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28 - March 85

Supplemental report review of
compliance program

UL Laurel II Obligation

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JUDGE SERPENTELLI'S CHAMBERS

SUPPLEMENTAL REPORT
REVIEW OF COMPLIANCE PROGRAM
MT. LAUREL II OBLIGATION
LAWRENCE TOWNSHIP, NEW JERSEY

Prepared for:

Honorable Eugene D. Serpentelli, J.S.C.
Ocean County Court House
Toms River, New Jersey 08753

March 28, 1985

Prepared by:

Carl G. Lindbloom, P.P.
Princeton, New Jersey

SUPPLEMENTAL REPORT
REVIEW OF COMPLIANCE PROGRAM
MT. LAUREL II OBLIGATION
LAWRENCE TOWNSHIP, NEW JERSEY

I. INTRODUCTION

1. Background

The purpose of this report is to supplement my January 7, 1985, review of the Lawrence Township Compliance Program. Prepared at the request of Judge Serpentelli, this supplement addresses the development suitability of the builder's remedy sites.

This supplement concerns five sites which involve claims for a right of builder's remedy. These five sites are shown on the attached map, which also indicates the proposed Township compliance sites. The five sites are:

SITE IDENTIFICATION

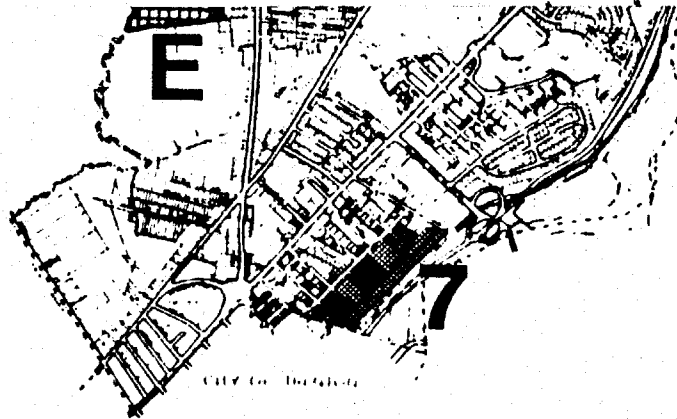
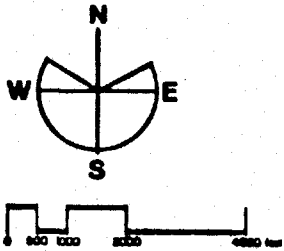
SITE NAME

A	Maidenhead Meadows
B	Princeton Pike Associates
C	Dyson Trust
D	Federal City
E	Drexel Avenue

The Lawrence Township Compliance Program, dated December 7, 1984, indicated that the builder's remedy sites were evaluated and considered by Township Council, but were not included in the program. Council determined that for environmental and planning reasons high-density housing was not appropriate for any of the five sites.

LAWRENCE TOWNSHIP

Mercer County, New Jersey












COMPLIANCE SITES

SITE NUMBERS REFER TO THE SITE ANALYSIS TABLE, COMPLIANCE PROGRAM REVIEW, PREPARED BY CARL LINDBLOOM, JAN. 7, 1985.

BUILDERS REMEDY SITES

A-E SITE LETTERS REFER TO BUILDERS REMEDY SITE LOCATIONS.

- | | |
|---|---|
|  | 03 EXISTING VACANT A/T ZONES |
|  | 35 NEW A/T ZONES |
|  | 540 PLANNED COMMUNITY DEVELOPMENT II ZONE |
|  | 162 LAWRENCE SQUARE VILLAGE (PCD) |
|  | 620 SENIOR CITIZEN HOUSING |
|  | 875 NEW MIXED USE ZONE |
|  | 50 PORT LAWRENCE VILLAGE (NEW A/T ZONE) |
|  | 200 REHABILITATION |
|  | 250 FINANCIAL ASSISTANCE/EX. HOUSING |

Hintz-Nelessen Associates, P.C.
PENNINGTON, N.J.

3285 - 3435

2. Basis For Review

The basis for this review of builder's remedy sites is the Mt. Laurel II decision. That decision included two tests for the suitability of a site for a builder's remedy. The first test is whether the developer has succeeded in Mt. Laurel litigation and proposed a project providing a substantial number of lower income housing units. The second test, as set forth in Mt. Laurel II is:

"A builder's remedy should be granted unless the municipality establishes that because of environmental or other substantial planning concerns, the plaintiff's proposed project is clearly contrary to sound land use planning. We emphasize that the builder's remedy should not be denied solely because the municipality preferred some other location for lower income housing, even if it is in fact a better site. Nor is it essential that considerable funds be invested or that the litigation be extensive."

92 N.J. at 279-280.

3. Review Methodology.

The methodology for this review was as follows:

- A. Review the June 27, 1984 report of the Township which included an evaluation of four of the five builder's remedy sites prepared by Township planner Carl Hintz.
- B. Review all available data on the five sites, including development proposals not available for the June 27, 1984 Township evaluation.
- C. Inspect all sites and prepare a site analysis summary table for each.
- D. Prepare review and recommendations.

II. TOWNSHIP SITE ANALYSIS

In their June 27, 1984, report, Hintz/Nelessen Associates (HNA) included an evaluation of the "litigated" or builder's remedy sites. This evaluation was termed preliminary because there were no site plans for three of the four sites evaluated. A fifth site, the Dyson Tract, was not then part of the litigation and was not evaluated.

The HNA builder's remedy site evaluation was based on the site selection criteria HNA had prepared for their study of where medium- and high-density housing should be located in the Township. A summary description of this site selection criteria is attached. Where a site did not meet any of the criteria, it was scored a "0"; if it partially met the criteria, it was weighted 1 to 10; if it partially met the criteria, it was weighted -1 to -10. HNA recommended that a site have at least 42 points to be considered for development with a Mt. Laurel component.

*Tp.
method
of
Analysis.*

Of the four sites evaluated only the Drexel Avenue site qualified. The scoring was as follows:

Drexel:

79 points

Federal City: -1 points

Maidenhead Meadows: 3 points

Princeton Pike: 5 points

Although this type of evaluation does provide some general indication of the appropriateness of a specific site for the intended use, it cannot be considered conclusive for a number of reasons:

1. No site plans were available for three of the four sites. A well designed site plan can overcome some of the problems of site shape and environmental concerns, and might include needed recreational facilities. These factors could change the evaluations.

2. The criteria is not weighted. For example, Natural Features (site environmental constraints) should probably be given more weight than site proximity to regional shopping; good road access should be given more weight than site proximity to job location.
3. The evaluation of each of the criteria is somewhat subjective. For example, on site shape, a particular site violating the "simple square or rectangle" criteria could be assigned a rating anywhere from -1 to -10.
4. Each of the four sites were evaluated separately. Two of the four sites, Princeton Pike Associates and Maidenhead Meadows, are contiguous and could have been evaluated as one site. If treated as one site the evaluation of site shape, utilities, highway access, neighborhood commercial, and recreation facilities could be different. For example, two or more combined sites could overcome an individual site shape problem.
5. Finally, one scenario might have the desired minimum of 42 points for a specific site as the result of a satisfactory rating on all of the criteria except access and/or natural features. Yet failure on one or both of these two criteria may render that specific site unacceptable on sound planning or environmental grounds.

Summary DescriptionSite Selection Criteria for Medium - High Density Housing
Containing Mt. Laurel Housing Component*

1. Job Location. The site should be within 15 to 25 minute commute to existing or proposed job locations.
2. Compact Shape. The ideal site would be square or rectangular in shape for efficient site design.
3. Natural Features. The site should be free of development constraints such as steep slope, flood plain, soil or drainage problems, etc.
4. Adequate Utilities. The site should have needed utilities at its boundaries.
5. Mass Transportation. The site should be within a 10 minute walk of mass transit.
6. Highway Network. The site should have direct access to a state or county road with available traffic capacity for the project.
7. Neighborhood Commercial. The site should be within 10 minutes walking distance of existing commercial and community facilities. Projects over 800 units should provide such facilities.
8. Regional Shopping. The site should be within convenient driving or public transportation trip time.
9. Health Care. Health care facilities should be within a 15 minute drive from the site.
10. Schools/Day Care. Nursery schools should be within 5 minutes walk or drive; elementary schools -- 12 minutes; middle school -- 12 minutes walk and 15 minutes drive; high school/library -- 15 minutes.
11. Recreational Facilities. Recreational facilities should be sufficient to meet the needs of residents.
12. Public Safety. The site should ideally be within 1/2 mile of fire, first aid and police protection, and no further than one mile.
13. Neighborhood Character. The proposed development should not adversely impact the existing neighborhood character.
14. Area Compatability. The proposed development should be consistent with the zoning and planning of surrounding towns.

*Hintz Nelessen Associates
Lawrence Township
June 27, 1984 (pages 55-63)

III. SITE ANALYSIS

1. Summary Tables

The following five pages provide a summary analysis, in tabular format, for each of the five builder's remedy sites. These tables include, for all sites, the number of lower income and total dwelling units proposed, site location, size and description, character of surrounding area, available community facilities, current Master Plan and zoning designations, available utilities, site development constraints, and an assessment of the site for the proposed use. Although not indicated on the tables, all five sites are situated within the area designated in the State Development Guide Plan as a Growth Area.

Following the summary tables is a discussion of each of the sites, with references to appropriateness of development as proposed. These tables, and the following discussion, include all site information available at the date of this report. Some of this information was not available in June 1984 when the Township consultant undertook his site evaluation.

SUMMARY TABLE
 BUILDERS REMEDY SITE ANALYSIS
 LAWRENCE TOWNSHIP, NEW JERSEY

Site A:	<u>MAIDENHEAD MEADOWS</u> (Lot 4, Block S-44)
Units Proposed:	56 lower income; 278 total
Site Location:	East-central section of Township. Just south of Princeton Pike/Fackler Road intersection.
Site Size:	29.8 acres.
Site Description:	Triangular in shape and wooded. 1,500 ft. of frontage on Princeton Pike.
Character of Area:	Site located in largely undeveloped area marked by large tracts of vacant and agricultural land. Single family subdivision to north of Fackler Road. Princeton Pike Site B immediately to the north.
Community Facilities:	2-2.5 miles to Rt. 1 shopping and all facilities in Lawrenceville.
Current Master Plan and Zoning:	Master Plan: R-80; Planned Luxury Residential Community Option. Zoning: R-80, Low Density Residential.
Utilities:	Immediate access to water lines. Sewer lines located 3,000 ft. south in Princeton Pike and 5,000 ft. north in Route 206.
Development Constraints:	Southern tip of site in floodplain; need to extend sewer line and improve Princeton Pike.
Site Assessment:	Immediate area is rural in character and proposed density of about 9 units per acre would be out of character with the area. <u>This site must be considered jointly with Sites B and C.</u>

SUMMARY TABLE
BUILDERS REMEDY SITE ANALYSIS
LAWRENCE TOWNSHIP, NEW JERSEY

Site B: PRINCETON PIKE ASSOCIATES
(Lot 33, Block S-44)

Units Proposed: 99 lower income; 496 total

Site Location: East-central area of Township, at Princeton Pike/Fackler Road intersection.

Site Size: 66.1 acres.

Site Description: Site is U-shaped and currently farmed. Approximately 3,000 ft. of road frontage, equally divided between Princeton Pike and Fackler Road.

Character of Area: Single-family homes to north along Fackler Road. Balance of area is farmed or undeveloped. Maidenhead Meadows Site A immediately south.

Community Facilities: 2-2.5 miles to Rt. 1 shopping and all facilities in Lawrenceville.

Current Master Plan and Zoning: Master Plan: R-80; Planned Luxury Residential Community Option.
Zoning: R-80, Low Density Residential.

Utilities: Water lines located along Fackler Road and Princeton Pike. Sewer lines would have to be extended 3,000 feet from north or 5,000 ft. along Princeton Pike.

Development Constraints: Irregular lot shape; high water table on about one-third of site; need to extend sewer line and improve Princeton Pike.

Site Assessment: Site is located in an open, low density residential area. Although no site plan is available, the proposed density of 7.5 units per acre would be out of character with the area. The irregular lot shape will make any transition with adjacent development difficult. This site must be considered jointly with Sites A and C.

SUMMARY TABLE
BUILDERS REMEDY SITE ANALYSIS
LAWRENCE TOWNSHIP, NEW JERSEY

Site C: DYSON TRUST
(Tract 1-Lot 4, Sec. 45; Tract 2-Lot 3,
Sec. 45)

Units Proposed: Tract 1: 160
Tract 2: 992
1,152 (230 low and moderate
assumed)

Site Location: East-central section of Township,
fronting on Princeton Pike, across from
remedy Sites A and B.

Site Size: Tract 1: 156.7 acres
Tract 2: 28.3 acres
185.0 acres

Site Description: Tract 1 had about 2,068 feet of frontage
on Princeton Pike; the Shipetaukin Creek
forms one border. Front portion a former
tree nursery, balance wooded and
undeveloped. Tract 2 is north of Tract
1 and separated from it by Lot 46. Tract
2 has about 883 feet of frontage on
Princeton Pike, is triangular in shape
and in agricultural use.

Character of Area: Immediate area is rural in character and
relatively undeveloped. Vacant or agri-
cultural land to north and west.
Delaware and Raritan Canal borders Tract
1 on east. Significant office develop-
ment to south adjacent to Route I-295.

Community Facilities: 2.5-3 miles to Route One mall shops
2.5 miles to Lawrenceville and other
community facilities.

Master Plan and Zoning: Tract 1 Master Plan - RD - Research
Development
Zoning - R-80 Residential
Tract 2 - R-80 Residential

Utilities: Water lines located along Fackler Road
and Princeton Pike. Sewer lines would
have to be extended 3,000 feet from
north or 5,000 ft. along Princeton Pike.

SUMMARY TABLE
BUILDERS REMEDY SITE ANALYSIS
LAWRENCE TOWNSHIP, NEW JERSEY

(continued)

Development
Constraints:

Tract 1 - About 120 acres of site in floodplain; could fill at most 40 acres. Balance of tract in wetlands and not developable. Extensive road improvements required to accommodate proposed level of development.
Tract 2 - About 3 acres of site at rear in wetlands.

Site
Assessment:

Tract 1 is only at most 50% developable; the 992 proposed units on the front half of the site equals a net density of about 13 units per acre, clearly out of character with the area. Tract 2 has no physical connection to Tract 1 and provides no transition to adjacent R-80 development. Both tracts must be considered jointly with Sites A and B.

**SUMMARY TABLE
BUILDERS REMEDY SITE ANALYSIS
LAWRENCE TOWNSHIP, NEW JERSEY**

Site D:	<u>FEDERAL CITY</u> (Lots 2 and 4, Block S-16)
Units Proposed:	30 lower income; 149 total
Site Location:	Western edge of Township just south of I-295. North of Bunker Hill Road.
Site Size:	28.8 acres
Site Description:	Site is a narrow rectangular shaped parcel measuring approximately 2,300 by 500 feet. Site is wooded, with extremely limited road frontage.
Character of Area:	Single-family residential to south along Bunker Hill Road. Power substation and utility lines near site. Vacant or agricultural properties in all other areas near site. I-295 within 500 feet to the north.
Community Facilities:	Five miles to Rt. 1 shopping; 2-3 miles to Lawrenceville and the facilities along Rt. 206 and Princeton Pike to the south-east.
Current Master Plan and Zoning:	Master Plan: R-9, High Density Residential. Zoning: R-80, Low Density Residential.
Utilities:	Water and sewer lines in adjacent subdivision to south.
Development Constraints:	Approximately 20 percent of site has a very high water table which virtually precludes development. Another 50 percent has high water table presenting moderate development constraints. Narrow shape of lot may present design problems.
<u>Site Assessment:</u>	No direct access to collector road proposed. The several significant development constraints, as listed above, are not offset by significant development advantages, other than the presence of a willing developer.

SUMMARY TABLE
 BUILDERS REMEDY SITE ANALYSIS
 LAWRENCE TOWNSHIP, NEW JERSEY

Site E:	<u>DREXEL AVENUE</u> (Lot 58, Block 138)
Units Proposed:	44 lower income; 221 total
Site Location:	Southern portion of Township, between Rt. 206 and Ewing Township border.
Site Size:	36.9 acres
Site Description:	Square shaped parcel, currently unde- veloped and wooded. Limited access to Drexel Avenue, as nearby properties separate all but 350 ft. of site from the roadway.
Character of Area:	Single-family residences to the east and north, floodplain to west and a school to the south. Residential densities in area range from 2-4 units/acre to east and 10 units/acre to the north.
Community Facilities:	Five miles to Rt. 1 mall shopping. All other community facilities within one mile of site.
Current Master Plan and Zoning:	Master Plan: R-9, High Density Resi- dential. Zoning: R-30, Medium Density Resi- dential.
Utilities:	Immediate access to sewer and water lines.
Development Constraints:	One-fifth of site in floodplain. Very high water table with major building constraints to west and south. High water table, with moderate constraints, half of remaining site. No direct access to collector road.
Site Assessment:	The development advantages of this site, including its proximity to shopping, community facilities and bus routes, its site shape and absence of major environ- mental constraints, is partially offset by its poor access.

2. Site Analysis

Site A, Maidenhead Meadows

Site B, Princeton Pike Associates

Site C, Dyson Trust

Sites A, B and C are contiguous tracts, located on both sides of Princeton Pike at Fackler Road. Although they may be separately owned, and could be developed individually, for purposes of this review they must be considered as one tract. This review is concerned with the feasibility of all sites for development, and the implications of such development. The findings of such review, based on an individual site analysis, is not likely to be the same if such contiguous sites are subject to a combined review.

	<u>ACRES</u>	<u>UNITS</u>	<u>DENSITY</u>
SITE A	29.8	278	9.3
SITE B	66.1	496	7.5
SITE C	<u>185</u> (2 tracts)	<u>1152</u>	<u>6.5</u>
	280.9	1926	6.86

In their June 1984 report, Hintz/Nelessen Associates (HNA) considered only sites A and B; site C was not evaluated because it was not then a part of the litigation. Sites A and B were evaluated separately and found to rate considerable lower than the areas proposed by the Township for high-density housing. Because of their low rating (at least 42 points was considered the minimum necessary for a Mt. Laurel site), both sites were deemed "not consistent with sound planning principles and avoidance of potentially severe environmental impacts." However, as noted in Section II of this report, this type of analysis cannot be considered conclusive for the several reasons cited.

The HNA type of analysis is more appropriate to providing general guidelines in site selection and in comparing one site with another. The fact that the Township sites rate higher than the individual remedy sites and, therefore, are preferred sites, does not mean that the remedy sites are not eligible for the builder's remedy. *Correct.*

If all 3 of these sites are considered as one tract, and using the number of units proposed by the developers, almost 2,000 units could be developed on this combined 280-acre tract (see above table). This development scale is comparable in size and impact to the proposed Port Mercer Village at 2,700 units on 215 acres. However, Port Mercer Village is located within the Route One corridor with immediate access (walking distance) to Mercer Mall shopping, with excellent buffers to nearby low-density residential use areas, with good proximity to the corridor highway and transit network, and with no serious environmental constraints. In addition, Port Mercer Village would be linked to Quakerbridge Village and new community facilities would be built to serve the projected 7,075 units in both villages.

The combined tract has access only (at present) to Princeton Pike, access to Mercer Mall and Lawrenceville (nearest shops) is poor; there are no existing buffers to adjacent low-density residential use areas; there are no community facilities provided; and much of parcel C has serious environmental constraints forcing an unacceptably high net density for this area. The proposal (combined) to construct almost 2,000 multi-family units, of which 400 would be set aside for low- and moderate- income housing, in a location with such limitations and deficiencies cannot be considered sound planning. In fact, to accept development of this combined tract, as proposed, would be the antithesis of sound planning.

(as presently proposed)

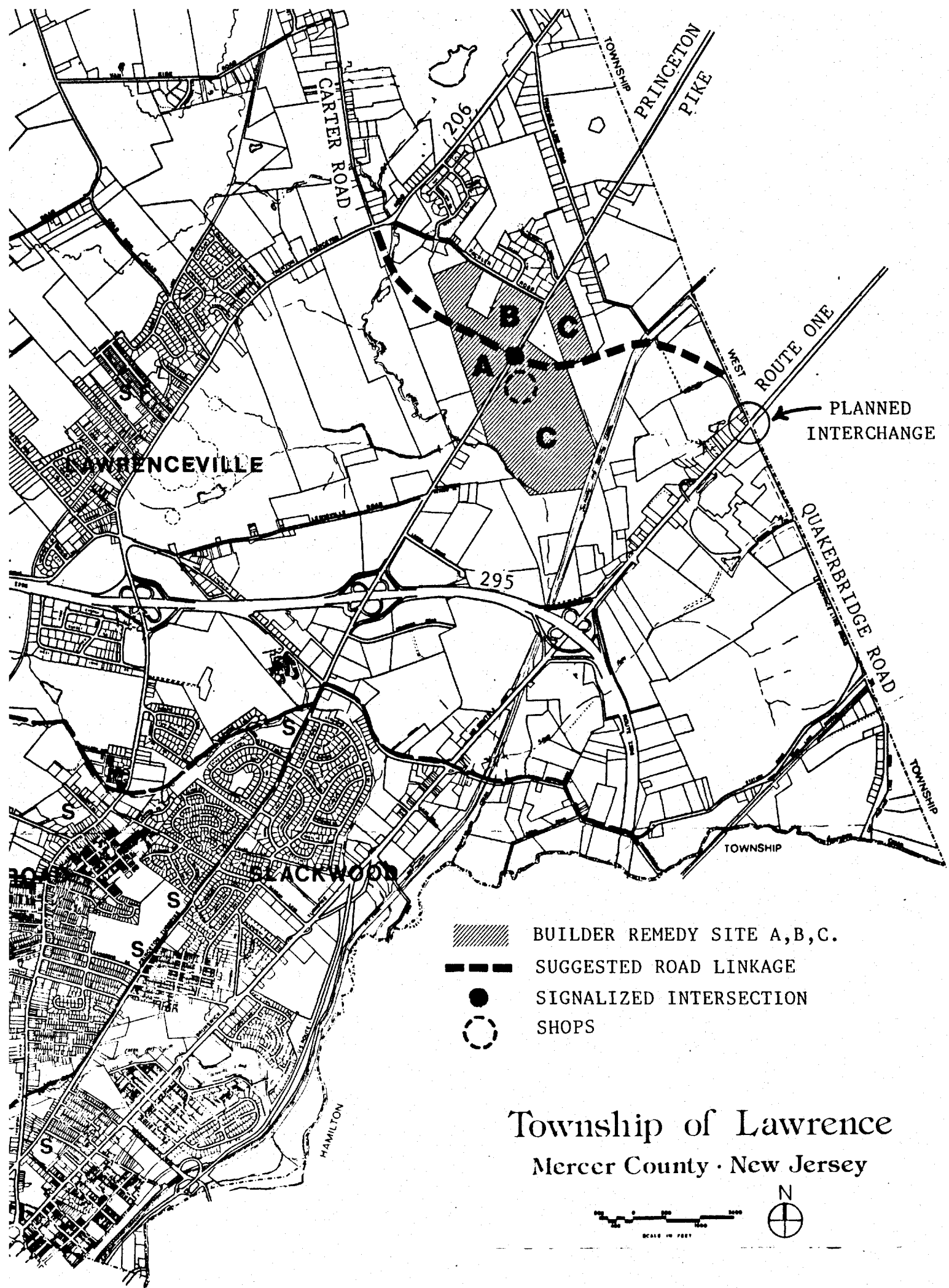
Although the combined site, as presently proposed, represents unsound planning, the opportunity does exist to correct many of the existing site deficiencies. Such correction, however, would require the cooperation of the three developers and the Township. The attached sketch illustrates the changes necessary to make this level of development acceptable at this location. They include;

Access. A road linkage from Princeton Pike to Quakerbridge Road (an extension of the Quakerbridge Road realignment proposed for Port Mercer Village) would provide direct access to Route One, shopping and community facilities. This linkage would be largely within the development site and would greatly improve access. It could also be later extended to Route 206 at Carter Road, as proposed on the Township Traffic Circulation Plan, further improving site access and area circulation.

Convenience Shops. HNA indicates that a minimum of 4,480 persons are needed to support a neighborhood commercial facility. The number of units proposed for this combined site could, therefore, support at least a convenience store and perhaps a day care center.

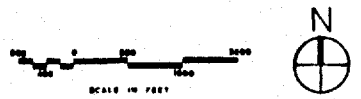
Given the development constraints for this area as found in the HNA analysis, only a limited number of high-density units would, under present circumstances, be acceptable at this general location. Exactly how many units would be acceptable here would depend upon the specific site density and site design. From all the information available, a maximum of about 250 units at a density of not more than 8 units per acre would be acceptable. Of the three sites, Site A, Maidenhead Meadows, has the least environmental and planning constraints for this level of development and, under the above circumstances, would be considered suitable for such use. As I have already noted above, however, the combination of Sites A, B and C, as presently proposed, represents unsound planning and should not be eligible for the builder's remedy.

This comment goes to the scope of the B/R, not to whether any B/R is possible.



Township of Lawrence

Mercer County · New Jersey



Site D, Federal City.

In their June 1984 report, HNA rated Site D at -1 point, the lowest of the four sites evaluated. Major problems found were site shape (long and narrow) and lack of proximity to mass transit, neighborhood commercial, schools, and recreation facilities. The HNA analysis found the proposed density of 4.8 to be "almost compatible with surround residential uses . . ." However, HNA had no site plan to evaluate and based their comment on an incorrect density.

The 1982 Land Use Plan designated this site (plus a church and a utility substation) as R-9 and surrounding parcels as R-60. The R-9 land use plan description includes a clustered development option for sewered sites of at least 25 acres, which may be developed at a maximum of 6 single-family units per acre, provided 10 percent of the tract is left in open space and no lot is less than 50 feet by 90 feet. However, this option was not included in the zoning ordinance. (The zoning ordinance was never revised to conform to Master Plan proposals and the entire area remains in an R-80 low-density residential zone.)

The 1982 Land Use Plan contains no supporting documentation for the designation of R-9 for this site. Such support should have been provided to justify the change from the low-density R-80 designation in the prior Master Plan. In addition, the lack of good site access, the very poor site shape, and high water table problems combine to make the R-9 designation for this site arbitrary at best.

The development plan for this site, dated October 1984, and prepared by Richard Coppola, was available for this review. This plan proposes 149 single-family (modular) building lots with a minimum lot size of 3,825 square feet. Each lot appears to have about 40 feet in frontage. This plan has no direct connection to a collector road; the only access is through a

new subdivision (Karen Lane and Anthony Lane). There is no provision for future connection to adjacent vacant lands.

The Coppola plan lists site acreage at 25.3 acres. According to Township tax maps, lot 4 is 25.3 and lot 3 is 3.5 acres, for a total of 28.8 acres. This correction makes the gross density about 5.2 units per acre, not the 5.9 indicated. The street (R.O.W.) coverage figure is also incorrect; rather than the one acre indicated, it appears to be over 5 acres.

The site is presently wooded and the proposed plan would require the clearing of most of the site. Open spaces are shown at the eastern end of the site in two 1.7-acre parcels and a 30⁺ foot band of open space is shown around most of the site perimeter. One means of assessing the appropriateness of this site for the proposed use is to ignore the proposed development and consider all residential development options, given the existing and anticipated form of development in the area, the existing and planned road network and community facilities and services, and environmental factors. This type of assessment would conclude that a low-density form of development with an open space cluster option was the preferred approach.

I find the development of this site as proposed to be Unsound planning for the following reasons:

1. The site has no direct access to a collector road; the only access is through the local street system of new single-family development. This could be corrected by a linkage to Federal City Road, but such connection would require approval from Ewing and/or Hopewell Township(s).

2. The form of development proposed is incompatible with the adjacent new development in terms of building relationships and the extensive use of street and building area. It is as if a townhouse development were cut up into individual units and spread out over the entire site, resulting in an undesirable increase in street length and a reduction in open space.
3. The site is somewhat remote, for the proposed development density, in terms of desired proximity to shopping and community facilities and services.

Site E, Drexel Avenue.

In their June 1984 report, HNA rated Site E at +79 points, the highest of the four sites evaluated. Although the site had more than the minimum points needed to qualify as acceptable, the Township Council did not include it in their compliance program package. Major site problems found by the HNA analysis included flood plain and very high water table on 43 percent of the site, and the need to buffer adjacent low-density residences. The highway network category received a low rating, probably because of the need to provide access through local streets to reach Route 206.

The 1982 Land Use Plan designated this site, and the area to the east and south, as R-9. As noted in the Federal City Road site analysis, the R-9 land use plan description includes a single-family clustered development option at 6 units per acre, but this option is not included in the zoning ordinance and the site zoning was never changed to conform to the Master Plan. The zoning for this site is R-30 (single-family homes on 30,000 square feet lots with public sewer and water); also zoned R-30 is a small area to the north and a large area (including the Notre Dame High School complex) to the south. The Drexel Avenue developed area to the east is zoned R-9.

The development plan for this site, dated October 1984, and prepared by Richard Coppola, was available for this review. The development proposal here is similar to that for the Federal City Road site. This plan proposes 221 single-family (modular) building lots with a minimum lot size of 3,825 square feet. Gross density for the tract would be 5.99 units per acre. The plan has access to Drexel Avenue at only one point; open space is shown in two general areas, in the flood plain at the western side of the tract adjacent to the Shabakunk Creek, and along the eastern side to buffer the existing homes fronting on Drexel Avenue.

The site is presently all wooded and the proposed plan would require the clearing of most of the site except for the flood plain area of about 6-1/2 acres. The concept here is the same as for the Federal City site and the site design has many of the same problems. This type of layout requires extensive land coverage in terms of street and building area and would seem to be particularly inappropriate for a wooded site with a high water table. The plan has five lots located on the single entry drive; these five lots will feel the impact of all the vehicular trips generated by the other 216 units -- at 10 trips per unit about 2,160 trips per day. This is much too high for small lot single-family use. It is assumed that this layout concept is proposed by the applicant to provide a more compatible development to the adjacent single-family areas. However, there would be fewer site impacts and more land available for open space, buffer and recreation areas if a low-density clustered townhouse approach was used.

If asked to recommend an appropriate form of development for this particular site, given the existing development constraints of access, adjacent development pattern, the wooded character of the site and the extent of the high water table, the ideal form would be a very low density use clustered in a high density layout. This performance zoning approach would be most appropriate for the site and area.

The proposed plan is most inappropriate for this site and because it represents unsound planning, the builder's remedy is not recommended.

The proposed density of development would only be acceptable here if improved access were possible (the County Circulation Plan includes a new road linking Whitehead Road Extension in Ewing Township to Route 206 between this site and the Notre Dame High School), and if the units were clustered on the least environmentally sensitive portions of the site.

IV. SUMMARY OF FINDINGS

Sites A, B and C

Because these three sites are contiguous, they must be considered as one. With 1,926 units on 280 acres, the development scale of this combined tract is comparable to the Township proposal for Port Mercer Village. However, for this scale of development, the combined tract is grossly deficient in essential development criteria such as appropriate access to serve the development, proximity to shops and community facilities, opportunity to buffer adjacent low-density areas, and lack of serious environmental constraints. Therefore, development of the combined tract, as proposed, is clearly contrary to sound land use planning and not appropriate for the builder's remedy.

The above finding could be remedied with the cooperation of the three site developers and the Township by improving access (a direct connection to Quakerbridge Road); providing some appropriate on-site facilities and services; and preparing a coordinated development plan.

If the above remedy is not possible, only a limited number of high-density units would, under present circumstances, be acceptable in this particular area. This number should not exceed approximately 250 units. Of

the three sites, Site A, Maidenhead Meadows, has the least environmental and planning constraints for this level of development and, under the above circumstances, would be eligible for the builder's remedy.

Site D, Federal City Road.

The development of this site, as proposed, represents unsound planning for the following reasons:

1. The site has no direct access to a collector road; the only access is through the local street system of a single-family development. this could be corrected by a linkage to Federal City Road, but such connection would require approval from Ewing and/or Hopewell Township(s).
2. The form of development proposed is incompatible with the adjacent new development in terms of building relationships and the extensive use of street and building area. It is as if a townhouse development were cut up into individual units and spread out over the entire site, resulting in an undesirable increase in street length and a reduction in open space.
3. The site is somewhat remote, for the proposed development density, in terms of desired proximity to shopping and community facilities and services.

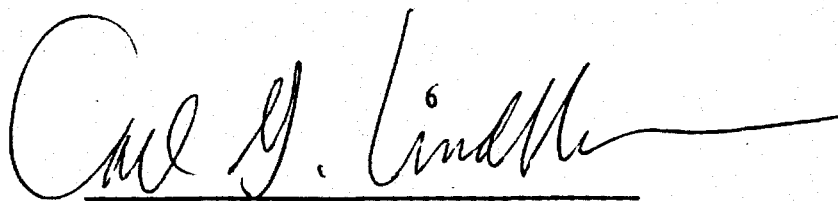
Site E, Drexel Avenue.

Because of the existing development constraints for this site, including access limitation, adjacent development pattern, wooded site character and extent of high water table, the most appropriate form of residential site development here is a very low density use clustered on the

least sensitive portions of the site. The proposed plan is most inappropriate for this site and because it represents unsound planning, the builder's remedy is not recommended.

The proposed density of development would only be acceptable here if improved access were possible (the Mercer County Circular Plan includes a new road linking Whitehead Road Extension in Ewing Township to Route 206 between this site and the Notre Dame High School), and if the units were clustered on the least environmentally sensitive portions of the site.

Respectfully submitted,

A handwritten signature in cursive script, reading "Carl G. Lindbloom", with a horizontal line underneath the signature.

Carl G. Lindbloom

Carl Lindbloom Report concerning Lawrence
Tp failure to include the B/R sites in its
Compliance Package.

1. Lindbloom agrees that none of the sites are appropriate for the proposed B/R's.

a. Sites A, B, C

- (1) Contiguous sites that must be evaluated together
- (2) Maidenhead meadows, Princeton Pike Associates, Dyson Trust
- (3) The Tp method of analysis (Henty/Nelesen Associates) is sophisticated yet inadequate. Therefore, all conclusions on all sites made by Lindbloom are wholly independent.
- (4) Considering all sites together (since any one alone has too many deficiencies), the level of development proposed constitutes unsound planning.

[Comment:

Lindbloom makes it clear at page 16 of this supplemental report that he disagrees w/ the B/R on this site as presently proposed. I believe that he might accept some form of development if it is phased.

b. site D, Federal City.

(1) Lindbloom finds that development of this site "as proposed" is unsound planning.

- (a) No direct access to a collector road
- (b) Incompatible with adjacent new development
- (c) Site is remote re: shopping and community facilities and services.

c. site E, Drexel Avenue

(1) This site earned more than the minimum points required by Henty to be deemed acceptable yet the Tp rejected it from their compliance package

(2) Lindbloom feels that, given the extent of such constraints as access, adjacent development pattern, woods, and high water table, only low density development would be appropriate.

The proposed plan is unsound.