

NEW AMWELL REDEVELOPMENT PLAN BLOCK 163.05, LOTS 101, 102, 103, 104 & 105

Hillsborough Township, Somerset County, New Jersey

October 10, 2014



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The original of this report was signed and sealed in accordance with NJSA 45:14A-12.

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1.0 Introduction

1.1 Purpose of and Statutory Basis for the Redevelopment Plan

This Redevelopment Plan has been prepared by CME Associates (CME) at the direction of the Township Committee for its review and the review of the Hillsborough Township Planning Board. It outlines the planning and redevelopment of Block 163.05, Lots 101, 102, 103, 104 and 105 ("Plan Area"), which have been designated and "Area in Need of Rehabilitation," by the Township Committee in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A: 12A-1 et seq.)

This report sets forth the Redevelopment Plan, including land uses, bulk and area requirements, and design standards for redevelopment within the Plan Area.

According to the Local Redevelopment and Housing Law, the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

- Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
- Proposed land uses and building requirements in the project area;
- An identification of any property within the Rehabilitation Area proposed to be acquired in accordance with Redevelopment Plan;
- Any significant relationship of the Redevelopment Plan to:
 - The Master Plans of contiguous municipalities;
 - The Master Plan of the County in which the municipality is located, and;
 - The State Development and Redevelopment Plans adopted pursuant to the "State Planning Act".

1.2 Plan Overview

The plan provides for portions of the Plan Area to be redeveloped into 129 newly constructed residential units. 54 of these units will be low/moderate income rental housing, with a set aside of 14 units for individuals with special needs. The affordable portion of the project will occupy an area of approximately four (4) acres of the site. The unit mix will include ten (10) one-bedroom units, thirty (30) two- bedroom units and fourteen (14) three-bedroom units. Forty-five (45) of the remaining 75 units will be market-rate single family structures and thirty (30) will be market rate stacked town houses.

1.3 Area Boundaries and Locational Context

The Plan Area includes Block 163.05, Lots 101, 102, 103, 104 and 105 and is comprised of approximately 23 acres. The entire Study Area falls within the ARW Amwell Road West District. The purpose of the Amwell Road West (ARW) District is to establish a mixed-use zone district that provides for multifamily affordable housing, and single-family and multifamily market-rate housing. The standards are intended to offer maximum flexibility for site design and selection of dwelling unit types in order to offer a balanced housing pattern attractive to all income and age segments of the community as part of the Township's fair share housing plan for meeting the region's low- and moderate-income housing needs. Permitted principal uses in the ARW District currently include: detached, single-family dwellings at a density of 7.06 units per acre; townhouses at a density of 14.76 units per acre; multifamily dwellings/ affordable housing at a density of 13.34 units per acre; and special needs and alternative living arrangement facilities/ affordable housing at a density of 13.41 units per acre.

1.4 Existing Conditions

There are four houses currently situated on the subject site, and all are greater than fifty years old. The structure located at 507 Amwell Road was built in 1943 and is over 70 years old. The house suffered from major fire damage and is now boarded up. The Township would like to see the property owner/developer fully demolish this building as well as all other structures on the property. The other three houses located from 501 to 505 Amwell Road range in age from 64 years to 83 years.

1.5 Environmental Constraints

A tributary of the Royce Brook runs through the northern portion of Block 163.05, Lot 105. As a result, a small area of this property is designated as wetlands and is listed under the Landscape Project as a Rank 1 habitat. The remainder of the Study Area does not include any environmental constraints.

2.0 Redevelopment Plan Vision, Goals, and Objectives

2.1 Plan Vision

The Redevelopment Plan provides for the transformation of vacant and underutilized properties to economically and socially productive uses, which will contribute to the general welfare of the Township of Hillsborough via increased tax rates, increased diversity of housing stock, and provision of affordable housing, while respecting environmental constraints.

2.2 Plan Goals & Objectives

The objectives of the Redevelopment Plan are as follows

- Encourage the productive use of Block 163.05, Lots 101, 102, 103, 104 and 105 to increase the Township's diversity of housing stock and assist the Township in satisfying its affordable housing obligation;
- Create land use requirements specific to the Redevelopment Area that are sensitive to the area surrounding the Plan Area;
- Encourage the redevelopment of the property to increase tax rates within the Township of Hillsborough;
- Provide infrastructure improvements for the redevelopment area;
- Provide for the activation of underutilized lands which represents a lost opportunity for a valuable contribution to the welfare of the community.
- Utilize to the maximum extent practicable, Smart Growth Planning Principles in the redevelopment of the Plan Area. Such principles include:

- Master Planning for community rehabilitation and redevelopment;
- Utilizing high quality design and planning techniques.
- Institute land use and building controls to promote the redevelopment of the Plan Area while remaining sensitive to the adjacent communities.

3.0 Land Use and Development Standards

3.1 Redevelopment Area Zoning

A. Purpose.

The purpose of the Redevelopment Area is to provide for multi-family affordable housing and single- and multi-family market-rate housing. The standards are intended to offer maximum flexibility for site design and selection of dwelling unit types in order to offer a balanced housing pattern attractive to all income and age segments of the community as part of the Township's Fair Share Housing Plan for meeting the region's low- and moderate-income housing needs.

B. Permitted principal uses.

(1) Detached, single-family dwellings.

(2) Townhouses/ Stacked Townhomes. For purposes of this ordinance, a stacked townhome is a multi-family building of up to 3 stories, in an attached dwelling unit arrangement with an exterior townhouse appearance where one dwelling unit or a part of one dwelling unit is below or above another dwelling unit, with each dwelling unit having an entrance on the ground floor.

(3) Multifamily dwellings/affordable housing.

(4) Special needs and alternative living arrangement facilities/affordable housing.

C. Accessory uses.

(1) Garages, storage sheds, tennis courts, maintenance office and storage buildings, swimming pools and other community recreational facilities

(noncommercial) associated with planned residential communities are allowed in all yards but the front yard.

(2) Trash and garbage collection areas which are fully screened except for detached, single-family dwellings and townhouses.

(3) Utilities which are compatibly designed and/or screened, as appropriate.

(4) Stormwater basins.

(5) Recreational facilities, including tot lots and sitting areas.

(6) Signage.

(7) Retaining walls.

(8) Other subordinate structures customarily incidental and subordinate to the principal building or use on the lot.

D. Minimum tract area and location.

(1) A minimum of 6 gross acres for detached single family dwellings; and

(2) A minimum of 2 gross acres for townhouses/ stacked townhomes; and

(3) A minimum of 3 gross acres for special needs/ alternative living arrangement facilities/ multi-family dwellings/ affordable housing rentals;

(4) The sum of these minimum gross acreage requirements yields a minimum tract size requirement of 11 acres, with an additional requirement of a minimum of 700 feet of frontage on Somerset County Route 514 (Amwell Road).

E. Yard and bulk regulations for detached, single-family dwellings.

(1) Maximum tract area: A maximum of 6.5 acres of the overall tract area for the entire mixed-use development may be utilized for the construction of detached, single-family dwellings.

(2) Minimum lot size: 4,500 square feet.

(3) Minimum lot frontage: 20 feet.

- (4) Minimum lot width: 30 feet.
- (5) Minimum lot depth: 90 feet
- (6) Minimum front yard setback: 25 feet from public right of way.
- (7) Minimum rear yard setback: 20 feet.
- (8) Minimum side yard setback: 6 feet.
- (9) Maximum impervious coverage: 55%.
- (10) Maximum building coverage: 45%.
- (11) Maximum density: 7.06 dwelling units per acre for the portion of the overall tract utilized for the construction of detached, single-family dwellings.
- (12) Maximum building height: 40 feet or 2 1/2 stories.

F. Yard and bulk regulations for Townhouses/ Stacked Townhomes.

- (1) Maximum tract area: A maximum of 2.5 acres of the overall tract area for the entire mixed-use development may be utilized for the construction of townhouses/ stacked townhomes.
- (2) Minimum Building Setback- 15 feet from public Right of Way
- (3) Minimum Building to Building Setback: 48 feet (measured from foundation to foundation)
- (4) Minimum Side of Building to Side of Building Distance: 12 feet (measured from foundation to foundation)
- (5) Maximum impervious coverage: 65%.
- (6) Maximum density: 16 dwelling units per acre for the portion of the overall tract utilized for the construction of townhouses/stacked townhomes.
- (7) Maximum building height: 45 feet or three stories

G. Development fee for detached, single family dwellings and townhouses/ stacked townhomes.

(1) The developer of the detached, single family dwellings and townhouses/stacked townhomes shall pay a residential development fee of 1% of the equalized assessed value as set forth in Section 188-139C of the Land Development Ordinance.

H. Yard and bulk regulations for affordable special needs/ alternative living arrangement facilities/ multi-family dwellings/affordable housing rentals.

(1) Minimum lot size: 3 acres.

(2) Minimum lot frontage: 200 feet.

(3) Minimum lot width: 200 feet.

(4) Minimum lot depth: 200 feet.

(5) Minimum front yard setback: 20 feet.

(6) Minimum rear yard setback: 20 feet.

(7) Minimum side yard setback: 20 feet.

(8) Maximum impervious coverage: 65%.

(9) Maximum building coverage: 35%.

(10) Maximum building height: 35 feet or 2.5 stories.

(11) Maximum building length: 340 feet.

(12) Maximum density: 18 dwelling units per acre within the portion of the overall tract area utilized for the construction of affordable special needs/ alternative living arrangement facilities.

(13) Fourteen (14) 2-bedroom affordable special needs/ alternative living arrangement facilities units are required to be provided within the portion of the overall tract for the mixed-use development utilized for affordable special needs/ alternative living arrangement facilities housing

I. Parking requirements.

(1) Detached, single-family dwellings: 4-bedroom units will comply with RSIS guidelines

(2) Townhouses/ Stacked Townhomes: 2-bedroom and 3-bedroom units will comply with RSIS guidelines

(3) Affordable special needs/alternative living arrangement facilities/ multi-family dwellings/affordable housing rentals: 2-bedroom units require 0.5 parking spaces per unit. 1-bedroom and 3-bedroom units will comply with RSIS guidelines.

(4) Parking dimensions will comply with RSIS standards for parking spaces, handicapped spaces, access spaces and access aisles (NJAC 5:21-4.15; NJAC 5:21-4.16)

J. Supplemental regulations.

(1) Buildings and site improvements shall be designed to minimize changes to existing topography and mature vegetation.

(2) Shared driveways that serve more than one property may be provided where deemed appropriate by the Planning Board or Board of Adjustment. Cross access shall be required between adjoining properties.

(3) A landscape plan shall be provided for the affordable special needs/multifamily site and the single-family/townhouse site separately and shall be prepared by a licensed landscape architect.

(4) Exterior building design shall be coordinated with regard to color, types of materials, architectural form, and detailing. Multiple buildings on the same site shall be designed to create a cohesive relationship between the buildings.

(5) A permanent entry sign shall be permitted with a maximum area of 40 square feet and shall not exceed a height of six feet for the affordable special needs/multifamily site and the single-family/townhouse site separately. The permanent signs shall be located near each entrance drive but shall not be located within any required sight triangles.

(6) Phasing, if the applicant proposes to phase the development, shall be subject to approval of a phasing plan with the site plan application.

(7) Recreation shall be limited to only tot lot and sitting areas, and walkways/pedestrian pathways. No recreation elements are required for the affordable special needs/multifamily site.

(8) If other provisions in the Hillsborough Township Land Development Ordinance conflict with this section, this section shall govern the development of this district.

4.0 Plan Consistency Review

As required by the Redevelopment and Housing Law, this section describes the consistency between the Redevelopment Plan and Hillsborough's Master Plan and how the provisions herein are designed to effectuate the Master Plan. It also describes the relationship of the Redevelopment Plan to the New Jersey Development and Redevelopment Plan.

4.1 2010 Housing Plan Element and Fair Share Plan

The 2010 Housing Plan Element and Fair Share Plan identified goals and objectives that support the Township's effort to declare the Study Area as being In Need of Rehabilitation. The 2010 Housing Element included the New Amwell Study Area as a suitable site for the construction of affordable housing in accordance with N.J.A.C. 5:97-3.13 and COAH's definition of a "suitable site."

A "suitable site" is:

A site that has a clear title and is free of encumbrances which preclude development of affordable housing; is adjacent to compatible land uses; has access to appropriate streets, water and sewer infrastructure; can be developed consistent with the Residential Site Improvement Standards and the rules and regulations of all agencies with jurisdiction over the site; and is consistent with the suitability criteria delineated in N.J.A.C. 5:97-3.13.

Units built on the New Amwell site would help to satisfy the Township's COAH obligation detailed in the Fair Share Plan.

4.2 New Jersey Development and Redevelopment Plan

The Redevelopment Area is located in the Suburban Planning Area (PA-2). In the Suburban Planning Area, the State Plan's intention 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; and revitalize cities and towns.

The Redevelopment Plan is consistent with the State Plan's intentions for the PA-2. This plan promotes future development and protects the character of existing stable communities.

5.0 Redevelopment Plan Actions

5.1 Outline of Proposed Actions

The construction of new structures and other improvements will take place as proposed in this Redevelopment Plan. Other actions that may need to be undertaken to implement the Redevelopment Plan may include the clearance of obsolete or underutilized accessory structures; provisions for infrastructure necessary to service and support new development; and vacation of easements as may be necessary for redevelopment.

Once redevelopers are selected the redeveloper will be required to enter into a Redeveloper's Agreement with the Township that stipulates the precise nature and extent of the improvements to be made and their timing and phasing as permitted therein.

- **Properties to be Acquired**

No acquisition of privately-owned property within the Plan Area will be necessary to effectuate the Redevelopment Plan.

- **Relocation**

No displacement or relocation of any residents or businesses within the Plan Area will be necessary to effectuate the Redevelopment Plan.

- **Infrastructure**

In addition to the new development described in the foregoing chapters, several other actions may be taken to further the goals of this Plan. These actions may include, but shall not be limited to: (1) provisions for infrastructure necessary to service new development; (2) environmental remediation; and (3) vacation of public utility easements and other easements and rights-of-way as may be necessary to effectuate redevelopment.

5.2 Other Actions

The Redevelopment Agreement between the Township and the redeveloper will contain the terms, conditions, specifications and a description of required performance guarantees (such as performance bonds or other acceptable performance security) pertaining to the redeveloper's obligation to provide the infrastructure and improvements required for the project, which may include, but shall not be limited to, the provision of water, sewer and stormwater service as well as sidewalks, curbs, streetscape improvements, street lighting, and on- and off-site traffic controls and roadway improvements required as a result of the project.

6.0 General Provisions

6.1 Amendment to Zoning Map and Development Regulations

The Zoning Map referenced in Chapter 188 of the Development Regulations of the Township of Hillsborough is hereby amended to reference this Redevelopment Plan. Additionally, the listing of zoning districts in Chapter 188, Article V of the Land Use and Development Regulations is hereby amended to include a reference to this Redevelopment Plan and Plan Area.

Where specifically provided for herein, the development standards set forth in this Redevelopment Plan shall supersede the Development Regulations of the Township of Hillsborough. In all other instances, the Development Regulations of the Township of Hillsborough shall remain in full force and effect.

6.2 Definitions

Except as otherwise provided herein, words that appear in this Redevelopment Plan shall be interpreted in accordance with "Word Usage and Definitions" section in the Township's Zoning Regulations set forth in Chapter 188.

6.3 Adverse Influences

No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

6.4 Non-Discrimination Provisions

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee or by a redeveloper or any of his successors or assignees, whereby land within the Plan Area is restricted by the Township Committee, or the redeveloper, upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Plan Area on the basis of race, creed, color or national origin.

6.5 Duration of the Plan

The provisions of this Plan specifying the redevelopment of the Plan Area and the requirements and restrictions with respect thereto shall be in effect for a period of 30 years from the date of approval of this plan by the Township Committee.

6.5.1 Completion of Redevelopment

Upon the inspection and verification by the Township of Hillsborough that the redevelopment within the Plan Area has been completed, a certificate of completion shall be issued to the redeveloper. All redevelopment agreements associated with the implementation of this Redevelopment Plan shall be in effect until the issuance of such a certificate.

6.5.2 Severability

If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

7.0 Other Provisions

In accordance with N.J.S.A. 40A:12A-1 et seq., known as the Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Plan Area.
- The Redevelopment Plan does not require either the acquisition of privately-owned property or the relocation of any residents or businesses.
- The Redevelopment Plan is substantially consistent with the Master Plan for the Township of Hillsborough as well as the master plans of contiguous municipalities, including Montgomery Township, Franklin Township, Millstone Borough, Manville Borough, Somerville, Raritan Borough, Bridgewater Township, and Branchburg Township. The Plan also complies with the goals and objectives of the Somerset County Master Plan and the New Jersey State Development and Redevelopment Plan.
- The Planning Board may in its sole discretion at time of site plan application grant relief from the bulk, parking and/or design requirements contained herein where there is a hardship or the granting of such relief will promote the purposes of said

plan. Note that this applies only for bulk, parking and/or design requirements. Any requests for variance relief pursuant to NJSA 40:55d-70 could not be granted and would require an amendment to this Redevelopment Plan.

8.0 Procedure for Amending the Approved Plan

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee of \$5,000 shall be paid by the party requesting such amendment, unless the request is issued from Hillsborough Township. The Township Committee, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey.