

*Preliminary Investigation Report  
For Designation of an  
Area in Need of Redevelopment*

*Block 91  
Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961  
and  
Block 93  
Lots 3.01, 5.01 and 6.01*

Hopewell Township  
Mercer County, New Jersey

Adopted July 27, 2017

Prepared By:  
Banisch Associates, Inc.  
111 Main Street, Flemington, NJ 08822

  
Francis J. Banisch III, AICP/PP  
License # 1686

  
Date

## ***Purpose***

Pursuant to the requirements of N.J.S.A. 40A:12A-6, the Hopewell Township Committee adopted Resolution No. 17-173, directing the Hopewell Township Planning Board "...to undertake an expedited investigation of the sites commonly described as CF Hopewell, Hopewell Township and CHS, and more specifically described as Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 and Block 93, Lots 3.01, 5.01 and 6.01 to determine whether the proposed area constitutes an area in need of redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5".

This Preliminary Investigation Report reviews the conditions on the property in question and the statutory criteria for designating an area in need of redevelopment and recommends that the subject properties be designated as a non-condemnation area in need of redevelopment.

This report does not recommend any plan or strategy for use of, or modifications to, the property. If the Township Committee concludes, as recommended here, that the subject properties constitute an area in need of redevelopment, it will be within their purview to direct the preparation of a redevelopment plan or plans.

## ***Description of the Study Area***

The parcels-in-question referred for evaluation by the Township Committee include Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 and Block 93, Lots 3.01, 5.01 and 6.01, shown on Exhibit 1 (aerial photo) and Exhibit 2 (tax map). These properties span both sides of Scotch Road and are proximate to the I-95, all situated less than one mile from the Interstate highway. Except for Township-owned Lot 5.01, all parcels were subject to General Development Plan (GDP) approvals.

Apart from the 132-acre Capital Health parcel (Block 91, Lot 3.961), and two small parcels (Block 91, Lots 3.14 and 3.22) the properties in the study area are currently vacant or primarily undeveloped farmland. Vacant lots east of Scotch Road (Block 91, Lots 3.11, 3.95, 3.181 and 3.19) adjoin existing developed portions of the former Merrill Lynch campus and have access from the internal private road network. Lot 3.181 occupies prime Scotch Road frontage at a signalized intersection.

Lot 3.14 is the site of a one story building referred to as the "hut" (maintenance facility) and Lot 3.22 is improved with parking and recreational courts.

The Capital Health complex is situated in the southeastern corner of Lot 3.961, near I-95 and the railroad, leaving undeveloped the northern and western portions of the lot, including prime Scotch Road frontage at a signalized intersection.

Block 93 includes three parcels (Lots 3.01, 5.01 and 6.01) that consist of a mixture of

wooded stream corridors and active agricultural areas. Lot 6.01 includes an extensive wooded area roughly 1,000 feet deep along its westerly boundary. Table 1 provides a summary of the access and status of each parcel.

<b>Table 1 Existing Conditions Affecting Study Area Parcels</b>		
<b>Tax Parcel</b>	<b>Access</b>	<b>Status</b>
Block 91 Lot 3.11	American Blvd. (private), Scotch Road	Part of GDP, farmland assessed and vacant with open fields and woodlands, power line easement
Block 91 Lot 3.14	Van Primus Lane (private)	Part of GDP, improved with “hut” building/parking
Block 91 Lot 3.161	Lot is a private right of way	Part of GDP, parcel is designed to be part of the private road network
Block 91 Lot 3.181	American Blvd. (private), Scotch Road	Part of GDP, vacant land, undeveloped Scotch Road frontage
Block 91 Lot 3.191	American Blvd. (private),	Part of GDP, vacant land, primarily wetlands, softball diamond
Block 91 Lot 3.22	Van Primus Lane (private)	Part of GDP, basketball and tennis courts and parking,
Block 91 Lot 3.95	American Blvd. (private), CR 546	Part of GDP, vacant with open fields and woodlands, power line easement
Block 91 Lot 3.961	Scotch Road, Private drives	Part of GDP, CHS hospital and vacant land, undeveloped Scotch Road frontage
Block 93 Lot 3.01	Scotch Road, CR 546	Part of GDP, farmland assessed, stream corridor, power line easement, 2 houses/outbuildings
Block 93 Lot 5.01	Scotch Road	Township-owned vacant land
Block 93 Lot 6.01	Scotch Road	Part of GDP, house/outbuildings, stream corridor

Attachment A includes photographs of the Parcels-in-Question (PQ).

### ***Legal Framework for Redevelopment***

The *Local Redevelopment and Housing Law*, P.L. 1992 C. 79 (C40A:12A-1 et seq.) provides strong tools for use by municipalities to remedy deterioration and improve the productivity of underproductive lands. It also permits the inclusion of lands and buildings that do not exhibit the qualifying criteria when their inclusion in an area in need of redevelopment can promote a more effective redevelopment strategy.

Municipalities can acquire property, clear sites, install infrastructure and other site improvements and enter partnerships with public and private entities to achieve redevelopment goals.

New Jersey's redevelopment law offers a variety of tools for redevelopment planning, design and implementation, which permit a municipality to:

- Partner with the private sector through contractual redevelopment agreements, which can include development incentives (e.g.-tax abatement, infrastructure).
- Achieve greater control over development through an adopted redevelopment plan, redevelopment agreement(s) and designation of a redeveloper or redevelopers.
- Qualify for grant and other funding for planning and development activities.
- Refine land use policies and development regulations to promote desired redevelopment.
- Qualify for 1.33:1 bonus credits against the municipal fair share obligation for qualifying low and moderate income housing units constructed within a redevelopment area.

The New Jersey Constitution expressly authorizes municipalities to engage in redevelopment of "blighted areas" [N.J. Const. art. VIII, § 3, ¶ 1.]. Under the Blighted Areas Clause of the New Jersey Constitution, the clearance, replanning, development, or redevelopment of blighted areas shall be a public purpose and public use for which private property may be taken or acquired.

Township Committee Resolution 17-173, directing the Planning Board to conduct this analysis, states explicitly that condemnation will not be used in connection with this redevelopment planning process.

## ***Redevelopment Definitions***

*Definitions* - The following definitions, as set forth in N.J.S.A.40A:12A-3, guided this investigation:

*Redevelopment* means clearance, planning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

*Redevelopment area* or *area in need of redevelopment* means an area determined to be in need of redevelopment pursuant to sections 5 and 6 of P.L.1092, c.79 (C.40A:12A-5 and 40A:12A-6)... *a redevelopment*

*area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part. (Emphasis added)*

## ***Existing Land Use***

Scotch Road, a four-lane divided highway, spans the distance between I-95 and County Route 546. This roadway was constructed to provide access to the GDP-approved land uses in the Scotch Road interchange vicinity. These uses include the 1.4 million square foot office complex developed by Merrill Lynch, now in multiple ownership, and Capital Health System, both on the east side of Scotch Road. Exhibit 3 depicts the land cover character of the study area and Exhibit 4 illustrates the property tax class for each parcel in the Scotch Road study area.

In addition to the regionally significant office and medical facilities along Scotch Road, a ribbon of residential development, on lots of varying sizes, spans the frontage of Nursery Road near the interchange. Limited residential development also occupies a small portion of the frontage of Scotch Road.

Beyond the lands east of the dualized portions of Scotch Road, the Township is generally rural in character with low density and medium density residential neighborhoods to the north and west.

## ***Statutory Criteria for Evaluation of Whether Study Area is an Area in Need of Redevelopment***

(N.J.S.A. 40A:12A-5) provides that after investigation, notice, and hearing as set forth in Section 6 of P.L. 1992, c.79, an area may be determined to be in need of redevelopment if the Planning Board recommends and the governing body concludes by resolution that the delineated area contains at least one of the following conditions:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. *Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land*

*that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.*

- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious use or *obsolete layout*, or any combination of these or *other factors*, are *detrimental to the safety, health, morals, or welfare of the community.*
- e. *A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions which impeded land assemblage or discourage the undertaking of improvements, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare*, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L. 1983, c. 303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to Sections 5 and 6 of P.L. 992 e. 72 (C.40A: 1 2A-5 and 40A: I 2A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c. 4,1 (C.40A:20- 1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c. 441 (C.40A:2 1-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c. 79 (C.40A: I 2A- 1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone. (*Applies only in a municipality containing an Urban Enterprise Zone.*)

- h. The designation of the delineated area is *consistent with smart growth planning principles* adopted pursuant to law or regulation.

Additionally, *a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.*

## ***Application of Statutory Criteria to Study Area Properties***

The study area qualifies for designation according to the provisions of N.J.S.A. 40A:12A-5c, d, e and h, as demonstrated below.

**N.J.S.A. 40A:12A-5c** – Most parcels designated for study qualify under this criterion. Block 93, Lot 5.01 is owned by the municipality. Unimproved vacant lands that have remained so for a period of ten years include the largely vacant Block 93, Lots 3.01 and 6.01 and Block 91, Lots 3.11, 3.181, 3.191, 3.95 and 3.161. Apart from the municipally-owned land, these vacant lands remain vacant in part because of their location within a General Development Plan (GDP) and the settlement-related Court orders that provided for 3.5 million to 4 million square feet of office and other commercial space.

As described in detail in Attachment B, despite favorable local approvals enabling nearly three times the floor area that has been built, (only 1.4 million square feet have been developed to date) owners of the property have sought to abandon the benefits of these prior approvals and secure zoning for alternate uses that will be marketable.

**N.J.S.A. 40A:12A-5d** – The history of development approvals, combined with the incomplete development of the GDP approved uses, contributes to a growing lack of proper utilization of areas caused by diverse ownership of the real property therein and other conditions, resulting in a stagnant or not fully productive condition of land.

The onset of the Great Recession saw the fortunes of the Merrill Lynch campus enter a state of flux where the single user campus property was sold to multiple owners who now have evolving ambitions about how to tenant the space. There are no proposals for additional office space that is not related to Capital Health.

While the former Merrill Lynch office campus represents a highly attractive iteration of the regional office node concept, one Hopewell Township hopes to build upon, nonetheless changes in the office market have made the previously secured entitlements of questionable value in today's market. Attachment B details the GDP approval history, which affects all of the non-municipal parcels.

CF Hopewell, the owner of most undeveloped lands and prime current beneficiary of the GDP approvals, has requested that the Township reconsider the settlement with respect to the type of development permitted, and asked that residential and mixed use be permitted. The Planning Board retained a real estate expert to evaluate the real estate trends and market considerations affecting the Scotch Road area, whose findings included:

- an oversupply of Class “A” office space that would overhang the Mercer County market for years
- location preferences of Millennials were affecting employer location decisions,
- diversifying Hopewell’s housing stock with multifamily units and starter homes would:
  - fortify the local economy by providing housing alternatives
  - support the viability of existing offices
  - Capital Health can attract medical-related uses and office space

**N.J.S.A. 40A:12A-5e** – The GDP outlined what Hopewell Township has approved as the proper utilization of these lands. Nonetheless, there has been a growing lack of proper utilization resulting from the collapse of the regional real estate market sufficient to prompt owners with major development entitlements to request new development opportunities. The changing fortunes of the large scale office market has prevented these lands from becoming “fully productive” according to the GDP, which offers a measurable standard for their productivity.

Changed circumstances continue to affect the subject properties, including Capital Health. In late 2016, Capital Health approached Hopewell Township, along with CF Hopewell, to request a zone change that would permit the development of assisted living, memory care and other components of the continuum of care for the aging. Recognizing that changing circumstances required a rethinking of the range of permitted uses in the OP Zone that hosts the GDP approved development areas, the Hopewell Township Planning Board responded with an amendment to the Master Plan that would permit the requested uses on Capital Health and CF Hopewell lands. Including these lands in a redevelopment area would engage a host of tools that can assist the Township in reshaping the vision for this area to the greatest advantage.

The discounted sale of portions of the Merrill Lynch campus to multiple owners, a by-product of the contraction of demand for large scale office space, has also resulted in significant reductions in tax assessments – reductions as high as 50% - on the former Merrill Lynch and Capital Health properties, as seen in Table 2:

**Table 2**  
**Assessed Value of Parcels for Years 2007 to 2017**

Block	Lot	Property Location	2007 Value	2008 Value	2009 Value	2010 Value	2011 Value	2012 Value	2013 Value	2014 Value	2015 Value	2016 Value	2017 Value
91	3 01	1100 American Blvd	41,600,000	41,600,000	41,600,000	39,520,000	37,440,000	36,400,000	36,400,000	36,400,000	36,400,000	36,400,000	36,400,000
91	3 02	1200 American Blvd	43,000,000	43,000,000	43,000,000	40,850,000	38,700,000	38,700,000	38,700,000	38,700,000	38,700,000	38,700,000	38,700,000
91	3 03	1300 American Blvd	43,000,000	43,000,000	43,000,000	40,850,000	38,700,000	38,700,000	38,700,000	38,700,000	38,700,000	38,700,000	38,700,000
91	3 04	1400 American Blvd	81,300,000	81,300,000	81,300,000	81,300,000	73,170,000	73,170,000	73,170,000	73,170,000	73,170,000	73,170,000	73,170,000
91	3 05	1500 American Blvd	68,700,000	68,700,000	68,700,000	68,700,000	61,830,000	61,830,000	61,830,000	61,830,000	61,830,000	61,830,000	61,830,000
91	3 06	1600 American Blvd	36,900,000	36,900,000	36,900,000	36,900,000	33,210,000	33,210,000	33,210,000	33,210,000	33,210,000	33,210,000	33,210,000
91	3 07	1700 American Blvd	29,900,000	29,900,000	29,900,000	28,405,000	26,910,000	26,162,500	26,162,500	26,162,500	16,916,600	13,969,100	19,566,600
91	3 08	1800 American Blvd	29,900,000	29,900,000	29,900,000	28,405,000	26,910,000	26,162,500	26,162,500	26,162,500	16,916,600	13,969,100	19,566,600
91	3 09	1000 American Blvd	600,000	600,000	600,000	600,000	600,000	600,000	600,000	600,000	600,000	600,000	300,000
91	3 11	500 North Road	350,000	350,000	350,000	350,000	55,800	55,800	55,800	55,800	55,800	55,800	55,800
91	3 14	2375 Sheffield Lane	2,200,000	2,200,000	2,200,000	2,090,000	1,980,000	1,925,000	1,925,000	1,925,000	1,925,000	1,925,000	1,925,000
91	3 15	800 North Road	6,800,000	6,800,000	6,800,000	6,460,000	6,120,000	5,950,000	5,950,000	5,950,000	5,950,000	5,950,000	5,950,000
91	3 22	2500 Van Brunt Lane	46,300	46,300	46,300	46,300	46,300	360,500	360,500	360,500	360,500	360,500	360,500
91	3 95	American Blvd	1,252,100	1,252,100	1,252,100	1,252,100	1,252,100	1,252,100	1,252,100	1,252,100	1,252,100	1,252,100	1,252,100
91	3 181	Southfield Drive	976,700	976,700	976,700	976,700	976,700	1,640,300	1,640,300	1,640,300	1,640,300	1,640,300	1,640,300
91	3 191	Southfields Drive	527,800	527,800	527,800	527,800	377,600	377,600	377,600	377,600	377,600	377,600	377,600
91	3 961	One Capital Way	9,366,400	9,366,400	9,366,400	9,366,400	9,366,400	1,090,000	1,090,000	1,090,000	1,090,000	1,090,000	1,090,000
93	3 01	218-300 Wash Cross Penn Rd	1,702,900	1,702,900	1,702,900	1,702,900	1,702,900	1,702,900	1,702,900	1,702,900	1,702,900	1,702,900	1,702,900
93	6 01	445 Scotch Road	697,900	697,900	697,900	697,900	697,900	697,900	697,900	697,900	697,900	697,900	697,900
Totals			398,820,100	398,820,100	398,820,100	389,000,100	360,045,700	349,987,100	349,987,100	349,987,100	331,495,300	325,600,300	336,495,300

As seen above, the period since 2007 has seen the aggregate assessed value of these parcels shrink by 16%, from \$398 million to \$336 million.

There are also extraordinary costs that affect development of lands west of Scotch Road related to sewer infrastructure. With the exception of Block 93 Lots 3.01 and 5.01, all parcels in question are within the designated sewer service area, where the presumptive service provider is the Ewing Lawrence Sewerage Authority (ELSA). However, as part of the arrangement to provide sewer service, ELSA requires a sewer reservation fee in addition to ordinary connection and usage charges. This extraordinary cost, combined with the cost of sewer extensions to serve this area, pose a significant deterrent to development of the subject parcels.

**N.J.S.A. 40A:12A-5h** - Designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. The State Development and Redevelopment Plan includes these parcels within PA-2 - the Suburban Planning Area (east of Scotch Road) and PA-3 - the Fringe Planning Area (west of Scotch Road).

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

Policy objectives for Redevelopment in Planning Area 2 seek to:

- Encourage redevelopment efforts in existing Centers and single-use areas which can be redeveloped into mixed-use areas, and areas within walking distance of train stations or other major public transit facilities.
- Redevelop at transit-supportive densities, while creating pedestrian-oriented environments.
- Take full advantage of the opportunities available under the state's redevelopment statutes to promote new Centers and retrofit existing areas with mixed-uses and higher densities.

The intent of the State Plan for PA3 is to:

- accommodate growth in Centers;
- protect the Environs primarily as open lands;
- revitalize cities and towns;
- protect the character of existing stable communities;
- protect natural resources;
- provide a buffer between Metropolitan and Suburban Planning Areas and less developed Rural and Environmentally Sensitive Planning Areas;
- confine programmed sewers and public water services to Centers.

Policy objectives for Redevelopment in Planning Area 3 seek to:

- Encourage appropriate redevelopment in existing Centers and existing developed areas that have the potential to become Centers, or in ways that support Center-based development, to accommodate growth that would otherwise occur in the Environs.
- Redevelop with intensities sufficient to support transit, a broad range of uses, efficient use of infrastructure, and physical design features that enhance public safety, encourage pedestrian activity and reduce dependency on the automobile.

The State Plan encourages compact development in PA-2 and PA-3 that protects resources and community character while providing for growth in appropriate locations. In light of the circumstances that affect these properties, a redevelopment area designation is clearly supportive of the intent of the State Plan.

### ***Summary of Findings and Recommendations***

The Parcels in Question all qualify for designation as an area or areas in need of redevelopment. Since nearly all parcels were part of the GDP, the absence of a market for the approved uses indicates that the GDP approval resulted in what has become an obsolete layout, resulting in the properties not being fully productive. The statutory basis for the designation of each parcel is outlined in Exhibit A below:

**EXHIBIT A**  
**Qualifying Criteria for Redevelopment Designation**

<b>Tax Parcel</b>	<b>Qualifies for Redevelopment per <u>N.J.S.A. 40A:12A-5</u>, subsection:</b>
Block 91 Lot 3.11	c (10+ yrs. vacant), d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)
Block 91 Lot 3.14	d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)
Block 91 Lot 3.161	d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)
Block 91 Lot 3.181	d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)
Block 91 Lot 3.191	d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)
Block 91 Lot 3.22	d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)
Block 91 Lot 3.95	d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)
Block 91 Lot 3.961	d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)
Block 93 Lot 3.01	d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)
Block 93 Lot 5.01	c (municipal owned), e (not fully productive), h (smart growth planning)
Block 93 Lot 6.01	d (obsolete layout-GDP), e (not fully productive), h (smart growth planning)

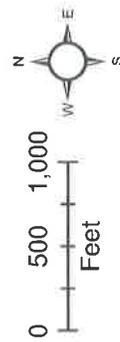
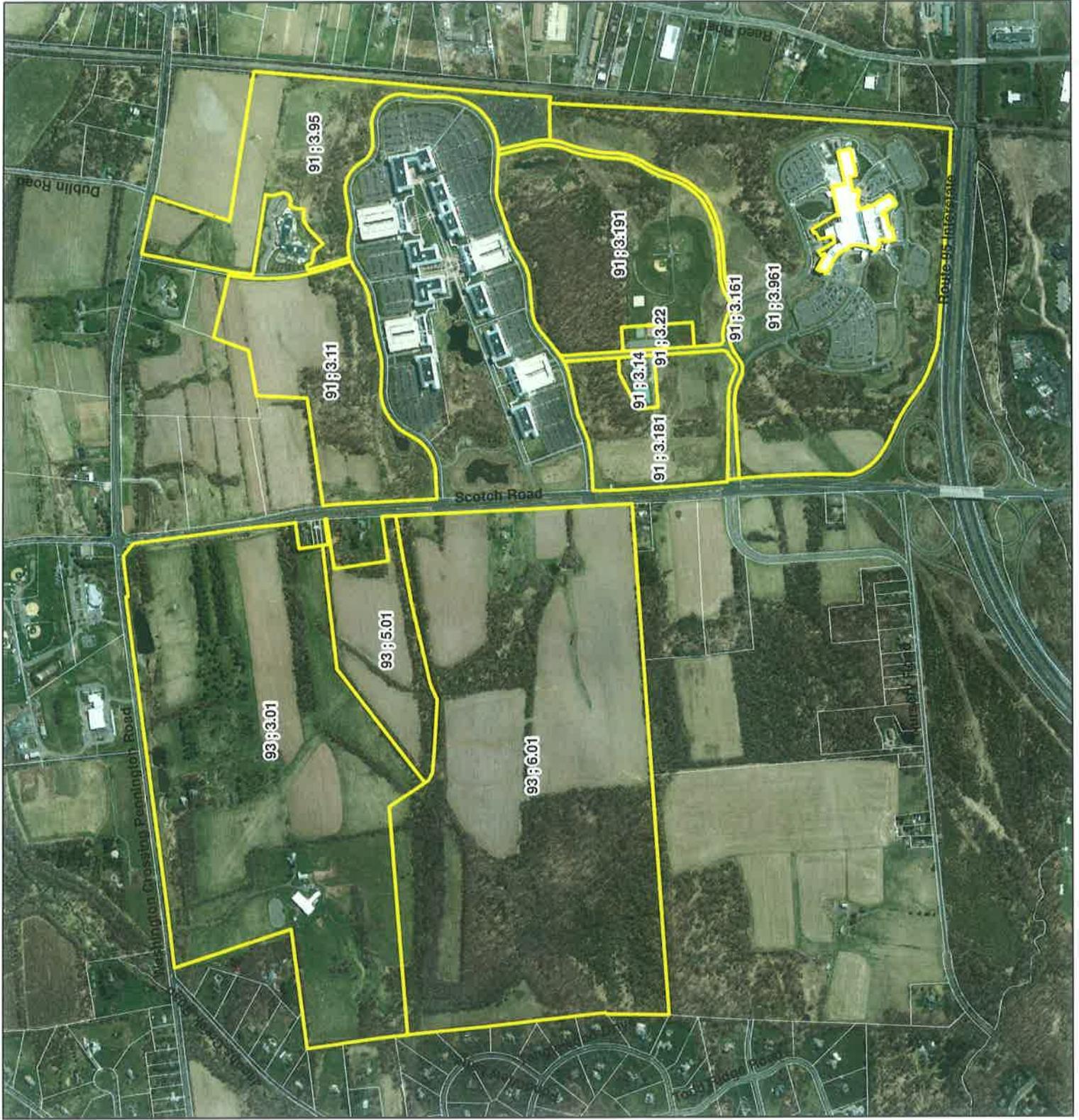
This preliminary investigation is not designed to recommend any specific reuse alternatives for this area, since such recommendations can only be outlined in a redevelopment plan. After a Planning Board resolution is adopted memorializing the recommendations from the hearing in this matter, the governing body may adopt a resolution designating the area in question as an area in need of redevelopment.

Following any redevelopment area designation by governing body resolution, the governing body will direct the preparation of a redevelopment plan setting out the goals and objectives for these areas, and outlining the actions to be taken to accomplish these goals and objectives.

**Exhibit 1**  
**Aerial Photography**  
**Preliminary**  
**Investigation Area**  
*Portion of*  
*Hopewell Township*  
*Mercer County, NJ*  
*May 2017*

**Legend**

 Subject Properties

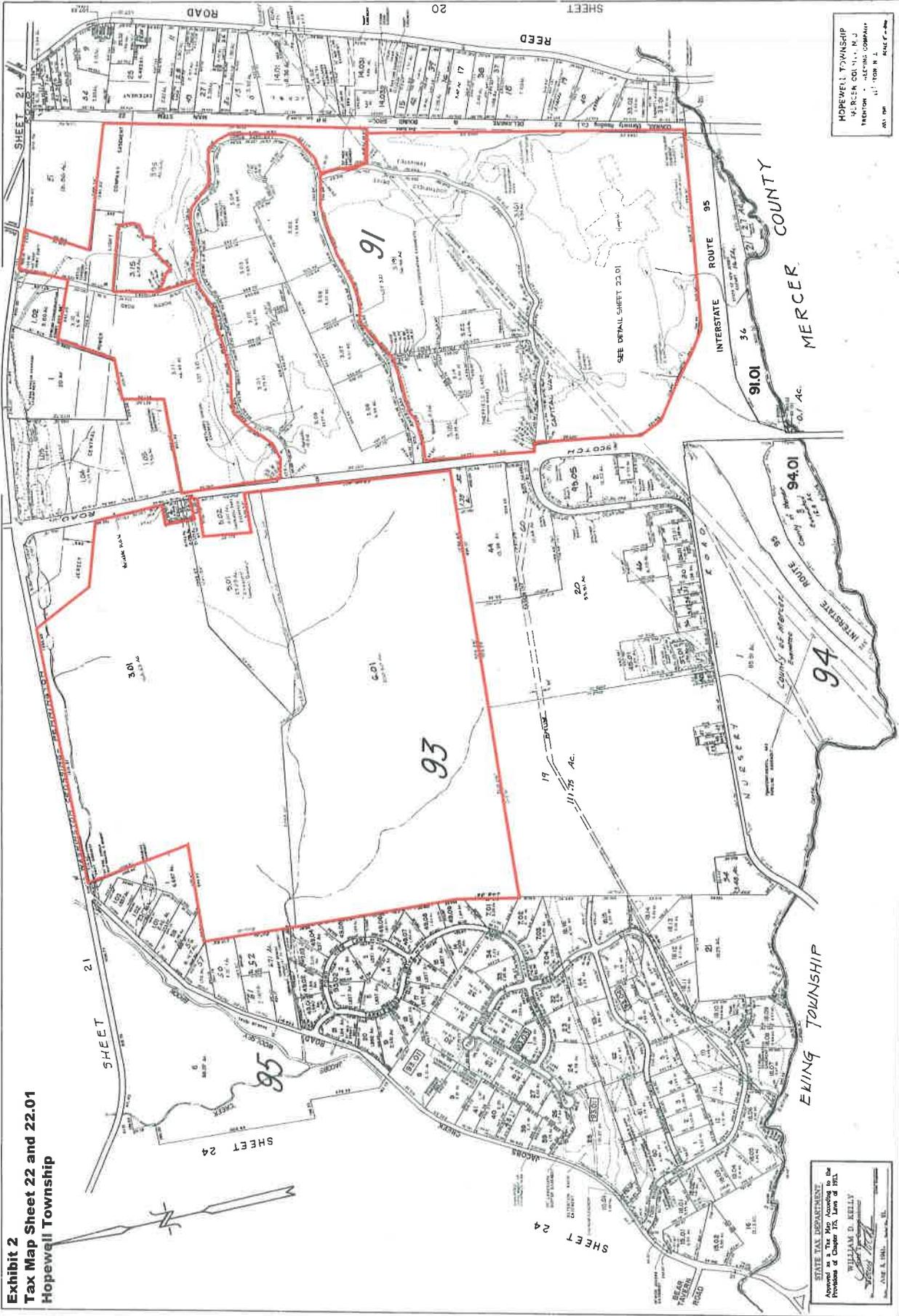


**Data Sources:**  
 NJGIS Parcels 2011  
 NJDOT Roadway Network  
 NJGIS 2015 Aerial Photography

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*

**Exhibit 2**  
**Tax Map Sheet 22 and 22.01**  
**Hopewell Township**



HOPWELL TOWNSHIP  
 MERCER COUNTY, N. J.  
 TOWN OF - DEERING BOROUGH  
 11-1000 N. J. PLAT - 1-1000  
 201 700

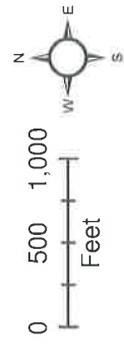
STATE TAX DEPARTMENT  
 For the Department of the  
 Treasurer of the State of New Jersey  
 William D. Kelly  
 State Tax Assessor  
 State of New Jersey  
 11-1000 N. J. PLAT - 1-1000  
 201 700



**Exhibit 3**  
**Land Use/Land Cover**  
**Preliminary**  
**Investigation Area**  
*Portion of*  
*Hopewell Township*  
*Mercer County, NJ*  
*May 2017*

**Legend**

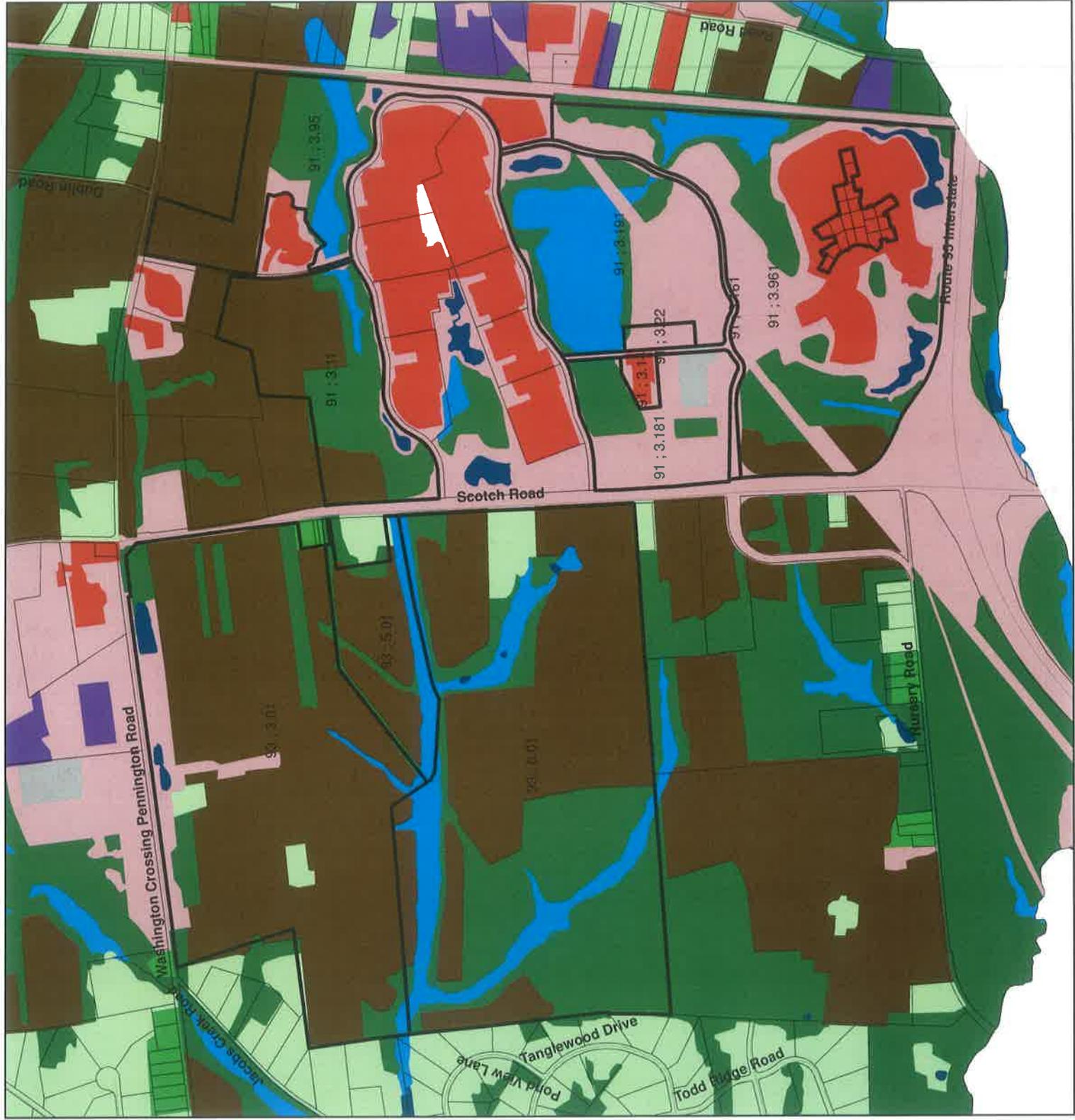
-  Subject Properties
-  Commercial
-  Industrial
-  Residential, Rural
-  Residential, Low Density
-  Residential, High Density
-  Residential, Medium Density
-  Agricultural
-  Barren Land
-  Forest
-  Other Urban
-  Water
-  Wetlands



**Data Sources:**  
 NJDEP 2012 Land Use/Land Cover  
 NJGIN Parcels 2011  
 NJDOT Roadway Network

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.

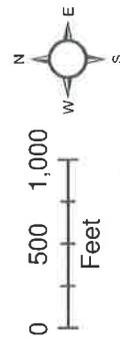
**BANISTCH**  
 ASSOCIATES, INC.  
 Planning and Design



**Exhibit 4**  
**Property Tax Class**  
**Preliminary**  
**Investigation Area**  
*Portion of*  
**Hopewell Township**  
**Mercer County, NJ**  
**May 2017**

**Legend**

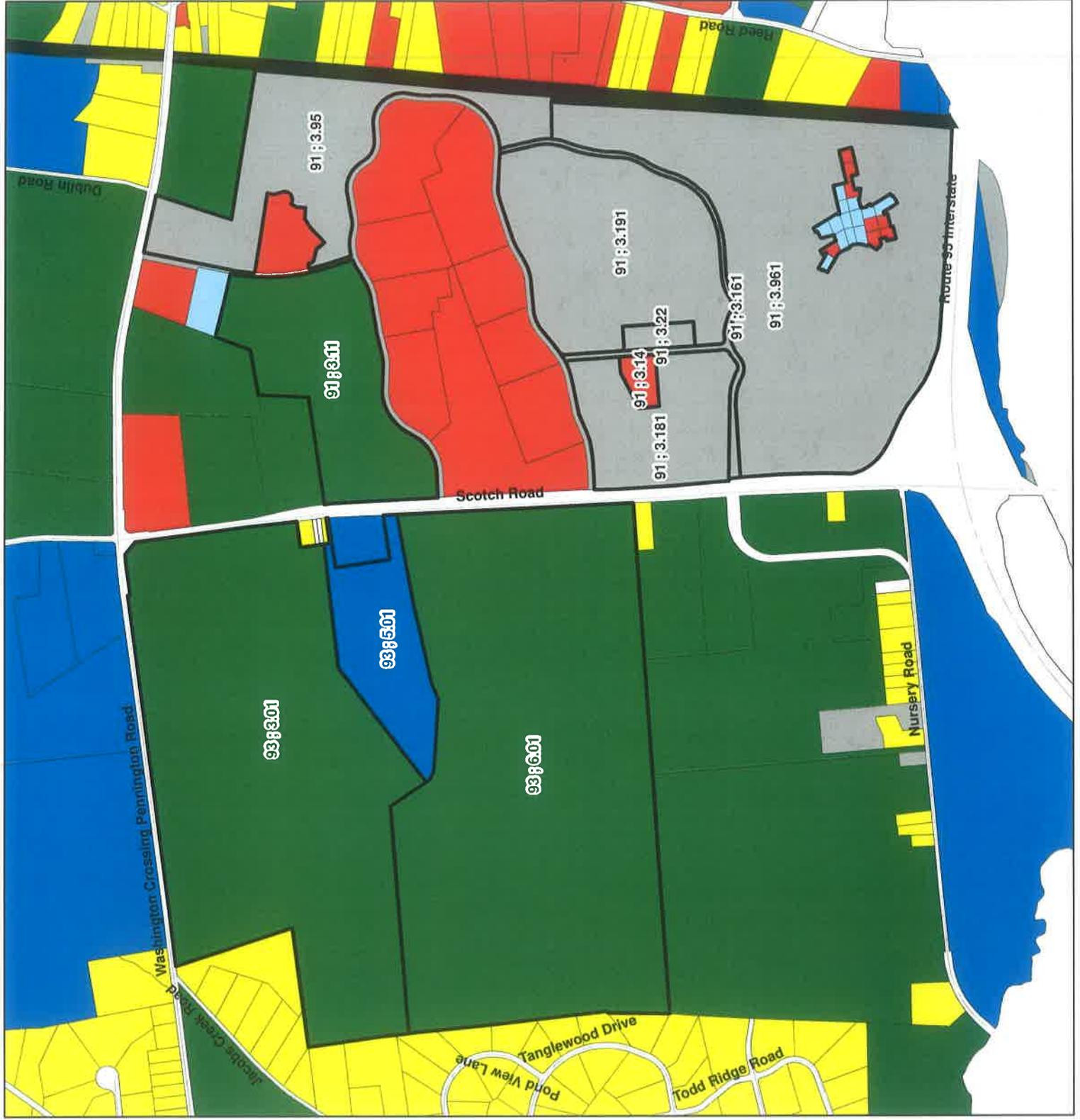
-  Subject Properties
-  No data
-  Vacant
-  Public Property
-  Other Exempt
-  Residential
-  Farm Qualified
-  Commercial
-  Railroad



**Data Sources:**  
 NJGIN Parcels 2011  
 NJDOT Roadway Network  
 NJOGIS 2015 Aerial Photography

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



# Attachment A

## Photographs of Parcels in Question

Photo 1 - Block 93 Lot 3.01  
viewed from Washington's  
Crossing-Pennington Road

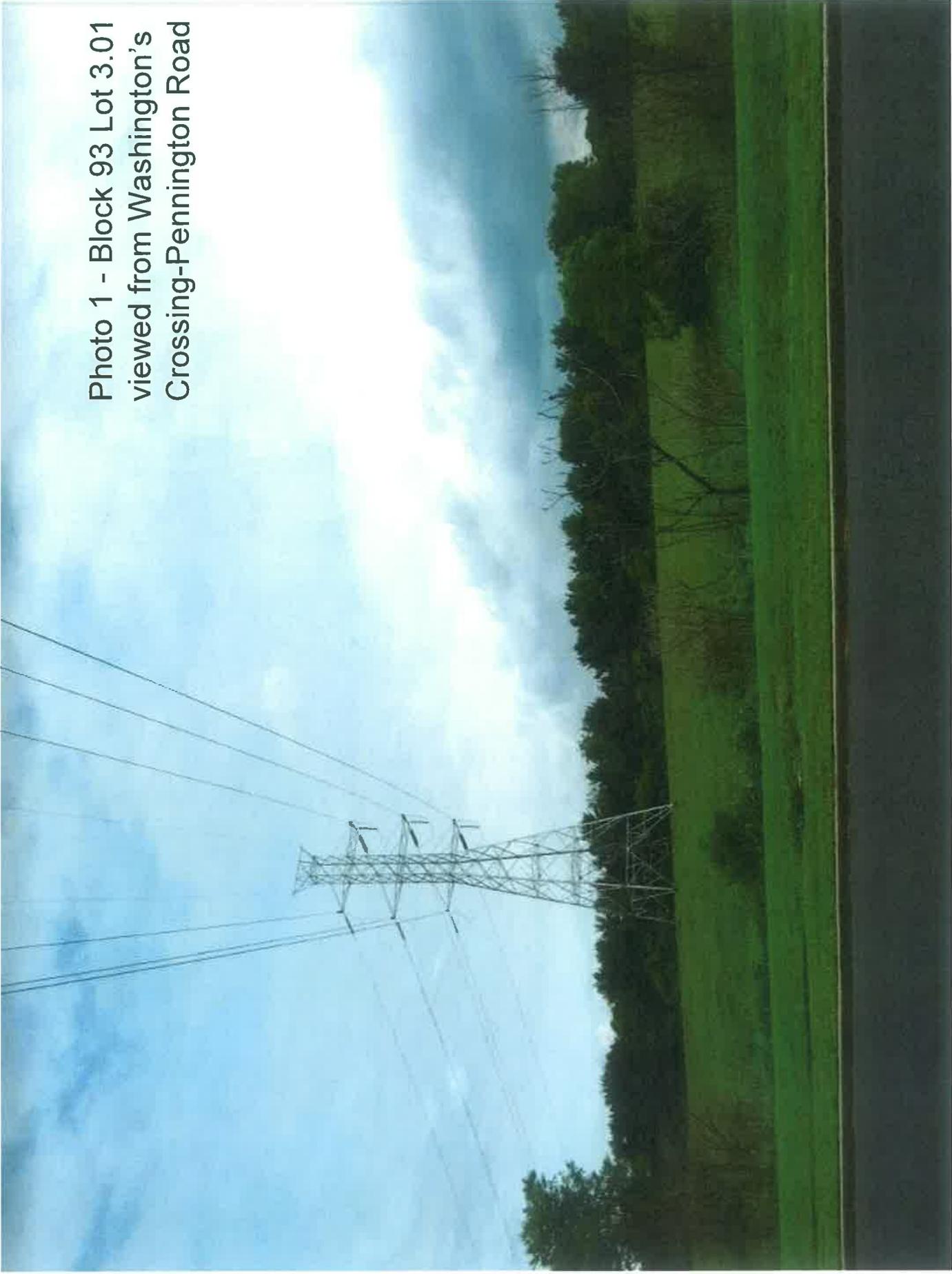


Photo 2 - Block 93 Lot 6.01  
viewed from American Blvd.  
(north) at Scotch Road

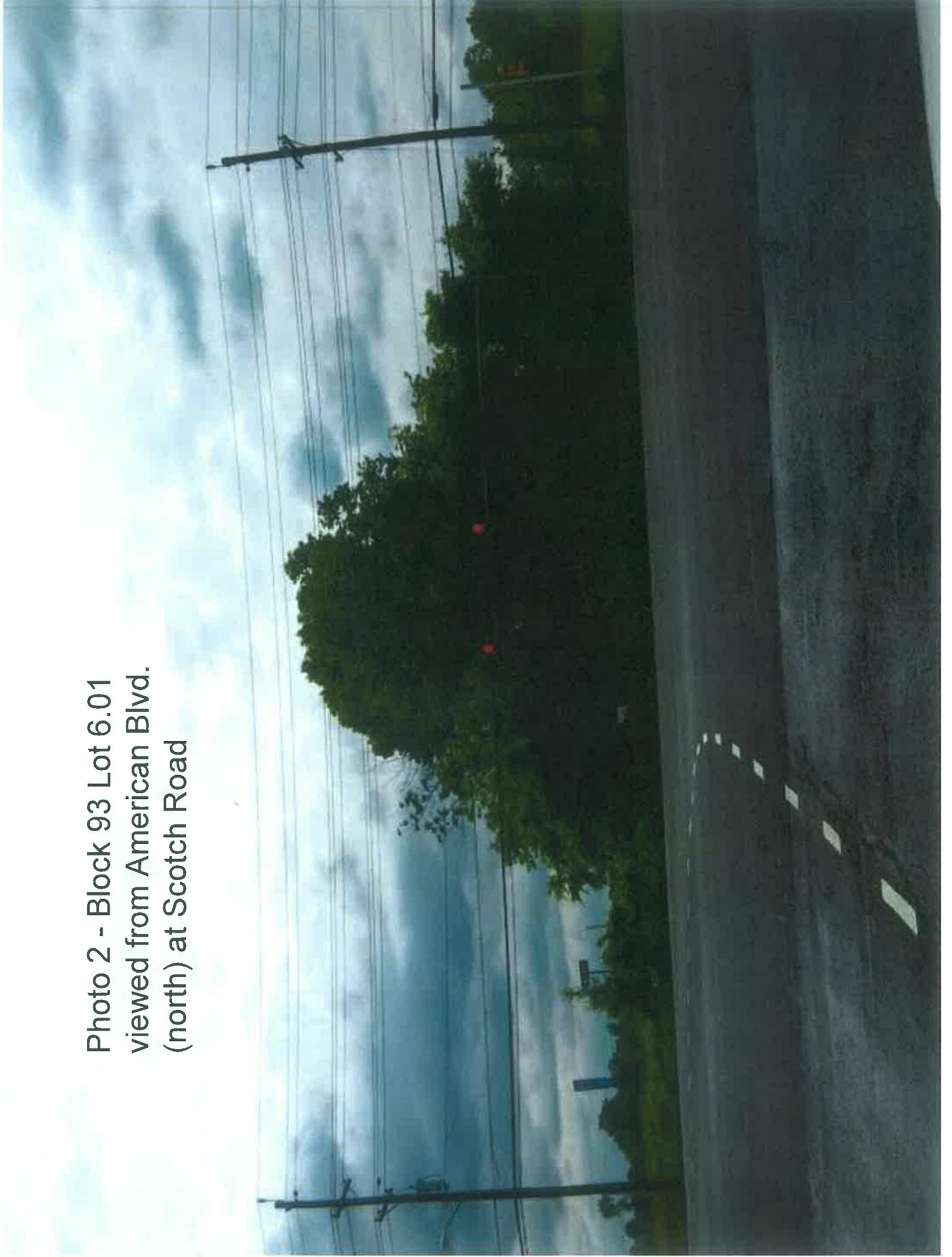


Photo 3 - Block 91 Lot 3.11  
viewed from North Road

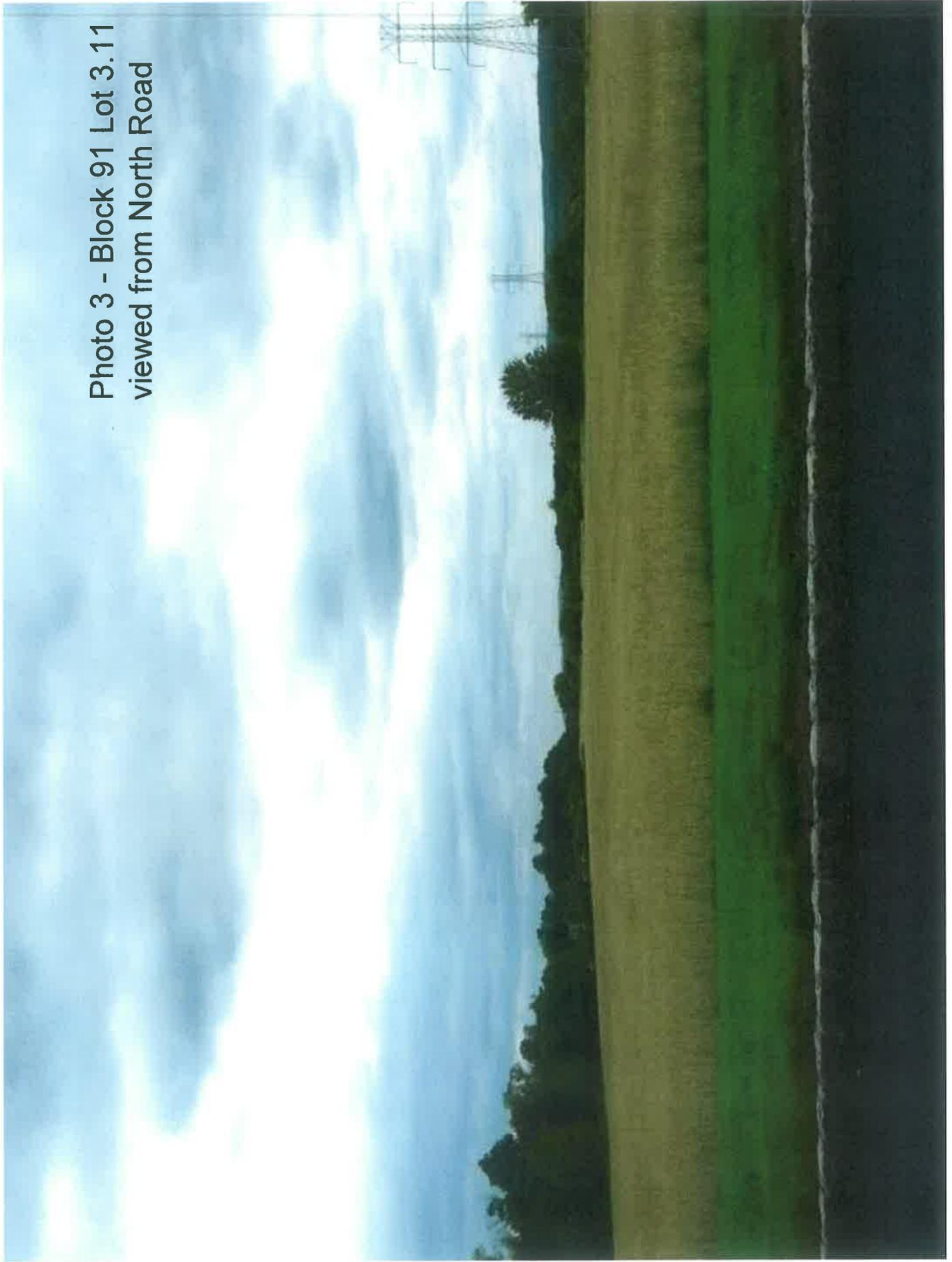


Photo 4 - Block 91,  
Lot 3.11 viewed from  
American Blvd.

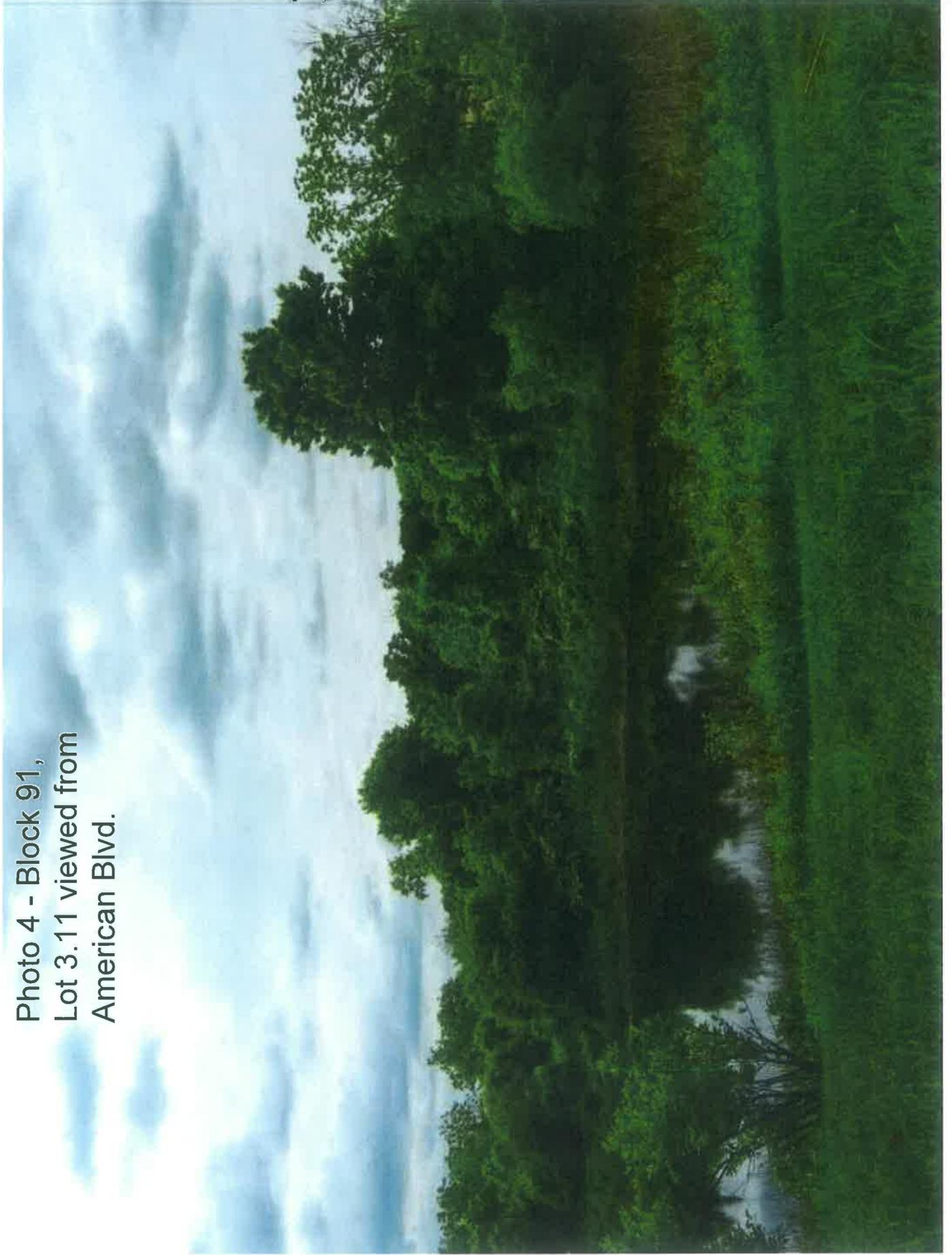


Photo 5 - Block 91, Lot  
3.11 viewed from Scotch  
Road



Photo 6 - View from northbound  
North Road to Block 91, Lot 3.11  
(at left) and Block 91, Lot 3.95 (at  
right)

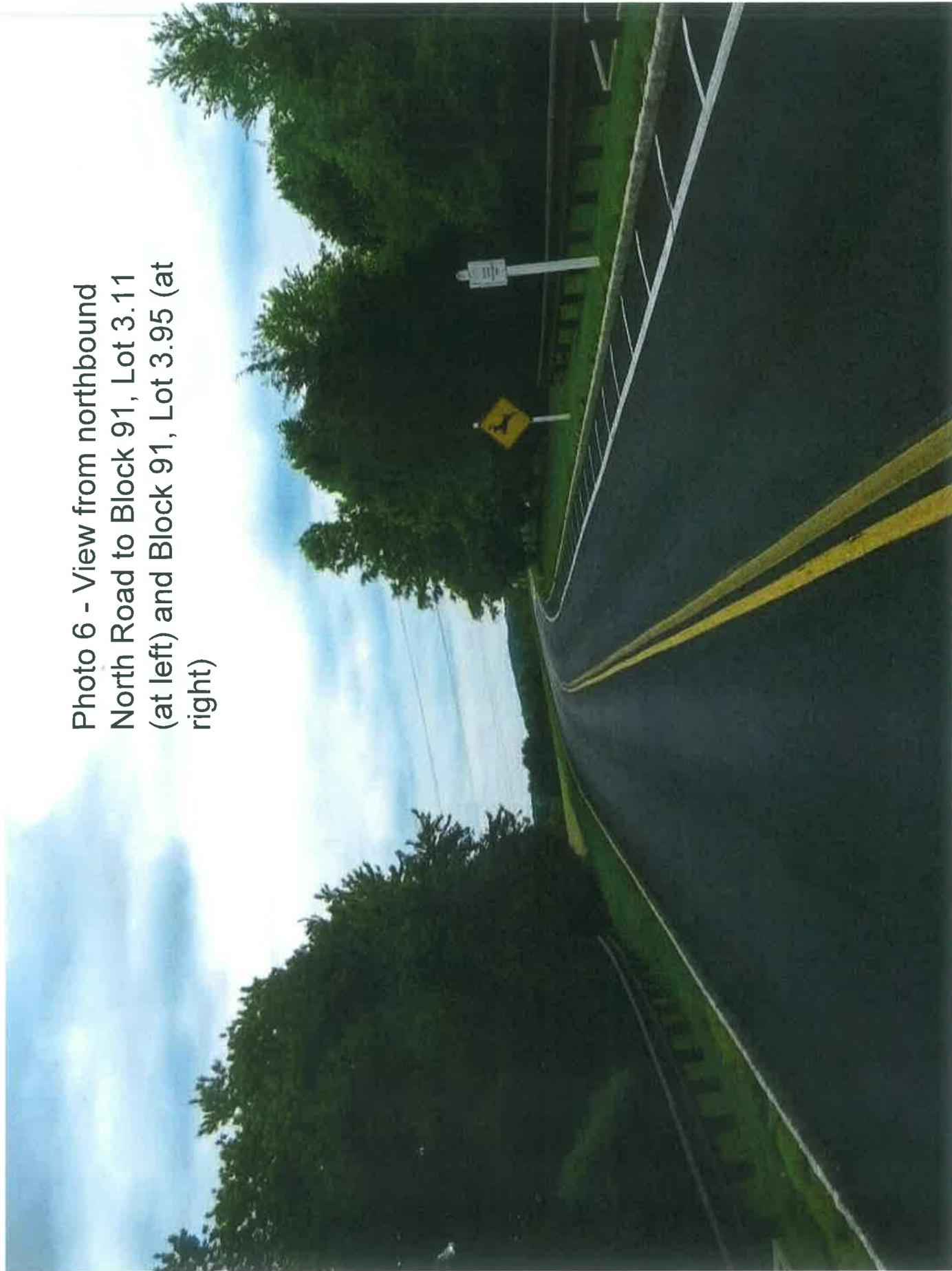


Photo 7 –  
Block 91 Lot 3.95,  
viewed from  
American Blvd.



Photo 8 - Block 91  
Lot 3.14 viewed  
from Van Primus  
Lane



Photo 9 - Block 91  
Lot 3.14 view to  
rear of building



Photo 10 - View from Van Primus  
looking south to Block 91 Lot  
3.181 (right) and Block 91 Lot  
3.191 (left)

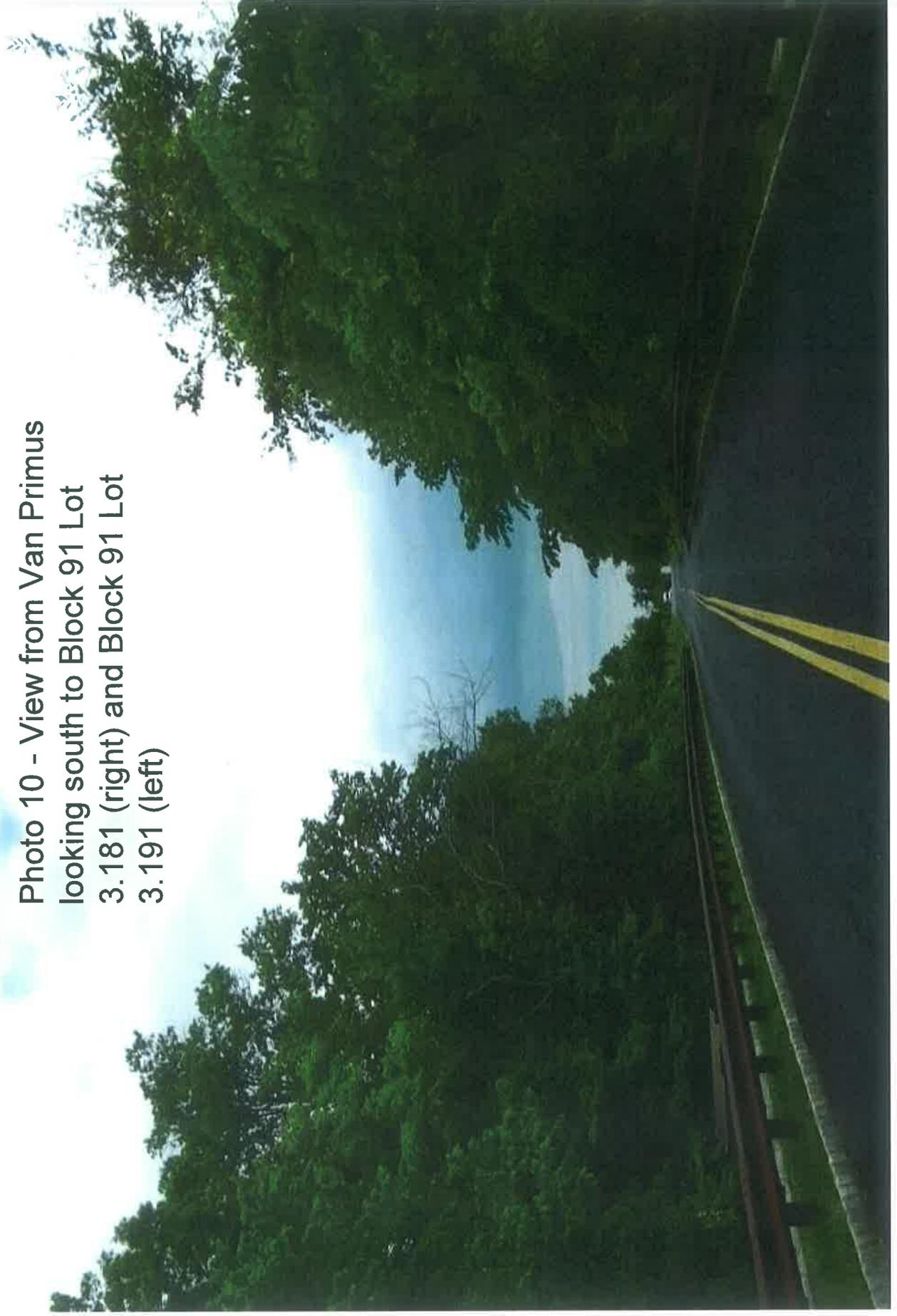


Photo 11 - Block  
91 Lot 3.22  
viewed from Van  
Primus Lane

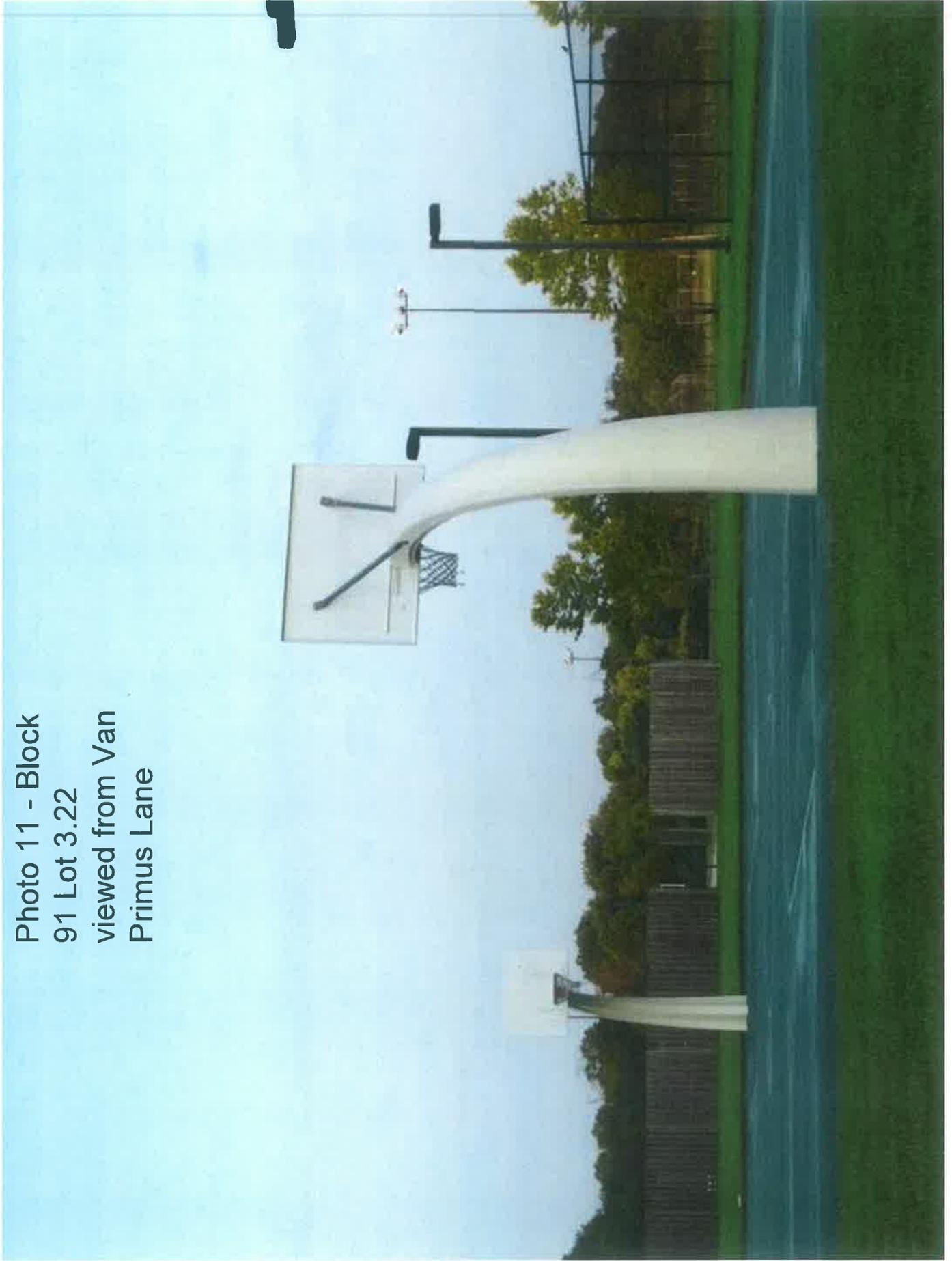


Photo 12 - Block 91 Lot 3.961 looking south  
from Block 91 Lot 3.161

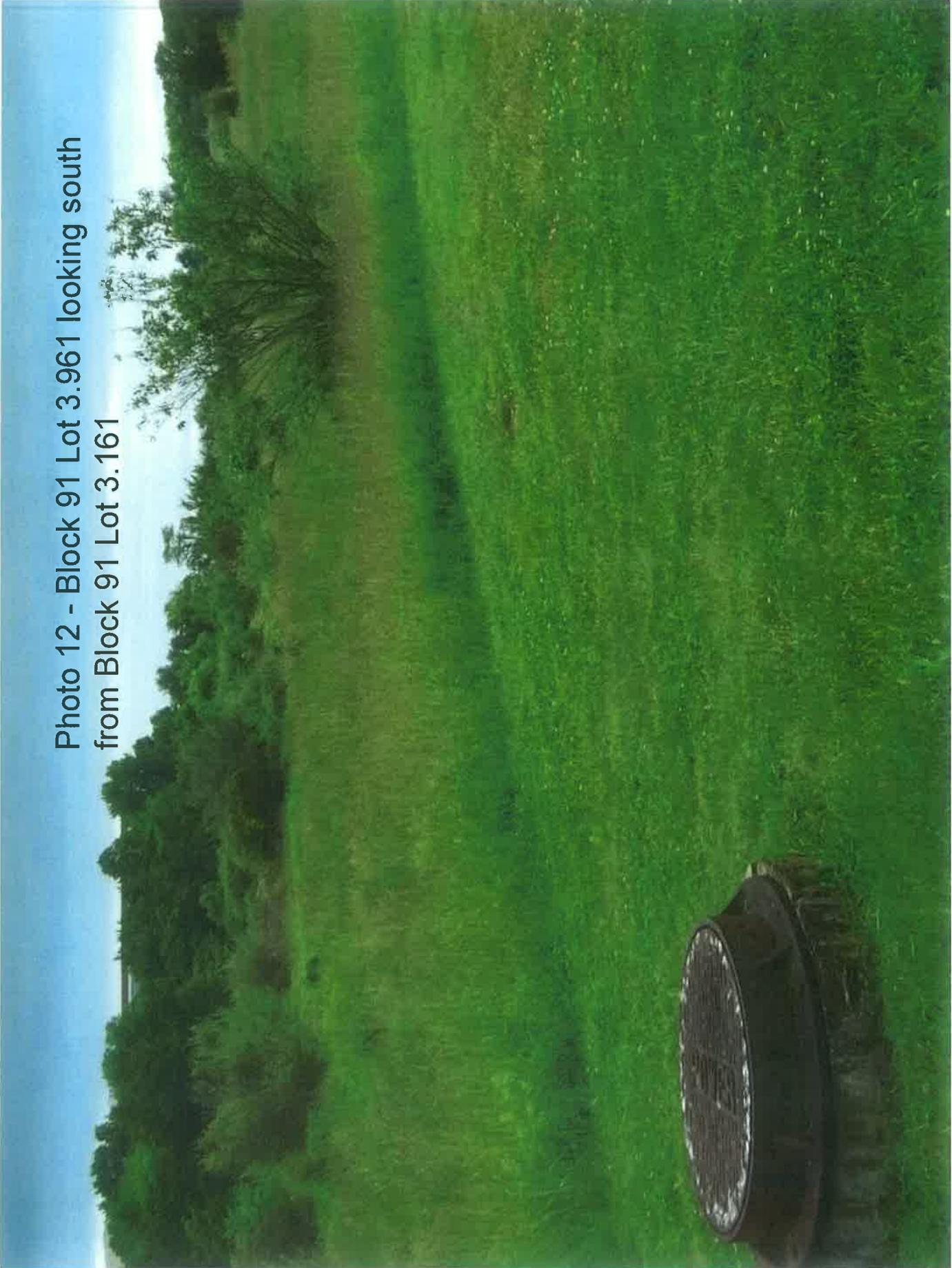


Photo 13 - Block 91  
Lot 3.161 (center)  
and Block 91 Lot  
3.191 (right)



Photo 14 - Block 91 Lot 3.961 looking southeast from internal site driveway

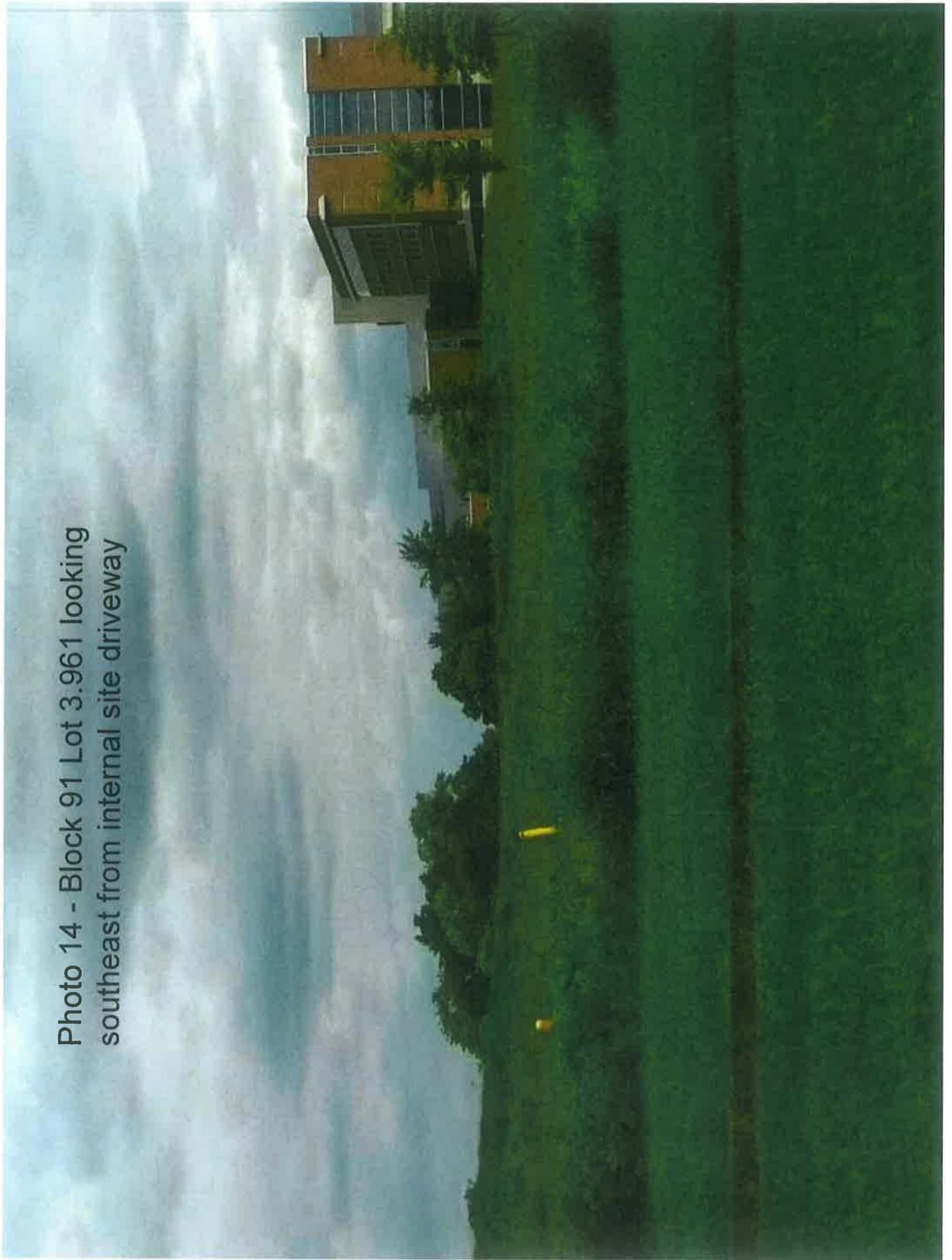


Photo 15 - Gravel way is Block 91  
Lot 3.161 situated between Block  
91 Lot 3.191 (right) and Block 91  
Lot 3.961 (left)

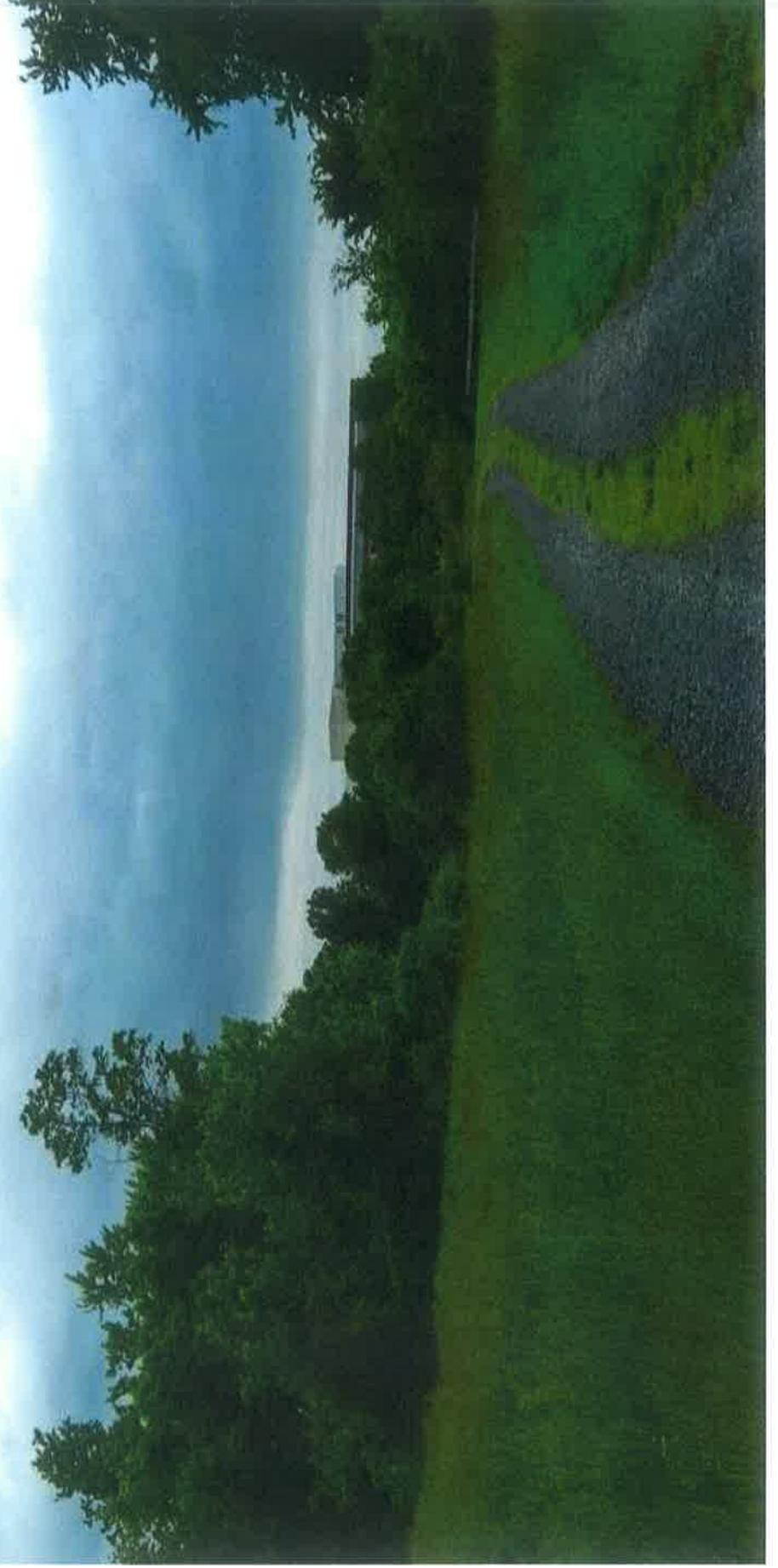


Photo 16 - Block 91 Lot 3.161  
(foreground and left) and  
Block 91 Lot 3.191 (right)

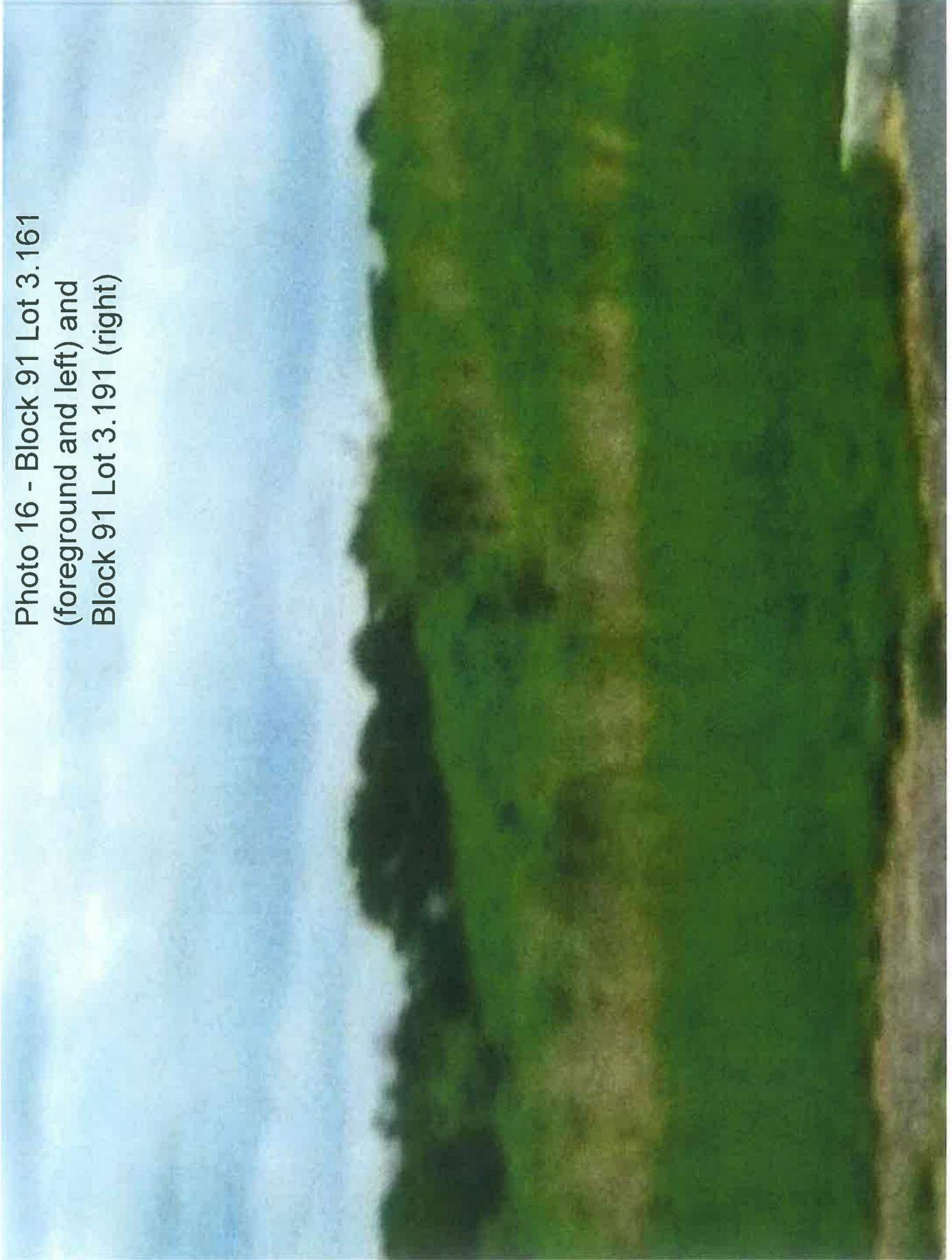


Photo 17 - Block  
91 Lot 3.181  
looking east from  
Scotch Road at  
site driveway

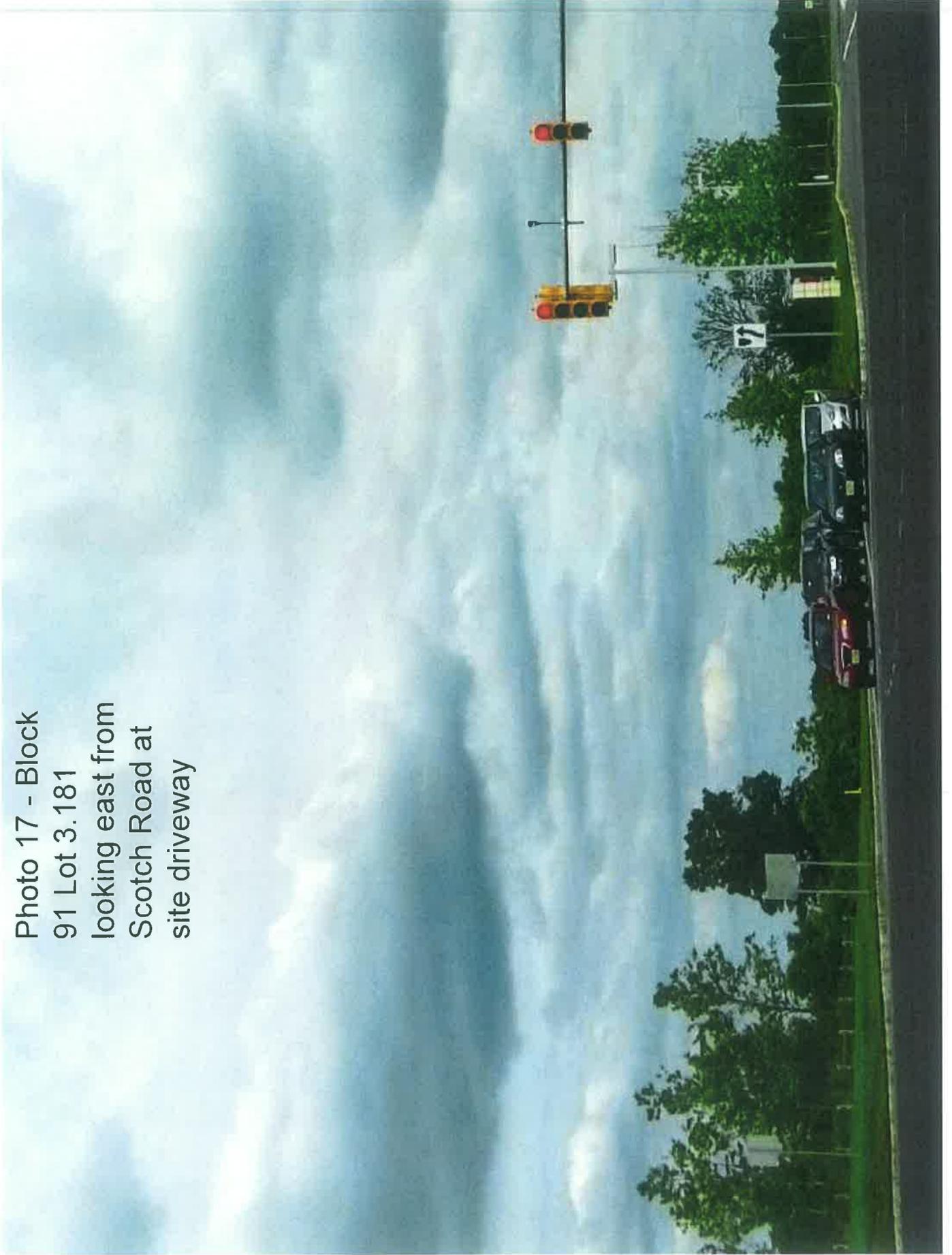


Photo 18 – Block 91  
Lot 3.181 looking east  
from Scotch Road

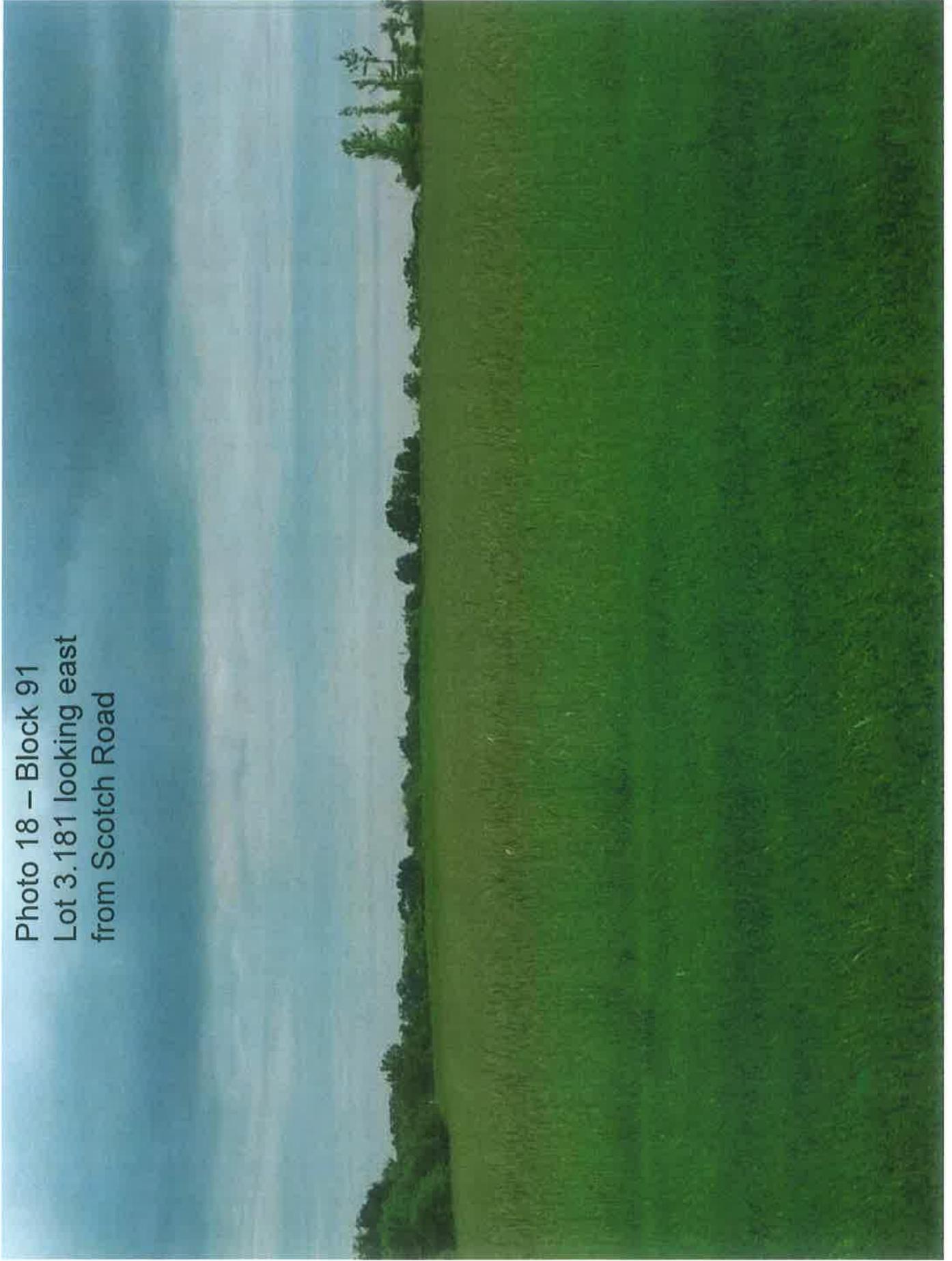


Photo 19 - Block 91  
Lot 3.961 looking  
southeast from site  
driveway

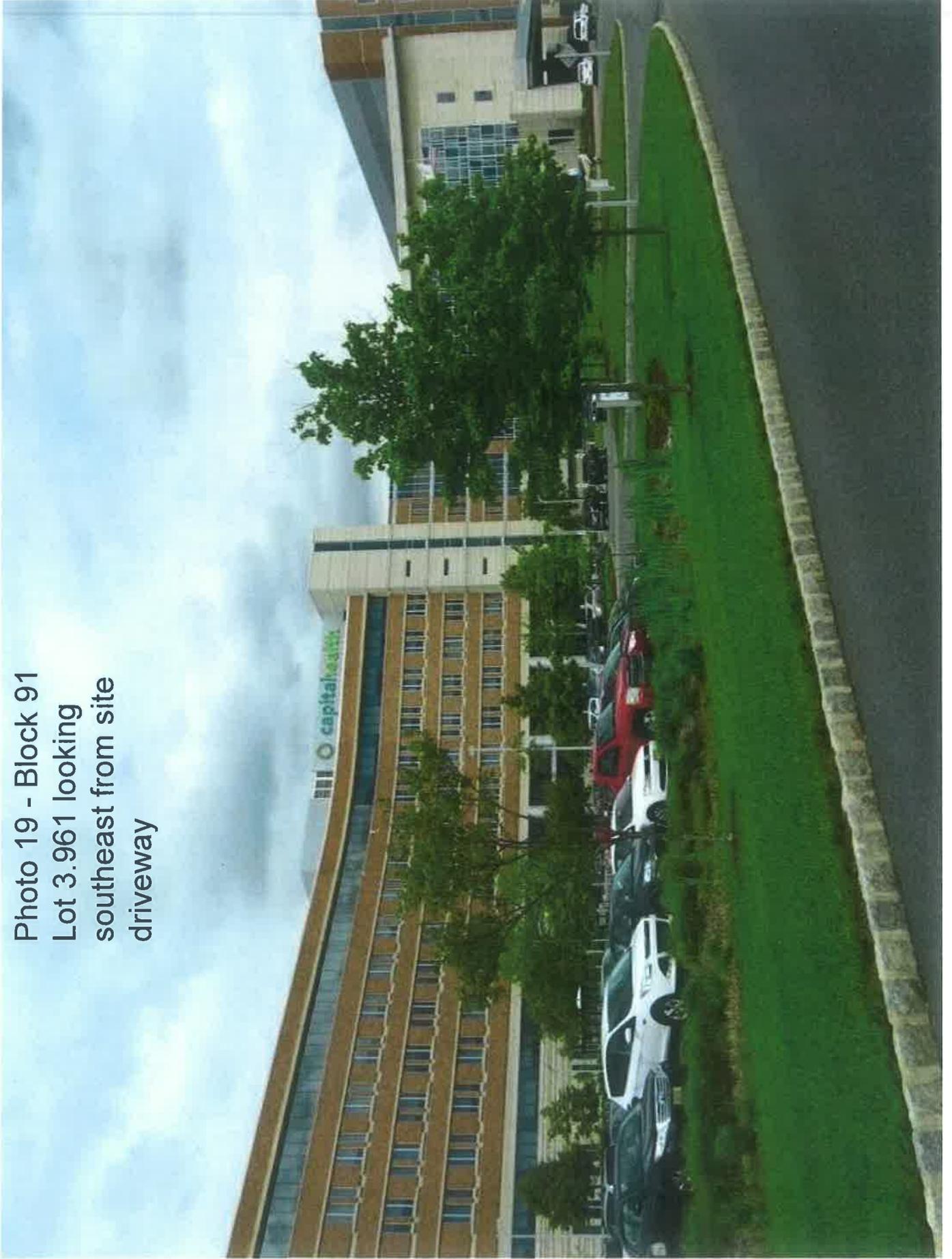


Photo 20 - Block 91 Lot  
3.961 looking east on  
interior driveway



## Attachment B

### *Merrill Lynch and CF Hopewell: a Story of Changing Times*

- Original 1998 GDP Approval - long-term, vested approval for a mixed-use/multiple user development not to exceed 3,500,000 square feet on approximately 450 acres. GDP approved specific bulk standards, including lot standards, building heights and setback standards and waivers from parking requirements and included the following uses:
  - Offices
  - Research and development facilities
  - Operations, manufacturing, warehousing, packaging
  - Assembly, printing, etc
  - A conference center
  - A hotel
  - Retail and personal service uses
  - Utilities
  - Recreation uses
  - Nursery school and/or day care centers
  - Open space
  
- Settlement Agreement (October 25, 2004) involving the Merrill Lynch Property and Garden Property (west of Scotch Road) provided for:
  - A. GDP amendment permitting *no more than 4,000,000 square feet of floor area on both ML and Garden Property.*
  - B. *A maximum of 3,500,000 square feet may still be developed on ML.*
  - C. *If Garden Property develops its permitted 1,000,000 square feet, ML would be limited to 3,000,000 square feet.*
  - D. *If Garden Property is developed for less than 1,000,000 square feet, ML may then build the difference up to 3,500,000 square feet*
  
- 2005 Amended GDP, shown graphically on the following page, included:
  - A. *A reduction of 500,000 square feet of floor area from the 3,500,000 square feet permitted on the east side of Scotch Road;*
  - B. *No new principal buildings north of the existing power lines (Mixed Use Area 1-A) on the amended GDP Plan;*
  - C. *Transfer the approximately 50,000 square feet from Mixed Use Area 1-A to within and adjacent to Mixed Use Area A-2 (adjacent to the existing athletic fields), for retail, restaurant use, professional services and community facilities;*
  - D. *Extend Mixed Use Area A-4 which permits a hotel, to the east side of the proposed loop road into the Office 2 area;*
  - E. *Extend the term of the GDP to be effective for a full twenty (20) year vested term;*

F. *Adjust the schedules, phasing, various calculations, tables and maps as have been modified and updated to reflect Phase 2 Site Plan and Subdivision approvals as well as above-referenced requested amendments to the GDP.*

**2005 Changes to Merrill Lynch GDP**

The 2005 Amendment to the GDP, which extended the twenty (20) year vesting term for the affected properties out to 2025, included the following finding by the Planning Board:

“Extending the time frame within which coordination of development of both properties can take place will facilitate the construction of appropriate infrastructure for both properties and allow the development on both properties to be *phased in* over an appropriate period of time so that the impact of development on both properties *can be appropriately managed and integrated into the land use development occurring within the Township.*”

- The 2005 Amendment also
  - eliminated the 1998 GDP approval condition requiring that public access by appointment to on-site recreational facilities at Merrill Lynch, and
  - secured a commitment for the donation of 170 acres west of Scotch Road.

The history of litigation, settlements, extended vesting and the changing dimensions of the real estate market have all adversely affected the plans for the interchange area.

