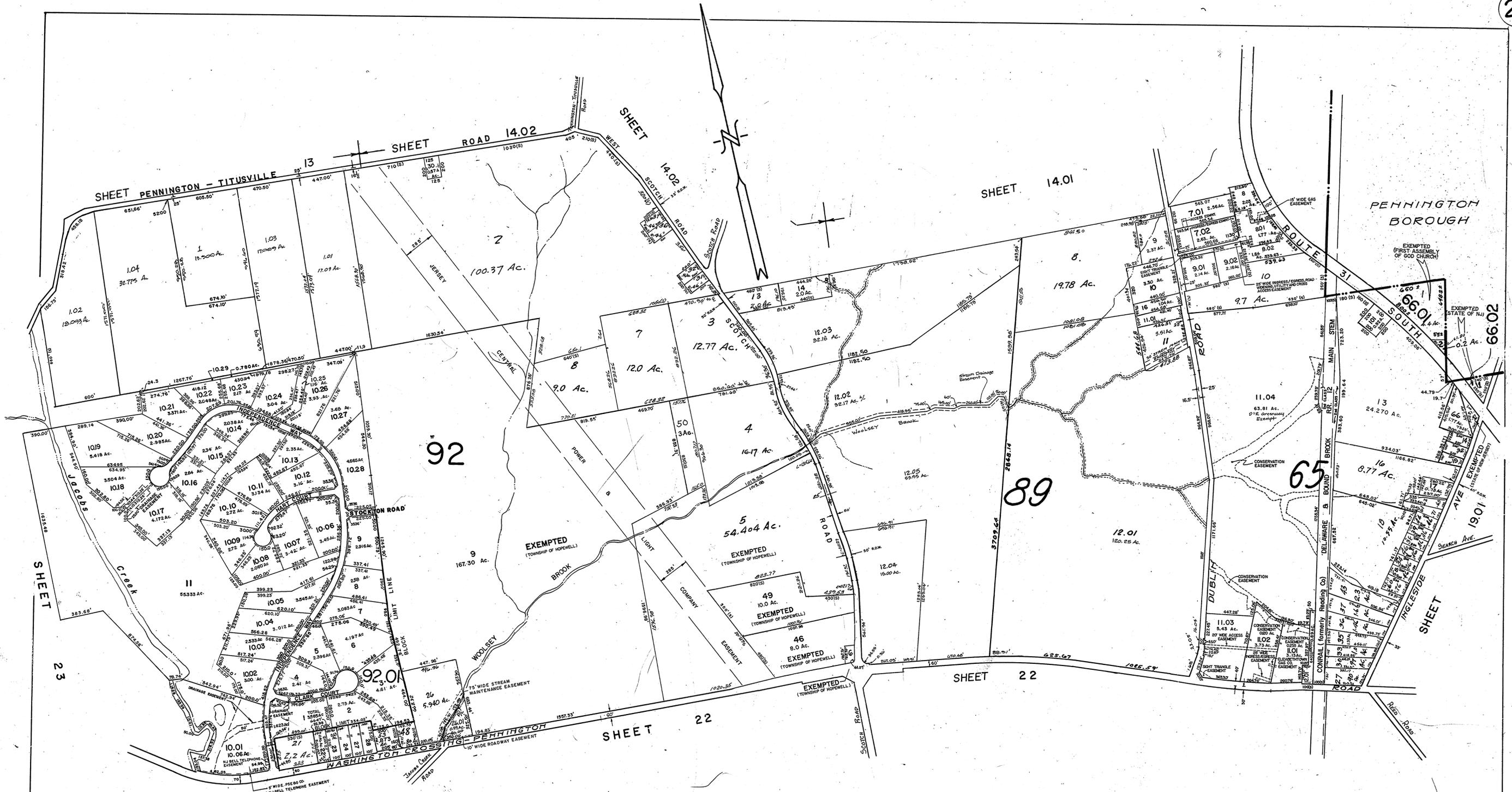
78
10.03

81
149
1.98 Ac.

TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1"=100' OCTOBER 2002
NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBBINSVILLE, NEW JERSEY

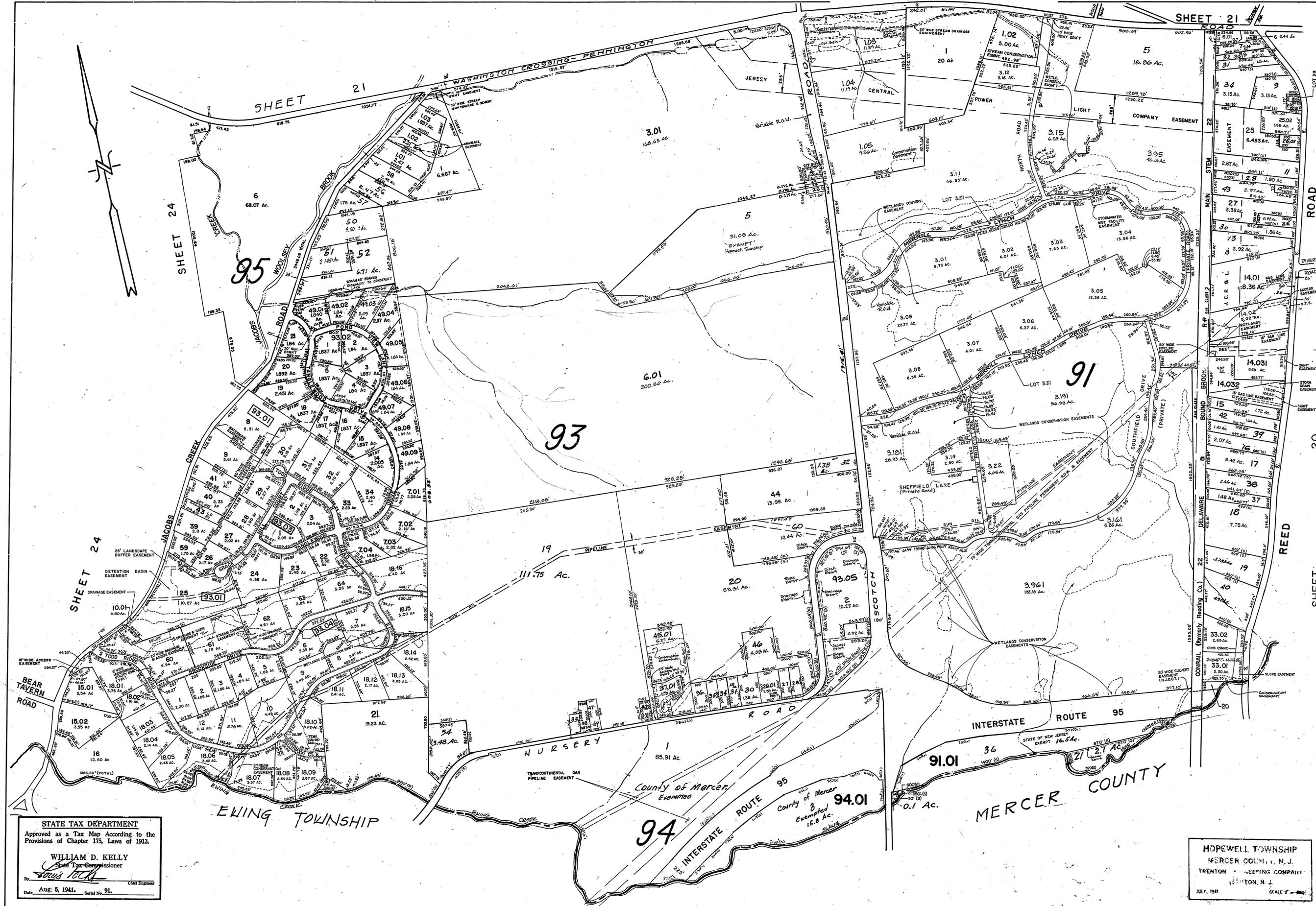


TAX MAP
TOWNSHIP OF HOPEWELL
 MERCER COUNTY, NEW JERSEY
 SCALE: 1"=100' OCTOBER 2002
NEIL I. VAN CLEEF
 N.J.P.E. & L.S. No. 13856
 2345 N.J.S.H. No. 33
 ROBBINSVILLE, NEW JERSEY



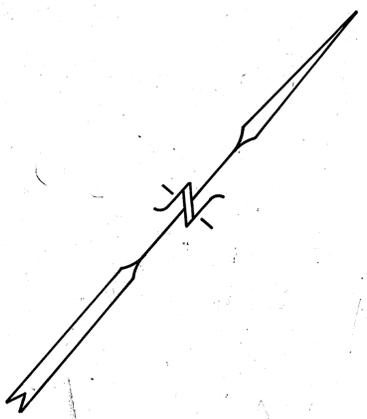
STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: *[Signature]*
 Chief Engineer
 Date: Aug. 5, 1941. Serial No. 9L

HOPEWELL TOWNSHIP
 MERCER COUNTY N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 SCALE 1" = 400'



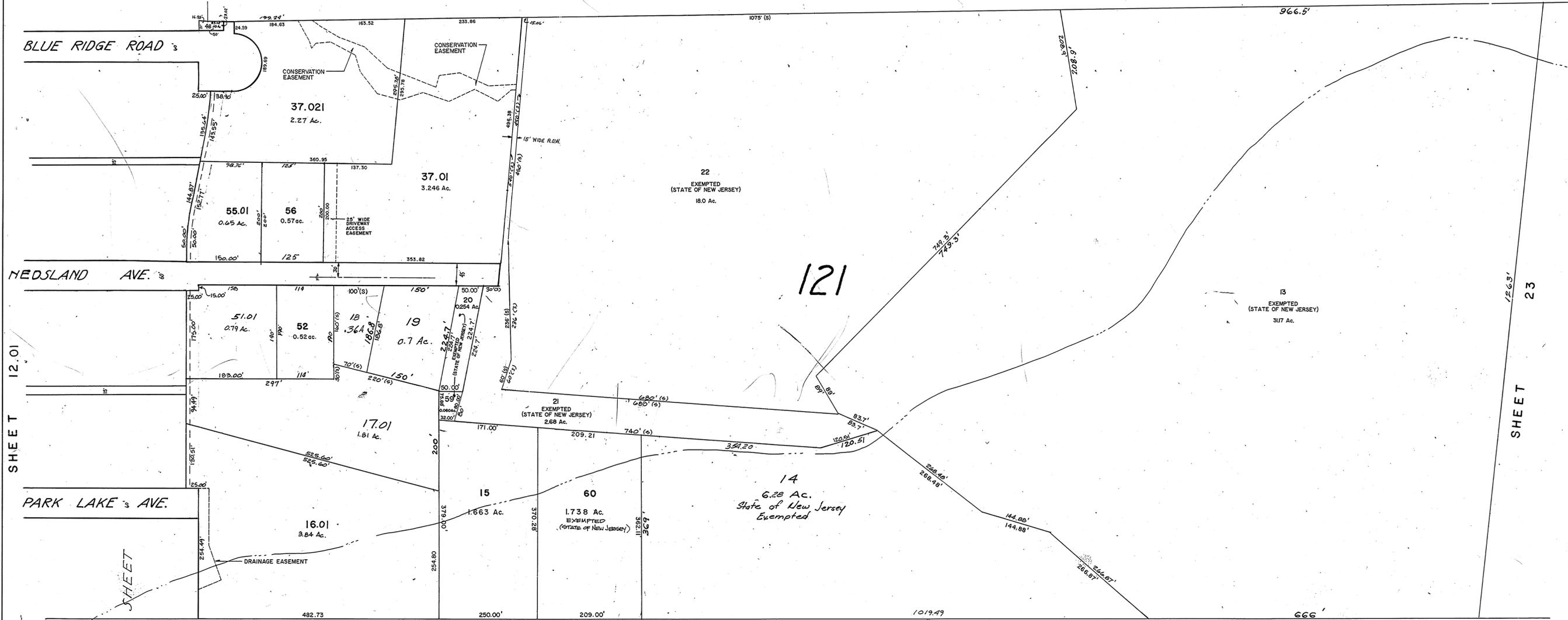
STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: *Louis Koch*
 Chief Engineer
 Date: Aug. 5, 1941. Serial No. 91.

HOPWELL TOWNSHIP
 MERCER COUNTY, N.J.
 TRENTON MAP-INGENIERS COMPANY
 TRENTON, N.J.
 JULY, 1941 SCALE 1" = 400'



SHEET

12



SHEET 12.01

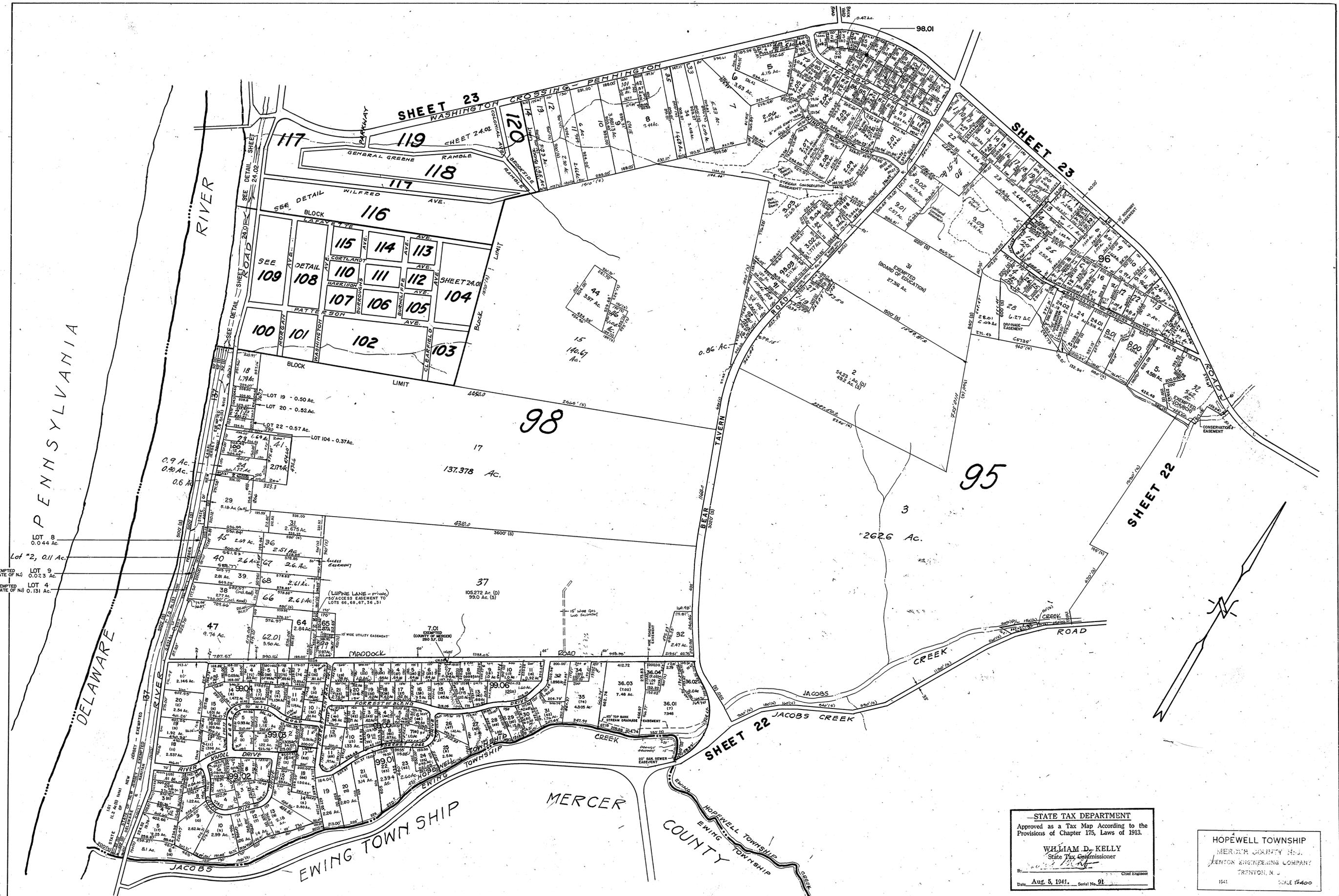
SHEET 23

SHEET

23

STATE TAX DEPARTMENT
 Approved as a Tax Map According to the Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 By: [Signature]
 Chief Engineer
 Date: Aug. 5, 1941. Serial No. 91.

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 SCALE: 1"=100'



LOT 8
0.044 Ac.

Lot #2, 0.11 Ac.

EXEMPTED
(STATE OF NJ)
0.023 Ac.

EXEMPTED
(STATE OF NJ)
0.131 Ac.

STATE TAX DEPARTMENT
Approved as a Tax Map According to the
Provisions of Chapter 175, Laws of 1913.

WILLIAM D. KELLY
State Tax Commissioner

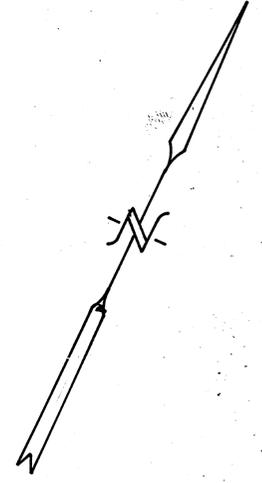
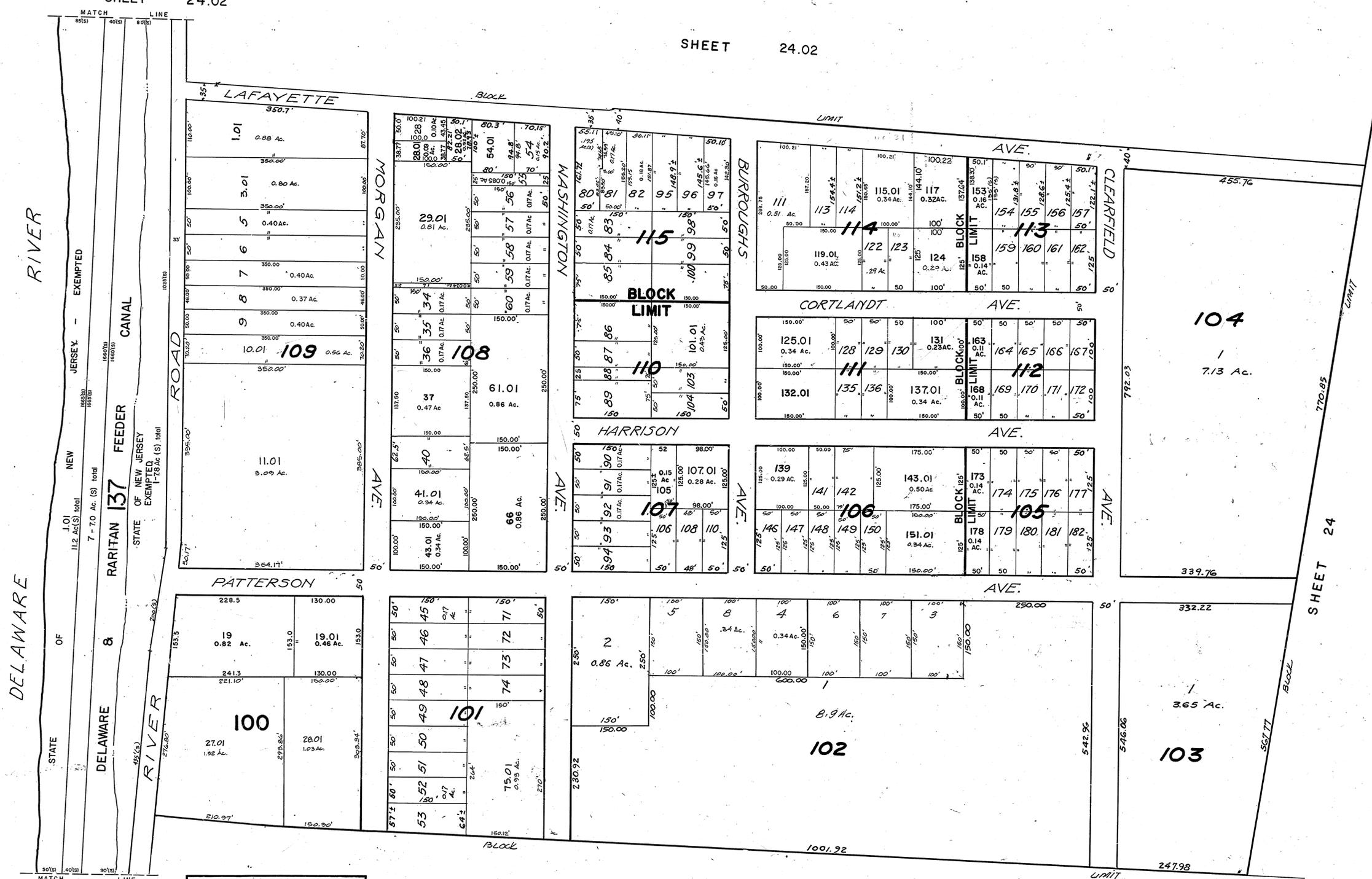
Date Aug. 5, 1941. Serial No. 91

HOPWELL TOWNSHIP
MERCER COUNTY, N.J.
MERTON ENGINEERING COMPANY
TRENTON, N.J.

1941 SCALE 1"=400'

SHEET 24.02

SHEET 24.02

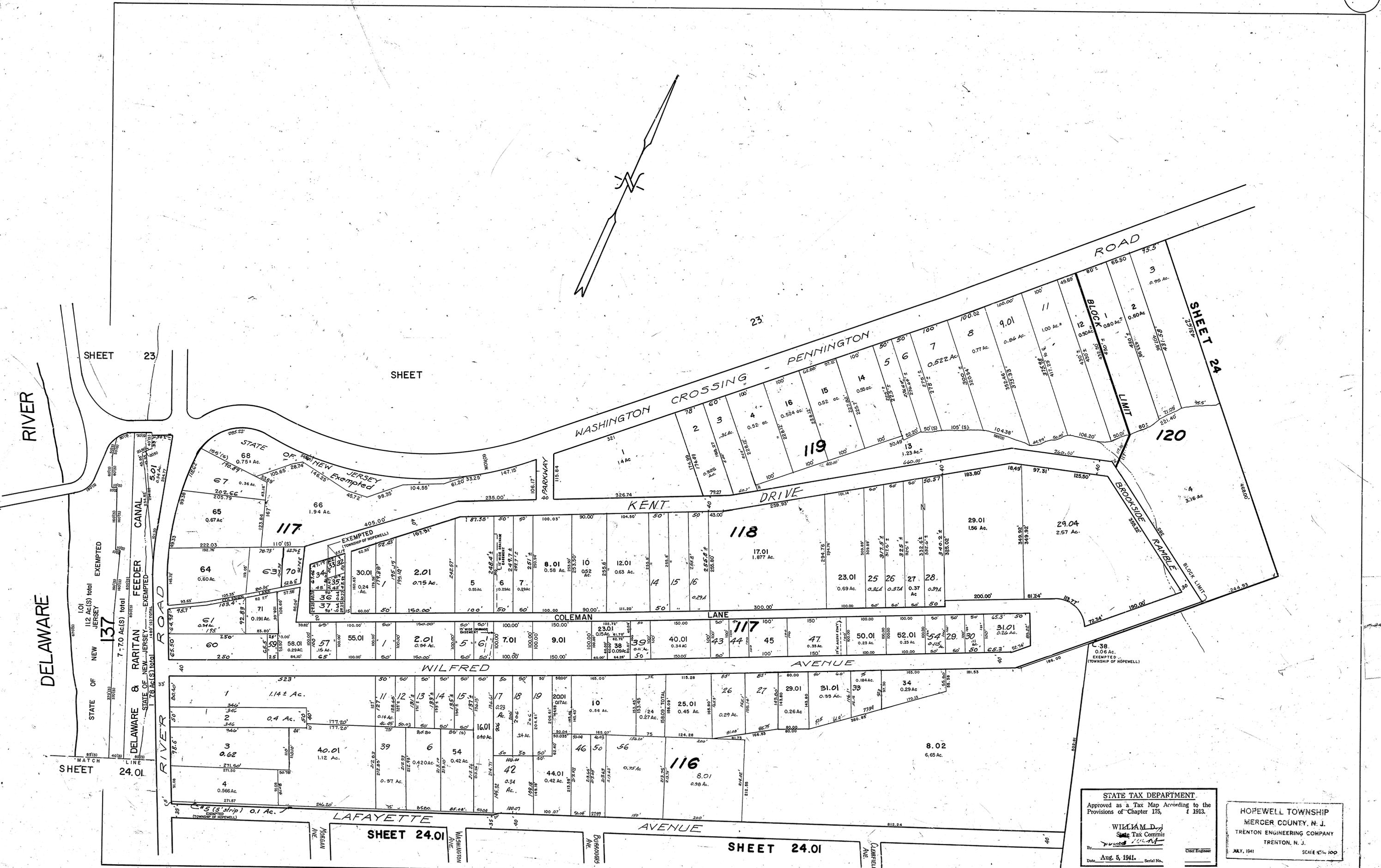


SHEET 24

SHEET 24

STATE TAX DEPARTMENT
 Approved as a Tax Map According to the
 Provisions of Chapter 175, Laws of 1913.
 WILLIAM D. KELLY
 State Tax Commissioner
 Date: Aug. 5, 1941. Serial No. 91.

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY,
 TRENTON, N. J.
 JULY, 1941 SCALE 1" = 100'



STATE TAX DEPARTMENT.
 Approved as a Tax Map According to the
 Provisions of Chapter 175, § 1913.
 WILLIAM D. J.
 State Tax Commis
 By: [Signature]
 Date: Aug. 5, 1941. Serial No.

HOPEWELL TOWNSHIP
 MERCER COUNTY, N. J.
 TRENTON ENGINEERING COMPANY
 TRENTON, N. J.
 JULY, 1941 SCALE 1" = 100'