



PLANNING BOARD MEETING - JANUARY 14, 2026

AGENDA

Wednesday, January 14, 2026 at 7:30 PM

Online via Zoom

Members of the public who wish to review hard copies of any documents which are available for online inspection in the packet, should contact the Land Use Administrator, Robin Tillou via e-mail at planning@penningtonboro.org or telephone at (609) 737-0276 x3.

Zoom Link: <https://us02web.zoom.us/j/89334057341>

CALL TO ORDER

OPENING STATEMENT: Adequate Notice of this meeting has been given to the Hopewell Valley News and Trenton Times and was posted on the bulletin board at Borough Hall at 30 North Main Street and on the Borough website according to the regulations of the Open Public Meetings Act.

ROLL CALL: Blackwell; Caminiti; Davy; Jackson; Kassler-Taub; O'Neill; Tracy; Rex; Upson; Reilly

REORGANIZATION ITEMS

Oath of Allegiance - Mr. Blackwell, Mr. Caminiti, Mr. Davy, Ms. Kassler-Taub, Ms. Rex, Ms. Upson

*Nomination and Appointment of Chairperson

*Nomination and Appointment of Vice-Chairperson

PUBLIC COMMENT FOR NON-AGENDA ITEMS ONLY

RESOLUTIONS OF MEMORIALIZATION - REORGANIZATION ITEMS

*[Resolution](#) - Appointment of Planning Board Attorney

*Resolution - Appointment of Planning Board Planner

*Resolution - Appointment of Planning Board Engineer

*[Appointment](#) of Board Land Use Administrator / Secretary to the Board

*[Adopting](#) Legal and Official Newspapers

*[Resolution](#) - Adopting Schedule of the Planning Board Meeting Dates for 2026

*[Planning/Zoning](#) Board Bylaws

[*Annual](#) Report

HOUSING PLAN ELEMENT

[*Housing](#) Plan Element

MASTER PLAN COMMITTEE UPDATE

[*Utility](#) Services Conditional Adoption

[*Revised](#) Open Space and Recreation Element Conditional Adoption

[*Community](#) Facilities and Services Element Conditional Adoption

[*Relation](#) to Other Plans Element Conditional Adoption

[*Climate](#) Change-Related Hazard Vulnerability Assessment Plan Element Conditional Adoption

OLD BUSINESS

[Master](#) Plan Survey Results Summary

MINUTES FOR APPROVAL

*November 12, 2025 Minutes

*Indicates Action May be Taken

Adjournment_____

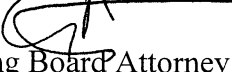
MASON, GRIFFIN & PIERSON

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

MEMORANDUM

via Electronic Mail

To: Robin Tillou, Secretary
Pennington Borough Planning Board

From: Edwin W. Schmierer, Esq. 
Pennington Borough Planning Board Attorney

Date: January 14, 2026

Re: Pennington Borough Planning Board Staff Appointments: 2026

I have prepared and enclose herewith Resolutions and Professional Service Contracts for the following Board Staff Professionals for 2026:

1. Edwin W. Schmierer, Esq., Attorney
2. James T. Kyle, PP/AICP, Planner
3. Pennoni Engineering

I would request that the Resolutions and Contracts be included on the Pennington Borough Planning Board agenda for its reorganization meeting on January 14, 2026.

Encls.

cc: James Reilly, Chairman (via email)

PENNINGTON BOROUGH PLANNING BOARD
RESOLUTION
2026 PROFESSIONAL SERVICES CONTRACT

WHEREAS, *N.J.S.A. 40:55D-24* permits a Planning Board to retain the services of an attorney to assist said Board in the discharge of its responsibilities under the New Jersey Municipal Land Use Laws; and

WHEREAS, *N.J.S.A. 40:11-1 et seq.*, the New Jersey Local Public Contracts Law, permits the award of a Contract for “Professional Services” without competitive bidding provided that said services are rendered by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law; and

WHEREAS, the Pennington Borough Planning Board wishes to appoint an attorney for the Board to provide services during the calendar year 2026.

NOW, THEREFORE, BE IT RESOLVED by the Pennington Borough Planning Board, as follows:

1. The Pennington Borough Planning Board hereby appoints Edwin W. Schmierer, Esq., Mason, Griffin & Pierson, P.C., 101 Poor Farm Road, Princeton, New Jersey 08540 as its attorney for the calendar year 2026.
2. The Professional Services Agreement authorized with the attorney is on file in the Office of the Borough Clerk and may be inspected during regular office hours.
3. This Contract is being awarded without competitive bidding as a Professional Services Contract under the provisions of the New Jersey Local Public Contracts Law because a service will be rendered or performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

4. A notice of this action shall be published by the Borough of Pennington in the Hopewell Valley News following the adoption of this Resolution.

CERTIFICATION

I, Robin Tillou, Secretary of the Pennington Borough Planning Board, hereby certify that the above Resolution was adopted by the Pennington Borough Planning Board at its meeting held on the 14th day of January 2026.

Robin Tillou, Secretary
Land Use Administrator / HPC Secretary
Pennington Borough

PENNINGTON BOROUGH PLANNING BOARD
LEGAL SERVICES AGREEMENT
PROFESSIONAL SERVICES AGREEMENT FOR 2026

THIS AGREEMENT entered into this 14th day of January 2026, by and between the **PENNINGTON BOROUGH PLANNING BOARD**, 30 North Main Street, Pennington, New Jersey 08534 (hereinafter referred to as “**PLANNING BOARD**”) and **EDWIN W. SCHMIERER, ESQ., MASON, GRIFFIN & PIERSON**, 101 Poor Farm Road, Princeton, New Jersey 08540 (hereinafter referred to as “**ATTORNEY**”) (Federal Identification No. 22-3204010).

WITNESSETH:

WHEREAS, the **PLANNING BOARD** requires professional legal services to be performed on a routine basis and in connection with litigation, if any, involving said **PLANNING BOARD** during the calendar year 2026; and

WHEREAS, said **PLANNING BOARD** has adopted a Resolution authorizing the award of a Contract for Professional Services to the **ATTORNEY** without competitive bidding pursuant to *N.J.S.A. 40A:11-1 et seq.*

NOW, THEREFORE, IT IS AGREED between the **PLANNING BOARD** and the **ATTORNEY**, as follows:

1. The **ATTORNEY** shall perform routine legal services for the **PLANNING BOARD**, including, but not limited to, attendance at all regular and special meetings of the **PLANNING BOARD**, preparation of Resolutions of Memorialization and advice and consultation to the **PLANNING BOARD** and its Secretary as requested during the calendar year 2026. The

PLANNING BOARD shall pay the attorney for performing said routine services at the rate of \$205.00 per hour for routine services, said billings to be submitted for approval to the **PLANNING BOARD** monthly and by voucher as required by the Borough of Pennington. Said billings shall not exceed the sum of \$7,500.00 for services unrelated to escrow billings.

Additionally, the **ATTORNEY** shall bill the **PLANNING BOARD** for services rendered on individual development applications. Those services shall be paid by the **PLANNING BOARD** from the **PLANNING BOARD's** land development escrow account for each individual application. If said account is insufficient at any given time to satisfy any of the billings from the **ATTORNEY**, the **PLANNING BOARD** shall remain responsible for the payment of said billings and reimburse itself from the escrow account once a sufficient deposit has been made.

2. The **ATTORNEY** shall perform legal services for the **PLANNING BOARD** in connection with any litigation involving said **PLANNING BOARD** during the calendar year 2026. In connection with said litigation, the **PLANNING BOARD** agrees to compensate the **ATTORNEY** at the rate of \$215.00 per hour. The **ATTORNEY** shall bill the **PLANNING BOARD** monthly for said litigation services, if any, on vouchers as required by the Borough of Pennington.

3. The **PLANNING BOARD** and **ATTORNEY** incorporate by reference the Affirmative Action Addendum and **ATTORNEY's** certification of compliance attached hereto as Exhibit A.

4. The **ATTORNEY** has furnished its New Jersey Business Registration Certificate required by P.L. 2004, c. 57 of the Laws of the State of New Jersey, attached hereto as Exhibit B.

5. The Consultant agrees to comply with the provisions of P.L. 2004, c. 19, the New Jersey "Local Unit Pay-to-Play Law". In so doing, the **ATTORNEY** and the **PLANNING BOARD** hereby incorporate by reference into this Agreement the attached Exhibit C.

6. The **ATTORNEY** while servicing the **PLANNING BOARD** shall keep in effect professional liability insurance as evidenced by the Certificate of Insurance attached as Exhibit D.

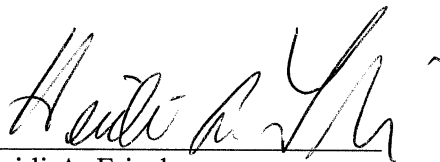
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, the day and date first written above.

ATTEST:

PENNINGTON BOROUGH PLANNING BOARD

Robin Tillou, Secretary

By: _____
James Reilly, Chairman



Heidi A. Frischman

MASON, GRIFFIN & PIERSON, P.C.

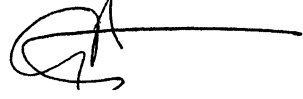

By: _____
Edwin W. Schmierer, Esq.

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 *et seq.* (P.L.1975, c.127)

N.J.A.C. 17:27 *et seq.*

GOODS, GENERAL SERVICES, AND PROFESSIONAL SERVICES CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

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

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

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

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges,

EXHIBIT A (Cont.)

universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job related testing, as established by the statutes and courts decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.


The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval;

Certificate of Employee Information Report; or

Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at: http://www.state.nj.us/treasury/contract_compliance).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 *et seq.*



Signature



Date

Edwin W. Schmierer, Esq., Mason, Griffin & Pierson, PC
Print Name and Company

Certification 5400

CERTIFICATE OF EMPLOYEE INFORMATION REPORT RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15 SEP-2019 to 15 SEP-2026



MASON, GRIFFIN & PIERSON, P.C.
101 POOR FARM ROAD
PRINCETON
NJ 08540



Elizabeth Maher Muoio

ELIZABETH MAHER MUOIO
State Treasurer

EXHIBIT "B"

BUSINESS REGISTRATION & SALES & USE TAX ADDENDUM

P.L. 2004, c.57 (N.J.S.A. 52:32-44) imposes the following requirements on contractors and subcontractors that **knowingly** provide goods or perform services for a contractor fulfilling this contract:

A. Proof of Contractor's Business Registration

The contractor must provide a copy of its business registration certificate issued by the Department of the Treasury or such other form or verification that the contractor is registered with the Department of the Treasury. Proof of business registration must be submitted no later than at the time of execution of this contract.

B. Proof of Subcontractors' Business Registration

The contractor shall not enter into any contract with a subcontractor under this contract unless the subcontractor first provides proof of valid business registration to the contractor. Also, if the contractor subcontracts any of the work:

1. The contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor. Subcontractors through all tiers of the project must provide written notice to their subcontractors to submit proof of business registration, and subcontractors shall collect such proofs of business registration.
2. The contractor shall forward copies of proof of the subcontractors' business registrations to the contracting agency.
3. The contractor shall maintain and submit to the contracting agency a list of subcontractors and their addresses that may be updated from time to time during the course of the contract performance.
4. Before final payment is made by the contracting agency under this contract, the contractor shall submit to the contracting agency a complete and an accurate list of all subcontractors, along with their proof of business registration (if not previously provided), used in fulfillment of the contract. If no subcontractors were used, the contractor shall attest to same prior to final payment.

A contractor or subcontractor who fails to provide proof of business registration or provides false information of business registration shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each proof of business registration not properly provided under a contract with a contracting agency.

C. Sales and Use Tax

For the term of this contract, the contractor and each of its affiliates shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and

Use Tax Act,” P.L. 1966, c.30 (C.54:32B-1 et seq.) on all their sales of tangible personal property delivered into this State.

In the event the contractor subcontracts any of its work, the contractor shall include within its subcontracts the requirement that, for the term of this contract, the subcontractor and each of its affiliates shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the “Sales and Use Tax Act,” P.L. 1966, c.30 (C.54:32B-1 et seq.) on all their sales of tangible personal property delivered into this State.

Information on the law and its requirements is available by calling (609) 292-9292.

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 152
TRENTON, NJ 08646-0152

TAXPAYER NAME:

MASON, GRIFFIN & PIERSON, A PROFESSIONAL

TRADE NAME:

ADDRESS:

101 POOR FARM ROAD
PRINCETON, NJ 08540-1841

EFFECTIVE DATE:

04/08/93

SEQUENCE NUMBER:

0081212

ISSUANCE DATE:

08/10/11

James J. G...
Director
New Jersey Division of Revenue

FORM BRC

EXHIBIT C

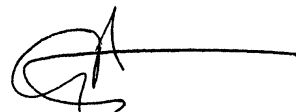
NEW JERSEY "LOCAL UNIT PAY-TO-PLAY LAW" COMPLIANCE

POLITICAL CONTRIBUTION DISCLOSURE

This Agreement has been awarded to Mason, Griffin & Pierson, PC, based on the merits and abilities of the Consultant to provide the goods or services as described herein. This Agreement was not awarded through a "fair and open process" as that phrase is defined in *N.J.S.A. 19:44A-20.7*. As such, the Consultant hereby certifies that he (including persons and other business entities having an interest in CONTRACT/CONSULTANT as defined by *N.J.S.A. 19:44A-20.7*) has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to *N.J.S.A. 19:44A-1 et seq.* (*i.e.*, in excess of \$300.00), in the one (1) year period preceding the award of this Agreement that would, pursuant to P.L. 2004, c.19 affect its eligibility to perform this Agreement, nor will it make a reportable contribution during the term of this Agreement to any municipal committee of a political party if a member of that political party is serving in an elective public office of the municipality when the Agreement is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Pennington when the Agreement is awarded.

Dated: _____

1/14/26



Edwin W. Schmierer, Esq.

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/01/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER CBIZ Borden Perlman 200 Charles Ewing Boulevard Suite 330 Ewing, NJ 08628		CONTACT NAME: Kylie Jackson PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: Kylie.jackson@cbiz.com	
INSURED Mason, Griffin & Pierson, PC 101 Poor Farm Road Princeton, NJ 08540-1941		INSURER(S) AFFORDING COVERAGE INSURER A : Bridgeway Insurance Company INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	
		NAIC # 12489	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

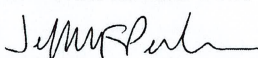
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N	N / A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Professional Liab			7GA7PL000220800	04/26/2025	04/26/2026	3,000,000 Per Claim
A	Professional Liab			7GA7PL000220800	04/26/2025	04/26/2026	3,000,000 Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Pennington Borough Planning Board Attn: Board Secretary 30 North Main Street Pennington, NJ 08534	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

PENNINGTON PLANNING BOARD
RESOLUTION
2026 PROFESSIONAL SERVICES CONTRACT

WHEREAS, *N.J.S.A.* 40:55D-24 permits a Planning Board to retain the services of a Professional Engineer to assist said Board in the discharge of their responsibilities under the New Jersey Municipal Land Use Law; and

WHEREAS, *N.J.S.A.* 40A:11-1, *et seq.*, the New Jersey Local Public Contracts Law, permits the award of a Contract for "Professional Services" without competitive bidding provided that said services are rendered by a person or persons authorized by law to practice a recognized profession and its practice is regulated by law; and

WHEREAS, the Borough has published an RFP for permanent appointment of a Borough Engineer through 2028 but the selection process has not been completed to date;

WHEREAS, Pennoni, has agreed to serve as Borough Engineer in an acting capacity in January 2026 and thereafter as needed to permit the permanent appointment process to be completed;

NOW, THEREFORE, BE IT RESOLVED by the Pennington Borough Planning Board as follows:

1. The Pennington Borough Planning Board hereby appoints Pennoni as its Professional Engineer in an acting capacity in January 2026 and thereafter as needed to permit the permanent appointment process to be completed.
2. The Professional Services Agreement authorized with said Engineer is on file in the Office of the Borough Clerk and may be inspected during regular hours.
3. This contract is being awarded without competitive bidding as a Professional Services Contract under the provisions of the New Jersey Local Public Contracts Law, because a service will be

rendered or performed by a person or persons authorized by law to practice a recognized profession and its practice is regulated by law.

4. A notice of this action shall be published by the Borough of Pennington in the Hopewell Valley News following the adoption of this Resolution.

CERTIFICATION

The undersigned, Land Use Administrator to the Pennington Borough Planning Board does hereby certify that the foregoing is a true copy of a Resolution adopted by said Board at their meeting held on the 14th day of January 2026.

Robin Tillou, Land Use Administrator

James Reilly, Chairman

PENNINGTON PLANNING BOARD
RESOLUTION
2026 PROFESSIONAL SERVICES CONTRACT

WHEREAS, *N.J.S.A.* 40:55D-24 permits a Planning Board to retain the services of a Professional Planner to assist said Board in the discharge of their responsibilities under the New Jersey Municipal Land Use Law; and

WHEREAS, *N.J.S.A.* 40A:11-1, *et seq.*, the New Jersey Local Public Contracts Law, permits the award of a Contract for “Professional Services” without competitive bidding provided that said services are rendered by a person or persons authorized by law to practice a recognized profession and its practice is regulated by law; and

WHEREAS, the Pennington Borough Planning Board wishes to appoint a Professional Planner to provide services to the Board during the calendar year 2026.

NOW, THEREFORE, BE IT RESOLVED by the Pennington Borough Planning Board as follows:

1. The Pennington Borough Planning Board hereby appoints James Kyle, PP/AICP, KMA Associates as its Professional Planner for the calendar year 2026.
2. The Professional Services Agreement authorized with said Planner is on file in the Office of the Borough Clerk and may be inspected during regular hours.
3. This contract is being awarded without competitive bidding as a Professional Services Contract under the provisions of the New Jersey Local Public Contracts Law, because a service will be rendered or performed by a person or persons authorized by law to practice a recognized profession and its practice is regulated by law.
4. A notice of this action shall be published by the Borough of Pennington in the Hopewell Valley News following the adoption of this Resolution.

CERTIFICATION

The undersigned, Acting Secretary to the Pennington Borough Planning Board does hereby certify that the foregoing is a true copy of a Resolution adopted by said Board at their meeting held on the 14th day of January 2026.

Robin Tillou, Secretary
Pennington Borough Planning Board

PENNINGTON BOROUGH PLANNING BOARD
PROFESSIONAL PLANNER
PROFESSIONAL SERVICES AGREEMENT FOR 2026

THIS AGREEMENT made this 14th day of January 2026 by and between the **PENNINGTON BOROUGH PLANNING BOARD**, 30 North Main Street, Pennington, New Jersey 08534 (hereinafter referred to as “**PLANNING BOARD**”) and **JAMES KYLE, PP/AICP, KMA ASSOCIATES**, 45 East Broad Street, Second Floor, Hopewell, New Jersey 08528 (hereinafter referred to as “**PLANNER**”).

WITNESSETH:

WHEREAS, the **PLANNING BOARD** requires professional planning services to assist the **PLANNING BOARD** for 2026; and

WHEREAS, said **PLANNING BOARD** has adopted a Resolution pursuant to the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, awarding a Contract for “Professional Services” to **PLANNER** to provide said professional planning services during 2026 to the Planning Board.

NOW, THEREFORE, IT IS AGREED between the **PLANNING BOARD** and **PLANNER**, as follows:

1. The **PLANNER** is hereby retained as the Professional Planner for the **PLANNING BOARD** for a term from January 1, 2026 to December 31, 2026.
2. **PLANNER** agrees to bill the **PLANNING BOARD** in accordance with the **PLANNER** Public Client Rate Schedule attached as Exhibit A. Routine services will include, but not be limited to: Ordinance drafting; consultation with the **PLANNING BOARD** staff, and representatives of the Borough of Pennington, as requested; specific planning projects as assigned, including the Borough’s Affordable Housing Program, attendance at Planning Board

meetings and such other projects as may be assigned by appropriate Pennington Borough officials. **PLANNER** shall complete and submit on a monthly basis separate payment vouchers which shall be reviewed and approved by the **PLANNING BOARD** itemizing the nature and scope of services provided on these general projects. Said payment voucher shall be paid once audited and found correct by the **PLANNING BOARD**. Routine services shall not exceed \$ 5,000.00 for 2026 unless additional appropriations are made by the **PLANNING BOARD**. Master Plan planning services shall be billed separately per the PLANNERS 2026 Public Client Rate Schedule attached as Exhibit A. Land development application services shall be billed to the applicant's escrow account. The **PLANNER** shall submit to the Planning Board Secretary the **PLANNER's** itemized payment vouchers for routine and escrow services by the 15th of the following month of having provided services so that the payment vouchers can be timely paid and charged, where applicable to the appropriate escrow account.

3. **PLANNER** agrees also to review and evaluate all land development applications referred to **PLANNER** by the **PLANNING BOARD** as coordinated through the Borough Administrator or Land Use Administrator. **PLANNER** will prepare as requested written reports concerning said applications and attend the **PLANNING BOARD** meetings, as requested, to provide analysis and testimony with regard to said applications. **PLANNER** shall also be available to consult with said land development applicants as may be requested. All of the professional planning services provided to the land development applicants shall be coordinated with other Borough professionals, including, but not limited to, the Borough Engineer, the Borough Construction Official, the Borough Zoning Officer and the attorney for the **PLANNING BOARD**. **PLANNER** agrees to complete its work within the statutory review period as provided for by the New Jersey Municipal Land Use Law and the Borough Land Use Code. The work to be performed by **PLANNER** through the aforementioned land development

escrow accounts will not be undertaken until specific authorization is granted to **PLANNER** after the Borough determines that sufficient escrow funds have been deposited by the land development applicant for **PLANNER**'s work. No certificate of availability of funds by the Borough Chief Financial Officer is required at this time since services will not be requested until said sufficient funds have been received in the appropriate land development escrow account. If the Borough requests a specific, written estimate from **PLANNER** prior to undertaking and completing any land development escrow work, **PLANNER** agrees to promptly provide said written estimate.

4. For the general services authorized in paragraph 2 herein above and for the land development escrow services authorized in paragraph 3 herein above, **PLANNER** agrees to prepare on a monthly basis a payment voucher showing professional time spent, hourly rates of the professionals and reimbursable direct expenses for such matters as out-of-pocket expenses concerning telephone, photocopying and postage. A brief description of the work completed with each invoice shall be submitted. Separate invoices will be prepared for the general services rendered and for each land development application upon which **PLANNER** works. Pursuant to *N.J.S.A. 40:55D-53.2 et seq.*, **PLANNER** shall furnish copies of **PLANNER**'s invoices directly to the land development applicant on a monthly basis. Invoices and payments, however, shall be directed to the **PLANNING BOARD** Secretary, and the responsibility for payment of same shall be with the **PLANNING BOARD**. The **PLANNING BOARD** will bill against various land development escrow deposits for the specific work performed on given applications by **PLANNER**. If there are not sufficient funds on deposit with the **PLANNING BOARD** for **PLANNER**'s work, the **PLANNING BOARD** shall immediately notify **PLANNER** and all work shall be suspended until sufficient funds are available.

5. **PLANNER** agrees that James Kyle, PP/AICP shall be considered the principal responsible for rendering professional planning services to the **PLANNING BOARD** and the Borough of Pennington in conjunction with this Agreement.

6. The **PLANNING BOARD** and **PLANNER** hereby incorporate into this Contract the mandatory affirmative action language set forth on Exhibit B and attached hereto.

7. As requested by the Borough Clerk, **PLANNER** agrees to complete from time to time the required Local Government Ethics Law Financial Disclosure as required by *N.J.S.A. 40A:9-22-1 et seq.*

8. The **PLANNER** shall file with Pennington Borough's Chief Financial Officer its New Jersey Business Registration Certificate so required by P.L. 2004, c. 57 of the Laws of the State of New Jersey per attached Exhibit C.

9. The **PLANNER** agrees to comply with the provisions of P.L. 2004, c. 19, the New Jersey "Local Unit Pay-to-Play Law" per attached Exhibit D. In so doing, the **PLANNER** and the **PLANNING BOARD** hereby incorporate by reference into this Agreement the attached Exhibit C.

IN WITNESS WHEREOF, the parties have signed this Agreement on the day and date first written above.

ATTEST:

Robin Tillou, Secretary

PENNINGTON BOROUGH PLANNING BOARD

By: _____
James Reilly, Chairman

KYLE McMANUS ASSOCIATES

By: _____
James Kyle, PP/AICP

January 13, 2026

Mr. James Reilly, Chair
Borough of Pennington Planning Board
30 North Main Street
Pennington, NJ 08534



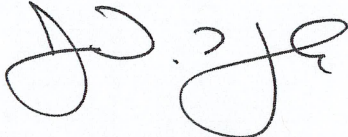
Re: Planning Services - 2026

Dear Mr. Reilly:

I am writing on behalf of the firm to express our interest in continuing to serve as the Board's planner for 2026, and I would continue to be designated as the staff member responsible for serving the Board. Our rates have not changed since last year and I have attached our 2026 rate schedule along with a copy of our NJ Business Registration.

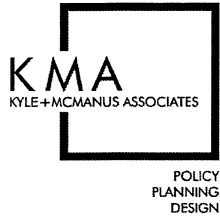
We appreciate the potential opportunity to continue working with the Board. If you need additional documentation, please feel free to contact us via e-mail at jkyle@kylemcmanus.com or by phone at 609-257-6706.

Sincerely,



James T. Kyle, PP/AICP
Principal

Cc: Robin Tillou, Land Use Administrator (via e-mail)
Ed Schmierer, Esq, Board Attorney (via e-mail)



2 East Broad Street, 2nd Floor
Hopewell, NJ 08525
609-257-6705 (v)
609-374-9939 (f)
info@kylemcmamus.com

2026 Public Client Rate Schedule

Principal Planner	\$150/hour
Associate Planner	\$138/hour
Senior Project Manager Planner	\$133/hour
Project Manager Planner	\$128/hour
Assistant Planner	\$98/hour
GIS Technician	\$88/hour
Assistant Professional	\$83/hour
Administrative Assistant	\$68/hour
Outside (pass-thru) Services	Cost +10%
Postage, Federal Express, UPS, DHL	Cost
Paper Black/White Copy/Prints (8.5"x11")	\$0.10/Sheet
Paper Black/White Copy/Prints (11"x17")	\$0.20/Sheet
Paper Color Copy/Prints (8.5"x11")	\$0.50/Sheet
Paper Color Copy/Prints (11"x17")	\$2.50/Sheet
Large format Color Copy/Prints (24"x36")	\$40/Sheet
Travel for Regularly Scheduled Meetings	No Charge
Travel for All Other Meetings and Other Municipal Business	At Rates Noted Above

2026 Public Client Litigation Rate Schedule

Principal Planner	\$198/hour
Associate Planner	\$183/hour
Senior Project Manager Planner	\$178/hour
Project Manager Planner	\$173/hour
Assistant Planner	\$143/hour
GIS Technician	\$133/hour
Assistant Professional	\$83/hour
Administrative Assistant	\$68/hour
Outside (pass-thru) Services	Cost +10%
Postage, Federal Express, UPS, DHL	Cost
Paper Black/White Copy/Prints (8.5"x11")	\$0.10/Sheet
Paper Black/White Copy/Prints (11"x17")	\$0.20/Sheet
Paper Color Copy/Prints (8.5"x11")	\$0.50/Sheet
Paper Color Copy/Prints (11"x17")	\$2.50/Sheet
Large format Color Copy/Prints (24"x36")	\$40/Sheet
Travel for Regularly Scheduled Meetings	No Charge
Travel for All Other Meetings and Other Municipal Business	At Rates Noted Above

09/11/18

Taxpayer Identification# [REDACTED]

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08646-0252

TAXPAYER NAME:

KYLE MCMANUS ASSOCIATES LLC

ADDRESS:

**10 MOORES MILL MOUNT ROSE RD
PENNINGTON NJ 08534**

EFFECTIVE DATE:

09/11/18

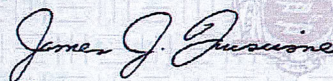
TRADE NAME:

SEQUENCE NUMBER:

2268048

ISSUANCE DATE:

09/11/18



Director
New Jersey Division of Revenue

FORM BRC

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at all times.

**2026
RESOLUTION
PENNINGTON BOROUGH PLANNING BOARD**

RESOLUTION APPOINTING BOARD SECRETARY

WHEREAS, *N.J.S.A. 40:55D-24* authorizes the Pennington Borough Planning Board to select and appoint a secretary to the Board; and

WHEREAS, the Board wishes to designate a Board Secretary for the balance of the calendar year 2026.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Pennington Planning Board as follows:

1. Robin Tillou is hereby appointed as the Secretary to the Pennington Borough Planning Board effective upon the adoption of this Resolution. Ms. Tillou will serve as the Board Secretary for the remainder of the calendar year 2026.

CERTIFICATION

I, Chairman of the Pennington Borough Planning Board do hereby certify that the above Resolution was adopted by said Board at its regular meeting held on the 14th day of January 2026.

James Reilly, Chairman

**BOROUGH OF PENNINGTON
PLANNING BOARD
RESOLUTION**

BE IT RESOLVED:

That the Hopewell Valley News be designated as the official weekly publication and The Times of Trenton as the official daily publication, to be used only when it has not been possible to publish in the Hopewell Valley News to notice timely for the Planning Board of Pennington Borough for 2026, as is required by law.

Both publications mentioned above will be used for “Adequate notice” of the agenda. As per Open Public Meetings Act 10:4-8. to designate at least two newspapers which shall be designated by the public body to receive such notices.

BE IT RESOLVED:

That the Hopewell Valley News and the Times of Trenton be designated for notification purposes when required under the Open Public Meetings Act for the Borough of Pennington.

Effective March 1, 2026 new legislation replaces the requirement of newspaper publication with digital notice. Once the new legislature goes into effect this resolution will be obsolete.

CERTIFICATION

I, Robin Tillou, Land Use Administrator, do hereby certify that the foregoing is a true copy of a Resolution adopted by said Board at their organizational meeting held on the 14th day of January, 2026.

**Robin Tillou
Pennington Borough Planning Board**

**BOROUGH OF PENNINGTON
PLANNING/ZONING BOARD
RESOLUTION ESTABLISHING THE REGULAR MEETING SCHEDULE FOR
THE PLANNING BOARD FOR THE YEAR 2026**

WHEREAS, pursuant to the provisions of the Open Public Meetings Act, the Planning Board of Pennington Borough, at their January 14, 2026 meeting, adopted the following meeting dates for regular meetings. Regular Meetings are held the second Wednesday of each month on Zoom at 7:30 p.m. unless otherwise noted.

Planning Board 2026 Meeting Dates
January 14, 2026
February 11, 2026
March 11, 2026
April 8, 2026
May 13, 2026
June 10, 2026
July 8, 2026
August 12, 2026
September 9, 2026
October 14, 2026
November 12, 2026 (moved to Thursday due to Veterans Day)
December 9, 2026

CERTIFICATION

I, Robin Tillou, Land Use Administrator to the Pennington Borough Planning Board do hereby certify that the foregoing is a true copy of a Resolution adopted by said Board at their reorganization meeting held on the 14th of January, 2026.

Robin Tillou

WHEREAS, the Planning Board of Pennington Borough, at their January 14, 2026 meeting, adopted the following window of submission for applications.

Please see below for the window of submission to be heard at the next PB date for a completeness review. If deemed complete then the application will be heard at the next PB meeting indicated if room is on the agenda.

Window of Submission	Completeness Meeting Date
December 1, 2025 - December 15, 2025	January 14, 2026
December 29, 2025 - January 12, 2026	February 11, 2026
January 26, 2026 - February 9, 2026	March 11, 2026
February 23, 2026 - March 9, 2026	April 8, 2026
March 30, 2026 - April 13, 2026	May 13, 2026
April 27, 2026 - May 11, 2026	June 10, 2026
May 26, 2026 - June 8, 2026	July 8, 2026
June 29, 2026 - July 13, 2026	August 12, 2026
July 27, 2026 - August 10, 2026	September 9, 2026
August 24, 2026 - September 14, 2026	October 14, 2026
September 28, 2026 - October 13, 2026	November 12, 2026
October 26, 2026 - November 9, 2026	December 9, 2026

CERTIFICATION

I, Robin Tillou, Land Use Administrator to the Pennington Borough Planning Board do hereby certify that the foregoing is a true copy of a Resolution adopted by said Board at their reorganization meeting held on the 14th of January, 2026.

Robin Tillou

PENNINGTON BOROUGH

PLANNING BOARD

BYLAWS

Adopted

January 14, 2026

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Pennington Borough Planning Board

Bylaws

ARTICLE I – GENERAL PROVISIONS

Section 1. Board Office

The office of the Planning Board shall be located at 30 N. Main Street, Pennington, NJ and the Land Use Administrator / Board Secretary shall be in charge of said office.

Section 2. Public Records

All Board records shall be kept by the Secretary and shall be available for public inspection during regular business hours of the Borough. Copies may be obtained, upon payment for the cost of duplication and/or electronically, as established by law, from the Land Use Administrator / Board Secretary.

ARTICLE II – ORGANIZATION

Section 1. Officers

The officers of the Board shall consist of a Chairperson and a Vice Chairperson.

Section 2. Chairperson

The Chairperson shall be elected from the Class IV members of the Board at the annual organization meeting held on the second Wednesday of January of each year or another date established by the Board in December of the previous year. The Chairperson shall serve for one year and be elected by a majority vote of those present and constituting a quorum.

The Chairperson shall:

- a. Preside at all meetings of the Board except as provided in Section 3.
- b. Rule on all questions of order, subject to appeal of the Board.
- c. Sign documents required to be executed on behalf of the Board.
- d. Appoint all committees of the Board.
- e. Exercise general supervision over the affairs of the Board and over its consultants.

Section 3 – Vice Chairperson

A Vice Chairperson shall be elected from among the Class IV members of the Board at the annual organization meeting held on the second Wednesday of January of each year or at another date as established by the Board in December of the previous year. The Vice Chairperson shall serve for one year and be elected by a majority of those present and constituting a quorum.

The Vice Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson or in the event of a vacancy in the office.

Section 4. Vacancies

In the event of a vacancy in the office of the Chairperson or Vice Chairperson, an election shall be held at the next regular meeting of the Board to fill the unexpired term of either office. At such election the Chairperson or Vice Chairperson, as the case may be, shall preside. If neither is available, the Land Use Administrator / Board Secretary shall preside.

In the event of a vacancy or absence of the Chairperson and Vice Chairperson, the Planning Board may appoint an Acting Chairperson from the Class IV members by a majority vote of those present and constituting a quorum.

Section 5. Land Use Administrator / Board Secretary

The Land Use Administrator / Board Secretary shall:

- a. Be in charge of the Board office during regular business hours.
- b. Maintain all records of the Board and be responsible for all correspondence.
- c. Send notices to members of Board meetings.
- d. Attend all meetings of the Board (unless excused by management), keep minutes and record actions of the Board.
- e. Perform other duties as may be assigned by the Chairperson of the Board.

Section 6. Attorney

The Board shall appoint a licensed professional attorney with competence in the area of land use and zoning by a majority vote at the annual organization meeting of the Board. The Board Attorney shall:

- a. Provide legal advice to the Board.
- b. Prepare resolutions for actions taken by the Board.
- c. Provide written legal opinions to the Board on questions submitted to him by the Board.
- d. Perform such other legal services as the Board may authorize.

Section 7. Planner

The Board shall appoint a licensed professional planner with competence in the area of land use and zoning by majority vote at the annual organization meeting of the Board. The Planner, as directed, shall:

- a. Provide advice to the Board pertaining to the Municipal Law Use Law and Borough Ordinances.
- b. Draft Master Plan changes and periodic reexamination reports.
- c. Draft zoning ordinance amendments and prepare zoning map revisions.
- d. Review and advise the Board on applications for site plan approval and zoning variance requests.

Section 8. Engineer

The Board shall appoint a licensed professional engineer with competence in civil engineering by majority vote at the annual organization meeting of the Board. The engineer to be voted on shall be the Borough Engineer as retained by the Borough Council. The engineer shall:

- a. Review and advise the Board on applications for **completeness review**, site plan approval and zoning variance requests when needed.
- b. Provide other advice on engineering related matters when requested by the Board.

ARTICLE III – MEETINGS

Section 1. Conduct of Meetings

All meetings shall be conducted in accordance with these Bylaws and Roberts’s Rules of order.

Section 2. Regular Public Meetings

The regular public meetings of the Board shall be held as set forth in the annual meeting notice and shall begin at 7:30 p.m. via **electronic platform** and shall conclude by 11:00 p.m., unless a motion to continue for up to an additional 20 minutes is approved by a concurring vote of two-thirds of the members present and constituting a quorum.

Section 3. Special Meetings

A special meeting may be called by the Chairperson and shall be called if requested by three members of the Board. Notice of public special meetings shall be given to the public at least 48 hours prior to the meeting in accordance with the Open Public Meetings Act.

Section 4. Agenda

The Land Use Administrator / Board Secretary, at the direction of the Chairperson, shall prepare the agenda for all regular meetings and distribute it to the Board at least five (5) days prior to the meeting. The Secretary shall also prepare the agenda for special meetings and distribute it to the Board

members at least 48 hours prior to the meeting. The agenda shall also be available to the public and news media at least 48 hours prior to the meeting.

Section 5. Minutes

The Secretary shall provide for the taking and transcribing of the minutes of the meetings. Recordings shall be retained in accordance with regulations promulgated by the Bureau of Archives, Department of Education. The minutes of the meetings and any corrections adopted shall be signed by the Secretary and kept in the Board's office and placed on the Borough website. Copies of the minutes shall be distributed to members, consultants, and such other offices as the Board shall designate.

Section 6. Quorum

Five members of the Board shall constitute a quorum at any meeting.

Section 7. Voting

The concurring vote of a majority of those present and eligible to vote shall be necessary to pass on any matter upon which the Board as a whole must pass except as otherwise provided by law.

Members eligible to vote include those who have attended all meetings related to the matter or those who have listened to a recording of all previous meetings at which the matter was considered. The members shall certify in writing that he or she has listened to the recording of a previous meeting or meetings at which the matter was considered.

Alternates may participate in the discussion of any matter, but may only vote in the absence or recusal of a regular board member. Alternate 1 shall have priority for voting.

Section 8. Order of Business

The usual order of business at public meetings shall be:

- a. Call to Order
- b. Statement of adequate notice
- c. Roll call
- d. Open time for public comment (for which no opportunity for public comment is provided)
- e. Resolutions of memorialization
- f. Applications or Ordinances
- g. Work session, correspondence and other business
- h. Minutes of previous meeting or meetings
- i. Adjournment

Deleted Zoning Officer's Report

Section 9. Conflict of Interest

No member of the Board shall act on any matter in which he, she or a member of his or her immediate family has, either directly or indirectly, any personal or financial interest. No member shall

participate in or vote on, or in any way influence the other members of the Board in a particular application if such member or his or her immediate family has such a personal or financial interest.

The standards set forth above shall not in any way supersede, modify or waive the application of existing law regarding conflict of interest of public officials.

Section 10. Public Participation

All meetings at which official action is taken shall be open to the public and members of the public shall be afforded the right to speak on matters coming before the Board or official action, except as provided by the Open Public Meetings Act, Chapter 231, Laws of 1975. **Members of the public wanting to speak shall have a maximum of five (5) minutes.**

ARTICLE IV - COMMITTEES

Section 1. Standing Committees

Standing committees shall be appointed by the Chairperson. The following committees shall be created:

Application Review Committee deleted.

a. Master Plan/Ordinance Review Committee

The committees shall consist of 3 or 4 members.

The Master Plan/Ordinance Committee shall:

- a. Propose changes to the Master Plan and Site Plan/Zoning Ordinances to the Board.
- b. Review the text of any changes prepared by the Board's Planner and provide a recommendation to the Board to approve or modify any proposed changes.

Section 2. Special Committees

The Chairperson may also appoint such special committees as shall be necessary.

Section 3. Citizen Members

The Chairperson may request the Mayor to appoint citizen members to any committee of the Planning Board as shall be deemed advisable in order to assist the Board.

ARTICLE V – PROCEDURES

Deleted Application Review Committee from all items below and input current procedure.

Section 1. Guidelines for Applicants

Please see general instructions below.

Section 2. Application for Site Plan Approval or Zoning Variance

All initial submissions will be reviewed by the Land Use Administrator (LUA) to ensure the appropriate forms, checklists, plans and fees have been provided. If all the required information is not provided, the LUA will immediately send a letter to the applicant detailing additional information required and the application will be deemed incomplete until all items required are received. Upon the LUA's determination that all basic submission requirements have been met, the application will be sent to the Board Engineer and a completeness review will be prepared for consideration at the Board's next meeting. The Board will schedule a completeness hearing at their regularly scheduled meeting to review the recommendations of the Board Engineer, review any checklist waiver requests taking into account the recommendation of the Board Engineer, and either certify the application complete or deem it incomplete.

If the application is deemed incomplete, the LUA will send a letter noting the Board's determination and summarizing any additional information required for the Board to reconsider completeness. When additional information is submitted to remedy any deficiencies, this will be sent to the Board Engineer and an updated completeness review will be prepared and a new completeness hearing scheduled. Please keep in mind there is an additional application fee and escrow fee for resubmittals of an application. Immediately following the scheduling of a hearing, the LUA will send a letter to the applicant noting the date and time of the public hearing and the need to provide adequate public notice, including Zoom instructions.

For the initial application please submit:

One digital and one hard copy to Land Use Administrator, Board Engineer, Board Planner and the Board Attorney (contact information will be provided):

1. Application
2. Completed submission with checklist and waiver requests appropriate for the application type.
3. Plans, drawings or photos that support the application.

1 hard copy of:

1. Escrow agreement
2. W-9 form for escrow account
3. Request to tax collector of proof of payment of taxes
4. If necessary, request to tax assessor for certified list of Property owners within 200' of the site with a \$0.25 per name or \$10.00, whichever is greater, check payable to Pennington Borough.
5. If necessary, proof that the application has been filed with the Mercer County Planning Board and Soil Erosion Review Board.
6. Signed consent entry form.
7. Payment of application and escrow fees (separate checks payable to Pennington Borough).

Once a hearing date is assigned the applicant will submit to the Land Use Administrator:

1. Digital and hard copies of any revisions or additional items suggested by the Planning Board to the LUA and the Board professionals. All revisions should be identified and submitted at one time to avoid delays.
2. Notice of Hearing.

Once an application has been heard the applicant will:

1. Submit any additional or revised items requested by the Board.

2. Comply with any conditions of approval.

Section 3. Site Plan and Variance Approval

Following the approval of a site plan or variance request and completion of any outstanding conditions contained in the resolution of approval, the presiding Board Engineer, Chairperson and Secretary shall affix their signatures to the approved plan or variance application.

Section 4. Appeals from the Actions of Zoning Officials

Appeals to the Planning Board acting as a Board of Adjustment may be taken by any interested party. Each appeal shall be taken within the 20 days prescribed by the statute by filing a notice of appeal with the officer from whom the appeal was taken together with five (5) copies of said notice with the Land Use Administrator. Said notice of appeal shall specify the grounds for said appeal. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

ARTICLE VII - BOARD MEMBER TRAINING

All new board members are required to attend the basic land use training course within 18 months of appointment in order to remain a member of the Board pursuant to NJSA 40:55D-23.3. I

ARTICLE VI – AMENDMENTS

These Bylaws may be amended by a resolution duly adopted at any public meeting provided that notice of the proposed changes has been delivered to each member of the Board at least five (5) days prior to the meeting.

ARTICLE VII – SUSPENSION OF BYLAWS

The provisions of these Bylaws may be suspended by a two-thirds vote of the full membership of the Board.

**PENNINGTON BOROUGH PLANNING BOARD
RESOLUTION
2025 ANNUAL REPORT**

WHEREAS, *N.J.S.A. 40:55D-70.1* requires that the Pennington Borough Planning Board in its capacity as serving also as the Pennington Borough Zoning Board of Adjustment (“Board”) review annually its activities and report to the Mayor and Council of the Borough of Pennington concerning the applications considered, decided, or pending before the Board; and

WHEREAS, the Board wishes to discharge this responsibility and complete and file its Annual Report for 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Pennington Borough Planning Board as follows:

1. The Board’s 2025 report to the Mayor and Council of the Borough of Pennington is attached to this Resolution as Exhibit A.
2. As a result of the Board’s activities during 2025, the Board makes no recommendations to the governing body for land use amendments that should be addressed in 2026.

CERTIFICATION

The undersigned, Secretary to the Pennington Borough Planning Board does hereby certify that the above Resolution concerning the Board’s 2025 Annual Report was considered and adopted by the Board at its reorganization meeting on January 14, 2026.

Robin Tillou, Land Use Administrator

**PLANNING/ZONING BOARD
PENNINGTON BOROUGH**

*30 NORTH MAIN STREET
PENNINGTON, NEW JERSEY
DIRECT DIAL NO: (609)737-0276 X3*

PB 2025 Applications and Master Plan Initiative

Applications:

PB#23-002 12 N. Main Street, LLC.

12 N. Main Street, Block 205, Lot 22 - Minor Subdivision, Minor Subdivision approved at the April 9, 2025 meeting. The resolution for 12 N. Main Street Minor Subdivision was memorialized on May 14, 2025.

ZBA#25-002 Mary and CJ Peters

319 Hale Street, Block 706, Lot 5 - c(1) bulk variance to expand a porch on their existing single-family home that encroaches into the front yard setback area was approved at the April 9, 2025 meeting. The resolution for approval of the c(1) bulk variance requested for the expanded front porch was memorialized at the May 14, 2025 meeting.

PB#25-003 The Pennington School

112 W. Delaware Avenue, Block 502, Lot 4 – Gymnasium Alterations (Stairs and Signage.) The application was withdrawn due to the professionals concluding the application to be site plan exempt as per ordinance § 163-4 Site Plan Approval Required; Exceptions.

Master Plan Initiative

The Master Plan initiative continued throughout 2025.

The following elements of the master plan initiative have been conditionally adopted: Mobility Plan, Utility Services Plan, Community Facilities and Services Plan, Open Space and Recreation Plan, Conservation of Natural Resources Plan, Economic Development Plan, Historic Preservation Plan, Green Buildings and Environmental Sustainability Plan and Relation to Other Plans.

The Housing and Fair Share Plan Element was adopted at the Planning Board and Council special joint meeting on June 24, 2025.

AMENDED 2025 FOURTH ROUND HOUSING PLAN

HOUSING ELEMENT & FAIR SHARE PLAN
BOROUGH OF PENNINGTON
MERCER COUNTY
NEW JERSEY

JANUARY 2, 2026

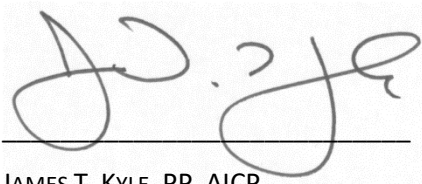
ADOPTED BY THE PLANNING BOARD

JANUARY 14, 2026

ENDORSED BY THE BOROUGH COUNCIL

FEBRUARY 3, 2026

PREPARED BY:



JAMES T. KYLE, PP, AICP
NEW JERSEY PROFESSIONAL PLANNER LICENSE 5667
KYLE McMANUS ASSOCIATES

A SIGNED AND SEALED ORIGINAL IS ON FILE WITH THE BOROUGH CLERK



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James Davy, Mayor

Nadine Stern, Council President

GP Caminiti, Borough Administrator

Mark Blackwell

Kate O'Neill

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Mayor and Council

Jim Davy, Mayor

Nadine Stern, Council President

Catherine "Kit" Chandler, Council Member

Amy Kasler-Taub, Council Member

Katrina Angarone, Council Member

John Valenza, Council Member

Daniel Rubenstein, Council Member

Betty Sterling, Clerk

GP Caminiti, Borough Administrator

Walter Bliss, Esq., Borough Attorney

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INTRODUCTION & EXECUTIVE SUMMARY

Since the 1975 New Jersey Supreme Court decision known as “Mount Laurel I,” New Jersey municipalities have a constitutional obligation to provide opportunities for construction of low and moderate housing units through their zoning ordinances. This 1975 decision led to a body of case law, legislative changes and rulemaking by a state agency that collectively is known as the “Mount Laurel Doctrine”. Through the compliance process, New Jersey municipalities have been assigned their fair share of the region’s affordable housing need for each compliance period and must create mechanisms to address that need to have “satisfied” their constitutional obligation. The purpose of this Housing Element and Fair Share Plan (hereinafter the “Plan”) is to detail how Pennington will satisfy its constitutional obligation.

Affordable housing in New Jersey is defined as housing units which are reserved for households with incomes not more than 80% of the regional median income. Each affordable unit, depending on the age and type of housing, must remain reserved for low and moderate income households for up to 40 years, a requirement enforced by deed restriction. Each affordable unit is eligible for one “credit” against the obligation and certain units are eligible for “bonus credits,” which potentially provide more than one credit per unit. In addition to providing the minimum number of credits, municipalities must ensure diversity in the unit type (at least half of the units must be available to families and the remaining may be reserved for seniors and those with special needs), diversity in the level of affordability (very low, low and moderate income units), and diversity in the size of affordable units (one, two and three bedroom units).

Participation in this process and satisfaction of the affordable housing obligation can be achieved voluntarily or involuntarily, however, voluntary compliance is heavily incentivized. Municipalities that do not successfully participate may be vulnerable to exclusionary zoning litigation or a builder’s remedy, which is a litigation tool that can grant a developer the right to construct what is typically multifamily development on land that was not zoned to permit that use or density.

This amended Housing Plan addresses the Borough of Pennington’s fourth round affordable housing obligation consisting of a present need (rehabilitation) of 4 units and a prospective need (new construction) of 58 units. As the Borough did not participate in the third round process and never received a judgment of compliance and repose relative to that obligation, this plan also addresses the third round obligation determined in accordance with the Jacobsen methodology. As part of this amended plan, the Borough will meet its entire fourth round obligation while also addressing more third round Unmet Need as compared to the plan adopted in June of 2025.

Pennington is a one square mile Borough that lies entirely within Hopewell Township. It is a mature suburb that for all intent and purposes is built out, with no significant vacant land remaining and a Realistic Development Potential (RDP) of only 3 units as discussed later in this plan. Based on this lack of available vacant land, the Borough has provided analysis that demonstrates it is entitled to a vacant land adjustment. There are, however, a number of redevelopment opportunities in Pennington that will create affordable units and help reduce Unmet Need.

This Plan supersedes all previously adopted housing plans and will serve as the foundation for the Borough’s compliance with its affordable housing obligations and a request to Superior Court of Mercer County for a judgment of compliance and repose. As detailed in this Plan, the Borough – like all New Jersey municipalities – has four components of its affordable housing obligation. Each component of the Borough’s obligation is identified on the following page and further detail is provided in later sections of this plan.

- **Rehabilitation Obligation: 4 units**

The rehabilitation obligation can be defined as an estimate of the number of deteriorated housing units existing in Pennington that are occupied by low- and moderate-income households. This component is also referred to as “present need”.

- **First & Second Rounds Obligation: 52 units**

The first and second round obligations can be defined as the cumulative 1987 through 1999 new construction affordable housing obligation. This component is often referred to as the “prior round” obligation.

- **Third Round Obligation: 134 units**

The third round obligation can be defined as the 1999 through 2025 new construction affordable housing obligation.

- **Fourth Round Obligation: 58 units**

The fourth round obligation can be defined as the 2025-2035 new construction affordable housing obligation. The current round of affordable housing, now the fourth round, is also referred to as the “prospective need”.

AFFORDABLE HOUSING IN NEW JERSEY

In its landmark 1975 decision, now referred to as “Mount Laurel I,” the NJ Supreme Court ruled that developing municipalities have a constitutional obligation to provide variety and choice of housing types affordable to low- and moderate-income households. In its 1983 “Mount Laurel II” decision, the NJ Supreme Court extended the regional fair share obligation to all municipalities with any “growth area” as designated in the State Development Guide Plan (NJDCG 1978) and determined that each municipality would have to establish its fair share obligation and provide zoning strategies to create a realistic opportunity for fulfillment of that fair share obligation. Mount Laurel II also gave developers, in certain situations, the opportunity to secure a builder’s remedy, a litigation tool that grants a developer the right to develop what is typically a multi-family development on land that was not zoned to permit the use or the residential density desired by the developer provided a “substantial” percentage of the units are reserved for low and moderate income households. Pennington seeks to avoid this possibility and preparation of this fourth round plan along with those previously adopted are evidence of that.

In 1985, the Legislature enacted the Fair Housing Act in response to Mount Laurel II. The Fair Housing Act created the Council on Affordable Housing (hereinafter “COAH”) as an administrative alternative to compliance in a court proceeding. The Legislature conferred “primary jurisdiction” on COAH and charged COAH with promulgating regulations to establish housing regions, to estimate the state’s low- and moderate-income housing needs, set criteria and guidelines for municipalities to determine and satisfy their affordable housing obligation, and to create a process for the review and approval of appropriate housing elements and fair share plans. Approval of a municipal housing element and fair share plan by COAH was referred to as “substantive certification” and it provided protection from builder’s remedy litigation during the period which the housing element and fair share plan addresses (i.e. the round).

COAH created the criteria and guidelines for municipalities to determine and address their respective affordable housing obligations. COAH originally established a formula for determining municipal affordable housing obligation for the six-year period between 1987 and 1993 (*N.J.A.C. 5:92-1 et seq.*), which became known as the “first round.” These rules established the first round rehabilitation obligation (also referred to as the “present need”) and the first round new construction obligation.

The first round formula was superseded by COAH regulations in 1994 (*N.J.A.C. 5:93-1.1 et seq.*). The 1994 regulations recalculated a portion of the first round 1987-1993 affordable housing obligations for each municipality and computed the additional municipal affordable housing need from 1993 to 1999 using 1990 U.S. Census data. The regulations COAH adopted in 1994 to identify a municipality’s “cumulative” obligations for the first and second rounds are known as “the second round” regulations. Under regulations adopted for the third round, the obligation of municipalities to create new affordable housing for the first and second rounds was referred to as the “prior round” obligation.

On December 20, 2004, COAH’s first version of the third round rules became effective some five years after the end of the second round in 1999. At that time, the third round was defined as the time from 1999 to 2014 but condensed into an affordable housing delivery period from January 1, 2004 through January 1, 2014. The third round rules marked a significant departure from the methods utilized in COAH’s earlier rounds by creating a “growth share” approach that linked the production of affordable housing to residential and non-residential development within a municipality.

The growth share approach and the rules under which it was created was the subject of significant litigation and ultimately overturned by the New Jersey Appellate Court. On January 25, 2007, the New Jersey Appellate Court decision, In re Adoption of N.J.A.C. 5:94 and 5:95, 390 N.J. Super. 1, invalidated key elements of the first version of the third round rules, including the growth share approach. COAH issued revised rules on June 2, 2008 (as well as a further rule revision effective on October 20, 2008). Included in the 2008 rules was a recalculation of the cumulative first and second rounds obligation to account for updated data addressing secondary sources (filtering, demolitions, and residential conversions). Just as various parties challenged COAH’s initial third round regulations, parties challenged COAH’s 2008 revised third round rules. On October 8, 2010, the Appellate Division issued its decision, In re Adoption of N.J.A.C. 5:96 and 5:97, 416 N.J. Super. 462, with respect to the challenge to the second iteration of COAH’s third round regulations. The Appellate Division upheld the COAH regulations that assigned rehabilitation and first and second rounds obligations to each municipality but invalidated the regulations by which the agency assigned housing obligations in the third round, finding that the Agency continued to utilize a growth share approach, albeit an amended one.

COAH sought a stay from the NJ Supreme Court of the deadline to issue new third round housing rules set forth by the Appellate Division. Additionally, there were various challenges to the Appellate Division’s 2010 decision. On September 26, 2013, the NJ Supreme Court upheld the Appellate Court decision in In re Adoption of N.J.A.C. 5:96 and 5:97 by New Jersey Council On Affordable Housing, 215 N.J. 578 (2013), and ordered COAH to prepare the necessary rules. Subsequent delays in COAH’s rule preparation and ensuing litigation led to the NJ Supreme Court, on March 14, 2014, setting forth a schedule for adoption.

Although ordered by the NJ Supreme Court to adopt revised new rules on or before October 22, 2014, COAH deadlocked 3-3 at its October 20th meeting and failed to adopt the draft rules it had issued on April 30, 2014. In response, Fair Share Housing Center (hereinafter “FSHC”) filed a motion in aid of litigant’s rights with the NJ Supreme Court.

On March 10, 2015, the NJ Supreme Court issued a ruling on the Motion In Aid of Litigant's Rights (In re Adoption of N.J.A.C. 5:96 & 5:97, 221 NJ 1, aka "Mount Laurel IV"). This long-awaited decision provided a new direction for how New Jersey municipalities were to comply with the constitutional requirement to provide their fair share of affordable housing. The Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges. The implication was that municipalities were required to apply to Superior Court with a Declaratory Judgment Action, instead of to COAH, if they wished to be protected from exclusionary zoning litigation, including builder's remedy. These trial judges, with the assistance of an appointed Special Adjudicator to the Court, reviewed municipal plans much in the same manner as COAH previously did.

While the NJ Supreme Court's decision set a process in motion for Boroughs to address their third round obligations, it did not assign those obligations. Instead, the task was completed by the trial courts. However, the NJ Supreme Court did direct that the method of determining municipal affordable housing obligations were to be "similar to" the methodologies used in the first and second round rules and municipalities should rely on COAH's 1993 second round rules (*N.J.A.C. 5:93*) and certain components of COAH's 2008 regulations that were specifically, as well as the Fair Housing Act (*N.J.S.A. 52:27D – 301 et seq.*), in their preparation of third round housing elements and fair share plans.

FSHC, the only public interest advocacy organization in New Jersey devoted exclusively to promoting the production of housing affordable to low and moderate income households, was permitted to serve as an interested party in every municipal Declaratory Judgment Action. In this role the organization calculated municipal affordable housing obligations and offered to settle with municipalities. Such settlements addressed the municipal affordable housing obligation, compliance strategies and other terms intended to promote affordable housing production. Most municipalities that filed a Declaratory Judgment Action settled with FSHC, finding it to be in their best interest. The typical alternative to settlement with FSHC was conducting a trial in Superior Court to determine the municipal affordable housing obligation.

In addition to the State agency activity and judicial decisions through 2015, the New Jersey Legislature amended the Fair Housing Act in 2008 (P.L. 2008, c. 46, often referred to as the "Roberts Bill", or "A500"). This amendment established a statewide 2.5% nonresidential development fee, prohibited new regional contribution agreements (hereinafter "RCAs"), required that 13% of all new affordable housing units be restricted to very low income households (30% of median income), and added a requirement that municipalities had to commit to spend development fees within four (4) years of the date of collection. Additionally, the Fair Housing Act was amended in 2013 (P.L. 2013, c. 6) to permit municipalities to enter into an agreement with a developer or development owner to provide a preference for veterans who served in time of war or other emergency to occupy up to 50% of the affordable units in a particular development. The preference is applicable to the first 90 of the 120 days of initial marketing and thereafter may on a special waiting list for future available affordable units in the development. These amendments to the Fair Housing Act are not promulgated in any valid COAH regulations.

On March 20, 2024, an amendment to the Fair Housing Act was adopted by the Legislature (P.L. 2024, c.2.). This amendment created significant changes to the fourth round of affordable housing and all subsequent rounds going forward. Such changes include the process in which municipalities obtain protection from builder's remedy litigation – including but not limited to the elimination of COAH and the creation of the Affordable Housing Dispute Resolution Program, the methodology to calculate municipal prospective need obligations, and the administration of affordable housing units. However, the Fair Housing Act does not create or direct the creation of new rules that would provide further guidance,

instead it states municipalities shall rely on rules adopted by COAH, unless contradicted by statute or binding court decisions, for municipal crediting, adjustments and compliance strategies. One notable example of contradiction is the generation of and use of bonus credits. See the sections that follow for additional information regarding this amendment to the Fair Housing Act.

The Affordable Housing Dispute Resolution Program (hereinafter the “Program”) resides within the judiciary and is made up of an odd number of Judges with a minimum of 3 and not more than 7. The Program, in its discretion and in accordance with the Rules of Court, may consult or employ services of one or more special adjudicators or staff to assist it in rendering determinations, resolving disputes, and facilitating communication among municipalities and interested parties. The Program is responsible for reviewing municipal affordable housing obligations, housing plans, and conducting mediation. However, final determinations of compliance, disputes, and other issues, as well as Court orders may only be issued by a County-level housing judge.

In addition to changes addressing the compliance process and elimination of COAH, the amendment also revised minimum affordability controls for rental units from 30 years to 40 years and those for extension of affordability controls from 30 years to as little as 20 years, provided the total control period is not less than 60 years. It also created new roles for the Department of Community Affairs (hereinafter “DCA”), including calculation of non-binding rehabilitation and prospective need affordable housing obligations, oversight and adoption of rules regulating municipal affordable housing trust funds, municipal housing liaisons and affordable housing administrative agents, as well as oversight of affordable unit administration. The amendment also directed the New Jersey Housing and Mortgage Finance Agency to revise the Uniform Housing Affordability Control Rules (*N.J.A.C. 5:80-26.1 et seq.*).

The Compliance Process

The first step in a municipality’s compliance process is to establish the affordable housing obligation. The first, second and third round obligations are already established by COAH or Superior Court, as applicable. Only the rehabilitation obligation and current prospective need, the fourth round obligation, are subject to the current determination.

The methodology and formulas each municipality must rely upon to determine its rehabilitation and fourth round obligation (as well as subsequent round obligations) are set forth within *N.J.S.A. 52:27D-304.1* thru *-304.3* of the Fair Housing Act. The March 8, 2018 unpublished decision of the Superior Court, Law Division, Mercer County, *In re Application of Municipality of Princeton* (“Jacobson Decision”) is also to be referenced as to datasets and methodologies that are not explicitly addressed in *N.J.S.A. 52:27D-304.3*. Notwithstanding the methodology set forth in the Fair Housing Act, the Act also required the DCA to release a non-binding report calculating obligations for each municipality in the State.

The following provides an overview of the process and deadlines associated with fourth round compliance.

- Establishing the Affordable Housing Obligation
 - October 20, 2024: DCA Regional and Municipal Fair Share Obligation Report Issued.
 - January 31, 2025: Deadline for municipalities to adopt a binding committing to the affordable housing obligation and seeking a Compliance Certification through participation in the Program.

- February 28, 2025: Deadline for an interested party to challenge the municipality's determination of its obligation to the Program. It shall apply "an objective assessment standard".
- March 1, 2025: The municipality's determination of its obligation will be established by default if no challenge.
- March 31, 2025: The Program must issue a decision on the obligation challenge.
- Obtaining a Compliance Certification
 - June 30, 2025: Municipality shall adopt a Housing Plan and propose drafts of ordinances and resolutions to implement the plan. If a municipality does not adopt a Housing Element and Fair Share Plan by June 30, 2025, the Rules of Court may permit the Program or County Level Judge to allow the municipality to secure a grace period. If a municipality does not adopt a Housing Plan by June 30, 2025 and does not secure a grace period, the municipality will have its immunity revoked.
 - August 31, 2025: Deadline for an interested party to file a challenge to the Housing Plan with the Program. If there is no challenge by this date the Program will begin review of the Housing Plan for consistency with the FHA.
 - December 31, 2025: Deadline for a municipality to settle any challenge or provide an explanation as to why it will not make all, or some of the changes brought by the challenge.
 - March 15, 2026: Municipality to amend the Housing Plan and implement the agreed upon revisions resulting from a challenge and adopt all pertinent ordinances. The Housing Plan and adopted ordinances shall be immediately filed with the Program.
- Ongoing Compliance
 - Midpoint (2030): Action by municipality or interested party filed to seek a realistic opportunity review of any developments that have not moved forward.

Affordability Requirements

Affordable housing is defined under New Jersey's Fair Housing Act as a dwelling, either for sale or rent, that is within the financial means of households of low- or moderate-income, as is measured within each housing region. Pennington is in Region 4, which includes Mercer, Monmouth and Ocean counties. Moderate-income households are those with annual incomes greater than 50%, but less than 80% of the regional median income. Low-income households are those with annual incomes that are 50% or less of regional median income and very low-income households are a subset of low-income households and are defined as those with incomes 30% or less than of regional median income.

The Uniform Housing Affordability Controls (hereinafter "UHAC") at N.J.A.C. 5:80-26.4(c) and (d) requires that the maximum rent for a qualified unit be affordable to households with incomes 70% or less than the median income for the region, provided the development includes 13% or more very low income units. The number of units priced at 70% of regional median income cannot exceed the number of very low income units plus one additional unit. The average rent must be affordable to households with incomes no greater than 52% of the median income. The maximum sale prices for affordable units must be

affordable to households with incomes 70% or less than the median income. The average sale price must be affordable to a household with an income of 55% or less than the median income.

The regional median income is defined using the federal income limits established by Department of Housing and Urban Development (hereinafter “HUD”) on an annual basis. In the spring of each year, HUD releases updated regional income limits, and it is from these income limits that rents and sale prices for affordable units are derived. The table below reflects the 2025 affordable housing regional income limits for Region 4, prepared by NJHMFA.

2025 Income Limits for Region 4					
Household Income Levels	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5-Person Household
Median	\$94,300	\$107,700	\$121,200	\$134,600	\$145,400
Moderate	\$75,440	\$86,160	\$96,960	\$107,680	\$116,320
Low	\$47,150	\$53,850	\$60,600	\$67,300	\$72,700
Very Low	\$28,290	\$32,310	\$36,360	\$40,380	\$43,620
<i>Source: 2025 Income Limits prepared by NJHMFA, effective May 16, 2025.</i>					

Overview of Compliance Requirements

There are extensive requirements that municipalities must meet to ensure their affordable housing strategies result in a Compliance Certification. Further, those requirements vary by round. The following provides a brief overview of the requirements.

- **Rental Obligation.** Not less than 25% of affordable units addressing the obligation of a round must be rental housing units.
- **Family Obligation.** Not less than 50% of affordable units addressing the obligation of a round must be available to families, meaning they are not restricted to a particular population. This obligation does not apply to the first and second rounds.
- **Family Rental Obligation.** Not less than 50% of the units meeting the rental obligation of a round must be available to families, meaning they are not restricted to a particular population. This obligation does not apply to the first and second rounds.
- **Senior Maximum.** Up to 30% of affordable units addressing the obligation of a round may be reserved for seniors. The maximum was 25% for the first, second and third rounds.
- **Income Distribution of Affordable Units**
 - **Very Low Income Obligation.** Not less than 13% of affordable units created or approved on or after July 1, 2008 must be reserved for very low income units (30% or less than the regional median income). Very low income units are a subset of low income units.

- Family Very Low Income Obligation. Not less than 50% of the units meeting the very low income obligation must be available to families, meaning they are not restricted to a particular population.
- Low Income Obligation. Not less than 50% of affordable units in any development must be reserved for low income households (50% or less than the regional median income, which includes very low income units). The remaining may be available to moderate income households (51-80% of regional median income).
- Bedroom Distribution of Affordable Units
 - The total bedrooms within the affordable units in any development must be not less than twice the number of affordable units. This requirement does not apply to the first, second or third round.
 - Studio and 1-bedroom Units. Not more than 20% of units in any development.
 - 2-bedroom Units. Not less than 30% of units in any development.
 - 3-bedroom Units. Not less than 20% of units in any development.
 - The above requirements do not apply to special needs housing or senior housing.
 - Senior developments are subject to a modified bedroom distribution such that the total bedrooms within the affordable units must be not less than the number of affordable units.
 - Senior and supportive housing developments with 20 or more affordable units shall have not less than 5% 2-bedroom and 3-bedroom affordable units. This requirement does not apply to the first, second or third round.
- Bonus Credits
 - No more than 25% of the obligation for each round.
 - Only one type of bonus credit may be applied to a unit.
 - Rental bonus credits (1.0) are only applicable to the first, second and third rounds.
 - The following unit types are eligible for 1.0 bonus credit in the fourth round.
 - Supportive and special needs bedrooms.
 - Market to affordable (conversion of a market rate unit to an affordable unit).
 - 100% affordable developments: Units within 100% development provided the municipality supplies the land or a minimum of 3% of the development costs.
 - The following unit types are eligible for 0.5 bonus credit in the fourth round.
 - Partnership with non-profit.
 - Proximity to transit: units within ½ mile of transit (rail, bus, ferry).
 - Senior: limited to 10% of the affordable age-restricted units proposed but capped at 30% of the obligation.

- Units with at least three bedrooms above the minimum number required by the bedroom distribution requirements in UHAC.
- Redevelopment for units on land previously utilized for retail, office or commercial use.
- Extension of affordability controls on rental housing only, provided the municipality funds the cost for extension.
- Very Low-Income units above the 13% required.

AFFORDABLE HOUSING IN PENNINGTON

The Borough adopted its first housing plan in 2002, addressing its obligation from 1987 to 1999, a plan that was certified by COAH on June 5, 2002. As part of that plan, Pennington received a vacant land adjustment with a RDP of 20 units and Unmet Need of 32 units; the plan included a development fee ordinance and overlay inclusionary zoning on the landfill property as required by COAH at that time.

In December of 2008, the Planning Board adopted a housing plan addressing the Borough's third round obligation from 1987 to 2018 which was based on the growth share approach in COAH's rules at the time. The amended plan was never certified by COAH and as noted previously, litigation surrounding the third round rules delayed the process until the Supreme Court's decision in March of 2015. The Borough never completed a third round plan and never received a judgment of compliance and repose from the courts.

In the fourth round, the Borough adopted a binding resolution accepting its affordable housing obligations as calculated by DCA and committing to participation in the Affordable Housing Dispute Resolution Program (hereafter "AHDRP" or "the Program"). Upon timely filing of its Housing Element and Fair Share Plan with the AHDRP, a challenge was filed by Fair Share Housing Center, although it did not formally challenge the compliance mechanisms but rather sought additional information relative to those mechanisms. One request in that challenge was to provide additional mechanisms to address Unmet Need, which this amended Plan addresses.

CONSIDERATION OF LANDS MOST APPROPRIATE FOR AFFORDABLE HOUSING

Pennington Borough is a largely built out suburban community of approximately 1 square mile. As noted earlier in this plan, there is limited vacant land to support opportunities for the construction of significant additional housing. There are, however, opportunities for redevelopment, although they are somewhat limited. In conjunction with preparation of a new Land Use Plan near the end of 2025, it became apparent that the zoning changes to be recommended in the new Master Plan could provide opportunity for more affordable housing than identified in the June 2025 housing plan. There was also additional property owner interest expressed after June of 2025.

In assessing lands most appropriate for affordable housing, the Borough has focused on areas that can potentially be redeveloped, as shown on the map on the following page. Each of these properties currently have structures and uses on them, but there is opportunity to develop them more efficiently and with multifamily housing to help address the Borough's Unmet Need. Two of the properties are in various stages of the redevelopment process as required by the New Jersey Local Redevelopment and

Housing Law, with the Blackwell properties along Brookside Avenue already designated as an “area in need of redevelopment” by Mayor and Council and the 12 North Main property under preliminary investigation by the Planning Board as directed by Mayor and Council.

While not yet adopted by the Planning Board, the Borough’s new Land Use Plan has been under development for the last 4 months, with the Master Plan Committee (hereafter “MPC”) formulating recommendations and reviewing them with the Planning Board at a public meeting. As part of the preparation of this amended Housing Plan, the MPC reviewed proposed zoning changes with an eye to creating opportunity for multifamily housing in a mixed-use environment as recommended in the Economic Development Plan Element, which has been conditionally adopted by the Planning Board.

The map on the following page shows the location of each of the mechanisms proposed in the Fair Share Plan.



Borough of Pennington
Potential Affordable Housing Sites

OPPORTUNITY FOR MULTIGENERATIONAL HOUSING

The Fair Housing Act requires “an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission”. As of the date of this Housing Plan, there have been no recommendations by the Multigenerational Family Housing Continuity Commission on which to provide the required analysis. However, the Commission has the primary goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity. Borough land use policies are not in conflict with this goal and much of the Borough’s housing stock is large enough to accommodate multigenerational living. Nothing in the zoning prohibits creation of additional living space consisting of a bedroom and bathroom, but inclusion of separate kitchen facilities would constitute a second dwelling unit, which is not permitted but is also not necessary to permit multigenerational living. The Planning Board has approved a number of applications permitting additional living space to accommodate multigenerational living arrangements in recent years.

DEMOGRAPHIC, HOUSING & EMPLOYMENT ANALYSIS -HOUSING PLAN ELEMENT

This analysis was provided with the Housing Plan adopted in June of 2025 and remains as adopted (June 2025 Housing Element and Fair Share Plan- Appendix 1).

AFFORDABLE HOUSING OBLIGATION & SATISFACTION – THE FAIR SHARE PLAN

Fourth round housing plans must address four components of a municipality’s affordable housing obligation. These include the rehabilitation obligation to improve substandard housing occupied by low- and moderate-income households, the first and second round obligation of new construction from 1987 to 1999, third round obligation of new construction from 1999 to 2025, and the fourth round obligation of new construction from 2025 to 2035.

Rehabilitation Obligation: 4 units

The rehabilitation obligation can be defined as an estimate of the number of deteriorated housing units existing in Pennington that are occupied by low- and moderate-income households. The Fair Housing Act, N.J.S.A. 52:27D-304.3.b., describes present need as being determined by “estimating the existing deficient housing units currently occupied by low- and moderate-income households within the municipality, following a methodology comparable to the methodology used to determine third round present need, through the use of datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof.” The DCA calculated municipal present need obligations in *Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background*, released on or about October 18, 2024. This DCA Report calculated a rehabilitation obligation of 4-units for the Borough, which was accepted in the Borough’s binding resolution adopted in conformance with the requirements of the law.

The Borough will address this obligation through a municipal housing rehabilitation program, which will be funded by the Borough's affordable housing trust fund. Community Grants, Planning and Housing is Pennington's Administrative Agent and they will provide an updated program manual.

First & Second Rounds Obligation: 52 units, Partially Satisfied

Pennington Borough's first and second round obligation, also referred to as the prior round obligation, is 52 units. This obligation is defined as the cumulative new construction obligation from 1987 through 1999 (1987-1993 is the first round; 1993-1999 is the second round). The Borough's obligation was published by COAH in 2008 and originally calculated in 1993-1994 pursuant to N.J.A.C 5:93 and was part of the Borough's plan that was granted substantive certification on June 5, 2002. As noted in that plan, the Borough was granted a vacant land adjustment by COAH, and RDP was determined to be 20 units resulting in Unmet Need of 32 units.

Satisfaction of the 52-unit Prior Round Obligation			
Program	Units	Bonus Credits	Total Credits
Pennington Point	6	0	6
Capital Health - Heritage	8	0	8
Accessory Apts.	6	0	6
RDP			20
Unmet Need			32
Total			52

Pennington Point

This age-restricted for-sale development was built in both Pennington and Hopewell Township in the mid-90's, with 6 of the affordable units located in the Borough. All units are 1 bedroom and restricted to moderate income households.

Capital Health- Heritage (American Properties)

This family housing project, which has a total of 80 for-sale units, ended up having 16 townhomes deed restricted for low and moderate income households instead of the 8 identified in the Borough's first housing plan, including 2 one bedroom units, 10 two bedroom units and 4 three bedroom units. Eight of the units are restricted to low income households and eight are restricted to moderate income households with deed restrictions of 30 years.

Accessory Apartments

The Borough received credit in its prior round plan for 6 proposed accessory apartments, a plan that was certified by COAH.

Third Round Obligation: 134 Units, Partially Satisfied

As noted previously, the Borough did not receive court approval of a third round plan. As an obligation was never agreed to through the declaratory judgment process and settlement with Fair Share Housing Center, Pennington relies on the March 18, 2018 report prepared by Econsult Solutions, Inc. (ESI) which calculated statewide obligations based on the methodology outlined in the 2018 court decision by the Honorable Mary C. Jacobson, J.S.C. In the Matter of the Application of the Municipality of Princeton. As calculated by ESI, Pennington Borough's third round obligation included a gap present need of 72 units and a prospective need of 62 units for a total of 134 units. The Borough has provided the below mechanisms to address its realistic development potential (RDP) of 9 units, consisting of 8 existing units at the Capital Health-Heritage site and 1 accessory apartment constructed during the third round. Since the Borough did not prepare a vacant land analysis for the third round, it relies on the 9 units that are built and occupied as the RDP for this compliance period, which results in Unmet Need of 125 units, which is addressed on the following page.

Satisfaction of the 134 Unit Third Round Obligation – RDP (9 Units)				
Program	# Units	Bonus Credits	Total Credits	Status
Capital Health – Heritage (Family for-sale)	8	0	8	Constructed
Accessory Apartment (Family rental)	1	0	1	Constructed
Units Addressing RDP			9	
Unmet Need			125	
Total			134	

Capital Health- Heritage (American Properties)

This family housing project, which has a total of 80 for-sale units, ended up having 16 townhomes deed restricted for low and moderate income households instead of 8 identified in the Borough's first housing plan, including 2 one bedroom units, 10 two bedroom units and 4 three bedroom units. Eight of the units are restricted to low income households and 8 are restricted to moderate income households with deed restrictions of 30 years. The remaining 8 units are noted as RDP and applied to the third round obligation.

Accessory Apartment

The Borough provided a \$25,000 subsidy to assist with the creation of one accessory apartment in 2012. With a deed restriction period of 10 years (which ended in 2022), the Borough is eligible for one unit of

credit for this unit, which has been included in RDP since a vacant land adjustment was not approved by the court in the third round. See Appendix 1 for documentation on this unit.

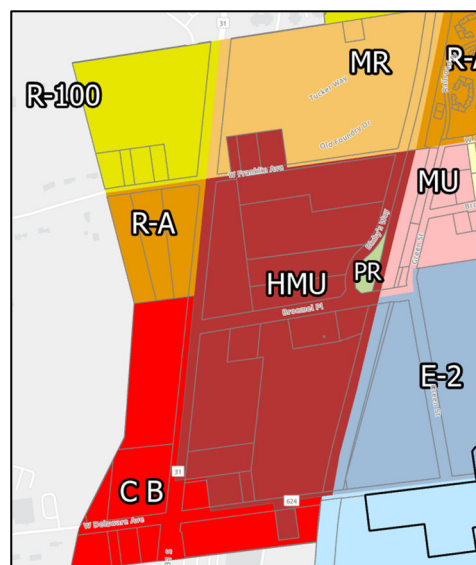
The mechanisms provided below are intended to address a portion of the 125 unit Unmet Need obligation from the third round. Each site or area of the Borough is described below the table and as Unmet need mechanisms will require a 20% seaside in accordance with COAH's rules.

Partial Satisfaction of the 125 Unit Third Round Obligation – Unmet Need				
Program	# Units	Bonus Credits	Total Credits	Status
Highway Mixed Use Zone (HMU) (Family)	22	0	22	Proposed
Howe Commons (Family)	8	0	8	Proposed
37, 41 and 43 South Main (Family)	2	0	2	Proposed
Levin Limousine (Family) – 1 of 3 units	1	0	1	Proposed
245 and 250 South Main Street (Family)	4	0	4	Proposed
Units Addressing Unmet Need			37	
Remaining Unmet Need			94	

HMU – Highway Mixed-Use District

The Economic Development Committee, in the Economic Development Plan Element conditionally adopted by the Planning Board, recommended zoning along Route 31 be consolidated into a single mixed-use zone permitting retail, retail service, restaurant and office uses in combination with residential multifamily apartments. This concept has been discussed by the Planning Board in public meetings and will be incorporated into the forthcoming update to the Land Use Plan.

The HMU district, the proposed extent of which is shown on a portion of the draft Land Use Plan Map to the right, would permit nonresidential uses on the ground floor and residential uses on upper floors with buildings no taller than 3 stories. In areas of the district that do not front directly on Route 31, multifamily apartment buildings will be permitted and encouraged. While it's difficult to predict the number of units that could be realized and whether wholesale redevelopment of sites is likely with this change in zoning, it is a mechanism sufficient to demonstrate a realistic opportunity for affordable housing in the context of Unmet Need. Conservatively a total of 106 units are possible over existing buildings in the two shopping centers fronting Route 31 on either side of Broemel Place (Pennington Square Shopping Center and Shoppes at Pennington), which would result in 22 affordable housing units under the required 20%



setaside for Unmet Need mechanisms. Redevelopment of the Pennington Square Shopping Center has the potential to yield far more housing opportunity with a more efficient layout. A draft ordinance for the HMU zone is provided in Appendix 2.

Howe Commons (Block 601, Lot 12.01)

Howe Commons is a 3.82 acre property located on the east side of South Main Street immediately opposite Academy Avenue. While the site is currently occupied by 5 two-story buildings containing office uses (see aerial photo at right), a mixed-use zoning designation will provide the opportunity for construction of as many as 40 multifamily apartments yielding as many as 8 affordable units. Given the state of the office market in Mercer County and New Jersey in general, redevelopment of this site, whether through conversion of existing office space to residential units or reconfiguration of the site, is viewed as likely with appropriate zoning. Located within a short walk of downtown and an NJ Transit but stop, this site is seen as an appropriate location for affordable housing. As part of the proposed amendment to the Land Use Plan, this property will be included in the MU Mixed-use zone and a draft of proposed zoning is included in Appendix 3.

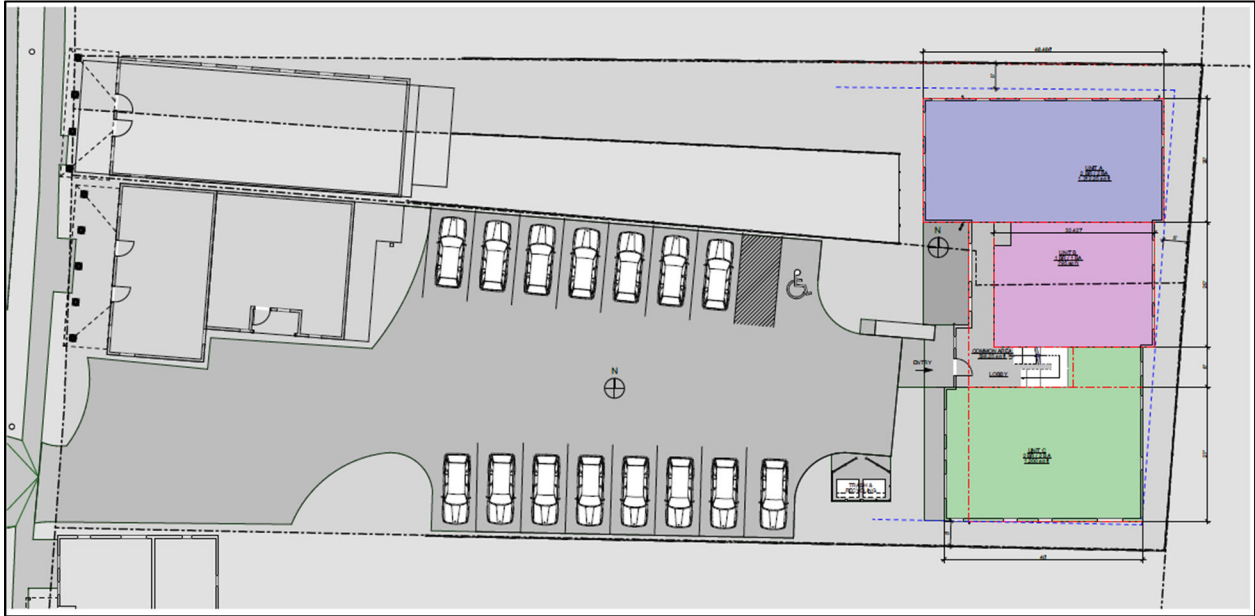


37, 41 and 43 South Main Street (Block 601, Lots 17 and 19)

The property owner submitted a concept plan proposing development of a new 9-unit building at the rear of site, which would provide a total of 2 affordable units. Currently there are three existing units in two buildings fronting South Main Street with parking located to the side and rear of those buildings as shown in the aerial image to the right.

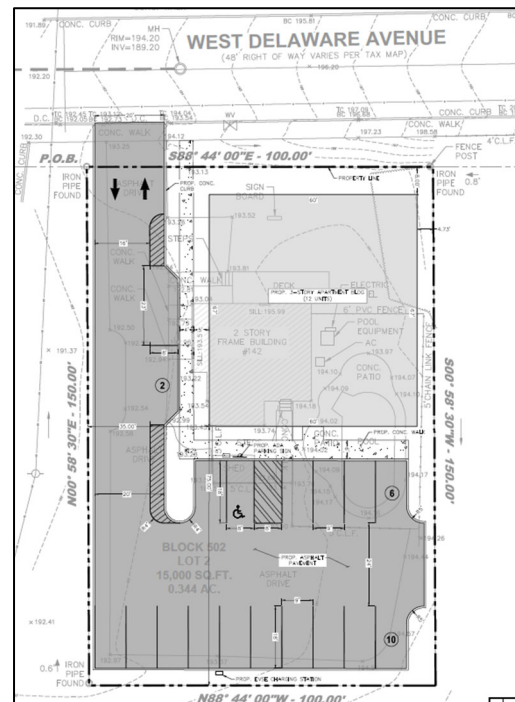


As shown on the concept on the following page, the proposed 3 story building would be situated adjacent to a portion of Howe Commons, located directly to the east. While the owner submitted a plan for 9 units, based on the size of the building proposed, it's location in the Historic District and the size and scale of surrounding buildings, it is suggested this site can accommodate no more than 8 units and the Borough work with the owner on the final configuration of the building so it is no more than 2 ½ stories. Historic Commission approval will be required under the Borough's Historic Preservation ordinance. A draft zoning ordinance for this site is provided in Appendix 4.



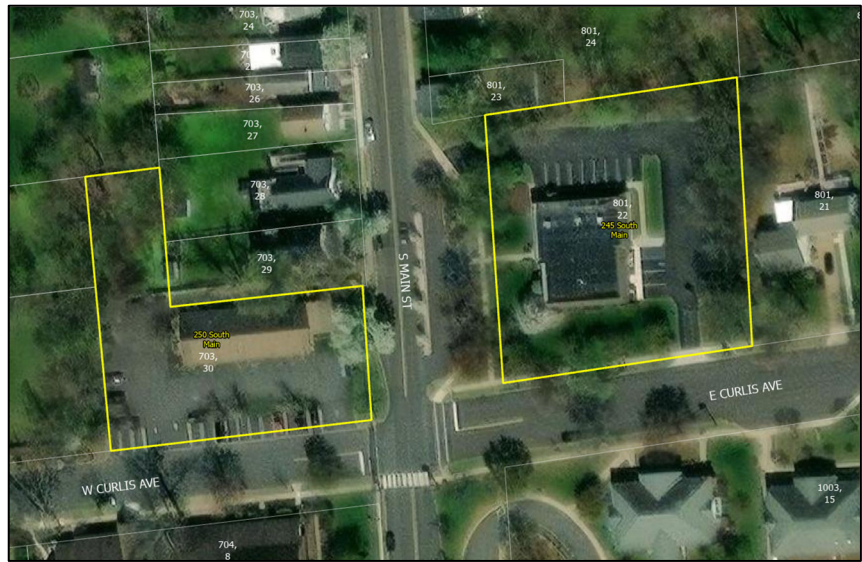
Levin Limousine (Block 502, Lot 2)

The owner of the property has submitted a concept plan that would provide a total of 12 apartment units in a new 3-story building, 3 of which would be affordable under the 20% setaside required for Unmet Need mechanisms. As shown on the concept at right, a total of 18 parking stalls can be provided. The site is adjacent to shopping and commercial services at the Pennington Center and a short walk from Main Street and Broemel Place where NJ Transit bus stops are located. One of the three affordable units from this site is applied towards third round Unmet Need. A draft zoning ordinance is included in Appendix 5.



245 and 250 South Main Street (Block 801, Lot 22 and Block 703, Lot 30)

As part of discussions related to the land use plan, the Planning Board will recommend rezoning of these two properties, currently zoned O-B, to MU-Mixed-Use. 245 South Main Street is a single-story medical office building with substantial existing parking and 250 South Main Street is an existing single-story building containing retail and service uses. Both properties have the potential to accommodate apartments on new upper floors with buildings



to be no more than 3 stories in height. 245 South Main Street could likely support upper floors added to the existing one-story structure while 250 South Main Street could include additional stories on the existing one-story structure or the site could be redeveloped with a new mixed-use structure. The aerial image at right shows the location of these properties in more detail. It is estimated that a total of 16 new units could be constructed, which would provide a total of 4 affordable housing units. A draft of the proposed MU zone standards is provided in Appendix 3.

Third Round Minimum Requirements

In addition to meeting the total 134 unit obligation, the Borough must also meet minimum and maximum requirements related to the rental obligation, maximum number of age-restricted units, minimum family unit obligation, and the minimum very low income unit obligation of 13%. Given the vacant land adjustment sought for the third round, these requirements detailed below are based on the 9 unit RDP, not the 134 unit obligation. Should unmet need mechanisms be constructed, the Borough's affordable housing ordinance will govern and the Borough will ensure compliance with the regulations below.

Minimum Rental Obligation = 3 units

.25 (obligation) = Minimum # rental units or .25 (9) = 2.25 round up to 3 units

This is not satisfied as only the accessory apartment qualifies as a rental unit. Most of the Unmet Need mechanisms proposed will likely include rental units.

Maximum Senior Units = 2 units

.25 (obligation) = Maximum # age-restricted units or .25 (9) = 2.25 round down to 2 units

None of the credits proposed are age-restricted.

Minimum Family Unit Obligation = 5 units

.50 (obligation) = Minimum # family units or .50 (9) = 4.5 round up to 5 units

This obligation is satisfied with the Heritage project, which are all family units. Mechanisms addressing Unmet Need will likely result in additional family units as no age-restricted or supportive housing is proposed.

Minimum Family Rental Obligation= 3 units

.50 (rental obligation) = Minimum # Family Rental Units or .50 (5) = 2.5 round up to 3 units.

This obligation could not be satisfied as only for-sale units were constructed in the Heritage project. Should Unmet Need mechanisms come to fruition, they will likely include family rental units.

Minimum Very Low Income Unit Obligation = 2 units

.13 (units created or approved on or after July 1, 2008) = Minimum # very low income units or .13 (9) = 1.17 units rounds up to 2 units

While the accessory apartment created was for a low income household, this falls short of the 2 units required. All projects addressing third round Unmet Need will be required to provide 13% of the units as affordable to very-low income households.

Fourth Round Obligation

Present Need (Rehabilitation Share)

As calculated by DCA and accepted by the Borough in its binding resolution, Pennington's present need for the fourth round is four (4) units. The Borough is proposing a rehabilitation program utilizing affordable housing trust funds as discussed in the spending plan. A rehabilitation manual will be provided by the Borough's administrative agent Community Grants, Planning and Housing as needed prior to marketing of the rehabilitation program.

Prospective Need

Pennington's fourth round obligation (also referred to as the prospective need) is 58 units. This obligation is defined as the new construction obligation for 2025-2035. The Fair Housing Act, N.J.S.A. 52:27D-304.3.b., describes the obligation as a "projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to sections 6 and 7 of P.L.2024, c. 2 (C.52:27D-304.2 and C.52:27D-304.3) for the fourth round and all future rounds of housing obligations".

The methodology to calculate the obligation begins with determining the need for affordable housing in which the municipality is located. That regional need is then allocated to each municipality in the region, excluding qualified urban aid municipalities, based on an average of three factors: 1) equalized nonresidential valuation factor, which serves as a proxy for the municipal share of the region's change in employment during the previous affordable housing round, 2) income capacity factor, which is the municipal share of the region's median household income, and 3) land capacity factor, which is the municipal share of the region's developable land.

The DCA calculated municipal fourth round obligations in *Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background*, released on or about October 18, 2024. This DCA Report calculated a fourth round obligation of 58 units for the Borough which was accepted in the binding resolution adopted by Mayor and Council.

Vacant Land Analysis

Pennington has prepared a vacant land analysis in accordance with the requirements of N.J.A.C. 5:93-4.2, first studying existing land use in the Borough as required by 5:93-4.2(a). As shown in the table below and the map in Appendix 6, the Borough consists primarily of single family detached homes, with 1,010 of its 1,152 parcels (87.7%) designated as property class 2. Only 5 parcels are classified as vacant, totaling 0.85 acres. All publicly-owned property is either listed on the Borough's ROSI and permanently restricted as open space or supports a public use such as Borough Hall, the library, public parking or is utilized as part of the Borough's public water supply. The one exception is the former Borough landfill, which is not appropriate to consider for residential development due to documented contamination as well as a host of regulatory issues related to wetlands, flood hazard areas and riparian zones on the property.

Existing Land Use				
Property Type	# Properties	% of Total Properties	Total Acreage	% Total Acreage
Vacant	5	0.43%	0.85	0.16%
Residential	1,010	87.67%	351.12	65.15%
Apartment	2	0.17%	1.19	0.22%
Commercial	61	5.3%	46.96	8.71%
Industrial	2	0.17%	7	1.30 %
Public School Property	2	0.17%	13.75	2.55%
Other School Property	4	0.17%	11.79	2.19%
Public Property	27	2.34%	30.71	5.70%
Church and Charitable	15	1.3%	13.08	2.43%
Cemetery	4	0.35%	5.53	1.03%
Other Exempt	8	0.69%	41.14	7.63%
Class I Railroad	7	0.61%	15.07	2.80%
Class II Railroad	5	0.43%	0.73	0.13%

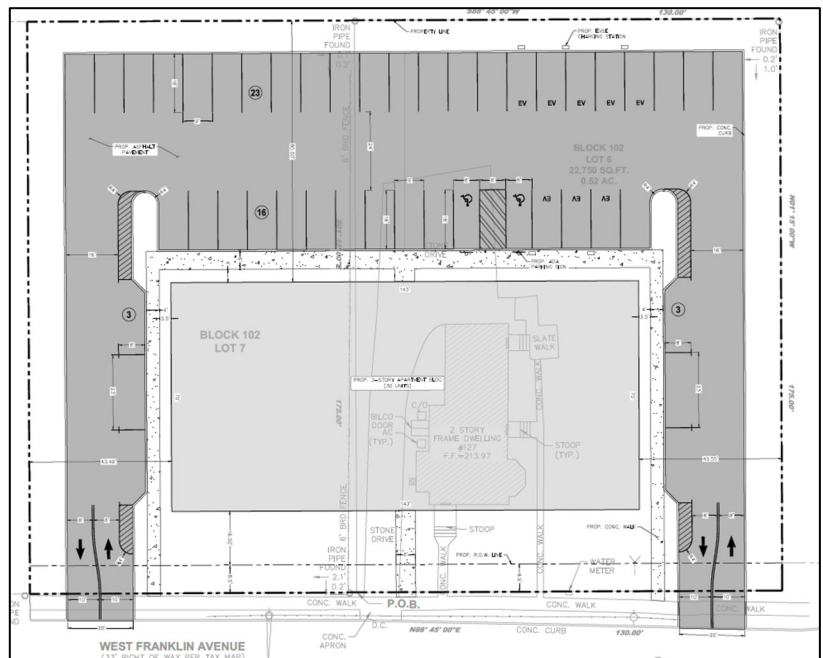
As shown in the table in Appendix 3, the Borough's Realistic Development Potential (RDP) is 3 units, which was arrived at by applying a presumed density of 12 units per acre and a 20% setback requirement. None of the parcels identified are impacted by wetlands, streams, flood hazard areas or steep slopes. With a fourth round obligation of 58 units and RDP of 3 units, the resulting Unmet Need is 55 units. The table below details satisfaction of RDP.

Satisfaction of the 3-unit Fourth Round RDP			
Program	# Units	Bonus Credits	Total Credits
West Franklin 2 (Block 102, Lots 6, 7 and 8) (Family rental) (3 of 6 total units)	3	0	3
RDP			3

West Franklin 2 – Block 102, Lots 6, 7 and 8

This site, located on the east side of Route 31 and the north side of West Franklin Avenue, totals 1.16 acres and is currently occupied by two single family dwellings. The property owner has submitted a concept plan proposing a total of 30 units (see image at left), 6 of which would be affordable to low and moderate income households and 3 of which will be applied towards RDP.

As required by N.J.A.C. 5:93-5.3, affordable housing sites shall be available, approvable, developable, and suitable, as those terms are defined in N.J.A.C. 5:93-1.3., for the production of low and moderate income housing. As demonstrated below, the site meets these criteria.



- The site has a clear title and is free of encumbrances which could preclude development of affordable housing. Additionally, the current owner has expressed interest in developing multifamily housing at the site and has provided a concept plan (see above). The site is therefore “available”.
- The site is adjacent to compatible land uses and has access to appropriate streets. The site proposes to provide access from West Franklin Avenue, a public street, and is adjacent to the Heritage

townhome project built by American Properties and now fully occupied. The site has no steep slopes, wetlands, streams or regulated flood hazard area. The site is therefore “suitable”.

- Adequate sewer and water capacity is available and will be provided by the Borough water and sewer systems. The site is therefore “developable”.
- The site can be developed in accordance with the New Jersey Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq and will be rezoned to permit inclusionary development. The site is therefore “approvable”.

Development of the site is consistent with the State Development and Redevelopment Plan (hereinafter the “State Plan”) and the rules and regulations of all agencies with jurisdiction over the site.

- Pursuant to the recently adopted 2025 State Plan, the site is located in the Fringe Planning Area, PA-3, an area where affordable housing is encouraged within Centers, however redevelopment is encouraged, which will be the case here. While not in a Center, the site is already developed with single family dwellings and has access to water and sewer.
- The site will comply with all applicable environmental regulations. The site contains no steep slopes in the area of development, and has no wetlands, stream corridors or flood hazard within or surrounding its boundaries.
- The site will not impact any historic or architecturally important sites and districts. The site is not located in or proximate to a historic district that would preclude development of residential units.

In addition to site suitability, the project will meet the applicable requirements for affordable housing projects in the substantive rules, as well as the Uniform Housing Affordability Control rules (UHAC) (N.J.A.C. 5:80-26.1 et seq.). See below as well as supplementary documentation in support of this site in the Appendices.

- Affirmative Marketing. The affordable units will be affirmatively marketed in accordance with N.J.A.C. 5:93 et seq. and N.J.A.C. 5:80-26.
- Controls on Affordability. The affordable units will have minimum 40-year affordability controls in accordance with UHAC regulations.
- Bedroom Distribution. The project will meet the bedroom distribution requirements of UHAC.

As noted previously, the Borough’s fourth round Unmet Need obligation is 55 units, which will be fully met with the mechanisms identified in the table on the following page. Although the Borough is not entitled to bonus credits until units are constructed, deed-restricted and occupied, all mechanisms identified have developer interest and bonuses are expected to be realized during the fourth round. Based on a total obligation of 58 units and no bonus claimed relative to RDP, the Borough could take advantage of up to 15 bonus credits. The supportive housing bedrooms proposed at the Senior Center are each eligible for 1 bonus credit and all other projects addressing the fourth round obligation are within ½ mile of a NJ Transit bus stop, with stops at Main Street and Delaware Avenue, South Main Street and Curlis Avenue, West Delaware Avenue and Green Street and Route 31 and Broemel Place.

Satisfaction of the 55-unit Fourth Round Unmet Need			
Mechanism	# Units	Potential Bonus Credits	Total Credits
West Franklin 1 (Family for-sale)	6	0	6
West Franklin 2 (Family rental) – 3 of 6 units	3	2*	5
Levin Limousine (Family rental) - 2 of 3 units	2	0	3
Straube Center (Family rental)	15	7	22
12 North Main (Family rental)	4	0	4
Senior Center Supportive Housing Bedrooms	6	6	12
Blackwell (Family rental)	6	0	6
Potential Extension of Expiring Controls – Pennington Point (age-restricted for-sale)	6	0	6
Totals	49	15	64
Unmet Need Remaining			0

* **Additional bonus credit realized from 3 units addressing RDP.**

West Franklin 1 – Block 201, Lots 1, 2 and 9

These properties, located on the west side of Route 31 and the south side of West Franklin Avenue, total 3.3 acres and are currently occupied by three single family dwellings (see aerial photo at right). The Borough has been discussing development options with the current owner of Lots 2 and 9 and as a result of changes proposed to the Land Use Plan, will rezone this property to R-A Apartment-Townhouse Residence Zone which permits density up to 8 units per acre. If all three properties were developed together, a total of 26 units could be realized, providing as many as 6 units affordable to low and moderate income households.



West Franklin 2 – Block 102, Lots 6, 7 and 8

This site, located on the east side of Route 31 and the north side of West Franklin Avenue, totals 1.16 acres and is currently occupied by two single family dwellings. The property owner has submitted a concept plan proposing a total of 30 units (see prior image), 6 of which would be affordable to low and moderate income households and 3 of which will be applied towards Unmet Need.

Levin Limousine (Block 502, Lot 2)

The owner of the property has submitted a concept plan that would provide a total of 12 apartment units in a new 3-story building, 3 of which would be affordable under the 20% setaside required for Unmet Need mechanisms. As shown on the concept in the previous section addressing the third round, a total of 18 parking stalls can be provided. The site is adjacent to shopping and commercial services at the Pennington Center and a short walk from Main Street and Broemel Place where NJ Transit bus stops are located. Two of the three affordable units from this site are applied towards third round Unmet Need.

Straube Center (Block 202, Lot 2)

Recent conversations with the property owner revealed a desire to reimagine the site, which presents the opportunity for inclusion of affordable housing. The concept plan prepared by the property owner (see following page) proposes a new three-story building with a total of 75 units at the corner of West Franklin Avenue and Bixby's Way, which would yield a total of 15 affordable housing units. This replaces an existing parking area and accessory building, and residential parking would be underneath the structure, taking advantage of the grade. This site is within walking distance of the NJ Transit bus stop on Broemel Place and is within walking distance of restaurants and shops. This area is proposed for inclusion in the new HMU Highway Mixed-Use district, which would permit standalone multifamily apartment structures provided they do not front on Route 31. See Appendix 2 for draft zoning for the HMU zone.



12 North Main – Block 205, Lot 22

Located in the heart of Pennington's Main Street corridor, this property fronts on North Main Street and extends west, abutting the Borough's public parking lot and municipal facilities including Borough Hall, the library and the police station (see aerial photo at right). Currently the property contains a storefront with second floor apartment on North Main Street, which is attached to a one and two story office building that fronts on the Borough's public parking lot. Sixteen spaces on the property are dedicated to the uses currently on the property. The owner has received subdivision approval to separate the storefront and apartment from the office building, although the two will remain attached. Current plans are to construct an addition to the office building, making it three stories and converting it to a minimum of 16 apartments, which would yield at least 4 affordable units under the required 20% setaside for Unmet Need mechanisms. Draft zoning for this site is provided in Appendix 7.



Senior Center – Block 701, Lots 5, 6, 7 and 8

As part of a development project proposed in Hopewell Township, the Hopewell Valley Senior Center will eventually be relocated to Hopewell Township under a shared services agreement between Hopewell Borough, Pennington Borough and Hopewell Township. Once constructed, the current Senior Center, located on 3.13 acres at the end of Reading Street, will no longer operate. Owned by Pennington Borough, the site could become available and permit conversion of the existing building into 6 supportive housing bedrooms. While no site improvement work would be necessary, the approximately 2,500 square foot single-story building would require renovation to provide 6 bedrooms and appropriate kitchen and bathroom facilities.

Blackwell – Brookside Avenue

Although these properties are encumbered by flood hazard area associated with the Lewis Brook and regulated by NJDEP, County capital and other improvements contemplated along the stream are likely to reduce the regulated area in the future. There may also be other creative solutions to meet dry access requirements in NJDEP's flood hazard control act rules related to residential multifamily development. Areas on the west side of the site could potentially accommodate residential units with parking located off-site along Green Street or on-site if delineation of the flood hazard area is more favorable and dry access can be achieved. Conservatively and considering the opportunity for off-site parking, a total of 30 units could be built, with 6 deed restricted for low and moderate income households. The property is already within a designated area in need of redevelopment, but is proposed to be included within the MU Mixed-Use zone as part of the amended Land Use Plan (see Appendix 3). Below is a recent aerial showing the properties.



Extension of Expiring Controls – Pennington Point

With units initially deed restricted in 1995 for a period of 30 years, the 6 age-restricted for-sale units in Pennington Point are eligible for extension of expiring controls as of late 2025. According to the recently amended Uniform Housing Affordability Controls, the Borough is eligible to extend controls depending on the specific language contained in the deed restriction. While it is possible the Borough can extend the controls via ordinance, it is also possible the Borough may have to pay an amount equal to the owner's equity share in order to extend the controls. The Borough will work with its Administrative Agent, Community Grants, Planning and Housing, to review the deed restrictions and extend these controls to make them eligible for credit in the fourth round to address Unmet Need.

Additional Mechanisms to Address Unmet Need

Aside from adopting ordinances or redevelopment plans to address Unmet Need, the Borough will adopt a mandatory setaside ordinance, a draft of which is provided in Appendix 8. This will permit the Planning Board or Zoning Board to capture affordable housing units when projects of 5 or more units that are not part of the Fair Share Plan are proposed. A payment-in-lieu option is provided for fractional units of four tenths or less.

Compliance with N.J.A.C. C.52:27D-310.1

The Fair Housing Act amendments of March 2024 requires a municipality receiving a vacant land adjustment to *"identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so."* While there is some disagreement as to how this section of the Act is to be interpreted, for the purposes of this plan, it is interpreted to mean 25% of Unmet Need.

With a fourth round obligation of 58 units and RDP established at 3 units, the resulting Unmet Need is 55 units and 25% of that is 14 units (13.75 rounded up). As documented in the previous sections, the Borough

has identified redevelopment opportunities such that at least 14 affordable housing units will be created, therefore this requirement is met and in fact, far exceeded.

Fourth Round Obligation Requirements

In addition to meeting the total 58 unit fourth round obligation, the Borough must also meet the minimum rental obligation, maximum number of senior units, minimum family unit obligation, minimum very low income obligation, and maximum bonus credits, as set forth in the Fair Housing Act. Compliance with these requirements is noted for the 58 unit obligation as most of the Unmet Need mechanisms identified previously are anticipated to be constructed. Where applicable and as noted, the requirements are calculated based on the units meeting the obligation rather than the entire obligation.

Maximum Bonus = 15 credits

- Maximum bonus credits = 25% (obligation) | $25\% (58) = 14.5$ rounded up to 15 credits

Minimum Rental Units = 11 units

- Minimum rental units = 25% (of units meeting the obligation) | $25\% (43) = 10.75$ rounded up to 11 units

All of the units except the age-restricted units where expiring controls are proposed to be extended and those proposed with the West Franklin 1 project are rental units.

Maximum Senior Units = 12 units

- Maximum age-restricted units = 30% (units meeting the obligation) | $30\% (43) = 12.9$ units rounded down to 12 units

As the units in Pennington Point are age-restricted, extension of these expiring controls would result in 6 age-restricted credits in the fourth round, which complies with the maximum of 12 permitted.

Minimum Family Units = 22 units

- Minimum family units = 50% (units meeting the obligation) | $50\% (43) = 21.5$ rounded up to 22 units

With the exception of the age-restricted units at Pennington Point where controls may be extended, all units are family units.

Minimum Family Rental Units = 6 units

- Minimum family rental = 50% (rental obligation) | $50\% (11) = 5.5$ rounded up to 6 units

Other than the expiring controls proposed to be extended in Pennington Point, all other units are family rentals, satisfying this requirement.

Minimum Very Low Income Units= 6 units

- Minimum very low income units = 13% (fourth round units created or approved on or after July 1, 2008) | $13\% (43) = 5.59$, rounded up to 6 units

The Borough will require that 13% of all units constructed are available to very low income households. As detailed in the tables on the previous pages, the total number of units currently proposed is 43, and applying 13% to the individual projects results in the creation of at least 6 very low income units, meeting

the minimum required. All future projects will be required to meet the minimum 13% on an individual basis.

Minimum Family Very Low Income Units = 1 unit

- Minimum family very low income units = 50% (very low income obligation) | 13% (6) = 0.78 units rounded up to 1 unit

As noted, all but one proposed mechanism will include family units, and a minimum of 6 very low income units will be provided, meeting this requirement.

Affordability Assistance

As required, the Borough will undertake a variety of affordability assistance activities to render units more affordable. These strategies are outlined in the spending plan (Appendix 9) and a draft affordability assistance program manual is provided in Appendix 10 although a new manual will be prepared by the Borough's Administrative Agent.

CONSISTENCY WITH THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN

Pennington Borough is classified as Planning Areas 3, Fringe Planning Area, in the State Plan adopted in December of 2025. General policies related to housing are aimed at promoting an adequate supply of housing affordable to all age groups and income levels with access to transit, jobs, education, services and amenities. The Plan specifically notes limiting development in environmentally sensitive and vulnerable areas, facilitating multi-generational housing opportunities, providing housing across the "traditional housing lifecycle" and expanding access to family-friendly apartments, senior residences, starter homes, condos and townhomes. More specific to Planning Area 3, the State plan encourages the siting of affordable housing within Centers.

Although Pennington is not a Center identified in the 2025 State Plan, all mechanisms proposed to meet the fair share obligation are within existing sewer service area and have access to public water. All promote the goal of providing housing with access to transit, jobs, education, services and amenities as they are located within close proximity to NJ Transit bus stops and have ready access to a multitude of commercial services and amenities, in many cases within walking distance. Pennington's Housing Element and Fair Share Plan is therefore consistent with the 2025 State Development and Redevelopment Plan.

AFFORDABLE HOUSING ADMINISTRATION & AFFIRMATIVE MARKETING

Pennington Borough's Affordable Housing Ordinance is consistent with the Fair Housing Act, the Uniform Housing Affordability Control Rules, *N.J.A.C. 5:80-26.1 et seq.*, and the Division of Local Planning Services Fair Housing Act Rules, *N.J.A.C. 5:99*. The Borough's proposed affordable housing ordinance is provided in Appendix 11.

The Borough's Affordable Housing Ordinance, Chapter 58, governs the establishment of affordable units in the Borough as well as regulating the occupancy of such units. The Borough's Affordable Housing Ordinance addresses the phasing of affordable units, the low/moderate income split, bedroom

distribution, occupancy standards, affordability controls, establishing rents and prices, affirmative marketing, income qualification, etc. All newly created affordable units, with limited exceptions, will comply with the affordability control period of 30 years for sale units or 40 years for rental units, as required by the Fair Housing Act and the Uniform Housing Affordability Control Rules.

The Borough has established the position of the Municipal Housing Liaison as required by the Fair Housing Act amendments (see Appendix 12). However, the Borough will likely rely on its affordable housing administrator to conduct the administration and affirmative marketing of its affordable housing sites that will not be administered by the developers and for the rehabilitation and extension of expiring controls programs. It is expected that all developers will administer their own affordable housing units.

The Borough's affirmative marketing plan is designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to the affordable units located in the Borough. Additionally, the affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units and who reside in the Borough's housing region (Region 4), consisting of Mercer, Monmouth and Ocean counties.

The affirmative marketing plans include regulations for qualification of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance with N.J.A.C. 5:80-26.1 et seq. This plan must be adhered to by all private, non-profit, and municipal developers of affordable housing units and must cover the period of deed restriction or affordability controls on each affordable unit. A copy of the affirmative market plan is provided in Appendix 13 but will be updated by the Borough's Administrative Agent.

AFFORDABLE HOUSING TRUST FUND

Pennington has amended its development fee ordinance, a draft of which is included in Appendix 14. The Borough has prepared a new Spending Plan, provided in Appendix 9, which discusses anticipated revenues, collection of revenues, and the use of revenues, and it has been prepared in accordance with N.J.A.C. 5:99, the Fair Housing Act Rules. All collected revenues will be placed in the Borough's Affordable Housing Trust fund and will be disbursed for the use of eligible affordable housing activities including, but not limited to:

- Affordability assistance program; and
- Extension of expiring controls program; and
- Rehabilitation program; and
- Any other activity as specified in the approved spending plan.

The Borough is required to fund eligible programs in a Court-approved Housing Element and Fair Share Plan, as well as provide affordability assistance. At least 30% of collected development fees, excluding expenditures made since July 17, 2008, when affordability assistance became a statutory requirement in the Fair Housing Act, shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in a municipal Fair Share Plan. At least one-third (1/3) of the affordability assistance must be expended on very-low income units. Additionally, no more than 20% of

the revenues collected from development fees each year shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to prepare or implement a rehabilitation program, a new construction program, a housing element and fair share plan, and/or an affirmative marketing program.

Appendix 1

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Prepared by:


Edwin W. Schmierer, Esq.

Deed Restriction

To Accessory Apartment Rental Property With Covenants Restricting Rentals, Conveyances and Improvements And Requiring Notice of Foreclosure and Bankruptcy

THIS DEED RESTRICTION, is entered into as of this 1th day of JUNE, 2012, by and between:

Craig Lewis and Antonia Lewis, husband and wife, having an address at 20 East Welling Avenue, Pennington, New Jersey ("Owner"), and

Borough of Pennington, having an address at 30 North Main Street, Pennington, New Jersey ("Borough"),

WITNESSETH

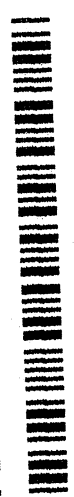
Article I. Consideration. In consideration of the subsidies received by the Owner from the Borough for the development of an accessory apartment rental unit ("Accessory Apartment") located on certain real property owned in fee simple by the Owner, described below, the Owner hereby agrees to abide by the covenants, terms and conditions set forth in this Deed Restriction with respect to the land and improvements specifically described below.

Article II. Description of Property. The property that is the subject of this Deed Restriction consists of all of the land and a portion of the improvements thereon, that is located in the Borough of Pennington, County of Mercer and State of New Jersey, designated as Lot 23 in Block 1002 on the Pennington Borough Tax Map, and known by the street address 20 East Welling Avenue, Pennington, New Jersey. The Property is described in Exhibit A attached hereto and made a part hereof, and the Accessory Apartment is shown on Exhibit B, attached hereto and made a part hereof.

Article III. Affordable Housing Covenants. The following covenants (ACovenants@) shall run with the land for a period of ten (10) years, beginning on the date of the initial occupancy of the Accessory Apartment as stated in the initial Lease for the rental of the Accessory Apartment by an income-eligible household, and ending after the expiration of the ten (10) year period ("Control Period").

- A. Sale, rental and use of the Accessory Apartment is governed by regulations known as the Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, Chapter 80, Subchapter 26 (N.J.A.C. 5:80-26.1, et seq) ("Uniform Controls").
- B. The Accessory Apartment shall be used solely for the purpose of providing an affordable housing rental dwelling unit for low-income qualified households, as defined by applicable State and local laws and regulations governing affordable housing as the same may now exists or be amended and supplemented from time to

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PAULA SOLLANI COVELLO COUNTY CLERK, MERCER COUNTY NEW JERSEY



time, and no commitment for any such dwelling unit shall be given or implied, without exception, to any person who has not been certified for that unit in writing by the Borough or its administrative agent. For as long as the Property remains within the Control Period, sale of the Property shall be expressly subject to this Deed Restriction. Deeds of conveyance for the Property must have this Deed Restriction appended thereto, and no sale of the Property shall be lawful, unless approved in advance and in writing by the Borough or its administrative agent.

- C. No improvements may be made to the Accessory Apartment that would affect the bedroom configuration of the dwelling unit, and any improvements to the Accessory Apartment must be approved in advance and in writing by the Borough or its administrative agent.
- D. The Owner shall notify the Borough of any foreclosure actions filed with respect to the Property within five (5) business days of service upon Owner.
- E. The Owner shall notify the Borough within three (3) business days of the filing of any petition for protection from creditors or reorganization filed by or on behalf of the Owner.
- F. At the expiration of the Control Period the Accessory Apartment shall cease to exist unless Owner continues to use the Accessory Apartment as an affordable housing rental dwelling unit for low-income qualified households.

Article IV. Foreclosure. This Deed Restriction shall not be terminated in the event of a Judgment of Foreclosure on the Property that includes the Accessory Apartment. An Execution of Foreclosure Sale shall not result in a release of the Accessory Apartment from the provisions and restrictions of this Deed Restriction.

Article V. Remedies for Breach of Affordable Housing Covenants. A breach of the Covenants will cause irreparable harm to the Borough and to the public, in light of the public policies set forth in the New Jersey Fair Housing Act, the Uniform Housing Affordability Control rules found at N.J.A.C. 5:80-26, and the obligation for the provision of low and moderate-income housing.

- A. In the event of a threatened breach of any of the Covenants by the Owner, or any successor in interest or other owner of the Property, the Borough shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance.
- B. Upon the occurrence of a breach of any Covenants by the Owner, or any successor in interest or other owner of the Property, the Borough shall have all remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

IN WITNESS WHEREOF, the Borough and the Owner have executed this Deed Restriction in triplicate as of the date first above written.

Witness/Attest:

BOROUGH OF PENNINGTON, a municipal corporation of the State of New Jersey

Elizabeth Sterling
Elizabeth Sterling, Clerk

Anthony Persichilli
By: Anthony Persichilli, Mayor

Mary W. Mustetta

Craig Lewis
Craig Lewis, Owner

Mary W. Mustetta

Antonia Lewis
Antonia Lewis, Owner

ACKNOWLEDGMENTS

STATE OF NEW JERSEY)
COUNTY OF MERCER)SS.

I CERTIFY that on JUNE 7, 2012,

Elizabeth Sterling, personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the Clerk of THE BOROUGH OF PENNINGTON, a municipal corporation of the State of New Jersey, the corporation named in this deed;

(b) this person is the attesting witness to the signing of this document by the proper corporate officer who is Anthony Persichilli, Mayor;

(c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its governing body;

(d) this person knows the proper seal for the corporation which was affixed to this deed;

(e) this person signed this proof to attest to the truth of these facts.

Elizabeth Sterling
Elizabeth Sterling, Clerk

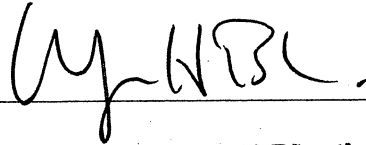
Signed and sworn to before me
on JUNE 7, 2012.

Wayne H Blauth
Notary Public

Wayne H Blauth
Notary Public
State of New Jersey
My Commission Expires 04-14-2014

STATE OF NEW JERSEY)
COUNTY OF MERCER)SS.

I CERTIFY that on JUNE 8, 2012, Craig Lewis and Antonia Lewis, husband and wife, personally came before me and acknowledged under oath, to my satisfaction, that this person: (a) is named in and personally signed this document; and (b) signed, sealed and delivered this document as his act and deed.



Wayne H Blauth
Notary Public
State of New Jersey
My Commission Expires 04-14-2014

EXHIBIT A

Division of Van Note-Harvey Associates, P.C.
Land Surveyors
777 Alexander Road
P.O. Box 3227
Princeton, New Jersey 08543-3227

Order No. 35958-400-11
Pennington Borough Tax Map
Sheet 8
Block 28.05
Lot 18

DESCRIPTION OF LOT 18 IN BLOCK
28.05 AS SHOWN ON SHEET 8 OF THE
PENNINGTON BOROUGH TAX MAP
SITUATE LYING AND BEING IN THE
BOROUGH OF PENNINGTON, COUNTY
OF MERCER, STATE OF NEW JERSEY.
October 6, 2004

BEGINNING at a **POINT** in the southerly right-of-way line of East Welling Avenue a 70 foot wide right-of-way, said point being S 88 degrees 50 minute 00 seconds E from the intersection of the easterly right-of-way line of South Main Street a 100 foot wide right-of-way with the said southerly right-of-way line of East Welling Avenue and from said **BEGINNING POINT** running, thence;

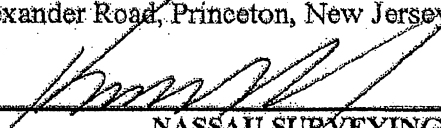
- (1) Along the said southerly right-of-way line of East Welling Avenue, S 88 degrees 50 minutes 00 seconds E, 80.00 feet to a point corner to Lot 19.01 Block 28.05 lands N/F Donald E. Blankenbush, thence;
- (2) Along the westerly line of said lands, S 03 degrees 35 minutes 00 seconds W, 200.00 feet to a point corner to Lot 64 Block 28.05 lands N/F John A. & Linda M. Oliver, thence;
- (3) Along the northerly line of said lands and continuing along the northerly line of Lot 63 Block 28.05 lands N/F Jacques G. Ruch, N 88 degrees 50 minutes 00 seconds W, 80.00 feet to a point corner to Lot 17 Block 28.05 lands N/F Norah F. Ducharme, thence;
- (4) Along the easterly line of said lands, N 03 degrees 35 minutes 00 seconds E, 200.00 feet to the **POINT** and **PLACE** of **BEGINNING**.

Containing 15,986 square feet or 0.37 acres of land more or less.

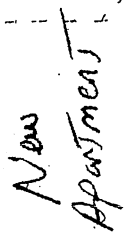
The above described premises being subject to and/or together with any easements and/or declarations of record.

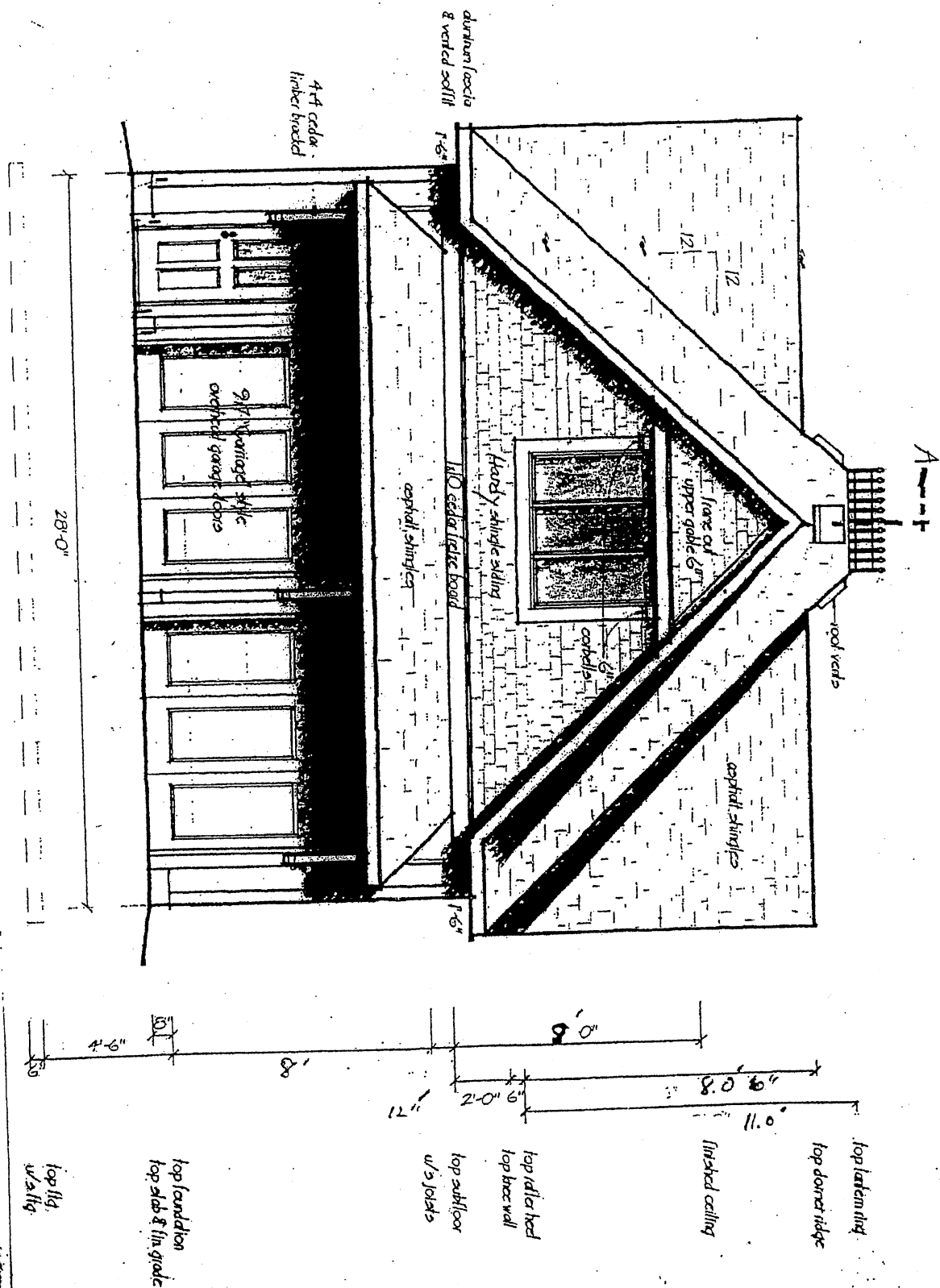
The above described premises as being shown on a plan entitled, "Plan of Survey of Lot 18, Block No. 28.05 of property for Craig and Antonia Lewis, situate in Pennington Borough, Mercer County, New Jersey, Scale 1"=20', dated October 5, 2004" prepared by Van Note-Harvey Associates, P.C., Land Surveyors, 777 Alexander Road, Princeton, New Jersey, 08540.

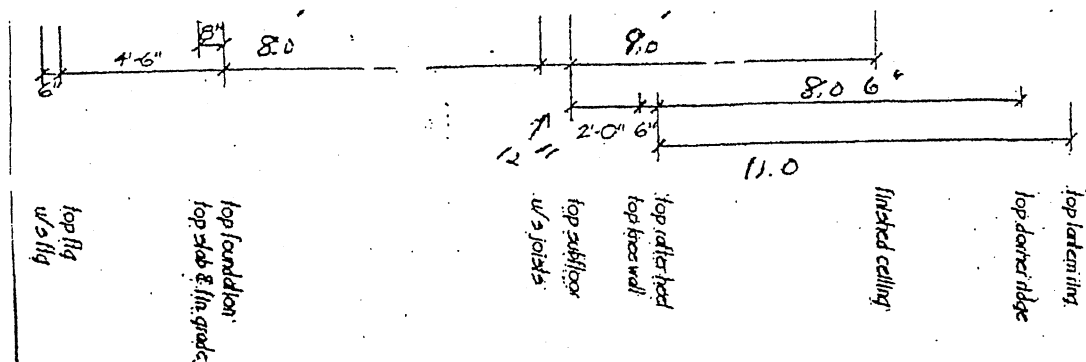
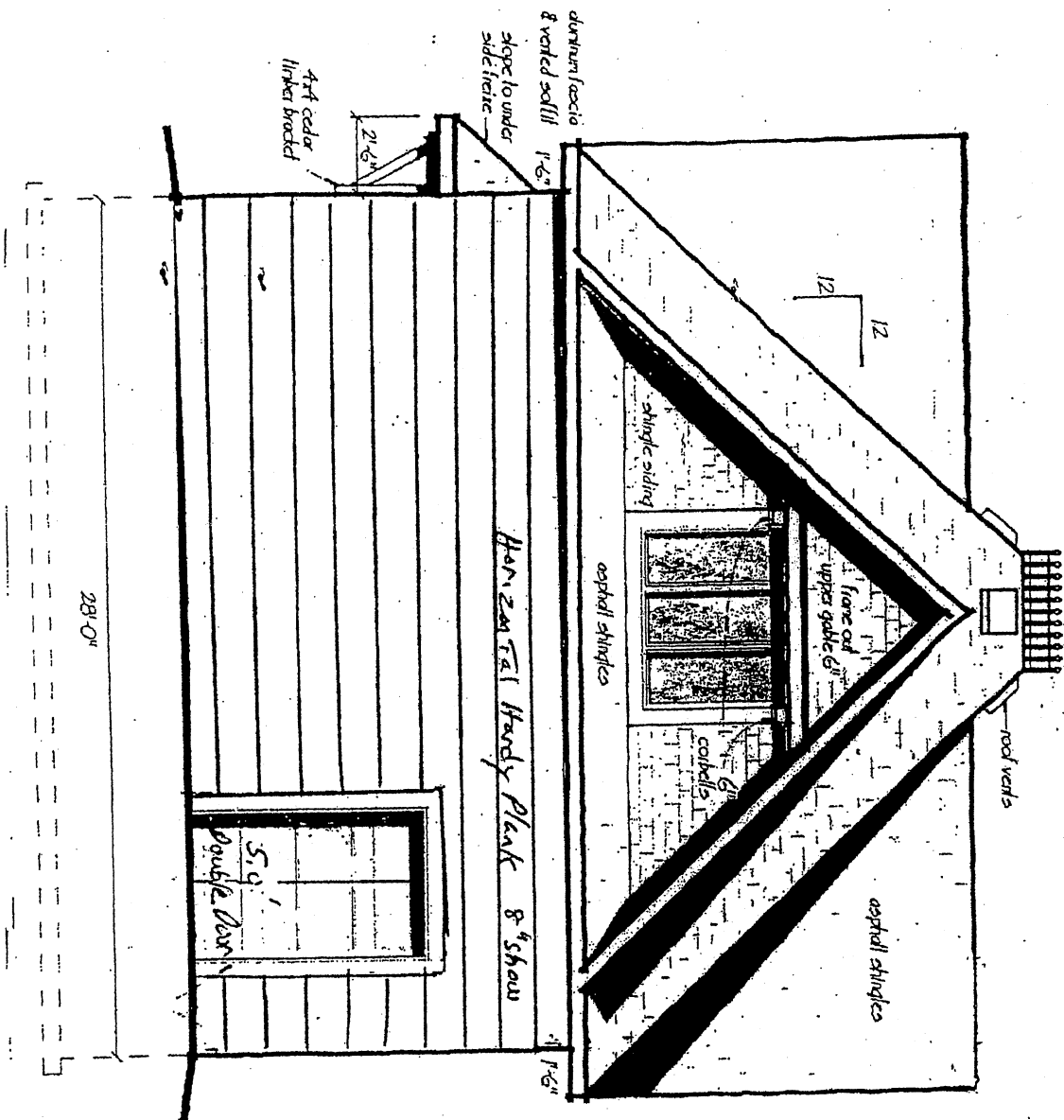
According to a legal description by Nassau Surveying, a Division of Van Note-Harvey Associates, P.C., Land Surveyors, 777 Alexander Road, Princeton, New Jersey, 08540.

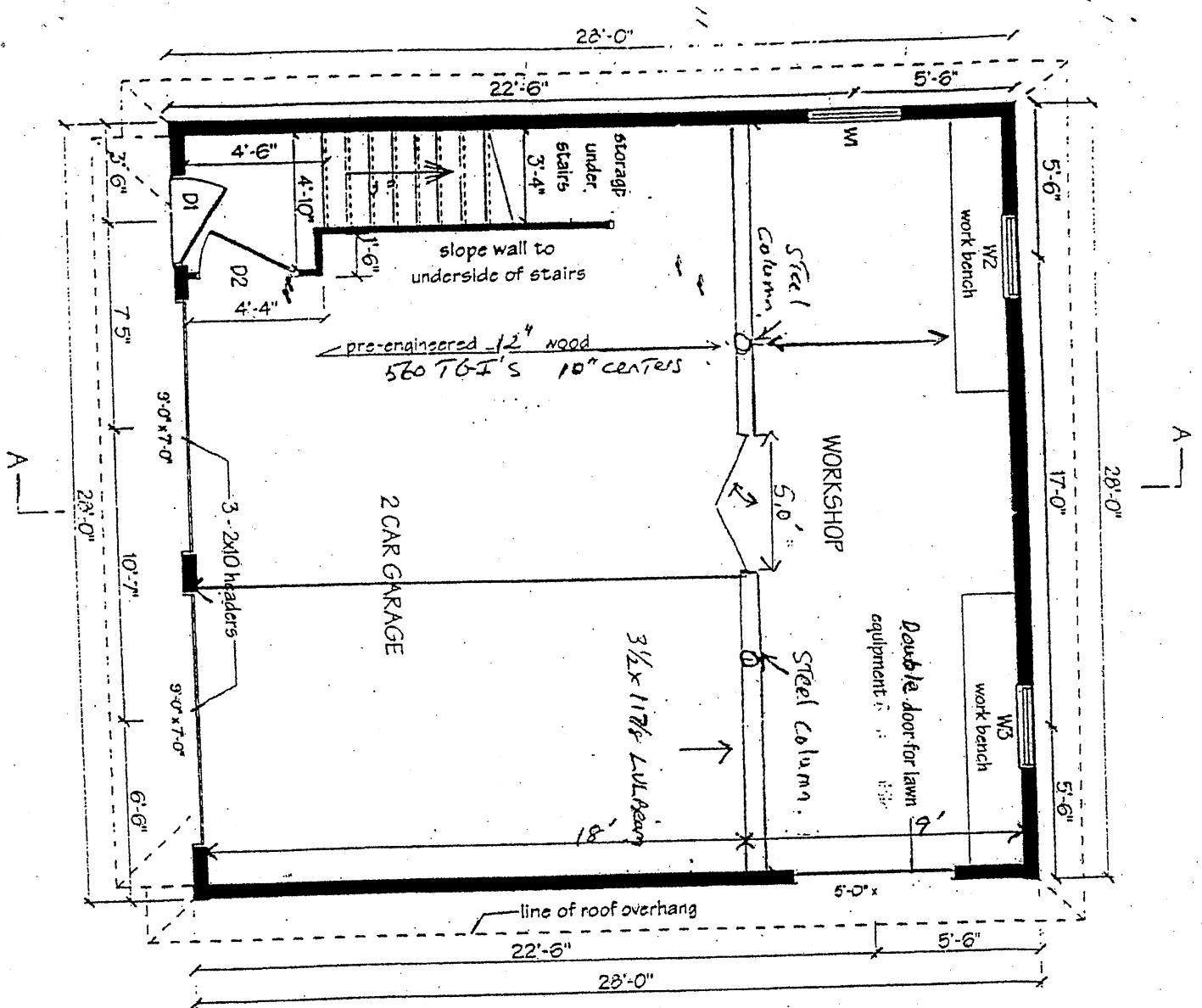

NASSAU SURVEYING
DIVISION OF VAN NOTE-HARVEY ASSOCIATES, P.C.
KENNETH R. RAIKE
NEW JERSEY PROFESSIONAL LAND SURVEYOR #36753

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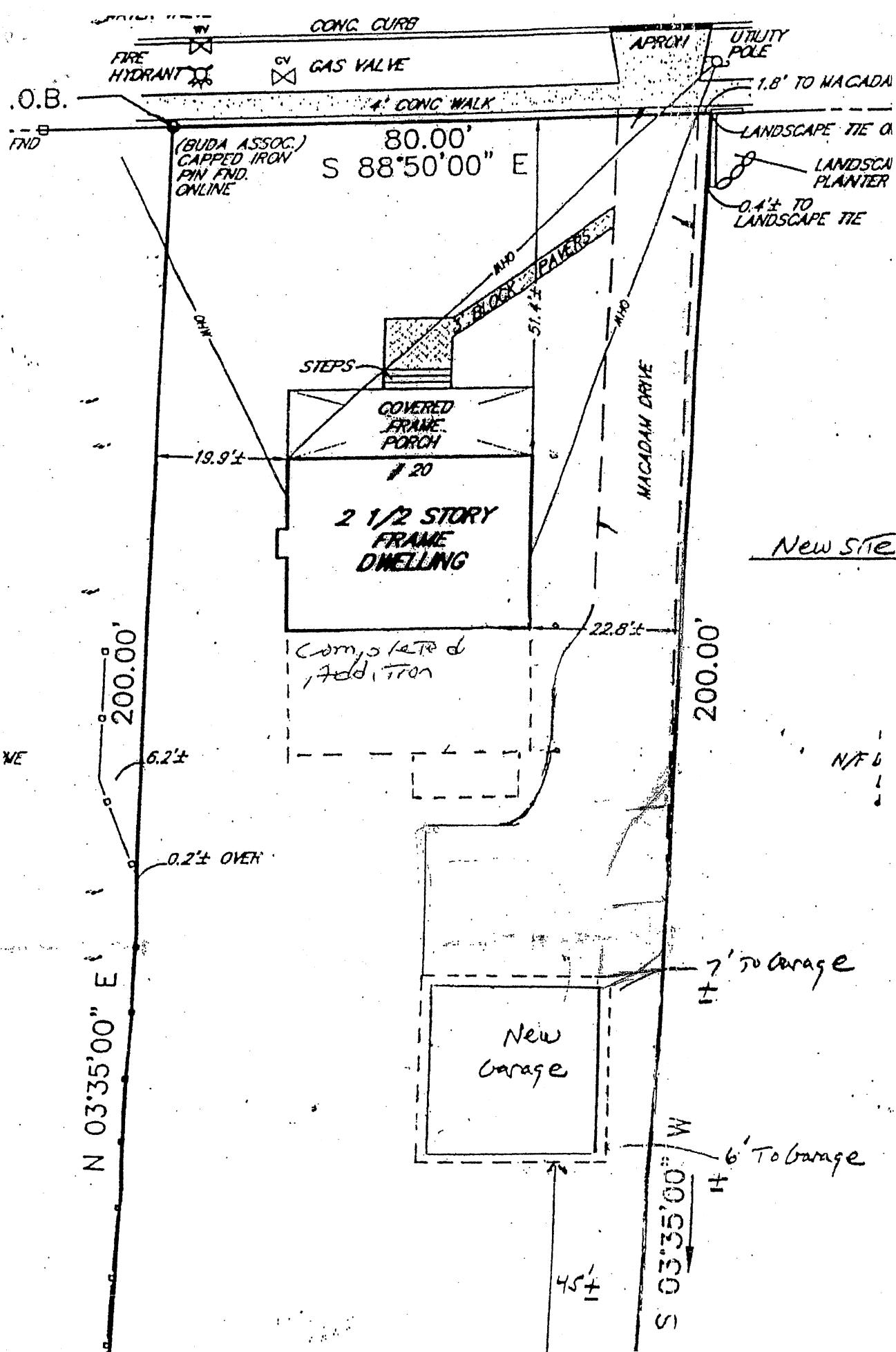








- NOTES:
1. All exterior wall widths nominal 6"
 2. All interior wall widths nominal 4" except as noted otherwise



New Site Plan

DEED RESTRICTION

Dated: June 7th, 2012

CRAIG LEWIS and ANTONIA LEWIS,
husband and wife,

Owner,

AND

BOROUGH OF PENNINGTON,

Borough.

Record and Return to:
Mason, Griffin & Pierson, P.C.
101 Poor Farm Road
Princeton, NJ 08540

Appendix 2

§ 215-xx H-MU Highway Mixed Use Zone, Draft 1

- A) Purpose. The purpose of this zone is to steadily transform the area covered by the previous commercial-only § 215-72 Business Highway B-H and § 215-73 Office Business O-B zones into a mixed-use zone that integrates a variety of housing and commercial uses. It is envisaged that the housing will be in high density, attached, multi-story buildings providing opportunities for deed-restricted affordable housing to help meet the Borough's fourth round obligation and non-restricted housing that is affordable to new residents wishing to join the Pennington community. It will also replace § 215-78.2 Route 31 Corridor Business Overlay zone which attempted to diversify the area it covered from large lots (65,000 sq.ft.) to smaller lots (10,000 sq.ft.) and permit uses that would create a pedestrian-oriented shopping environment consistent with the character of the surrounding community. The Overlay zone did not include housing.
- B) Building configurations permitted.
- 1) Mixed commercial and attached residences, with a maximum height of 45 feet.
 - a) No more than 3 stories
 - b) Retail and other public-facing businesses allowed only on the first (ground) floor, subject to the permitted primary, secondary, conditional, and prohibited uses in sections below.
 - c) Executive or administrative, general business and professional offices allowed on first and second floors.
 - d) No more than 24 residences per floor.
 - 2) Attached residences, including those with ground floor indoor parking
 - a) No more than 3 stories, in addition to the parking floor, with a maximum height of 45 feet.
 - b) No business or commercial uses allowed.
 - c) Not permitted to front directly on State Route 31.
 - 3) Commercial and business use only
 - a) Existing commercial and business-use buildings in the zone as of the date of approval of this ordinance may continue as they are, or be modified in the future, subject to the permitted primary, secondary, conditional, and prohibited uses in sections C, D, E and F below.
 - b) Where substantial modifications to sites are contemplated, the owner of the site is encouraged to create residential, or mixed residential and commercial buildings, on the site to help the Borough move towards a more diversified and affordable supply of housing.
- C) Design and other regulations for all buildings
- 1) All lands and uses in the H-MU Zone shall comply with the regulations set forth in the Schedule of Area, Yard and Building Regulations.
 - 2) More than one building shall be permitted on a lot, provided that the total floor area ratio and total lot coverage of the combined uses/buildings on the lot do not exceed the maximums specified for the zoning district for a use/building on an individual lot.

- 3) All portions of all buildings on one lot shall be compatibly designed with a common architectural motif, whether constructed all at one time or in stages over a period of time. The architectural design and material surface and color of all building walls on all sides of all buildings shall be suitably finished for aesthetic purposes and shall be compatible in design and scale with the surface materials existing within the neighborhood.
- 4) Subject to section A above, certain buildings may contain more than one principal permitted use, provided that the total floor area ratio and total building and lot coverages of the combined uses do not exceed the maximums specified for the zoning district, that each use occupies a minimum gross floor area of 500 square feet and that the combined off-street parking requirements for all uses are met.
- 5) All buildings shall be separated by a minimum of 30 feet where any part of such separation is to be used for parking or vehicular circulation.
- 6) Unless otherwise specifically approved by the Board as part of a site plan application, no merchandise, product, equipment or similar material or objects shall be displayed or stored outside, except where otherwise permitted by this chapter or the code of the Borough of Pennington. Where merchandise, products, equipment or similar material or objects are approved by the Board to be displayed or stored outside, the materials shall be suitably screened to be obscured from view from any adjacent residential uses and must be situated within the property lines of the principal use.
- 7) All portions of a lot not covered by buildings or structures (e.g., parking lots, parking spaces, loading areas, access aisles, driveways, sidewalks, walkways, curbs, trash enclosures, etc.) shall be suitably landscaped with grass, shrubs and trees and shall be maintained in good condition. In any case, no less than 35% of the area of any lot shall be so landscaped, and the landscaped area may include approved detention and/or retention basins.
- 8) Landscaping. Any front or side yard with a parking area visible from the street shall be screened with a row of shrubs at least two feet high when mature. Street trees shall be planted along any street frontage 30 to 40 feet on center, and foundation plantings shall be included along the building facade. A landscaped or grass strip at least five feet wide shall be provided along the front and side yard property lines
- 9) On-site circulation. Driveways with appropriate cross easements providing access between adjacent lots shall be permitted and provided where feasible. On-site circulation systems and parking areas shall be designed to accommodate the interconnection between adjacent lots.
- 10) Pedestrian access. Adequate and safe pedestrian access between uses or separate buildings in the development or on adjacent lots shall be provided, and the design of the development shall promote nonvehicular, pedestrian-friendly access, inclusive of bicycle racks, benches or other such amenities. Sidewalks shall be provided along street frontages and throughout the development.
- 11) Sign requirements. All signage shall be in accordance with the requirements specified in Article III, Sign Regulations, and specifically § 215-44 of this chapter.
- 12) Fences, walls and retaining walls should be in accordance with the provisions of § 215-24.
- 13) Roof-mounted solar panels are allowed and will be encouraged.
- 14) Geothermal heating is allowed and will be encouraged.

- D) Permitted business and commercial primary uses. In buildings or on sites where business or commercial use is permitted, the primary uses allowed shall be as follows:
- 1) Retail business and personal service establishments which are clearly of a community service character, such as restaurants, retail shops, studios, exercise facilities, barber and beauty salons.
 - 2) Restaurants, including those of a quick serve nature without a drive through window.
 - 3) Executive or administrative, general business and professional offices.
 - 4) Animal hospitals.
 - 5) Hardware stores.
 - 6) Wholesale business establishments other than cannabis wholesalers.
 - 7) Technical training centers provided all instruction is conducted indoors.
 - 8) Educational uses, other than schools and institutions of higher learning
 - 9) Child-care centers licensed by the Department of Human Services pursuant to P.L. 1983, c. 492 (N.J.S.A. 30:5B-1 et seq.).
 - 10) Municipal services, emergency response services and Post Office
 - 11) Other business uses which in the opinion of the Planning Board acting as a Board of Adjustment are similar in scale and service nature to those permitted above.
- E) Permitted secondary and accessory uses. For buildings and sites where business or commercial use is permitted, the secondary uses allowed shall be as follows:
- 1) Municipal parks, playgrounds and buildings deemed appropriate and necessary by the Borough Council of the Borough of Pennington.
 - 2) Garage and storage buildings which are necessary to store any vehicles, equipment or materials on the premises in conjunction with a permitted use.
 - 3) Off-street parking for the use of employees, customers and visitors.
 - 4) Sidewalk sales by adjacent retail merchandise stores when authorized by a permit issued by the Borough Clerk.
 - 5) Signs as permitted by Article III, Sign Regulations, and specifically § 215-44.
 - 6) Make ready infrastructure and electric vehicle charging stations.
 - 7) Outdoor dining associated with a permitted restaurant use.
 - 8) Outdoor recreation areas for permitted residential uses.
 - 9) Dog parks.
- F) Conditional business and commercial uses. The conditional uses allowed shall be as follows and shall be subject to the provisions of the indicated ordinances in Borough Code Chapter 215 Article VIII.
- 1) Public utility uses as a conditional use under N.J.S.A. 40:55D-67 (§ 215-80)
 - 2) Cannabis retailers, medical cannabis dispensaries and cannabis delivery services (§ 215-81)
 - 3) Schools and institutions of higher learning (§ 215-82)
 - 4) Scientific or research laboratories (§ 215-90)
 - 5) Health care facilities (§ 215-91)
 - 6) Banks (§ 215-95).
 - 7) Banks and financial institutions with drive-through facilities.
 - a) The drive-through facility shall be located to the rear of the building.

- b) For queuing purposes, room for at least two automobiles per drive-through window shall be provided.
- G) Prohibited uses. Any use not hereby specifically permitted is prohibited unless approved by the Planning Board acting as a Board of Adjustment. The following uses are hereby specifically prohibited:
- 1) Cannabis cultivators, cannabis manufacturers, cannabis wholesalers, cannabis distributors, medical cannabis cultivators, medical cannabis manufacturers and clinical registrants.
 - 2) Drive through facilities associated with a quick serve restaurant.
 - 3) No retail sales use may operate after 11:00 p.m. at night, and all site lights and signage shall be turned off at the close of business, except for a minimal amount of low-intensity security lighting specifically approved by the Planning Board.
- H) Permitted Residential Uses.
- 1) Objectives. The provisions of this subsection are intended to encourage the planning and construction of attached dwelling unit development within the H-MU Zone that meet the special needs of suburban families and at the same time protect and promote the health, safety and general welfare of the public and the Borough of Pennington.
 - 2) Qualifications. In order to qualify for consideration under the terms of this subsection, the site for any attached dwelling unit development shall be composed of a single tract of land, consisting of one or more contiguous lots. The physical conditions of the site, including soil type, ground water level, drainage and topography, shall be such as not to create hazards to the property or to the occupants, and the site shall not be subject to the possibility of subsidence or the reasonable probability of flooding or serious erosion.
 - 3) General requirements.
 - a) Access to site. Any attached dwelling unit site shall abut or have permanent access to an approved or existing public street. Private streets within the site of an attached dwelling development shall be permitted but shall be protected by a permanent easement and shall provide for safe and suitable vehicular circulation in the development at all times. Dead-end or cul-de-sac streets shall include adequate turning space.
 - b) Access to buildings. Convenient vehicular access to all buildings on the attached dwelling unit development site shall be provided for emergency equipment, furniture moving vans, fuel trucks where required, garbage collection, general deliveries of goods and snow removal. Pedestrian access to the rear of all buildings fronting on a public street shall be provided.
 - c) Access to dwelling units. A safe and convenient means for pedestrian access to all dwelling units shall be provided in such manner as not to require passage through any other dwelling unit.
 - d) Services and facilities. The development of the site shall be designed so that it does not infringe upon adjoining properties. Utilities and other similar facilities shall be provided for the development without dependence upon the availability of such services on adjoining properties. All attached dwelling unit developments shall be connected to and serviced by public systems for the provision of water and disposal of sanitary and storm sewage. Such public systems shall have been determined

- adequate to serve the proposed development by competent authority designated by the Borough Council.
- e) Occupancy of dwelling units. No dwelling unit shall be occupied until all other dwelling units in the same building are completed and ready for occupancy, having all utility connections completed, pedestrian and vehicular accessways improved and parking areas paved and drained as designed and a certificate of occupancy having been issued.
 - f) Compliance with other ordinances and regulations. The attached dwelling unit development shall conform to the recommendations of the Borough Master Plan regarding the creation of new streets, the widening of existing streets, drainage rights-of-way and conservation areas. Where subdivision of lands is required or desired by the developer of the attached dwelling unit development, in accordance with the provisions of Chapter 181, Subdivision of Land, the receipt of subdivision approval prior to proceedings under this chapter shall not in any way be construed to imply approval of the proposed attached dwelling unit development. Where the review and/or approval of the various elements or features of the proposed attached dwelling unit development is required to be received from any municipal, county or state agency or official, other than the Planning Board and Zoning Officer, such review and/or approval shall be obtained prior to proceedings hereinafter.
- 4) Design requirements. At a minimum, all attached dwelling unit developments shall comply with the following design requirements and standards:
- a) Site area. Site areas shall not be less than 20,000 square feet of usable land.
 - b) Floor area. Total floor area shall not exceed an amount equal to 80% of site area.
 - c) Coverage. Building area and related impervious surface coverage (parking areas, roads, walks, etc.) shall not exceed an amount equal to 60% of the site area.
 - d) Recreation area. Outdoor recreation space shall be provided in all developments of 30 or more units. Such outdoor recreation space shall not be less in area than an amount equal to 10% of the gross floor area of the development.
 - e) Parking spaces required. The Planning Board shall determine the number of off-street parking spaces required based on dwelling unit mix and size and related factors. Maximum requirement shall not exceed two spaces per unit nor shall be less than one and one half spaces per unit. The developer may elect, subject to the approval of the body conducting the site plan review, to improve only a portion of the area which has been designated for parking on the plan.
 - f) Buildings. Buildings shall not exceed 3 stories or 45 feet in height. Buildings shall not contain dwelling units above the third story nor below grade. Buildings shall be designed so that an offset of at least four feet shall occur between building segments containing no more than four dwelling units.
 - g) Dwelling unit mix and density. Each development shall contain a mixture of dwelling unit types in a ratio approved by the Planning Board. Maximum gross residential density shall not exceed twenty four (24) units per acre.
 - h) Building setbacks. Building setbacks shall provide adequate distance between buildings on the site and the abutting properties. However, no such setback need exceed a distance of 50 feet.

- i) Streets, roads, curbs, parking areas and sidewalks. All streets, roads, curbs, parking areas and sidewalks shall be constructed in accordance with Borough specifications furnished by the Borough Engineer.
 - j) Plantings. The character and appeal of the site shall be enhanced by retaining and protecting existing trees and other natural features of the site whenever possible and through the addition of new planting materials for privacy, shade, beauty of buildings and grounds, and to screen objectionable features. Plant materials to be provided shall be in scale with the composition of the buildings, the site and its various uses and surroundings. Plant materials shall be arranged to harmonize in size, shape, color, texture and winter characteristics with the buildings and development of the grounds. Plant location and spacing shall be determined by ultimate mature growth. Plant materials shall be indigenous to the area or be readily adaptable to the local climate and soil conditions. Plant materials shall not be excessively weedy in habit or growth characteristics nor be unduly subject to noxious pests or plant diseases.
 - k) Outdoor lighting. Attractive lighting fixtures for walks, steps, parking areas, streets and other facilities shall be provided at locations to assure the safe and convenient use of such facilities. Fixtures shall be placed and designed in keeping with the character of the development and be adequately shaded to screen the windows of dwelling units from the direct rays from the light fixtures.
 - l) Electric and telephone lines. All electric power and telephone transmission lines shall be installed underground at a depth and at such location as will minimize risk of interruption of services.
 - m) Screening. Fences, walls, shrubbery or other appropriate screening devices shall be installed around garbage and trash storage areas, parking areas, service areas and at such other locations deemed desirable or necessary by the Planning Board.
 - n) Laundry facilities. Each residential unit shall have its own laundry facilities.
- I) Off-street parking and loading requirements
- 1) Parking areas may be located within any of the required yard area, provided that they are not within 25 feet of the boundary of a residence zone or street line. Driveways shall be limited to two for each 200 feet of frontage on a public street.
 - 2) No parking, loading area, driveway or other structure (except for approved accessways, signs and fencing) shall be permitted within 5 feet of any property line and within 10 feet of any street line or residential zoning district, and such perimeter area shall be planted and maintained in lawn areas or ground cover and landscaped with shrubbery, except that;
 - a) No parking, loading area, driveway or other structure (except for approved accessways, signs and fencing) shall be permitted in the front yard area between the principal building.
 - b) The Planning Board may approve off-street parking in front yard areas between principal buildings and State Highway Route 31 where the existing development on the subject property (e.g., an existing building set back an excessive distance from the abutting street right-of-way) creates a practical difficulty in locating the required off-street parking in rear and/or side yard areas, provided that:

- (i) A minimum parking setback of 5 feet to any street line shall be provided, where feasible, and shall be planted and maintained in lawn area or ground cover and shall be landscaped with trees and shrubbery as approved by the Board; and
 - (ii) When approving the location of off-street parking in front yard areas, the Planning Board must find that parking may be located within the front yard area without adversely affecting neighboring properties.
- c) Driveways with appropriate cross-easements providing access between adjacent lots shall be permitted and provided, where feasible; on-site circulation systems and parking areas shall be designed to accommodate the interconnection between adjacent lots.
- 3) Each individual use shall provide parking spaces according to the following minimum provisions. Where a permitted use includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by computing individually the parking requirements for each different activity and adding the resulting numbers together:
 - a) Retail business uses: one space for each 300 square feet of sales floor area.
 - b) Personal and business service establishments: one space for each 300 square feet of floor area.
 - c) Professional and business offices, laboratories and technical training centers: one space for each 250 square feet of floor area or part thereof.
 - d) Restaurants: one space for each four seats, plus one space for each two employees.
 - e) Theaters and other similar places of public assembly: one space for each three seats.
 - f) Wholesale business establishments: one space for each 500 square feet of building area.
 - g) Offices, laboratories and technical training centers shall provide parking at the ratio of one parking space per 250 square feet of gross floor area or part thereof
 - h) Child-care centers shall provide parking at a ratio of one parking space per employee, plus one additional parking space for every eight children.
 - i) Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by computing individually the parking requirements for each different activity and adding the resulting numbers together
- 4) Parking areas for individual uses shall be designed to be interconnected with adjacent properties and shall utilize common entrance(s) and exit(s), where feasible, to minimize access points to the street.
- 5) Shared parking. Nothing in the above requirements shall be construed to prevent the employment of shared parking, which may be implemented in one of two manners:
 - (i) On-site shared parking. For parcels containing a multiple-occupant building or two or more buildings with different permitted uses, on-site shared parking may be implemented.
 - (a) A shared parking allowance of 50% shall be permitted for combining weekday uses with evening/weekend uses in the same building or in separate buildings on the same parcel. Office and retail uses are considered to be weekday uses, while residential and restaurant uses are considered to be evening/weekend uses.

- (b) Fifty percent of the parking requirement of the evening/weekend use of the building may be met through parking already provided for the weekday use. For example, a building contains office space that requires 20 parking spaces and residential units that require eight parking spaces. The residential parking is permitted to be reduced by 50% or four parking spaces. Therefore, the development would only be required to construct 24 parking spaces instead of 28.
 - (ii) Off-site shared parking. For parcels that cannot accommodate all or a portion of their required parking spaces, the differential parking requirement may be shifted to an adjacent property determined by the Zoning Officer to have parking in excess of zoning requirements or parking that is demonstrated to be unused during normal hours of operation. This would require the submission of a memorandum of agreement between the two property owners, which demonstrates the shifting of parking spaces from one site to an adjacent site.
- J) Off-street loading requirements and provision for garbage pickup.
 - 1) Each principal building or group of buildings shall provide at minimum one off-street loading space on site at the side or rear of the building or within the building. Any loading area shall have adequate ingress and egress from a public street and adequate space for maneuvering. There shall be no loading or unloading from the street or front yard area. Such space shall not infringe upon area required for off-street parking
 - 2) There shall be at least one trash and garbage pickup location on site within convenient access of the building being served, including provisions for the separation and collection of recyclable materials in accordance with the recycling requirements of Mercer County and in accordance with the following:
 - a) The trash and garbage pickup location shall be provided either within the building being served or in a pickup location outside the building;
 - b) If located within the building, the doorway may serve both the loading and trash/garbage functions, and if located outside the building, it may be located adjacent to or within the general loading area(s), provided the container in no way interferes with or restricts loading and unloading functions;
 - c) If located outside the building, the trash and garbage pickup location shall include a fully enclosed trash and garbage container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of all three. Enclosures shall be constructed of masonry material consistent with the architectural design of the buildings.

Appendix 3

§ 215-xx MU Highway Mixed Use Zone, Draft 1

- A) Purpose. The purpose of this zone is to provide opportunities for small-scale mixed-use developments in locations other than the Route 31 corridor. It is envisaged that the housing will be in high density, attached, multi-story buildings providing opportunities for deed-restricted affordable housing to help meet the Borough's fourth round obligation and non-restricted housing that is affordable to new residents wishing to join the Pennington community.
- B) Building configurations permitted.
- 1) Mixed commercial and attached residences, with a maximum height of 45 feet.
 - a) No more than 3 stories
 - b) Retail and other public-facing businesses allowed only on the first (ground) floor, subject to the permitted primary, secondary, conditional, and prohibited uses in sections below.
 - c) No more than 8 residences per floor.
 - 2) Attached residences, including those with ground floor indoor parking
 - a) No more than 3 stories, in addition to the parking floor, with a maximum height of 45 feet.
 - b) No business or commercial uses allowed.
 - c) Not permitted to front directly on public street.
- C) Design and other regulations for all buildings
- 1) All lands and uses in the MU Zone shall comply with the regulations set forth in the Schedule of Area, Yard and Building Regulations.
 - 2) More than one building shall be permitted on a lot, provided that the total floor area ratio and total lot coverage of the combined uses/buildings on the lot do not exceed the maximums specified for the zoning district for a use/building on an individual lot.
 - 3) All portions of all buildings on one lot shall be compatibly designed with a common architectural motif, whether constructed all at one time or in stages over a period of time. The architectural design and material surface and color of all building walls on all sides of all buildings shall be suitably finished for aesthetic purposes and shall be compatible in design and scale with the surface materials existing within the neighborhood.
 - 4) Subject to section A above, certain buildings may contain more than one principal permitted use, provided that the total floor area ratio and total building and lot coverages of the combined uses do not exceed the maximums specified for the zoning district, that each use occupies a minimum gross floor area of 500 square feet and that the combined off-street parking requirements for all uses are met.
 - 5) All buildings shall be separated by a minimum of 30 feet where any part of such separation is to be used for parking or vehicular circulation.
 - 6) Unless otherwise specifically approved by the Board as part of a site plan application, no merchandise, product, equipment or similar material or objects shall be displayed or stored outside, except where otherwise permitted by this chapter or the code of the Borough of Pennington. Where merchandise, products, equipment or similar material or

objects are approved by the Board to be displayed or stored outside, the materials shall be suitably screened to be obscured from view from any adjacent residential uses and must be situated within the property lines of the principal use.

- 7) All portions of a lot not covered by buildings or structures (e.g., parking lots, parking spaces, loading areas, access aisles, driveways, sidewalks, walkways, curbs, trash enclosures, etc.) shall be suitably landscaped with grass, shrubs and trees and shall be maintained in good condition. In any case, no less than 35% of the area of any lot shall be so landscaped, and the landscaped area may include approved detention and/or retention basins.
 - 8) Landscaping. Any front or side yard with a parking area visible from the street shall be screened with a row of shrubs at least two feet high when mature. Street trees shall be planted along any street frontage 30 to 40 feet on center, and foundation plantings shall be included along the building facade. A landscaped or grass strip at least five feet wide shall be provided along the front and side yard property lines
 - 9) On-site circulation. Driveways with appropriate cross easements providing access between adjacent lots shall be permitted and provided where feasible. On-site circulation systems and parking areas shall be designed to accommodate the interconnection between adjacent lots.
 - 10) Pedestrian access. Adequate and safe pedestrian access between uses or separate buildings in the development or on adjacent lots shall be provided, and the design of the development shall promote nonvehicular, pedestrian-friendly access, inclusive of bicycle racks, benches or other such amenities. Sidewalks shall be provided along street frontages and throughout the development.
 - 11) Sign requirements. All signage shall be in accordance with the requirements specified in Article III, Sign Regulations, and specifically § 215-44 of this chapter.
 - 12) Fences, walls and retaining walls should be in accordance with the provisions of § 215-24.
 - 13) Roof-mounted solar panels are allowed and will be encouraged.
 - 14) Geothermal heating is allowed and will be encouraged.
- D) Permitted business and commercial primary uses. In buildings or on sites where business or commercial or use is permitted, the primary uses allowed shall be as follows:
- 1) Retail business and personal service establishments which are clearly of a community service character, such as restaurants, retail shops, studios, exercise facilities, barber and beauty salons.
 - 2) Restaurants, excluding those of a quick serve nature.
 - 3) Executive or administrative, general business and professional offices.
 - 4) Hardware stores.
 - 5) Child-care centers licensed by the Department of Human Services pursuant to P.L. 1983, c. 492 (N.J.S.A. 30:5B-1 et seq.).
 - 6) Other business uses which in the opinion of the Planning Board acting as a Board of Adjustment are similar in scale and service nature to those permitted above.
- E) Permitted secondary and accessory uses. For buildings within the MU zone, the secondary uses allowed shall be as follows:

- 1) Municipal parks, playgrounds and buildings deemed appropriate and necessary by the Borough Council of the Borough of Pennington.
 - 2) Garage and storage buildings which are necessary to store any vehicles, equipment or materials on the premises in conjunction with a permitted use.
 - 3) Off-street parking for the use of employees, customers and visitors.
 - 4) Sidewalk sales by adjacent retail merchandise stores when authorized by a permit issued by the Borough Clerk.
 - 5) Signs as permitted by Article III, Sign Regulations.
 - 6) Make ready infrastructure and electric vehicle charging stations.
 - 7) Outdoor dining associated with a permitted restaurant use.
 - 8) Outdoor recreation areas for permitted residential uses.
 - 9) Dog parks.
- F) Conditional business and commercial uses. The conditional uses allowed shall be as follows and shall be subject to the provisions of the indicated ordinances in Borough Code Chapter 215 Article VIII.
- 1) Public utility uses as a conditional use under N.J.S.A. 40:55D-67 (§ 215-80)
- G) Prohibited uses. Any use not hereby specifically permitted is prohibited unless approved by the Planning Board acting as a Board of Adjustment. The following uses are hereby specifically prohibited:
- 1) Cannabis cultivators, cannabis manufacturers, cannabis wholesalers, cannabis distributors, cannabis retailers, medical cannabis cultivators, medical cannabis manufacturers and clinical registrants.
 - 2) Drive through facilities of any kind.
 - 3) No retail sales use may operate after 11:00 p.m. at night, and all site lights and signage shall be turned off at the close of business, except for a minimal amount of low-intensity security lighting specifically approved by the Planning Board.
- H) Permitted Residential Uses.
- 1) Objectives. The provisions of this subsection are intended to encourage the planning and construction of attached dwelling unit development within the MU Zone that meet the special needs of suburban families and at the same time protect and promote the health, safety and general welfare of the public and the Borough of Pennington.
 - 2) Qualifications. In order to qualify for consideration under the terms of this subsection, the site for any attached dwelling unit development shall be composed of a single tract of land, consisting of one or more contiguous lots. The physical conditions of the site, including soil type, ground water level, drainage and topography, shall be such as not to create hazards to the property or to the occupants, and the site shall not be subject to the possibility of subsidence or the reasonable probability of flooding or serious erosion.
 - 3) General requirements.
 - a) Access to site. Any attached dwelling unit site shall abut or have permanent access to an approved or existing public street. Private streets within the site of an attached dwelling development shall be permitted but shall be protected by a permanent easement and shall provide for safe and suitable vehicular circulation in the

- development at all times. Dead-end or cul-de-sac streets shall include adequate turning space.
- b) Access to buildings. Convenient vehicular access to all buildings on the attached dwelling unit development site shall be provided for emergency equipment, furniture moving vans, fuel trucks where required, garbage collection, general deliveries of goods and snow removal. Pedestrian access to the rear of all buildings fronting on a public street shall be provided.
 - c) Access to dwelling units. A safe and convenient means for pedestrian access to all dwelling units shall be provided in such manner as not to require passage through any other dwelling unit.
 - d) Services and facilities. The development of the site shall be designed so that it does not infringe upon adjoining properties. Utilities and other similar facilities shall be provided for the development without dependence upon the availability of such services on adjoining properties. All attached dwelling unit developments shall be connected to and serviced by public systems for the provision of water and disposal of sanitary and storm sewage. Such public systems shall have been determined adequate to serve the proposed development by competent authority designated by the Borough Council.
 - e) Occupancy of dwelling units. No dwelling unit shall be occupied until all other dwelling units in the same building are completed and ready for occupancy, having all utility connections completed, pedestrian and vehicular accessways improved and parking areas paved and drained as designed and a certificate of occupancy having been issued.
 - f) Compliance with other ordinances and regulations. The attached dwelling unit development shall conform to the recommendations of the Borough Master Plan regarding the creation of new streets, the widening of existing streets, drainage rights-of-way and conservation areas. Where subdivision of lands is required or desired by the developer of the attached dwelling unit development, in accordance with the provisions of Chapter 181, Subdivision of Land, the receipt of subdivision approval prior to proceedings under this chapter shall not in any way be construed to imply approval of the proposed attached dwelling unit development. Where the review and/or approval of the various elements or features of the proposed attached dwelling unit development is required to be received from any municipal, county or state agency or official, other than the Planning Board and Zoning Officer, such review and/or approval shall be obtained prior to proceedings hereinafter.
- 4) Design requirements. At a minimum, all attached dwelling unit developments shall comply with the following design requirements and standards:
- a) Site area. Site areas shall not be less than 20,000 square feet of usable land.
 - b) Floor area. Total floor area shall not exceed an amount equal to 80% of site area.
 - c) Coverage. Building area and related impervious surface coverage (parking areas, roads, walks, etc.) shall not exceed an amount equal to 60% of the site area.
 - d) Recreation area. Outdoor recreation space shall be provided in all developments of 30 or more units. Such outdoor recreation space shall not be less in area than an amount equal to 10% of the gross floor area of the development.
 - e) Parking spaces required. The Planning Board shall determine the number of off-street parking spaces required based on dwelling unit mix and size and related factors.

Maximum requirement shall not exceed two spaces per unit nor shall be less than one and one half spaces per unit. The developer may elect, subject to the approval of the body conducting the site plan review, to improve only a portion of the area which has been designated for parking on the plan.

- f) Buildings. Buildings shall not exceed 3 stories or 45 feet in height. Buildings shall not contain dwelling units above the third story nor below grade. Buildings shall be designed so that an offset of at least four feet shall occur between building segments containing no more than four dwelling units.
 - g) Dwelling unit mix and density. Each development shall contain a mixture of dwelling unit types in a ratio approved by the Planning Board. Maximum gross residential density shall not exceed twenty four (24) units per acre.
 - h) Building setbacks. Building setbacks shall provide adequate distance between buildings on the site and the abutting properties. However, no such setback shall exceed a distance of 25 feet.
 - i) Streets, roads, curbs, parking areas and sidewalks. All streets, roads, curbs, parking areas and sidewalks shall be constructed in accordance with Borough specifications furnished by the Borough Engineer.
 - j) Plantings. The character and appeal of the site shall be enhanced by retaining and protecting existing trees and other natural features of the site whenever possible and through the addition of new planting materials for privacy, shade, beauty of buildings and grounds, and to screen objectionable features. Plant materials to be provided shall be in scale with the composition of the buildings, the site and its various uses and surroundings. Plant materials shall be arranged to harmonize in size, shape, color, texture and winter characteristics with the buildings and development of the grounds. Plant location and spacing shall be determined by ultimate mature growth. Plant materials shall be indigenous to the area or be readily adaptable to the local climate and soil conditions. Plant materials shall not be excessively weedy in habit or growth characteristics nor be unduly subject to noxious pests or plant diseases.
 - k) Outdoor lighting. Attractive lighting fixtures for walks, steps, parking areas, streets and other facilities shall be provided at locations to assure the safe and convenient use of such facilities. Fixtures shall be placed and designed in keeping with the character of the development and be adequately shaded to screen the windows of dwelling units from the direct rays from the light fixtures.
 - l) Electric and telephone lines. All electric power and telephone transmission lines shall be installed underground at a depth and at such location as will minimize risk of interruption of services.
 - m) Screening. Fences, walls, shrubbery or other appropriate screening devices shall be installed around garbage and trash storage areas, parking areas, service areas and at such other locations deemed desirable or necessary by the Planning Board.
 - n) Laundry facilities. Each residential unit shall have its own laundry facilities.
- I) Off-street parking and loading requirements
- 1) Parking areas may be located within any of the required yard area, provided that they are not within 10 feet of the boundary of a residence zone or street line. Driveways shall be limited to two for each 200 feet of frontage on a public street.

- 2) No parking, loading area, driveway or other structure (except for approved accessways, signs and fencing) shall be permitted within 5 feet of any property line and within 10 feet of any street line or residential zoning district, and such perimeter area shall be planted and maintained in lawn areas or ground cover and landscaped with shrubbery, except that;
 - a) No parking, loading area, driveway or other structure (except for approved accessways, signs and fencing) shall be permitted in the front yard area between the principal building.
 - b) The Planning Board may approve off-street parking in front yard areas between principal buildings and a public street where the existing development on the subject property (e.g., an existing building set back an excessive distance from the abutting street right-of-way) creates a practical difficulty in locating the required off-street parking in rear and/or side yard areas, provided that:
 - (i) A minimum parking setback of 5 feet to any street line shall be provided, where feasible, and shall be planted and maintained in lawn area or ground cover and shall be landscaped with trees and shrubbery as approved by the Board; and
 - (ii) When approving the location of off-street parking in front yard areas, the Planning Board must find that parking may be located within the front yard area without adversely affecting neighboring properties.
 - c) Driveways with appropriate cross-easements providing access between adjacent lots shall be permitted and provided, where feasible; on-site circulation systems and parking areas shall be designed to accommodate the interconnection between adjacent lots.
- 3) Each individual use shall provide parking spaces according to the following minimum provisions. Where a permitted use includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by computing individually the parking requirements for each different activity and adding the resulting numbers together:
 - a) Retail business uses: one space for each 300 square feet of sales floor area.
 - b) Personal and business service establishments: one space for each 300 square feet of floor area.
 - c) Professional and business offices, laboratories and technical training centers: one space for each 250 square feet of floor area or part thereof.
 - d) Restaurants: one space for each four seats, plus one space for each two employees.
 - e) Child-care centers shall provide parking at a ratio of one parking space per employee, plus one additional parking space for every eight children.
 - f) Where a permitted use of land includes different specific activities with different specific parking requirements, the total number of required parking spaces shall be obtained by computing individually the parking requirements for each different activity and adding the resulting numbers together
- 4) Parking areas for individual uses shall be designed to be interconnected with adjacent properties and shall utilize common entrance(s) and exit(s), where feasible, to minimize access points to the street.
- 5) Shared parking. Nothing in the above requirements shall be construed to prevent the employment of shared parking, which may be implemented in one of two manners:

- (i) On-site shared parking. For parcels containing a multiple-occupant building or two or more buildings with different permitted uses, on-site shared parking may be implemented.
 - (a) A shared parking allowance of 50% shall be permitted for combining weekday uses with evening/weekend uses in the same building or in separate buildings on the same parcel. Office and retail uses are considered to be weekday uses, while residential and restaurant uses are considered to be evening/weekend uses.
 - (b) Fifty percent of the parking requirement of the evening/weekend use of the building may be met through parking already provided for the weekday use. For example, a building contains office space that requires 20 parking spaces and residential units that require eight parking spaces. The residential parking is permitted to be reduced by 50% or four parking spaces. Therefore, the development would only be required to construct 24 parking spaces instead of 28.
 - (ii) Off-site shared parking. For parcels that cannot accommodate all or a portion of their required parking spaces, the differential parking requirement may be shifted to an adjacent property determined by the Zoning Officer to have parking in excess of zoning requirements or parking that is demonstrated to be unused during normal hours of operation. This would require the submission of a memorandum of agreement between the two property owners, which demonstrates the shifting of parking spaces from one site to an adjacent site.
- J) Off-street loading requirements and provision for garbage pickup.
 - 1) Each principal building or group of buildings shall provide at minimum one off-street loading space on site at the side or rear of the building or within the building. Any loading area shall have adequate ingress and egress from a public street and adequate space for maneuvering. There shall be no loading or unloading from the street or front yard area. Such space shall not infringe upon area required for off-street parking
 - 2) There shall be at least one trash and garbage pickup location on site within convenient access of the building being served, including provisions for the separation and collection of recyclable materials in accordance with the recycling requirements of Mercer County and in accordance with the following:
 - a) The trash and garbage pickup location shall be provided either within the building being served or in a pickup location outside the building;
 - b) If located within the building, the doorway may serve both the loading and trash/garbage functions, and if located outside the building, it may be located adjacent to or within the general loading area(s), provided the container in no way interferes with or restricts loading and unloading functions;
 - c) If located outside the building, the trash and garbage pickup location shall include a fully enclosed trash and garbage container located in a manner to be obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of all three. Enclosures shall be constructed of masonry material consistent with the architectural design of the buildings.

Appendix 4

Borough of Pennington

ORDINANCE NO. ____

**AN ORDINANCE AMENDING CHAPTER 215 “ZONING”, ARTICLE VII “ZONE REGULATIONS” TO INCLUDE
NEW SECTION 215-78.6 ENTITLED “AH-4 AFFORDABLE HOUSING ZONE”**

WHEREAS, the Borough, as part of its fourth round Housing Element and Fair Share Plan, has identified property appropriate for rezoning to provide the opportunity for the construction of new multifamily dwellings, including a setaside of units affordable to low and moderate income households; and

WHEREAS, the Mayor and Council has endorsed the fourth round plan adopted by the Planning Board and is desirous of implementing the mechanism identified in that fourth round, which requires rezoning of the property.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Pennington, in the County of Mercer and State of New Jersey as follows:

Section I. **The following section shall be added to the Code, to read as follows:**

Section 215-78.6 “AH-4 Affordable Housing Zone”

- A. Intent. It is the intent of the AH-4 Affordable Housing Zone to provide the opportunity for the construction of new multifamily housing, including a setaside of units affordable to low and moderate income households.
- B. Low and moderate income housing requirements. Where residential dwelling units are proposed, a minimum of 20% of the total number of units proposed shall be deed restricted for occupancy by low and moderate income households. Thirteen percent (13%) of the total affordable housing units proposed shall be deed restricted for very low income households. All units shall comply with the Borough’s affordable housing ordinance, Chapter 58, the Fair Housing Act and the Uniform Housing Affordability Controls. Rental affordable housing units shall be deed restricted for a minimum period of 40 years and for-sale affordable housing units shall be deed restricted for a minimum period of 30 years.
- C. Permitted uses on the land and in the buildings.
 - (1) The following are principal permitted uses in the district:
 - (a) Garden apartments.
 - (b) More than one principal building.
 - (2) Accessory uses permitted.
 - (a) Off-street parking
 - (b) Signs
 - (c) Fences and walls
 - (d) Outdoor recreation facilities for use by residents.
 - (e) Stormwater management facilities
 - (f) Utilities including but not limited to transformers

- (g) Solar panels mounted to the roof of a building
 - (h) Electric vehicle charging infrastructure and electric vehicle charging stations
- D. Bulk standards.
- (1) The following bulk standards are required for garden apartments:
 - (a) Minimum tract area: 10,000 square feet
 - (b) Minimum front yard setback: 8 feet
 - (c) Minimum side yard setback: 10 feet
 - (d) Minimum rear yard setback: 10 feet
 - (e) Minimum setback of parking from tract boundary: 5 feet
 - (f) Maximum permitted building coverage: 40%
 - (g) Maximum permitted impervious coverage: 80%
 - (h) Maximum permitted building height: 38 feet and 2 ½ stories
 - (i) Minimum landscaped buffer adjacent to existing public streets: 5 feet
 - (j) Minimum distance from building to parking spaces: 5 feet
- E. Facilities for recyclable materials.
- (1) There shall be included in any new multifamily housing development an indoor or outdoor recycling area for the collection and storage of residentially generated recyclable materials. The dimensions of the recycling area shall be sufficient to accommodate recycling bins or containers which are of adequate size and number and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The dimensions of the recycling area and the bins or containers shall be determined in consultation with the Township's Recycling Coordinator and shall be consistent with the district recycling plan adopted pursuant to Section 3 of P.L. 1987, c. 102 (N.J.S.A. 13:1E-99.13) and any applicable requirements of the Township's Master Plan.
 - (2) The recycling area shall be conveniently located for the residential disposition of source-separated recyclable materials, preferably near, but clearly separated from, a refuse dumpster.
 - (3) The recycling area shall be well lit and shall be safely and easily accessible by recycling personnel and vehicles. Collection vehicles shall be able to access the recycling area without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the recycling area and the bins and containers placed therein against theft of recyclable materials, bins or containers.
 - (4) The recycling area or the bins or containers placed therein shall be designed so as to provide protection against adverse environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard and which are located in an outdoor area shall be equipped with a lid or otherwise covered so as to keep the paper or cardboard dry.
 - (5) Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.
 - (6) Landscaping and/or fencing shall be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner.

Section II. *Severability*

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Township of Mantua declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section III. ***Effective Date.***

This ordinance shall take effect immediately upon passage and publication according to law.

APPROVED: _____
Mayor

ATTEST: _____
Borough Clerk

Introduced:

Adopted:

Appendix 5

Borough of Pennington

ORDINANCE NO. ____

**AN ORDINANCE AMENDING CHAPTER 215 “ZONING”, ARTICLE VII “ZONE REGULATIONS” TO INCLUDE
NEW SECTION 215-78.5 ENTITLED “AH-3 AFFORDABLE HOUSING ZONE”**

WHEREAS, the Borough, as part of its fourth round Housing Element and Fair Share Plan, has identified property appropriate for rezoning to provide the opportunity for the construction of new multifamily dwellings, including a setaside of units affordable to low and moderate income households; and

WHEREAS, the Mayor and Council has endorsed the fourth round plan adopted by the Planning Board and is desirous of implementing the mechanism identified in that fourth round, which requires rezoning of the property.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Pennington, in the County of Mercer and State of New Jersey as follows:

Section I. **The following section shall be added to the Code, to read as follows:**

Section 215-78.5 “AH-3 Affordable Housing Zone”

- A. Intent. It is the intent of the AH-3 Affordable Housing Zone to provide the opportunity for the construction of new multifamily housing, including a setaside of units affordable to low and moderate income households.
- B. Low and moderate income housing requirements. Where the affordable housing units proposed are for-rent, a minimum of 15% of the total number of units proposed shall be deed restricted for occupancy by low and moderate income households. Where the affordable housing units proposed are for-sale, a minimum of 20% of the total number of units proposed shall be deed restricted for occupancy by low and moderate income households. Thirteen percent (13%) of the total affordable housing units proposed shall be deed restricted for very low income households. All units shall comply with the Borough’s affordable housing ordinance, Chapter 58, the Fair Housing Act and the Uniform Housing Affordability Controls. Rental affordable housing units shall be deed restricted for a minimum period of 40 years and for-sale affordable housing units shall be deed restricted for a minimum period of 30 years.
- C. Permitted uses on the land and in the buildings.
 - (1) The following are principal permitted uses in the district:
 - (a) Garden apartments.
 - (2) Accessory uses permitted.
 - (a) Off-street parking
 - (b) Signs
 - (c) Fences and walls
 - (d) Clubhouse and other typical amenities including but not limited to fitness centers, business centers, community rooms and libraries for use by residents

- (e) Recreation facilities including but not limited to a pool for use by residents, tennis courts, bocce ball courts and dog parks.
- (f) Stormwater management facilities
- (g) Utilities including but not limited to transformers
- (h) Solar panels mounted to the roof of a building
- (i) Electric vehicle charging infrastructure and electric vehicle charging stations

D. Bulk standards.

- (1) The following bulk standards are required for garden apartments:
 - (a) Minimum tract area: 10,000 square feet
 - (b) Minimum front yard setback: 8 feet
 - (c) Minimum side yard setback: 3 feet
 - (d) Minimum rear yard setback: 50 feet
 - (e) Minimum setback of parking from tract boundary: 2 feet
 - (f) Maximum permitted building coverage: 35%
 - (g) Maximum permitted impervious coverage: 80%
 - (h) Maximum permitted building height: 45 feet and 3 stories
 - (i) Maximum building length: 80 feet
 - (j) Minimum landscaped buffer adjacent to existing public streets: 5 feet
 - (k) Minimum distance from building to parking spaces: 10 feet

E. Facilities for recyclable materials.

- (1) There shall be included in any new multifamily housing development an indoor or outdoor recycling area for the collection and storage of residentially generated recyclable materials. The dimensions of the recycling area shall be sufficient to accommodate recycling bins or containers which are of adequate size and number and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The dimensions of the recycling area and the bins or containers shall be determined in consultation with the Township's Recycling Coordinator and shall be consistent with the district recycling plan adopted pursuant to Section 3 of P.L. 1987, c. 102 (N.J.S.A. 13:1E-99.13) and any applicable requirements of the Township's Master Plan.
- (2) The recycling area shall be conveniently located for the residential disposition of source-separated recyclable materials, preferably near, but clearly separated from, a refuse dumpster.
- (3) The recycling area shall be well lit and shall be safely and easily accessible by recycling personnel and vehicles. Collection vehicles shall be able to access the recycling area without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the recycling area and the bins and containers placed therein against theft of recyclable materials, bins or containers.
- (4) The recycling area or the bins or containers placed therein shall be designed so as to provide protection against adverse environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard and which are located in an outdoor area shall be equipped with a lid or otherwise covered so as to keep the paper or cardboard dry.
- (5) Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.
- (6) Landscaping and/or fencing shall be provided around any outdoor recycling area and shall

be developed in an aesthetically pleasing manner.

Section II. ***Severability***

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Township of Mantua declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section III. ***Effective Date.***

This ordinance shall take effect immediately upon passage and publication according to law.

APPROVED: _____
Mayor

ATTEST: _____
Borough Clerk

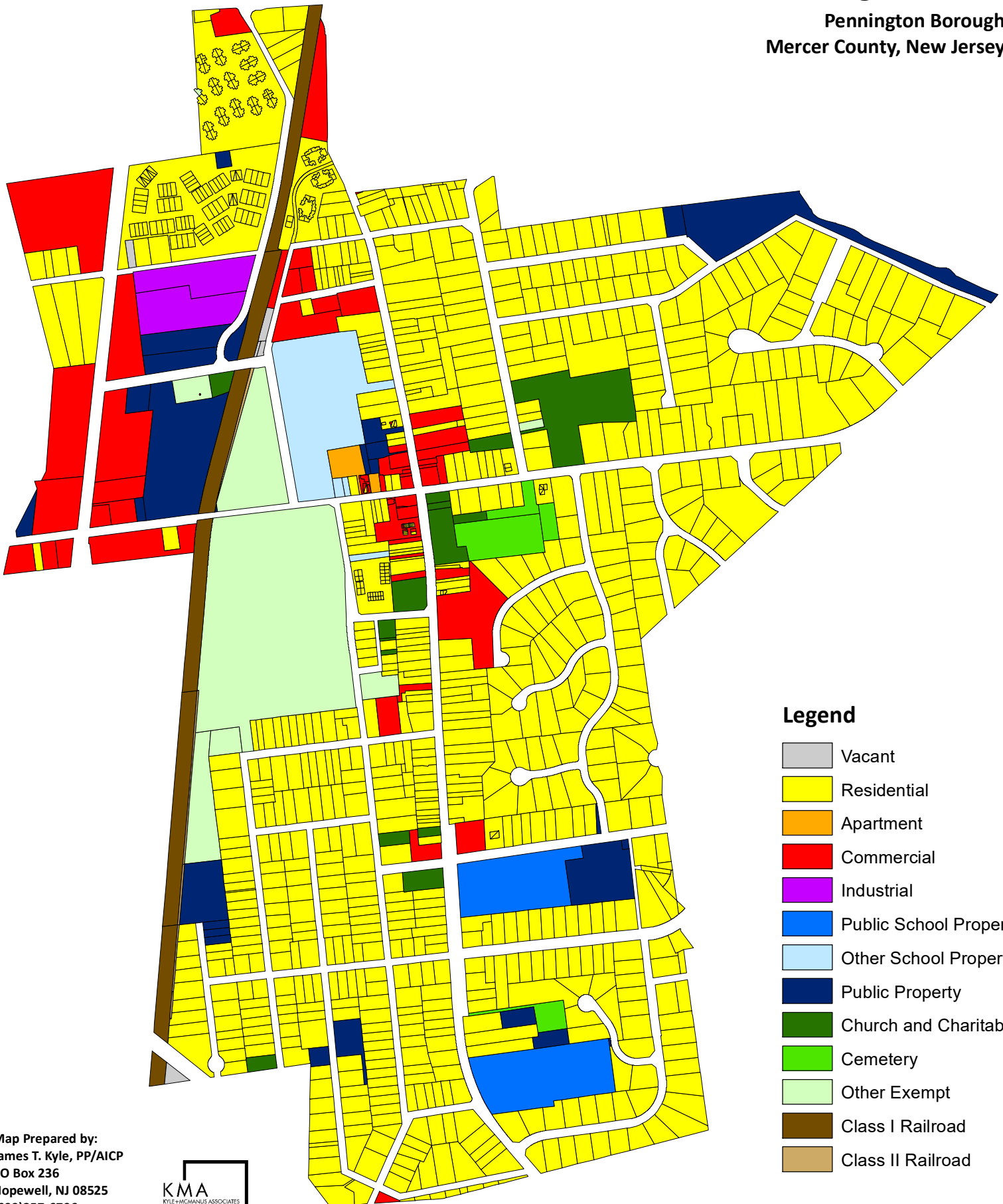
Introduced:

Adopted:

Appendix 6

Existing Land Use

Pennington Borough
Mercer County, New Jersey



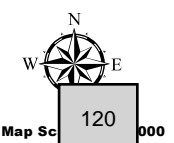
Legend

- Vacant
- Residential
- Apartment
- Commercial
- Industrial
- Public School Property
- Other School Property
- Public Property
- Church and Charitable
- Cemetery
- Other Exempt
- Class I Railroad
- Class II Railroad

Map Prepared by:
James T. Kyle, PP/AICP
PO Box 236
Hopewell, NJ 08525
(609)257-6706
jkyle@kylemcmanus.com



Data Sources:
NJ Office of Information Technology, Office of
Geographic Information Systems



Vacant and Publicly Owned Parcels

Pennington Borough
Mercer County, New Jersey



Legend

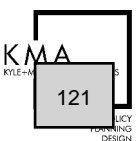
- Vacant
- Publicly Owned



Map Scale = 1:10,000

Map Prepared by:
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PO Box 236
Hopewell, NJ 08525
(609)257-6706
jkyle@kylemcmanus.com

Data Sources:
NJ Office of Information Technology, Office of
Geographic Information Systems



Borough of Pennington Vacant Land Analysis

Map ID	Block	Lot	Prop. Class	Acres	Comments	Developable Acres	RDP
0	404	1	15C	6.95	Listed on ROSI; Kunkel Park	0	0
1	701	5	15C	2.55	Hopewell Valley Senior Center	0	0
2	201	7	15C	0.43	County -owned; stormwater for Library	0	0
3	905	8	15C	1.07	Listed on ROSI; Sked St. Park	0	0
4	1002	45	15C	0.52	Listed on ROSI	0	0
5	205	36	15C	0.16	Borough hall/library/public parking	0	0
6	206	4	15C	0.58	Vacant/Borough-owned/Developable	0.58	1.39
7	205	16	15C	0.58	Borough hall/library/public parking	0	0
8	302	16	15C	0.58	Listed on ROSI; Kunkel Park	0	0
9	901	2	1	0.27	Too small to develop 5 units	0	0
10	701	7	15C	0.20	Hopewell Valley Senior Center	0	0
11	701	6	15C	0.20	Hopewell Valley Senior Center	0	0
12	701	8	15C	0.20	Hopewell Valley Senior Center	0	0
13	206	12	15C	0.21	Public drinking supply well	0	0
14	904	14	15C	0.35	Well house; public water system	0	0
15	205	37	15C	0.37	Borough hall/library/public parking	0	0
16	102	8	1	0.21	Too small to develop 5 units	0	0
17	203	3	1	0.25	Too small to develop 5 units	0	0
18	206	11	15C	0.01	Too small to develop 5 units	0	0
19	1003	16	15C	0.06	Well house; public water system	0	0
20	205	38	15C	0.13	Water tank	0	0
21	203	5	1	0.04	Too small to develop 5 units	0	0
22	203	4	1	0.08	Too small to develop 5 units	0	0
23	102	2	15C	0.23	Public drinking supply well	0	0
24	206	5	15C	7.81	Former landfill; contaminated	0	0
25	801	12	15C	0.08	Sliver of right-of-way; too small to develop 5 units	0	0
26	202	5	15C	1.26	Post office	0	0
27	203	6	15C	0.49	Vacant/Borough-owned/Developable	0.49	1.18
28	202	4	15C	1.66	Post office	0	0
29	1002	42	15C	0.01	Sliver of right-of-way; too small to develop 5 units	0	0
30	1003	15.02	15C	3.42	Listed on ROSI	0	0
31	1002	12.02	15C	0.57	Listed on ROSI	0	0
Notes:							2.57

1. RDP calculated based on 12 units per acre and a 20% setback.
2. Any parcel less than 0.42 acres is too small to support development of 5 units at 12 units per acre.

Appendix 7

Borough of Pennington

ORDINANCE NO. ____

**AN ORDINANCE AMENDING CHAPTER 215 “ZONING”, ARTICLE VII “ZONE REGULATIONS” TO INCLUDE
NEW SECTION 215-78.7 ENTITLED “AH-5 AFFORDABLE HOUSING ZONE”**

WHEREAS, the Borough, as part of its fourth round Housing Element and Fair Share Plan, has identified property appropriate for rezoning to provide the opportunity for the construction of new multifamily dwellings, including a setaside of units affordable to low and moderate income households; and

WHEREAS, the Mayor and Council has endorsed the fourth round plan adopted by the Planning Board and is desirous of implementing the mechanism identified in that fourth round, which requires rezoning of the property.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Pennington, in the County of Mercer and State of New Jersey as follows:

Section I. **The following section shall be added to the Code, to read as follows:**

Section 215-78.7 “AH-5 Affordable Housing Zone”

- A. Intent. It is the intent of the AH-4 Affordable Housing Zone to provide the opportunity for the construction of new multifamily housing, including a setaside of units affordable to low and moderate income households.
- B. Low and moderate income housing requirements. Where residential dwelling units are proposed , a minimum of 20% of the total number of units proposed shall be deed restricted for occupancy by low and moderate income households. Thirteen percent (13%) of the total affordable housing units proposed shall be deed restricted for very low income households. All units shall comply with the Borough’s affordable housing ordinance, Chapter 58, the Fair Housing Act and the Uniform Housing Affordability Controls. Rental affordable housing units shall be deed restricted for a minimum period of 40 years and for-sale affordable housing units shall be deed restricted for a minimum period of 30 years.
- C. Permitted uses on the land and in the buildings.
 - (1) The following are principal permitted uses in the district:
 - (a) Garden apartments.
 - (2) Accessory uses permitted.
 - (a) Off-street parking
 - (b) Signs
 - (c) Fences and walls
 - (d) Clubhouse and other typical amenities including but not limited to fitness centers, business centers, community rooms and libraries for use by residents
 - (e) Outdoor recreation facilities for use by residents.
 - (f) Stormwater management facilities

- (g) Utilities including but not limited to transformers
- (h) Solar panels mounted to the roof of a building
- (i) Electric vehicle charging infrastructure and electric vehicle charging stations

D. Bulk standards.

- (1) The following bulk standards are required for garden apartments:
 - (a) Minimum tract area: 10,000 square feet
 - (b) Minimum front yard setback: 0 feet
 - (c) Minimum side yard setback: 0 feet
 - (d) Minimum rear yard setback: 0 feet
 - (e) Minimum setback of parking from tract boundary: 0 feet
 - (f) Maximum permitted building coverage: 80%
 - (g) Maximum permitted impervious coverage: 90%
 - (h) Maximum permitted building height: 45 feet and 3 stories
 - (i) Maximum building length: 150 feet
 - (j) Minimum distance from building to parking spaces: 0 feet

E. Facilities for recyclable materials.

- (1) There shall be included in any new multifamily housing development an indoor or outdoor recycling area for the collection and storage of residentially generated recyclable materials. The dimensions of the recycling area shall be sufficient to accommodate recycling bins or containers which are of adequate size and number and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The dimensions of the recycling area and the bins or containers shall be determined in consultation with the Township's Recycling Coordinator and shall be consistent with the district recycling plan adopted pursuant to Section 3 of P.L. 1987, c. 102 (N.J.S.A. 13:1E-99.13) and any applicable requirements of the Township's Master Plan.
- (2) The recycling area shall be conveniently located for the residential disposition of source-separated recyclable materials, preferably near, but clearly separated from, a refuse dumpster.
- (3) The recycling area shall be well lit and shall be safely and easily accessible by recycling personnel and vehicles. Collection vehicles shall be able to access the recycling area without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the recycling area and the bins and containers placed therein against theft of recyclable materials, bins or containers.
- (4) The recycling area or the bins or containers placed therein shall be designed so as to provide protection against adverse environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard and which are located in an outdoor area shall be equipped with a lid or otherwise covered so as to keep the paper or cardboard dry.
- (5) Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.
- (6) Landscaping and/or fencing shall be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner.

Section II. *Severability*

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Township of Mantua declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section III. ***Effective Date.***

This ordinance shall take effect immediately upon passage and publication according to law.

APPROVED: _____
Mayor

ATTEST: _____
Borough Clerk

Introduced:

Adopted:

Appendix 8

Borough of Pennington

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 215 “ZONING”, ARTICLE II “GENERAL REGULATIONS” TO INCLUDE NEW SECTION 215-9.1 ENTITLED “MANDATORY SETASIDE OF AFFORDABLE HOUSING UNITS”

WHEREAS, the Borough, as part of its fourth round Housing Element and Fair Share Plan, has applied a vacant land adjustment to a portion of both its third and fourth round affordable housing obligations; and

WHEREAS, the Mayor and Council has endorsed the fourth round plan adopted by the Planning Board and is desirous of implementing a mechanism to capture affordable housing units in projects that are not planned at this time but may be proposed in the future.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Pennington, in the County of Mercer and State of New Jersey as follows:

Section I. **The following section shall be added to the Code, to read as follows:**

Section 215-9.1 “Mandatory Setaside of Affordable Housing Units”

- A. All residential development, including the residential portion of a mixed-use project, which consists of five (5) or more new residential units shall be required to setaside a minimum of 20% of the residential units be set aside for very low, low, and moderate income households, as set forth below.
- B. This requirement shall not apply to residential expansions, additions, renovations, replacement, or any other type of residential development that does not result in a net increase in the number of dwellings of five (5) or more.
- C. The developer shall provide that half of the affordable units constructed be reserved for low-income households and that the remaining half be reserved for moderate-income households. At least 13 percent of all restricted units shall be very low-income units (affordable to a household earning 30 percent or less of median income). The very-low income units shall be counted as part of the required number of low-income units within the development.
- D. Subdivision and/or site plan approval shall not be granted by the reviewing board unless the developer complies with the requirements to provide very low-, low-, and moderate-income housing pursuant to the provisions of this section. A property shall not be permitted to be subdivided so as to avoid meeting this requirement. The board may impose any reasonable conditions to ensure such compliance.

- E. This requirement does not create any entitlement for a property owner or applicant for a zoning amendment, variance, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project.
- F. This requirement shall not apply to sites or zoning districts identified in the Fair Share Plan where standards for the set-aside of affordable housing units have already been established.
- G. In the event application of the required set-aside percentage (15% or 20%) to the total number of residential units proposed does not result in a full integer, the developer shall round the required set-aside upward and construct a whole affordable unit when 0.5 unit or more is the resulting fraction of a unit.
- H. In the event application of the required 20% set-aside does not result in a full integer, the developer may round the required set-aside downward and make a payment-in-lieu of providing the affordable unit when 0.4 unit or less is the resulting fraction of a unit. The resulting fractional unit shall be multiplied by \$235,000 to determine the required payment-in-lieu. All payments-in-lieu of providing fractional units meeting the requirements of this section shall be deposited into the Borough of Pennington Affordable Housing Trust Fund.
- I. Any developer subject to the requirements of this section and who provides an affordable housing setaside shall not be subject to payment of residential development fees.
- J. All affordable housing units created shall comply with Chapter 58 of the Borough Code, Affordable Housing, the Uniform Housing Affordability Controls and any other ordinance or regulation applicable to affordable housing.

Section II. ***Severability***

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Pennington declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section III. ***Effective Date.***

This ordinance shall take effect immediately upon passage and publication according to law.

APPROVED: _____
Mayor

ATTEST: _____
Borough Clerk

Introduced:

Adopted:

Appendix 9

Borough of Pennington

Mercer County, NJ

Spending Plan

January 2, 2026

James T. Kyle, PP, AICP
New Jersey Professional Planning License No. 5667
Kyle McManus Associates
PO Box 236, Hopewell, NJ 08525

The original copy has been signed and sealed in accordance with N.J.A.C. 13:41-1.3

INTRODUCTION

The Borough of Pennington has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.).

Pennington has collected development fees since its first development fee ordinance was approved by COAH in the second round. As of May 30, 2025, the Borough has a balance of \$491,665.65 in its affordable housing trust fund account.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the remainder period the Fourth Round, Pennington considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the Land Use Board for development approvals that may apply for building permits and certificates of occupancy; and
3. Anticipated future development.

(b) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current annual percentage yield earned of 0.76% .

2

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

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

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Mantua's development fee ordinance for both residential and non-residential developments in accordance with COAH's rules, P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7) and P.L. 2009, c. 90 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

The Mayor and Council will review all requests/proposals for funding from the Borough's Housing Trust Fund to determine consistency with the approved Housing Element / Fair Share Plan and approved Spending Plan. All distributions from the Housing Trust Fund shall be authorized by a Resolution adopted by the governing body.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation program (N.J.A.C. 5:93-5.2)**

Rehabilitation program: Pennington intends to satisfy its rehabilitation obligation through a rehabilitation program. The Borough will dedicate a minimum of \$25,000 per unit from the Trust Fund to subsidize the rehabilitation program for a total of \$100,000.

(b) **Affordability Assistance (N.J.A.C. 5:93-8.16(c))**

- Affordability assistance: \$116,959 (includes the "very low" assistance requirement of \$35,088). As shown in Table II below.

Table II Minimum Affordability Assistance - 2025-2035	
Actual Development Fees Through 6/5/2025	\$491,666
Development Fees Projected Through 6/30/2035	\$0
Interest Projected 2025-2035	\$18,198
Total	\$509,864
Less money collected for specific mechanisms	\$120,000
Total	\$389,864
30% Affordability Assistance	\$116,959
Projected Minimum Very-Low Income Affordability Assistance	\$35,088

The Borough will dedicate a total of \$116,959 from the affordable housing trust fund to render units more affordable, including a minimum of \$35,088 to render units more affordable to households earning 30 percent or less of median income by region, with the following affordability assistance programs:

- i. Down payment assistance
- ii. Payment of closing costs
- iii. Payment of lender fees
- iv. Security deposit assistance
- v. First month's rent assistance
- vi. Payment of homeowner's association fees

The Borough will work with its administrative agent to prepare an affordability assistance manual for the fourth round.

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

Table III Administrative Expenses Maximum - 2025-2035	
Actual Development Fees Through 6/5/2025	\$491,666
20% Maximum	\$98,333

As shown in the expenditure schedule in Table IV, the Borough does not anticipate administrative costs exceeding \$33,000, which is well below the 20% maximum of \$99,333 identified in Table III.

4. EXPENDITURE SCHEDULE

Pennington intends to use affordable housing trust fund revenues to support its housing rehabilitation program, extension of expiring controls and to render units more affordable through offering of affordability assistance. The Borough proposes to allocate its Housing Trust Funds to the mechanisms in Table IV on the following page, within the required time period subsequent to the Court's approval of this Spending Plan.

The projected revenues from interest (Table I) combined with the present balance of \$491,665.65 in the Borough's Housing Trust Fund will, if development projections are reasonably accurate, provide an estimated total of \$509,864 over the course of the fourth round period through June 2035. Table IV, on the following page, presents an estimated schedule for expenditure of the projected revenues.

Program	Table IV Expenditure Schedule - Affordable Housing Trust Fund - 2025 through 2035											
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Affordability Assistance	\$15,796	\$15,796	\$15,796	\$15,796	\$15,796	\$15,796	\$15,796	\$15,796	\$15,796	\$15,796	\$15,796	\$173,756
Rehabilitation Program		\$25,000	\$25,000	\$25,000	\$25,000							\$100,000
Extension of Expiring Controls	\$120,000											\$120,000
Administrative Expenses	\$25,000	\$2,000	\$2,000	\$2,000	\$2,000							\$33,000
Total	\$160,796	\$42,796	\$42,796	\$42,796	\$42,796	\$15,796	\$15,796	\$15,796	\$15,796	\$15,796	\$15,796	\$426,756

Appendix 10

(to be added upon completion by Administrative Agent)

Appendix 11

(to be added)

Appendix 12

(to be added upon adoption by Borough Council)

Appendix 13

(to be added upon completion by Administrative Agent)

Appendix 14

(to be added)

LEGAL NOTICE

PLANNING BOARD BOROUGH OF PENNINGTON MERCER COUNTY

NOTICE OF PUBLIC HEARING TO CONSIDER FOR ADOPTION AN AMENDMENT TO THE HOUSING ELEMENT OF THE BOROUGH OF PENNINGTON

NOTICE is hereby given that the Borough of Pennington Planning Board will hold a public hearing meeting to consider the adoption of an amendment to the Borough's existing Housing Element and Fair Share Plan to the municipal Master Plan (the "HEFSP Amendment") on Wednesday, January 14, 2026 at 7:30 p.m. via Zoom: Join from PC, Mac, iPad, or Android: Join Zoom Meeting <https://us02web.zoom.us/j/89334057341> Meeting ID: 893 3405 7341 One tap mobile +13052241968

The proposed HEFSP Amendment provides for new compliance mechanisms, makes multiple revisions to existing compliance mechanisms for satisfying the Borough's fair share obligations, and revises the Borough's Affordable Housing Trust Fund Spending Plan. A copy of the HEFSP Amendment is available 10 days prior to the January 14, 2026 meeting for public inspection at the office of the Borough Clerk, Municipal Building, 30 N. Main Street, Pennington, NJ 08534 during regular business hours of Monday-Friday, 8:30am – 4:30pm. The HEFSP Amendment is also available on the Borough website at www.penningtonboro.org 10 days prior to January 14, 2026. Notice is being provided pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-13 to the designated paper, Mercer County Planning Board, NJ Office of Planning Advocacy, and respective adjacent towns as required by applicable law.

MPC Topics for the Planning Board meeting on January 14, 2026 – Chair Andy Jackson

1. Revisions to conditionally adopted elements

The revised versions of the elements discussed below can be found on the Borough website: <https://www.penningtonboro.org/1260/Master-Plan-2025-Under-Development>

Utility Services

Typo. On Page 8, I had entered our 4-well water maximum instantaneous withdrawal as 770 million gallons per minute. It should be 777 gallons per minute. I must have copied and pasted “million” from elsewhere. 777 million gpm is ~40 times the flow of the Delaware River! I found and corrected this when I did a water availability analysis for Jim Kyle.

Open Space

Alan Hershey added a new greenway corridor road on page 8 “and 4) South Main Street and its extensions to the Pennington Circle and along Pennington-Lawrenceville Road” (highlighted in yellow) and to the figure in Appendix A.

Community Facilities

I misunderstood the relationship between the Hopewell Township and Pennington Borough Boards of Fire Commissioners. I thought that the Hopewell Township Board was an overriding entity in Hopewell Valley. I was mistaken. When I read in the Hopewell Township Community Facilities Plan that they were looking into building a new fire house, I assumed that it would impact the Pennington Fire House. That was incorrect. The Township plan was dated 2007 and nothing has happened in 18 years. As a result, I suggest deleting all references to the fire house in three paragraphs that discuss the landfill in Section 3.1.5, 4.1 and 4.2. Currently these are shown as strike-outs and highlighted in yellow.

Relation to Other Plans element

I incorporated the County's new Land Development Ordinance adopted on May 23, 2024. I wasn't aware of this until I started working on the Land Use Plan. I also updated the State Development and Redevelopment Plan (SDRP) section to refer only to the SDRP that was newly adopted on December 17, 2025. The RTOP update includes an expanded section on the State policies and how they relate to Pennington. Our draft elements are closely aligned with the State Plan, which is a good thing!

2. Climate Change-Related Hazard Vulnerability Assessment (CCRHVA)

The CCRHVA is a mandated part of the new Land Use Plan element, which is currently under development. We made significant revisions to the CCRHVA to incorporate changes that Kati and Nick Angerone suggested, and to eliminate duplications and make the element text flow better. The revised CCRHVA has been sent to the Environmental Commission for review. The early draft was written by the EC. I don't anticipate many changes from the EC.

3. Survey Results Summary

If there is time, Amy will review the results of the survey. The full results are on the Borough website: [Master-Plan-2025-Survey-Results-Summary](#)

MASTER PLAN

BOROUGH OF PENNINGTON

NEW JERSEY

5. Utility Services Plan Element

The Utility Services Plan element draft released by the writing team was conditionally adopted by the Planning Board on March 12, 2025, and posted on the Borough website for public comment. Revisions made to address comments received and to ensure consistency with other Plan elements were endorsed by the Planning Board on October 8, 2025. This near-final draft will be available for further public comment prior to final adoption at a public meeting later in 2025.

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Appendix A. Tables.

Utility Services Plan Element Writing Team

Thanks go to the following people who helped create this draft of the Utility Services Plan element: GP Caminiti, Brian Friedlich, Joann Held, Meredith Moore, Natalie Shivers, Nadine Stern, Mary Ternoey and Rick Smith, with Andy Jackson as chair. Thanks also go to Kati Angerone for her thorough review and many suggestions for improvement of the element.

1. Introduction

The Municipal Land Use Law (MLUL) includes a Utility Services Plan as a permitted Master Plan element. N.J.S.A. 40:55D-28(4) describes the element as follows:

“A utility services plan element analyzing the need for and showing the future general location of water supply and distribution facilities, drainage and flood control facilities, sewerage and waste treatment, solid waste disposal and provision for other related Utility Services and including any stormwater management plan required pursuant to the provisions of PL.1981, c.32 (C.40:55D-93 et al.).”

Pennington Borough provides many services to its residents and businesses beyond those listed in the MLUL description above. All utility services should be part of the planning process. This element includes services provided by the Department of Public Works and outside entities, including commercial services.

Services provided within the Borough by the Department of Public Works:

1. Operation, management and maintenance of the Pennington Water Department, a public water system, including water supply infrastructure, such as water supply wells, water treatment and water distribution system (i.e., water mains, valves, towers, hydrants, etc.) for the provision of safe and adequate water supply and fire protection for residents, businesses and municipal buildings.
2. Operation, management and maintenance of the wastewater collection system and delivery to the Stony Brook Regional Sewerage Authority (SBRSA) Pennington Wastewater Treatment Plant.
3. Operation, management and maintenance of Borough-owned or controlled stormwater infrastructure (i.e., pipes, inlets, basins, etc.) and provision of stormwater management consistent with applicable federal and state laws.
4. Borough road repairs and maintenance.
5. Snow removal from Borough Streets and Borough owned or controlled properties.
6. Maintenance of Borough Trees, as defined in the Borough's Community Forestry Management Plan developed by the Shade Tree Committee.
7. Garbage collection, including additional fee-based services for bulk waste.
8. Leaves, branches, and lawn and yard waste collection.

Services provided to the Borough by Others:

1. Recycling by the Mercer County Improvement Authority.
2. County road maintenance, including leaf and snow removal by the Roads Section of the Mercer County Department of Transportation & Infrastructure.
3. Electricity from Public Service Electric and Gas (PSEG).
4. Natural Gas from Elizabethtown Gas.
5. Telecommunications by several suppliers.

In preparing this Utility Services Plan element, the writing committee benchmarked the Utility Services Plans in the Master Plans of nearby communities. The Utility Services Plan of the 1998

Pennington Borough Master Plan and the utility services sections in the 2005, 2013 and 2023 Master Plan Reexamination reports were also reviewed, see:

<https://www.penningtonboro.org/1261/1998-Master-Plan-Updates>

The 2023 Master Plan Reexamination report recommended that the water and sewerage data in the 1998 Utility Services element should be revised to reflect current capacities. The updated element should also analyze the need for and show the future general location of water supply and distribution facilities, drainage and flood control facilities, sewerage and sewerage treatment, solid waste disposal and provision for other related utility services and stormwater management facilities. This element will be helpful to the Borough as it considers likely future development and to what extent it will be served by water, sewerage, flood, solid waste, and stormwater infrastructure and what, if any, upgrades are necessary to ensure adequate service. It should also include electricity and natural gas supply and the installation of communication tools – cable, cell towers and wi-fi. The preparation of this element required coordination with the Director of Public Works.

The vision and goals for the Utility Services Plan element are a subset of the overall Master Plan vision and goals developed by the Master Plan Committee (MPC) and the Citizens Advisory Committee (CAC). The CAC is composed of 15 resident volunteers appointed by the Mayor on October 4, 2023. The role of the CAC is to assist the Planning Board in any area assigned to it, as detailed in NJ MLUL 40:55D-27a. In this case, the CAC is assigned to help the Planning Board develop the Master Plan. Their role is to work with the MPC and with the Committees and Commissions developing draft elements for the Master Plan. CAC members serve as community contacts, obtaining feedback and buy-in as the Plan elements develop.

In the fall of 2023, the MPC and CAC worked together to develop the vision and goals for the updated Master Plan. Their report was reviewed, modified and endorsed by the Planning Board in a public meeting on January 10, 2024. The modified vision and goals were presented to the public at an Open House at Borough Hall on April 10, 2024. Minor revisions were made based on feedback from Borough residents. The resulting list of draft goals was distributed to the teams developing the Master Plan elements as a guide for their discussions. The Utility Services goals in that report were the starting point for the Utility Services Plan element writing team.

2. Utility Services Plan Vision, Goals and Strategies

Pennington Borough's vision for Utility Services is to provide first-class, cost-effective services and safe and reliable water and sanitary systems, in compliance with applicable federal and state laws.

Goals for services provided by the Department of Public Works and Others are:

1. Continue to provide high-quality, cost effective and environmentally conscious utility services for all Pennington residents and businesses.

- a. Consider offering some of these services for a fee to Hopewell Township residents whose homes can only be accessed via Borough roads. For example, they may be prepared to pay for water to avoid individual costs for water treatment or well repairs.
 - b. Ensure that the SBRSA sewerage plant serving Pennington is protected from flooding along Stony Brook.
 - c. Manage utility assets through maintenance of an up-to-date asset inventory, appropriate assessment of vulnerability and condition, understanding of asset lifecycle, charging adequate fees and rates and capital planning.
2. Continue to provide services in Borough public areas and rights-of-way such as stormwater management, tree management, infrastructure maintenance and upgrades, snowplowing, and road repairs.
 - a. Coordinate with Mercer County Department of Transportation & Infrastructure on road maintenance and leaf and snow removal on County Roads in the Borough.
 - b. Maintain an up-to-date Community Forestry Management Plan.
3. Continue to maintain and improve water and wastewater systems to ensure uninterrupted service, maximize system capacity, and reduce the long-term cost of municipal ownership.
 - a. Improve climate resilience through vulnerability assessment informed infrastructure improvements and redundancy to maintain service during extreme climate change-related events.
 - b. Ensure there is sufficient water and sewer capacity to serve new developments, including those associated with the Borough's affordable housing obligation.
 - c. Continue the leak detection and water main rehabilitation programs, including lead service line replacements.
 - d. Consider connecting to an outside supplier to supplement water supply in emergencies as an alternative to installing a second water tower.
 - e. Continue to reduce surface water inflow into the wastewater collection system to ensure efficient use of wastewater treatment facilities.
 - f. Improve the understanding of inflow and infiltration of surface water into the ground to maintain groundwater and aquifer quality.
4. Protect water quality for drinking, recreation, irrigation, and natural habitat, maintain Municipal Separate Storm Sewer System (MS4) permit compliance, and meet or exceed current stormwater requirements of N.J.A.C. 7:8.
 - a. Maintain an up-to-date stormwater asset inventory, Stormwater Management Plan and Stormwater Pollution Prevention Plan.
 - b. Seek all available Federal, State, and County financial assistance to improve stormwater infrastructure to prevent flooding and explore new opportunities to fund provision of stormwater services, such as through a Stormwater Utility.
 - c. Reduce stormwater runoff by encouraging a reduction in impervious coverage and consider ordinances that limit impervious surface and lower stormwater management thresholds, especially in areas that are flood prone.
 - d. Educate property owners and encourage landscaping for improved water absorption and managing stormwater close to where it falls.

- e. Develop and maintain an up-to-date Watershed Improvement Plan, consistent with MS4 requirements, to address water quality and flooding within the Borough's watersheds.
 - f. Enforce riparian buffers ordinances and encourage enhancement of these areas with native and appropriate vegetation to reduce nonpoint source pollution and reduce flooding.
 - g. Preserve and enhance riparian zones to minimize flooding, maximize water quality and protect aquatic habitats.
 - h. Continue to reduce surface water inflow into the wastewater system.
5. Reduce the impact of severe storms on fluvial and stormwater flooding in the Borough.
- a. Develop hydrologic and hydraulic analyses of surface waters and stormwater infrastructure in the Borough that are susceptible to frequent flooding, including Lewis Brook and its tributaries.
 - b. Identify opportunities for flood mitigation and restoration of the natural floodplain and stormwater infrastructure improvements within the Borough.
 - c. Determine best management practices and amendments to ordinances, including stormwater basins, floodplain restoration, removal and reduction of impervious surfaces and green infrastructure, that can be used to slow stormwater, reduce runoff and thereby reduce flooding.
 - d. Ensure that Borough ordinances are written to reduce or eliminate disturbance to natural stormwater systems and to use green infrastructure.
 - e. Coordinate flooding analyses and identify opportunities for flood mitigation and restoration of the natural floodplain and stormwater infrastructure improvements with local and upstream partners including:
 - i) Mercer County Department of Transportation regarding bridges, culverts and stormwater infrastructure within the Borough, particularly along or draining to Lewis Brook. Note that as of 2025, Mercer County is in the planning stages of improving and/or replacing bridge and culvert crossings along Lewis Brook.
 - ii) New Jersey Department of Transportation regarding stormwater infrastructure associated with Route 31 and draining to nearby waterways or connecting to Pennington storm systems.
 - iii) The Hopewell Valley Regional School District regarding drainage of Central High School facilities into the Lewis Brook watershed.
 - iv) Mercer County Park, particularly as it relates to flooding on Stony Brook, which backs up into Lewis Brook. Work with them on beaver management to prevent the exacerbation of localized flooding from beaver dams that can impair the water infrastructure that Pennington relies upon such as the sewer collection system and the Stony Brook Wastewater Treatment Plant.
 - f. Identify, characterize, document the history of and map the piped streams or stormwater ditches that could be 'daylighted' to improve aesthetics and the natural functioning of the watershed, reduce flooding and increase green space, all of which have notable health and safety benefits.
 - g. Develop a maintenance plan, consistent with or in exceedance of requirements of the MS4 permit, to ensure that stormwater infrastructure such as inlets, pipes and catch basins remain free of debris and that stormwater operation is optimized.

6. Conduct a flood vulnerability assessment on existing and future development that incorporates future floodplains using the New Jersey Department of Environmental Protection's Inland Climate Adjusted Flood Hazard Area.
 - a. Chapter 163, Part IV 163-20 of the Borough Code needs to be consistent with State minimum floodplain standards (i.e., New Jersey Flood Hazard Area Control Act rules, N.J.A.C. 7:13 and the Uniform Construction Code N.J.A.C 5:23) and therefore must be updated to reflect amendments to these standards.
 - b. Residents need to be made aware of any flood risks to their homes based on updated flood hazard area delineations and as of July 2023 residents and landlords are required by state law to disclose certain flood risks to tenants or prospective buyers.
7. Promote recycling and increase the range of materials that can be recycled.
 - a. Continue to promote the County's current recycling program through residential education regarding proper recycling and by making the recycling schedule readily available.
 - b. Lobby the Mercer County Improvement Authority to accept more materials for recycling, such as other plastics and polystyrene packaging and work with the Hopewell Valley Green Team to make interim arrangements to recycle materials that are not currently accepted.
 - c. Explore and continue alliances with other local/regional organizations (i.e., Hopewell Valley Green Team, Hopewell Valley Regional School District) to establish new or expanded programs to address materials not currently included in existing programs (e.g. metals, plastics other than 1,2 or 5, Styrofoam, construction/demolition debris, window glass, etc.) and host freecycle and repair clinic events that reduce landfill waste. Create a Borough collection site for other items that can be recycled when delivered to recyclers of specific items.
 - d. Request that the County collect electronic goods, batteries, and hazardous materials more frequently than every six months.
 - e. Investigate whether the Borough can generate income by recycling metals and expanded polystyrene and save money by reducing the volume of waste going to a landfill.
 - f. Encourage composting of food waste and other organic material by residents, businesses, and institutions through education on the benefits and best practices. Facilitate participation by establishing compost bins at municipal facilities and schools and make them available to residents.
 - g. Ensure the Borough's municipal operations utilize optimal waste management practices. Set a date by which the Borough is 100% paperless, while recognizing that some residents are not comfortable with computers, or don't have access, provide paper options as requested.
 - h. Provide recycling bins at all municipal locations including playing fields and parks and wherever trash receptacles are located.
8. Electricity – Public Service Electric and Gas
 - a. Work with PSEG to ensure that Pennington is provided with an acceptable level of service and that the distribution system can supply sufficient power as electricity demand

- in Pennington increases due to electrification of Borough operations, residences and businesses, and transportation.
- b. Ensure that PSEG makes renewable electricity from all eligible suppliers available to Borough users.
 - c. Support the PSEG program to improve supply resilience. Take every opportunity to convert overhead utility lines to underground when making infrastructure improvements.
9. Natural Gas – Elizabethtown Gas
- a. As Pennington moves to electrification, ensure that natural gas supplies will continue to meet needs in the Borough.
10. Telecommunications.
- a. Ensure that Pennington continues to have Borough-wide access to the internet and streaming TV at speeds that are best-in-class.
 - b. In recognition that dead zones are a threat to public safety, ensure that comprehensive coverage of cell phone service is available.
 - c. Embrace and facilitate the delivery of new technology and services as they become available, while ensuring that the size, location, and appearance of cables and facilities are not visually intrusive.
 - d. Borough electronic communications, including virtual meetings and programs, website, social media and email, with residents and businesses should be first class.

3. Background to Services and Service Providers

a. Pennington Department of Public Works

(<https://www.penningtonboro.org/1230/Department-of-Public-Works>)

The Department of Public Works (DPW) is responsible for maintaining the roads, parks, municipal buildings, and Borough-owned shade trees. The DPW collects municipal waste, as well as leaves, branches and yard waste and clears Borough roads of snow. The public water supply system, the Pennington Water Department (PWD), includes treatment and distribution, is owned and operated by the Borough under the direction of the Superintendent of Public Works as New Jersey licensed water system operator, consistent with federal and state laws. Apart from the main campus of the Pennington School and a few Borough homes, PWD delivers water to all properties in the Borough, as well as several properties in Hopewell Township that straddle the municipal boundary. In 2025, there were 1087 customers made up as follows: 875 single-family homes, 89 multi-family residences, 94 commercial, 15 churches and 14 schools. The system is also responsible for delivering water for fire protection by maintaining the Borough fire hydrants and adequate water pressure, consistent with state law.

DPW staff maintains and operates the Borough's wastewater collection system, consistent with federal and state law, with delivery to the SBRSA treatment plant located on Rocky Hill Road.

b. Water Supply, Treatment and Distribution Systems

The water system consists of approximately 80,000 feet of water main, 367 water main valves, 111 hydrants, four deep wells equipped with turbine and submersible pumps, two packed column treatment units, one packed tray aeration system and a 600,000-gallon standpipe storage tank next to Borough Hall. It supplies 1,087 customers, as described above.

Pennington Borough's water source is the Brunswick Aquifer. Water withdrawals are regulated and permitted by the New Jersey Department of Environmental Protection (NJDEP). This permit, known as a Water Allocation Permit, is renewed every ten years, or sooner if modifications to the permit are proposed. The current Water Allocation Permit #5276 is effective until April 30, 2034. During the permit renewal process, the NJDEP reviews the prior reporting and issues a staff report concerning the allocation and the availability of water from the aquifer being used. The report contains recommendations for modifications and conditions which are incorporated into the renewed permit.

The allocation permit includes a variety of initial, monthly, biennial and general conditions. These conditions require the monitoring of water levels at a multitude of locations, adoption and implementation of water conservation and drought management plans, investigation of valid complaints by users of wells within the zone of influence of the municipal wells and maintaining the unaccounted-for water below 15% of total water use per NJDEP guidance. Unaccounted-for water is the difference between water delivered by the wells and the amount that is recorded by customer meters. Unaccounted-for water may be due to leakage or to inaccurate meters.

The current allocation permit provides for a maximum of 145 million gallons per year, a rate designed to maintain the sustainability of the aquifer in the long term. The monthly allocation maximum is 12.6 million gallons, slightly higher than 1/12th of the annual maximum allocation, allowing some seasonal variation. The maximum instantaneous withdrawal is 777 gallons per minute. This allows the wells to keep up with short-term demand. Night withdrawals are far smaller than those during the day. The withdrawal in 2024 was 90.3 million gallons and the average monthly withdrawal was 7.5 million gallons, about 60% of the maximum. This leaves room for growth in the residential and commercial areas.

The allocation permit also regulates the maximum pump capacity for each well to prevent the local water level falling below a safe level. Details on the wells are in Table 1. The total capacity of the wells is just above the maximum 777 gallons per minute allocation, so the wells are adequate to meet demand.

There is a significant concern regarding demand for firefighting, both in short-term supply volume and water pressure maintenance. When the Heritage at Pennington development was built a booster station was installed to maintain pressure for the sprinkler system and the fire hydrants. One option to address this concern and increase emergency supply is to construct an additional water tower, possibly on the Public Works site because of its high elevation. A second option is to connect to a nearby NJ American Water supply line. This option would require coordination with Mercer County as it will involve infrastructure change at the Stony Brook bridge that is slated for design and replacement.

Table 1. Pennington Borough water wells.

Well	Capacity (gallons/minute)
6	202
7	190
8	152
9	250
Total	794

A comprehensive analysis of field test results, historical operations data and the permitted quantities outlined in the Borough's NJDEP Water Allocation Permit was presented in the Well Capacity Testing Technical Report dated April 2004, which is on file with Public Works. In 2019, Van-Note Harvey Associates prepared an Asset Management Plan (AMP) for PWD, as required by the NJ Water Quality Accountability Act. The AMP has the following purposes:

1. To demonstrate responsible management of the drinking water assets.
2. To communicate and justify funding requirements indicated by the plan.
3. To provide a management roadmap for the utility.
4. To serve as a link between the Pennington Water Department and its customers.

The Asset Management Plan contains an overview of the utility, mission statement, level of service agreement, critical asset list, operation and maintenance strategy, capital investment program, and financial strategies. It also laid out a plan for upgrading all the water lines. Although DPW had planned to conduct this work when roads were being resurfaced, an influx of federal financial support for road repairs from the Inflation Reduction Act led to the roads being resurfaced before the water line replacements could be planned.

The PWD upgrades its treatment infrastructure to ensure that the water quality remains in compliance with the state and federal health and safety regulations, as overseen by the NJDEP. An Annual Drinking Water Quality Report is sent to water customers.

The following is a list of proposals and possibilities that may increase demand for water:

- Landfill property redevelopment
- Blackwell property redevelopment
- Wells Fargo site redevelopment
- 12 North Main Street redevelopment
- Senior Center redevelopment or new use
- Single-family infill/minor subdivisions
- Accessory dwelling units
- School Administration Building (re-use net increase)
- Other subdivision redevelopments or expansions

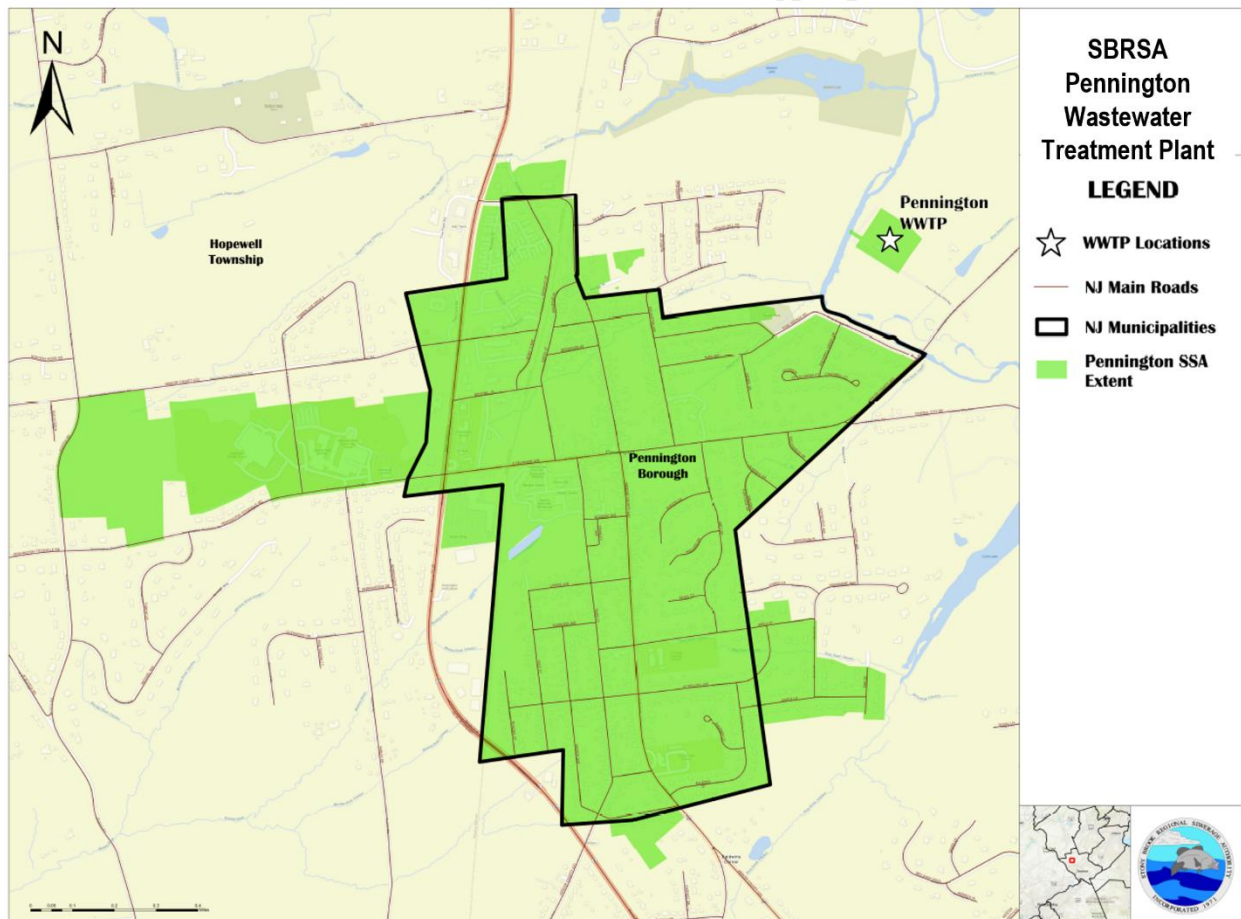
The required water and sewerage treatment capacity should be factored into the Housing Plan and Land Use Plan elements, as well as plans for redevelopment.

c. Sanitary Sewer System and Wastewater Treatment

The sanitary sewer collection system is owned and operated by the Borough under the direction of the Superintendent of Public Works as New Jersey licensed wastewater operator. The system provides sewerage connections to all properties in the Borough, and several properties in Hopewell Township. The system consists of 70,000 feet of sewer main, 315 manholes, five pump stations and an inverted siphon. The NJDEP has set no limit on the capacity of the Borough's collection system. The collector sewers have adequate capacity for their existing and currently planned future use. The sewer main system has a capacity of 1.7 million gallons per day (MGD).

The SBRSA-WWTP became operational in 1984. As of March 2025, the plant has a permitted design capacity of 0.445 MGD. The current 12-month daily average flow is 0.238 MGD. In 2024 the highest single day flow rate was 1.159 million gallons. The additional capacity currently available is 0.183 MGD, which allows for future development within the approved sewer service area (SSA). SBRSA accepts new applications to hook into their system (i.e., Treatment Works Approval applications) on a first-come, first-serve basis, provided the applicant is located within the SSA. Figure 1 shows the Pennington WWTP SSA.

Figure 1. SBRSA Pennington Wastewater Treatment Plant Sewer Service Area Map.



The SSA includes the entirety of Pennington Borough as well as Hopewell Valley Central High School and Timberlane Middle School property as far as Scotch Road, Pennington Market, the Hopewell Township part of Pennington Pointe, the Pennington Public Works complex, and the three streets, Birch, Maple and Oak off East Curlis Avenue in the Township. SBRSA is not typically involved in the municipal and county planning process. NJDEP regulations govern the establishment of the SSA, plant capacity, and Treatment Works Approvals.

The amount of sewage capacity required for a variety of residential, commercial and other buildings and facilities can be found in Table A1 in Appendix A. The table is based on the Projected Flow Criteria as set forth in Subchapter 23 of the New Jersey Pollutant Discharge Elimination System (NJPDES) Rules at N.J.A.C. 7:14A-23, found on the NJDEP Division of Water Quality Treatment website <https://dep.nj.gov/dwq/all-division-rules-and-regulations/njpdes/>. The table shows wastewater flow criteria for various development types such as single-family homes, duplexes, townhouses, condominiums and apartments with 1-3 bedrooms, restaurants, and various commercial facilities. This is useful for calculating wastewater flow requirements as the Borough strives to meet its affordable housing obligation. The values in the table can be used to determine the sewerage volume requirements for any residential or commercial developments in the Borough when making an application for a TWA pursuant to N.J.A.C. 7:14A-22. Should Pennington Borough require more wastewater treatment capacity than is available at Pennington WWTP, additional capacity must be formally requested from the SBRSA Board of Directors, who will determine if a plant expansion is warranted.

Note that the average daily flow in 1996 was 0.315 MGD. This flow included the actual wastewater flow plus surface water inflow, which is the flow of stormwater and elevated groundwater into the wastewater system. In the third quarter of 1996, the average daily flow at the plant exceeded the permitted plant capacity, and the SBRSA notified the Borough of the excursion. The Borough was aware of the magnitude of the surface water inflow since the mid-1990's and was already part way through a seven-step surface water inflow reduction program. In 1997, the average daily flow was reduced to 0.274 MGD because of the surface water inflow program, including the mainline grouting and the sump pump program, and to a reduction in rainfall over the region. The surface water inflow program continued and included mainline repairs and continued enforcement of the rule against sump pumps being connected to the wastewater system. The current average daily flow of 0.238 MGD speaks to the success of the Public Works surface water inflow program. However, the increasing age of the sewer system coupled with an increase in extreme rainfall events means that the Borough must continue to address surface water inflow.

d. Stormwater Management

The regulation of stormwater by the New Jersey Department of Environmental Protection (NJDEP) falls into three general categories:

1. Management of a municipal separate storm sewer system (MS4) to minimize and slow the flow of stormwater into the storm sewer system, to minimize pollution carried by stormwater and to ensure the storm sewer system is adequately designed and maintained. This is regulated in subchapters 24 and 25 of NJAC 7:14A, New Jersey Pollutant Discharge Elimination System (NJPDES) rules.
<https://dep.nj.gov/dwq/all-division-rules-and-regulations/njpdes/>

2. Management of stormwater runoff from new development and redevelopment in the municipality must meet standards for the management of water quantity, groundwater recharge, water quality and green infrastructure requirements, in consideration of the increasing severity of rainfall events due to climate change. This is regulated by N.J.A.C. 7:8 Stormwater Management.
<https://dep.nj.gov/wp-content/uploads/stormwater/n.j.a.c.-7-8.pdf>
3. Regulation of stormwater also impacts flooding. Development and disturbance within the regulatory Flood Hazard Area and associated riparian zones is addressed in the Flood Hazard Area Control Act rules at NJAC 7:13.
https://dep.nj.gov/wp-content/uploads/rules/rules/njac7_13.pdf

1. Municipal Separate Storm Sewer System MS4 (Tier A Permit)

The Clean Water Act (CWA) was developed in 1972 to expand on the Water Pollution Control Act of 1948. The CWA introduced the National Pollutant Discharge Elimination System (NPDES), an EPA permit program to reduce water pollution by regulating point sources of pollutants discharged into US waters. The EPA authorizes the program to state governments for permitting, administration, and enforcement.

The NJDEP manages the New Jersey Pollutant Discharge Elimination System (NJPDDES) permitting program. It is designed to protect New Jersey's ground and surface water by assuring the proper treatment and discharge of wastewater and stormwater from various types of facilities and activities and reducing the amounts of pollutants which may be discharged. In 1990, Phase I addressed stormwater discharges from medium and large municipal separate storm sewer systems (communities of more than 100,000) and discharges associated with industrial activities. In 1999, Phase II came into effect to control pollution discharges from smaller municipal storm sewer systems, highway systems, and other sources. On January 5, 2004, the NJDEP adopted two (2) sets of stormwater rules to help reduce pollution levels caused by stormwater runoff and to help replenish groundwater supplies. From 2004, Municipal Separate Storm Sewer System (MS4) permits were required for most municipalities in the State, including Pennington.

The 1998 Borough Master Plan had recommended the development of a Stormwater Management Plan but the 2004 MS4 permit required the creation of a Municipal Storm Water Management Plan (MSWMP) developed based on the Stormwater Management rules. Pennington's MSWMP was adopted in May 2005. The Plan recommended updates of ordinances. As required by the NJDEP, the Borough of Pennington adopted its Municipal Stormwater Management Plan (MSWMP) in April/May 2005. The Plan addressed groundwater recharge, stormwater quantity, and stormwater quality impacts of large projects to minimize the adverse impact of stormwater runoff and the loss of groundwater recharge. Recommended changes to Chapter 163, Part IV 163-20 of the Borough Code were adopted by ordinance in July 2006. Municipalities are required to reexamine their plan at each subsequent reexamination of the master plan. The MSWMP was reviewed by the Borough Engineer for the 2013 Master Plan reexamination, and it was concluded that there were no required changes at that time. It was again reviewed in the 2023 Master Plan reexamination and updates were recommended.

The MS4 Tier A Permit requires a municipality to develop and maintain a stormwater pollution prevention plan (SPPP) to minimize stormwater-related pollution in the MS4 system. The preparation of an SPPP helps to identify potential sources of pollution and to establish best management practices (BMP) to eliminate such exposure. Pennington created its SPPP in 2020 and it can be found on the Borough website. It includes a map of storm sewer outfalls and a map of the storm sewer system. In 2025, Pennington Borough joined Princeton, Hopewell Township, and Lawrence Township in a collaborative effort to address stormwater management requirements for the Stony Brook Watershed. The Borough Council approved a resolution authorizing participation in this regional initiative to develop a comprehensive Watershed Improvement Plan (WIP). This will help Pennington's to maintain its MS4 Tier A permit.

Following a review of the Tier A permitting program in 2018, changes were made to align the program with updated federal guidelines. Tier B permits were eliminated, and all municipalities were required to meet Tier A requirements after a certain time. The Tier A permit was revised and expanded and came into effect in January 2023. The revised Tier A permit includes the new requirement for a WIP, which has three major deliverables: Watershed Inventory Report due by the end of December 2025, the Watershed Assessment Report due by the end of December 2026 and the Final Watershed Improvement Plan due by the end of November 2027.

2. Stormwater Management

Stormwater regulations have undergone significant changes in the last few years in response to major recent rainstorm events, and in anticipation of similar or more severe events in the future because of climate change. In our area, tropical storm Ida (September 1, 2021) deluged Hopewell Valley with more than 7.44 inches of rain in a 6-hour period, a 500-year storm. According to NJDEP rainfall studies, extreme rainfall events are expected to increase in frequency as the climate warms.

In March 2021, all municipalities in the State were required to adopt new comprehensive stormwater management ordinances consistent with NJDEP stormwater management rules. The new rules implemented more stringent requirements for stormwater control and promoted the use of nonstructural stormwater management techniques. The Borough adopted its new Stormwater Control Ordinance 2021-2 in April 2021. It adopted the best management practices for the use of stormwater management measures, including green infrastructure and nonstructural stormwater management strategies, and resulted in significant changes to Borough Code Chapter 163, Part IV, Tables 5 and 6 in 163-20.5.

The Borough's 2005 Stormwater Management Plan and the associated Borough Code were reviewed in the 2023 Master Plan reexamination, and it was noted that significant changes were likely to be needed soon as the NJDEP were holding discussions at the time of the report on changes to the stormwater management and flood hazard area control act rules. In July 2023, the Inland Flood Protection rules were adopted. These rules incorporated climate change science into the rules by requiring the use of future rainfall amounts when designing for stormwater management. "Calculation of stormwater runoff and groundwater recharge" gives current and future multipliers to be used in New Jersey with NOAA rainfall predictions shown in Figure A2 in the Appendix.

As mentioned above, in 2025, Pennington Borough joined with Princeton, Hopewell Township, and Lawrence Township in a collaborative effort to address stormwater management requirements for the Stony Brook Watershed. The Borough Council approved a resolution authorizing participation in this regional initiative to develop a comprehensive Watershed Improvement Plan (WIP). The partnership will allow the four municipalities to share resources and expertise while working with a respected watershed management firm to collect essential technical data needed to meet state stormwater discharge requirements. Work on the project is expected to be completed by fall 2026, in advance of state deadlines for required reports. The resulting data and recommendations will help Pennington develop effective strategies to improve water quality, address pollutants, and mitigate flooding issues within the Stony Brook Watershed, benefiting both residents and the environment for years to come.

N.J.A.C. 7:8-4.3 (a) states that a municipality shall adopt a municipal stormwater management plan as an integral part of its master plan. Pennington's MSWMP has so far been a separate document from the Master Plan and has been included by reference. N.J.A.C. 7:8-4.3 (e) states that within one year of the adoption of a regional stormwater management plan, each municipality within the planning area shall amend their MSWMP and stormwater control ordinances to implement the regional plan.

For Pennington Borough, a critical element of any stormwater management plan is to eliminate the flooding that occurred along the course of Lewis Brook during the recent extreme storms Ida (2021) and Debby (2024) and is likely to occur in future extreme rainfall events. Floods occurred at several intersections, Route 31 and West Delaware Avenue, Green Street and Broemel Place, North Main Street and Brookside Avenue, and Eglantine Avenue and East Franklin Avenue. Flooding also occurred on the Blackwell property and in the back yards of houses on East Franklin Avenue and on Lewis Brook Road in Hopewell Township. The most likely cause of the flooding is that previously installed stormwater management assets are inadequate to handle higher rainfall amounts and the various bridges, tunnels, culverts and pipes through which Lewis Brook and its tributaries flow are too small for the higher levels of rainfall seen recently. All infrastructure improvements by the Borough, NJDOT or Mercer County to correct these should take into account how the resulting modified flow impacts infrastructure further downstream by using a hydrologic and hydraulic model for the entire reach of Lewis Brook as such consideration is required by state regulations.

Ida was an extreme storm event that caused significant flooding in Pennington Borough. An excellent report "Ida Remnants Strike New Jersey" by David A. Robinson, the NJ State Climatologist, dated Oct. 26, 2021, provided rainfall data in Hopewell Township for different periods during Ida, as shown in Table 2. Hopewell Township had some of the highest rain amounts in the state.

A major goal of the Watershed Institute led initiative is to reduce flooding and improve water quality along the course of Stony Brook and its tributaries. Addressing the issues on Lewis Brook should be included in the initiative for Pennington Borough. One option to improve water quality and reduce flooding would be to retain and delay the flow of stormwater runoff using stormwater best management practices (BMPs) such as stormwater detention basins and green

infrastructure. Two possible locations for detention basins are at the landfill and at the Blackwell property, with part of the Pennington School wooded area on Green Street adjacent to Lewis Brook.

Table 2. Tropical Storm Ida Remnants Rainfall, Sept 1-2, 2021

<https://climate.rutgers.edu/stateclim/?target=Ida>

Peak volumes recorded on September 1, with average recurrence intervals (ARI, see Table A2)

Peak 6-hour period: 7.44 inches ending 10:35 pm.	ARI 500 years
Peak 3-hour period: 5.90 inches ending 8:55 pm.	ARI 1000 years
Peak 2-hour period: 5.16 inches ending 8:40 pm.	ARI 1000 years
Peak 1-hour period: 3.29 inches ending 7:55 pm.	ARI 200 years
Hopewell Township total 9.13 inches	

Note that the time periods overlap. The peak 1-hour is included in the 2-, 3- and 6-hour.

It remains to be seen whether the new collaborative effort to address stormwater management for Stony Brook Watershed influences the decision on whether we should create a stormwater utility to pay for improvements and maintenance of the Borough's storm sewer system.

3. Flood Hazard Area Control

Three components of a flood hazard area are:

1. "Riparian zone" means the land and vegetation adjacent to a regulated water. Depending on the classification of the water, the extent of the zone from the stream bed can be 50, 150 or 300 feet.
2. "Floodway" means land which is mathematically determined to be needed for the channel and adjacent land to convey water resulting from a 100-year flood.
3. "Flood hazard area" means land which lies below the peak water surface elevation that will occur in a design flood. For a delineated water, this is 2 feet above the State delineation. For other streams it is 125% of the 100-year flood based on NOAA with future multipliers.

The adopted Flood Hazard Area Control Rules can be found in NJAC 7:13:

https://dep.nj.gov/wp-content/uploads/rules/rules/njac7_13.pdf

NJAC 7:13 Subchapter 3 gives six methods for determining the extent of the floodway and flood hazard area for rivers and streams in New Jersey. Method 1 applies to NJDEP delineated waters, while Method 2 applies to FEMA delineated waters. For waters that are both NJDEP delineated, and FEMA delineated, the flood hazard area is the higher of the elevations determined by Methods 1 and 2. Methods 5 or 6 would apply to Lewis Brook since it is not NJDEP or FEMA delineated. Method 6 is more accurate than the approximate Method 5 but requires a detailed study.

Method 1 for NJDEP delineated waters, which includes Stony Brook:

1. The flood hazard area design flood elevation shall be equal to two feet above the design flood elevation shown on the flood profile adopted as part of the Department delineation,

unless subsequent to July 17, 2023, the Department revises a flood profile in accordance with N.J.A.C. 7:13-3.8 to account for changes in flood elevations due to increased precipitation, in which case the flood hazard area design flood elevation is that which is shown on the revised flood profile;

2. The floodway limit is that which is shown on the flood maps adopted as part of the Department delineation.

As of May 2025, there have been no changes to Method 1.

In method 6 for a regulated water in a fluvial flood hazard area (such as Lewis Brook), the flood hazard area design flood elevation is determined as summarized here:

1. A hydrologic analysis shall be performed to determine the peak flow rate for the anticipated future 100-year flood for the regulated water using the “future” adjustment factors listed in Table 3.6B of NJAC 7:13 (the same as Table 5.6 in NJAC 7.8). It is 1.36 for Mercer County.
2. A hydraulic analysis, such as a standard step backwater analysis, shall be performed to determine the flood hazard area design flood elevation using 125 percent of the anticipated future 100-year peak flow rate determined pursuant in 1 above.

e. Recycling

In 1967 the Mercer County Improvement Authority (MCIA, www.mcianj.org) was created under the County Improvement Authorities Law to undertake certain projects for the benefit of the residents of Mercer County. The mission of the MCIA is to serve the needs of Mercer County and to improve the quality of life for the residents by providing programs and services for the County, Municipalities, school and fire districts, and not-for-profits in the areas of financing, project management, redevelopment, solid waste and recycling.

The MCIA oversees the proper disposal of Mercer County's solid waste and manages a curbside recycling program to ensure a cleaner and safer environment. The rules for recycling can be found on the MCIA recycling website (<http://mcianj.org/recycling>). The program collects clean and dry:

- Paper
 - Mixed Paper, Office Paper & Window Envelopes
 - Corrugated Cardboard (flatten boxes and/or cut into manageable bundles)
 - Telephone Books & “Soft” Cover Books
 - Hard Cover Books (Hard cover must be removed)
- Glass
 - Glass Food & Beverage Jars/Bottles (all colors)
- Aluminum and Metal
 - Aluminum & Metal Beverage Containers
 - Metal Cans
- Plastics with #1, #2, #5 Symbols
 - Milk Jugs & Plastic Beverage Bottles and beverage caps
 - Detergent & Shampoo Containers
 - Juice Boxes & Juice/Beverage Cartons
 - Yogurt, condiment and to-go containers
 - Amber colored medicine bottles.

The MCIA also organizes a Household Hazardous Waste and Electronic collection periodically at the Dempster Fire School, 350 Lawrence Station Road in Lawrenceville, and a Document Shredding event twice a year at 651 South Broad Street Parking lot 4 in Trenton.

Hopewell Township has an Electronics Collection and Paper Shredding event and a Metals collection event periodically, both at the Hopewell Township Public Works facility. Pennington Borough Residents may participate in this collection.

The Hopewell Valley Green Team organizes collections of a variety of items not on the MCIA list (May through October) in conjunction with the Pennington Farmers Market. The Green Team has also assembled a list of ways to recycle or dispose of many items that are not collected by MCIA, see: <https://hopewellvalleygreenteam.org/recycling/recycling-tips/> for tips and a schedule of collection dates. A link to their annual Reuse & Recycle in Hopewell Valley schedule can be found on this website. It contains web links to many organizations that will receive items for recycling or reuse.

The Pennington Borough Environmental Commission is currently looking for a program that will collect and compost food waste.

There are private companies that will assist municipalities with the management of waste that is not currently recycled such as scrap metal, various plastics, food waste and compost. Pennington will continue to explore ways to meet their goal of increasing the range of materials that can be recycled. This has the combined benefit of reducing the impact of waste on the environment while reducing the cost to the Borough of landfill tipping fees.

f. County Road and Bridge Maintenance – Mercer County Department of Public Works, Highway Division

The Superintendent of Public Works of Mercer County manages the operation of the Highway Division under the supervision of the County Administrator to enhance the quality of life for Mercer County residents by ensuring a safe, efficient and reliable transportation system.

The Division is responsible for 180 miles of County routes, handling ice control, snow removal, leaf pickup, deer carcass removal, pothole repairs, milling and resurfacing, asset condition management, and utility and contractor road work permit oversight. County roads in or feeding Pennington are CR 640 – Pennington Road, South and North Main Street, CR 546 – South Main Street to Lawrenceville-Pennington Road, CR 631 – Ingleside Avenue, CR 624 – Pennington-Titusville Road, West and East Delaware Avenue, and CR 623 – Pennington-Harbourton Road.

g. Electricity and Natural Gas

Background

In New Jersey, there are five electricity utility companies and four gas utility companies. To avoid overlap, the NJ Board of Public Utility Services (NJBPUS) has defined the electricity and

gas territories where the Utility Services can operate. Maps of the territories can be found on the NJDEP GIS website: [Electric Utility Services Territory Map of New Jersey | NJDEP Open Data](#) and [Gas Utility Services Territory Map of New Jersey | NJDEP Open Data](#). Electricity is supplied to Pennington Borough by Public Service Electric and Gas (PSEG) and gas is supplied by Elizabethtown Gas (ETG).

New Jersey deregulated the energy utility industry in 1999, dividing energy services into supply and distribution. Customers can choose both electricity and gas providers and utility companies deliver them for a fee. Bills are split into two parts, energy and distribution. For each utility, there are many energy suppliers that a customer can select to provide electricity or gas. The website <https://nj.gov/njpowerswitch/suppliers/> is provided by the NJBPU to let residents and businesses know which third party suppliers (TPS) are licensed to sell electricity or gas in a utility's territory and inform them about the rules if a TPS is selected. If no TPS is selected, the utility becomes the supplier by default but will still list energy and distribution separately on their bills. Note that the Utility Services buy their electricity and gas from a variety of suppliers. As of May 2025, there were 80 choices of suppliers for electricity in the PSEG territory and 38 for gas in ETG territory.

Balancing the generation of electricity with customer demand is a complex process. Near constant voltage must be maintained to avoid damaging equipment (voltage too high or too low) or brownouts (too low) and the phase of the alternating current needs to be the same across all connected suppliers. The lower 48 states of the USA are divided into three interconnections;

- The Eastern Interconnection, covering the area east of the Rocky Mountains and a portion of the Texas panhandle.
- The Western Interconnection, covering the area from the Rocky Mountains to the west.
- The Electric Reliability Council of Texas (ERCOT), covering most of Texas.

These operate largely independently from each other with limited transfers of electricity between them. The Eastern and Western Interconnections in the United States are also linked with Canada's power grid. The interconnections help maintain the reliability of the grid by providing multiple routes for power to flow and allowing generators to supply electricity to many load centers. This redundancy helps prevent transmission line or power plant failures from causing interruptions in service to retail customers.

New Jersey is in the Eastern Interconnection and its real-time electricity supply is managed by PJM, a regional transmission organization <https://www.pjm.com>. PJM coordinates the movement of wholesale electricity across 13 states. It has over 1100 members, both suppliers and distributors, and manages the interconnectivity requests for new suppliers. Except for very high demand periods, there is more generation capacity available than is needed to meet demand. However, this is beginning to change as data centers and AI are starting to consume a large amount of electricity. At any point in time, suppliers are chosen through a time-based bidding process. Constantly available power such as nuclear and combined-cycle natural gas form the base of the supply, with intermittent (e.g., solar and wind) and higher cost peaking power coming lower down the order. Power can also come from storage such as pumped hydro (e.g. Yards Creek in NJ) and an increasing number of battery installations. Adding batteries to solar and wind plants moves them towards the constantly available power category and takes them up the order. The price charged for electricity by a utility is similar throughout the year as the peaks and

troughs due to changes in short term demand are balanced out. This may not be the case with smaller suppliers who may choose to pass on higher costs at peak periods to customers, The fine print in agreements should be read.

Gas supply is easier to manage than electricity as pressure (gas equivalent of voltage) can be managed by valves and pressure regulators. The gas is delivered by pipeline from wells in gas-producing locations after processing in gas plants to control delivered gas heat capacity and to remove toxins. Because of the extensive use of gas for heating, the demand for gas is much higher in the winter than in the summer. Across the country, winter demand is 33% higher than in summer. To keep the production of gas wells similar throughout the year, demand and supply are balanced by storing a portion of the gas produced in the summer and recovering it from storage for sale in the winter. About 85% is stored via wells in depleted natural gas or oil fields, 10% in aquifers and 5% in salt caverns. New Jersey has few natural gas reserves, does not produce natural gas, and does not have any large-scale gas storage. All the gas we use comes via pipelines from the Gulf States or from Appalachian shale gas producers.

The above paragraphs are to give background for policies and goals for electricity and gas in Pennington Borough. The US Energy Information Administration is an excellent resource, and information about all forms of energy can be found at <https://www.eia.gov/energyexplained/>.

Policies and Goals for Electricity and Natural Gas

As a result of passing Resolution 2021-3.4 in March 2021, it is the policy of the Borough of Pennington to become carbon neutral in all its operations by 2035. The 4th component of the 2021 resolution committed the Environmental Commission to use the Borough's efforts to become carbon neutral to educate and encourage Borough residents and businesses to become carbon neutral. In 2025, the Borough received a grant from NJBPU to help the Environmental Commission develop a Community Energy Plan. The plan will create an inventory of energy use by type across the Borough, and the resulting carbon emissions. The plan will then make recommendations on how residents can move their energy usage from fossil fuels to zero-CO₂ sources. In most cases this means changing from natural gas to electricity for domestic heating and cooking and moving transportation to electric vehicles. Goals for this topic will be found in the Green Buildings and Environmental Sustainability Plan element.

The success of the program will depend in part on the success of New Jersey's policy to have its electricity generation be carbon neutral by 2035. Electricity is defined as secondary energy, because its CO₂ production depends on the primary energy sources used in its generation. Electricity generation in New Jersey results in about 0.5 lbs of CO₂ per kWh due to the input energy mix. This is more than the 0.4 lbs of CO₂ per kWh of heat from a modern high efficiency condensing gas furnace so converting before the NJ electricity generation drops below 0.4 lbs of CO₂ per kWh would be a step in the wrong direction. Pennington is committed to meeting goals that are science-based regardless of direction changes at the Federal level. Residents should be encouraged to keep the pressure on the state to move to carbon neutrality.

There are several ways to move Pennington's electricity use towards carbon neutrality regardless of the progress the state is making.

1. Encourage residents, businesses and churches to select “green-energy-only” suppliers from the list in the PSEG territory in the NJ Power Switch website above.
2. Encourage residents to sign up for Community Solar suppliers.
3. Reduce barriers to the installation of solar panels on all Pennington Borough lots.
4. Borough administration should reconsider a Government Energy Aggregation (GEA) program for Pennington (see <https://nj.gov/njpowerswitch/gea/>). A GEA program allows municipalities to aggregate the energy requirements of residential, commercial and municipal customers so they can purchase electricity (or gas) from a third-party supplier at reduced prices. The supplier should be chosen for its high renewable energy content.

h. Telecommunications

Internet, TV and Telephone

Internet and TV services can be provided in six ways. Three use direct connections to buildings; Fiber-optic uses light pulses through fine strands of glass and offers the fastest and widest bandwidth; Coaxial TV cable with a central copper wire uses electricity to deliver the signal and is generally not as fast and has a smaller bandwidth than fiber-optic; Older telephone wires can be used for DSL (Direct Subscriber Line) services, which are slower and limited in bandwidth but may have a lower installation cost and lower monthly fees. All three with direct connections can provide services to landline telephones. The three non-connected alternatives are direct wireless, satellite and via cell towers to handheld devices. Direct wireless uses a base station to transmit the internet over radio waves directly to a receiver located on the building. The receiver needs a good line of sight to the base station and the signal may be affected by the weather and distance from the station. Satellite services are often used in rural areas which are out of reach of fiber and cable services. It too can be affected by the weather. Finally, many people are “cutting the cable” altogether and opting for services from cell towers to mobile phones. Internet downloads can be slow unless the handheld device can connect to Wi-Fi. With 5G, speeds are improving.

Cable services are delivered to Pennington residents via the utility poles, which are owned by PSEG. The larger cables at the top of the poles deliver electricity. Lower down the poles are fiber-optic, coaxial cables and telephone wires. Service providers pay fees to the utility to use the poles. Pennington is served by eight TV and internet providers, four of which have 100 % coverage and four have partial coverage.

There are several cell phone service providers in Pennington. Service is generally reliable but there are pockets where one provider has a better signal than another.

Regulation of Wireless Telecommunication Facilities

There have been two recent changes to the regulation of wireless telecommunication facilities. The first, a federal law, prohibits municipalities from denying a request by an “eligible facility” to modify an existing wireless tower or base station if such a change does not “substantially change” the physical dimensions of the tower or base station. The term “substantial change” is

not defined by the law. Until regulation or case law is issued on this topic, the Borough will need to carefully interpret this on a case-by-case basis.

The second regulatory change is an amendment to the Municipal Land Use Law, N.J.S.A. 40:55D- 46.2. This new section states that applications for collocated equipment on a wireless communications support structure shall not be subject to site plan review provided three requirements are met: 1) the structure must have been previously approved; 2) the collocation shall not increase the overall height of the support structure by more than 10 percent, will not increase the width of the support structure, and shall not increase the existing equipment compound to more than 2,500 square feet; and 3) the collocation shall comply with all of the terms and conditions of the original approval and must not trigger the need for variance relief. Borough ordinances should be revised to reflect federal law.

It is anticipated that providers of fifth-generation wireless technology (“5G”) will seek to install wireless facilities, typically on utility poles and lampposts, throughout the region. 5G offers subscribers much faster data speeds and, with that, new and enhanced technological capabilities. The Borough should take appropriate steps to control and regulate the implementation of 5G technology by adopting ordinances which implement processes and regulate, among other things, the size, location, and appearance of 5G wireless facilities.

4. Relationship with Regional Utility Plans

a. Hopewell Township Master Plan

Hopewell Township approved its current Utility Services Plan element on November 19, 2009. (<https://www.hopewelltp.org/DocumentCenter/View/8622/Utility-Services-Plan-Element---Adopted-November-19-2009->)

The plan covered the lack of interest in developing public sewers throughout the Township due to the concern that it would bring uncontrolled growth. Sewers for larger individual developments are connected to Ewing Lawrence Sewerage Authority (ELSA) and Stony Brook Regional Sewerage Authority (SBRSA). Similarly, there was no interest in a township wide water supply. The plan acknowledged that there were a few residences on the borders of Hopewell and Pennington Boroughs that were connected to the borough systems. Larger developments are served by the NJ American Water Company.

There was no mention of Utility Services in the 2021 Master Plan Reexamination report. There was also no mention of other services besides sewer and water in the Township Master Plan.

b. Mercer County Master Plan

Mercer County adopted a Wastewater Management Plan (WMP) in October 2013. (<https://www.mercercounty.org/home/showpublisheddocument/1154/636058398453800000>)

The plan reports that Pennington Borough adopted its own WMP on October 8, 2009, and incorporated it by reference. According to the County WMP, the Pennington Borough WMP

expired on October 8, 2015. The Mercer County Planning Department submitted an update to the Mercer County WMP, as required by the NJDEP, six years from the date of adoption of the current plan, i.e., October 9, 2019. As part of that process, the three municipalities (including Pennington) which had previously been working from their own adopted municipal WMPs joined the county-wide WMP. The county-wide WMP update is currently under review by NJDEP. Until the update is adopted, the 2013 Mercer County WMP and associated Sewer Service Area (SSA) mapping remain in full force and effect. See: (<https://www.mercercounty.org/departments/planning/wastewater-management-planning>)

Mercer County is in the process of developing a Stormwater Management Plan, but its website only contains a link to the NJ Plan, see below. Mercer County is not involved in the purveyance of potable water and does not have a potable water plan.

c. New Jersey Department of Environmental Protection Water Quality Management Planning (<https://www.nj.gov/dep/wqmp/index.html>)

The role of the program is to advance Water Quality Management through the coordination of planning and permitting activities. This will be achieved through the following efforts:

- Technical Support: Working with counties and private property owners on Sewer Service Area amendments, Wastewater Management Plans, consistency assessments and other related water quality management planning issues;
- Planning and Implementation: Managing water quality planning grants; overall statewide water quality planning through the Continuing Planning Process;
- Coordination: Coordinating activities among The Division of Water Quality, The Division of Water Supply and Geosciences, Land Use Management, other DEP programs, the regulated community and planning agencies across the state.

The Water Quality Management Rule, N.J.A.C. 7:15, is effective as of November 7, 2016.

5. Relationship with Other Plan Elements in the Master Plan

The Utility Services Plan impacts and is impacted by other Master Plan elements as follows:

Land Use Plan Element. This plan relates to the Borough's zoning and potential redevelopment areas. Utility needs will be impacted by the Borough's development and redevelopment plans and the ability to redevelop or develop is also contingent on the capacity of various utilities. Stormwater hazards are addressed in the Climate Change-Related Hazard Vulnerability Assessment (CCRHVA), which is part of the Land Use Plan.

Housing Plan Element. The Borough has identified areas of redevelopment which have the opportunity for high density housing, including housing that is designated affordable. The ability of utility services to serve this development/redevelopment must be evaluated as well as the impact of these developments on existing utility services.

Economic Development Plan Element. This Plan considers all aspects of commerce and economic development in the Borough, some of which may impact Utility Services.

Conservation Plan Element. The Conservation Plan incorporates the Borough's Community Forestry Management Plan by reference and impacts the Department of Public Works.

Green Buildings and Environmental Sustainability Plan Element (GBESE). Several goals and strategies in the GBESE are aimed at reducing the Borough's contributions to climate change. The GBESE includes the Community Energy Plan, which is under development, and a significant part of that plan is focused on transportation energy use and greenhouse gas emissions via electrification. This will increase the demand for electricity, which will need to be matched by a growth in PSEG supply.

Appendix A

Figure A1. NJ DEP table of water treatment capacity requirements for various sewerage sources. From Subchapter 23 of the N.J.A.C. 7:14A New Jersey Pollutant Discharge Elimination System (NJPDES) Rules.

<https://dep.nj.gov/dwq/all-division-rules-and-regulations/njpdes/> .

Type of Establishment	Measurement Unit	Gallons Per Day
<i>Residential Dwellings</i> (single family home, duplex units, townhouses, condominiums, apartments)		
1 bedroom unit	Per Dwelling	150
2 bedroom unit	Per Dwelling	225
3 bedroom unit or larger	Per Dwelling	300
1 bedroom unit (age restricted)	Per Dwelling	110
2 bedroom unit (age restricted)	Per Dwelling	170
3 bedroom unit (age restricted)	Per Dwelling	225
<i>Transit dwelling units</i>		
Hotels	Bedroom	75
Lodging houses and tourist homes	Bedroom	60
Motels and tourist cabins	Bedroom	60
Boarding houses (max. permitted occupancy)	Boarder	50
<i>Camps</i>		

Figure A1 (continued)

Campground/mobile rec. vehicle/tent	Site	100
Parked mobile trailer site	Site	200
Children's camps	Bed	50
Labor camps	Bed.	40
Day camps--no meals	Person	15
<i>Restaurants (including washrooms and turnover)</i>		
Average restaurant	Seat	35
Bar/cocktail lounges	Seat	20
Fast food restaurant	Seat	15
24 hour service restaurant	Seat	50
Curb service/drive-in restaurant	car space	50
<i>Clubs</i>		
Residential	Member	75
Nonresidential	Member	35
Racquet club	(per court per hour)	80
Bathhouse with shower	Person	25
Bathhouse without shower	Person	10
<i>Institutions (includes staff)</i>		
Hospitals	Bed	175
Assisted living facility	Bed	100
Skilled nursing facility	Bed	75
Other institutions	Bed	125
<i>Schools (includes staff)</i>		

Figure A1 (continued)

No shower or cafeteria	Student	10
With cafeteria	Student	15
With cafeteria and showers	Student	20
With cafeteria, showers and laboratories	Student	25
Boarding	Student	75
<i>Automobile service stations</i>		
	per filling position	125
Service bays	per bay	50
Mini-market	Sq. Ft.	0.100
<i>Miscellaneous</i>		
Office buildings (gross area)	Sq. Ft.	0.100
Stores and shopping centers (gross area)	Sq. Ft.	0.100
Factories/warehouses (add process wastewater)	Employee	25
with showers, (add process wastewater)	Employee	40
Laundromats	Per machine	580
Bowling alleys	Alley	200
Picnic Parks (restrooms only)	Person	10
Picnic Parks with showers	Person	15
Fairgrounds (based upon average attendance)	Person	5
Assembly halls	Seat	3
Airports (based on passenger use)	Passenger	3

Figure A1 (continued)

Churches (worship area only)	Seat	3
Theater (indoor)	Seat	3
Dinner theater	Seat	20
Catering/Banquet Hall	Person	20
Sports stadium	Seat	3
Visitor Center	Visitor	5
Multi-member swimming pool	Person	15

Figure A2. Precipitation frequency (PF) estimates for Pennington from NOAA's National Weather Service Hydrometeorological Design Studies Center with average recurrence intervals (ARI). https://hdsc.nws.noaa.gov/pfds/pfds_map_cont.html?bkmark=nj
 PF estimates are based on frequency analysis of partial duration series (PDS). Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval.

PDS-based precipitation frequency estimates with 90% confidence intervals (in inches) ¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.340 (0.309-0.376)	0.406 (0.369-0.448)	0.482 (0.436-0.532)	0.538 (0.486-0.593)	0.606 (0.544-0.668)	0.656 (0.586-0.724)	0.706 (0.628-0.780)	0.752 (0.665-0.833)	0.809 (0.709-0.901)	0.853 (0.741-0.956)
10-min	0.543 (0.493-0.600)	0.649 (0.589-0.716)	0.772 (0.698-0.852)	0.860 (0.777-0.948)	0.966 (0.867-1.06)	1.04 (0.934-1.15)	1.12 (0.997-1.24)	1.19 (1.05-1.32)	1.28 (1.12-1.43)	1.34 (1.17-1.50)
15-min	0.679 (0.617-0.750)	0.816 (0.741-0.901)	0.977 (0.883-1.08)	1.09 (0.983-1.20)	1.22 (1.10-1.35)	1.32 (1.18-1.46)	1.42 (1.26-1.57)	1.50 (1.33-1.67)	1.61 (1.41-1.79)	1.69 (1.46-1.89)
30-min	0.931 (0.845-1.03)	1.13 (1.02-1.24)	1.39 (1.26-1.53)	1.58 (1.42-1.74)	1.81 (1.63-2.00)	1.99 (1.76-2.20)	2.17 (1.93-2.40)	2.34 (2.07-2.59)	2.56 (2.25-2.86)	2.73 (2.37-3.06)
60-min	1.16 (1.05-1.28)	1.41 (1.28-1.56)	1.78 (1.61-1.96)	2.05 (1.85-2.26)	2.42 (2.17-2.66)	2.70 (2.41-2.98)	2.99 (2.66-3.30)	3.28 (2.90-3.64)	3.68 (3.22-4.10)	3.99 (3.46-4.47)
2-hr	1.41 (1.27-1.56)	1.72 (1.55-1.90)	2.17 (1.96-2.40)	2.52 (2.27-2.78)	3.00 (2.69-3.31)	3.39 (3.02-3.74)	3.79 (3.35-4.19)	4.20 (3.69-4.65)	4.78 (4.15-5.32)	5.23 (4.50-5.86)
3-hr	1.55 (1.40-1.72)	1.88 (1.70-2.10)	2.39 (2.15-2.66)	2.78 (2.50-3.09)	3.33 (2.97-3.70)	3.77 (3.35-4.19)	4.24 (3.73-4.72)	4.72 (4.12-5.27)	5.40 (4.64-6.05)	5.94 (5.05-6.69)
6-hr	1.96 (1.77-2.19)	2.38 (2.14-2.65)	3.00 (2.70-3.35)	3.51 (3.14-3.90)	4.25 (3.77-4.72)	4.86 (4.28-5.40)	5.52 (4.82-6.14)	6.23 (5.38-6.94)	7.26 (6.15-8.13)	8.11 (6.78-9.14)
12-hr	2.37 (2.15-2.66)	2.88 (2.60-3.22)	3.66 (3.29-4.09)	4.32 (3.87-4.82)	5.31 (4.70-5.91)	6.16 (5.41-6.87)	7.10 (6.16-7.91)	8.14 (6.95-9.10)	9.69 (8.11-10.9)	11.0 (9.06-12.5)
24-hr	2.74 (2.52-2.99)	3.31 (3.05-3.62)	4.21 (3.87-4.60)	4.97 (4.55-5.42)	6.10 (5.55-6.65)	7.08 (6.38-7.70)	8.15 (7.28-8.87)	9.33 (8.25-10.2)	11.1 (9.65-12.1)	12.6 (10.8-13.8)
2-day	3.17 (2.92-3.47)	3.84 (3.53-4.21)	4.88 (4.48-5.35)	5.75 (5.26-6.29)	7.02 (6.37-7.65)	8.09 (7.29-8.81)	9.25 (8.27-10.1)	10.5 (9.31-11.5)	12.4 (10.8-13.6)	13.9 (12.0-15.3)
3-day	3.36 (3.10-3.67)	4.06 (3.74-4.44)	5.14 (4.73-5.61)	6.03 (5.52-6.57)	7.31 (6.66-7.95)	8.39 (7.60-9.11)	9.54 (8.58-10.4)	10.8 (9.62-11.8)	12.6 (11.1-13.8)	14.1 (12.3-15.5)
4-day	3.55 (3.28-3.86)	4.29 (3.96-4.67)	5.40 (4.98-5.87)	6.30 (5.80-6.85)	7.61 (6.95-8.25)	8.68 (7.90-9.41)	9.84 (8.89-10.7)	11.1 (9.93-12.0)	12.8 (11.4-14.0)	14.3 (12.6-15.6)
7-day	4.16 (3.85-4.52)	5.00 (4.62-5.43)	6.20 (5.72-6.74)	7.19 (6.62-7.81)	8.61 (7.89-9.33)	9.79 (8.93-10.6)	11.0 (10.0-12.0)	12.4 (11.2-13.4)	14.3 (12.7-15.6)	15.9 (14.0-17.3)
10-day	4.74 (4.42-5.12)	5.67 (5.27-6.12)	6.93 (6.44-7.48)	7.95 (7.37-8.58)	9.39 (8.67-10.1)	10.6 (9.71-11.4)	11.8 (10.8-12.7)	13.0 (11.9-14.1)	14.8 (13.4-16.1)	16.3 (14.6-17.7)
20-day	6.41 (6.02-6.83)	7.60 (7.14-8.10)	9.08 (8.52-9.68)	10.2 (9.60-10.9)	11.8 (11.1-12.6)	13.1 (12.2-13.9)	14.3 (13.3-15.2)	15.6 (14.4-16.6)	17.3 (15.8-18.5)	18.6 (16.9-19.9)
30-day	7.98 (7.55-8.43)	9.42 (8.91-9.95)	11.0 (10.4-11.6)	12.2 (11.6-12.9)	13.9 (13.0-14.6)	15.1 (14.2-15.9)	16.3 (15.3-17.2)	17.5 (16.3-18.5)	19.0 (17.7-20.2)	20.2 (18.7-21.5)
45-day	10.2 (9.66-10.7)	12.0 (11.4-12.6)	13.8 (13.1-14.5)	15.2 (14.4-15.9)	16.9 (16.0-17.8)	18.2 (17.2-19.2)	19.5 (18.3-20.5)	20.6 (19.4-21.8)	22.1 (20.7-23.4)	23.2 (21.7-24.5)
60-day	12.2 (11.6-12.8)	14.3 (13.6-15.0)	16.3 (15.5-17.1)	17.8 (17.0-18.7)	19.7 (18.7-20.7)	21.1 (20.0-22.2)	22.4 (21.2-23.5)	23.6 (22.3-24.8)	25.1 (23.6-26.4)	26.1 (24.5-27.5)

MASTER PLAN

BOROUGH OF PENNINGTON

NEW JERSEY

7. Open Space and Recreation Plan Element

The Open Space and Recreation Plan element draft released by the writing team was conditionally adopted by the Planning Board on June 12, 2024, and posted on the Borough website for public comment. Revisions made to address comments received and to ensure consistency with other Plan elements were endorsed by the Planning Board on October 8, 2025. This near-final draft will be available for further public comment prior to final adoption at a public meeting later in 2025.

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Acknowledgements:

Many thanks to members of the Open Space Committee for their participation in drafting and reviewing this plan as it was refined. Thanks also to the Parks and Recreation Committee for their input. Special thanks also to Kate O'Neill and Kati Angerone for their careful review and editing.

1. Mission And Vision

This element of the Master Plan results from the consultation and collaboration of two advisory committees, on Open Space and on Parks and Recreation. Their respective missions or vision statements are presented below. Some aspects of these committees' visions intersect with the work and aims of other Borough advisory committees, and where relevant such intersections are noted in the text.

Open Space Preservation Mission:

To retain the “village” identity of Pennington and the semi-rural character of nearby surrounding areas, the Borough of Pennington works in collaboration with Hopewell Township, non-profit land preservation organizations, Mercer County, and the State of New Jersey to permanently protect open space in, adjacent to, and near the Borough as well as open space along roads, waterways and other undeveloped greenway corridors leading to and from the Borough.

Parks and Recreation Vision Statement:

Pennington Borough is a close-knit village surrounded by open space and accessible by numerous greenway corridors and trail systems. The Pennington Parks & Recreation Commission exists to provide recreational space, facilities, and programming for all Borough residents. Our vision is to maximize participation in outdoor and indoor recreation, and to collaborate with other Borough committees to maximize synergies between recreation, education, and economic development efforts inside and outside the Borough.

2. Goals and Policies

The Open Space and Recreation Plan (OSRP) is consistent with the goals and objectives of the Borough's 2023 Master Plan Reexamination Report related to open space preservation. The Master Plan establishes as one of its goals the maintenance of Pennington as a primarily residential community, and elaborates that open space and recreational areas, both public and private, should be preserved and enhanced, with linkages to nearby preserved areas. Undeveloped lands forming natural breaks in development around the Borough are a major factor in Pennington's distinctive historic village character. The Master Plan statement of goals emphasizes that the Borough should work with “public and private agencies” such as non-profit organizations to preserve these open space areas. Such partnerships also dramatically increase the effectiveness of the Borough's Open Space Tax, since partner contributions can often cover 90% or even more of acquisition costs.

The OSRP elaborates on these Master Plan goals as a vehicle for soliciting public input on how those goals should be realized. By voting to adopt an open space tax in 1998 by a margin of more than 3-1, Borough taxpayers supported the idea that open space preservation and the recreation it offers are important. In 1999, following that vote, the Borough Council created by ordinance the Open Space Committee and an Open Space Trust Fund. In 2000, the Council approved Pennington's participation in the three-municipality Hopewell Valley Open Space

Advisory Committee. Citizen input on the OSRP will help guide how those and other resources can be best used to preserve open space and enhance recreational opportunities.

Open Space Preservation:

The goals of the Borough's OSRP are to advance the broader Master Plan by acting in concert with Hopewell Township, Mercer County, the State of New Jersey, and local non-profit land preservation organizations to:

1. Create, expand, and maintain a permanently protected greenbelt of open space adjacent to and near the Borough, and foster and protect greenway corridors leading into and out of the Borough.
2. Preserve the historic village character of Pennington, which depends on the maintenance of a rural landscape on the Borough's boundaries and on the fringes of developed land surrounding the Borough, and along corridors leading to and from the Borough.
3. Increase the range of passive recreational opportunities on permanently protected tracts of open space in and near the Borough.
4. Address environmental issues that affect the health, welfare, and safety of Borough residents and neighboring populations through actions related to open space preservation and protection. These may include issues such as storm water management, water quality and quantity, climate change, and threats to natural landscapes from wildfires, pests, disease, and non-native invasive species.

Open Space and Recreational Enhancements:

The specific objectives of the Borough's OSRP related to open space and recreational activity are:

1. Create and enhance linkages that allow pedestrian access to open space and recreational opportunities from multiple points within the Borough. Work toward the goal of making open space and recreation facilities reasonably accessible to all, regardless of age or disability.
2. Create and enhance linkages that allow bicycle access to open space and bicycle routes outside the Borough. Provide bicycle racks at Borough parks and in commercial areas.
3. Enhance recreational facilities in Kunkel and Sked Street parks, with attention to the needs of both children and adults of all abilities.
4. Where the Borough owns land that is in a natural state, formalize its preservation by rezoning as Open Space

3. Existing Open Space and Recreational Resources

Properties on the Borough's Recreation and Open Space Inventory (ROSI)

Within the Borough of Pennington there are four parcels of permanently protected open space listed on the Recreation and Open Space inventory, totaling 13.12 acres:

- Kunkel Park (7.59 acres) lies in the northeast corner of the Borough and offers playground equipment, a sand box and a pavilion for picnics and other functions, as well as a link to open space outside the Borough via the Pennington Loop Trail. The park also features a fine stand of mature hardwoods.
- The Sked Street mini park (1.06 acres) offers a quiet spot for families and small children to play safely outdoors.
- The Arboretum being developed by the Borough, as referred to above (3.4 acres)
- Two lots adjacent to the Pennington African Cemetery, totaling 1.07 acres

These properties are valuable spots of green and quiet in the Borough, but they offer limited open space. They cannot provide the extensive open space needed for long country walks, nor can they provide a wide range of recreational facilities.

By virtue of the Borough's location near existing open space lands, however, there are opportunities to expand the open space and recreation opportunities available from within the Borough. Going north, for example, Kunkel Park can be linked along the Stony Brook to the protected lands of The Watershed Institute (formerly Stony Brook-Millstone Watershed Association), and thus connected by already existing footpaths to Hopewell Borough. The Pennington Loop Trail already provides access from Kunkel Park to the State's Fish and Wildlife Preserve at Baldwin Lake, which is linked to the trail easements and County-owned land along the Stony Brook referred to above.

Similar linkages are possible to the south and east as well. Preserved lands just outside the southern border of the Borough now allow access from South Main Street to Mercer County Park lands, with footpath access to Curlis Lake, the Equestrian Center, and Rosedale Park sections of Mercer Meadows. The Pennington Connector to the Lawrence-Hopewell Trail (LHT) provides a pedestrian/bicycle connection from King George Road to the Watershed Institute Reserve and to Mercer Meadows.

School Properties

Local school properties include open space and recreational facilities. To the rear of Toll Gate Grammar School, the cleared area of 2.6 acres includes a playground, baseball/soccer fields, bordering on wooded Borough property being improved as an arboretum. Over half of the 27 acres of The Pennington School property south of W. Delaware Avenue is open space, including athletic fields and a pond, as well as a large lawn area in front of Old Main on West Delaware Avenue, which features some of the Borough's largest trees. On the north side of West Delaware Avenue is another 5 acres of Pennington School land where tennis courts and

soccer fields are located. Pennington School permits the public to make use of its campus and athletic fields, with some occasional restrictions.

On South Main Street, to the rear of the Hopewell Valley Regional School District administrative offices, there are approximately 2 acres of mowed grass, which in the past were used by the YMCA, with permits, for baseball and soccer games. Future action could be taken to protect a portion of this property for public use.

Wooded Areas

There are three existing woodland sites within the Borough and two Borough-owned sites just outside the Borough:

1. 3.48 acres at the rear of the Toll Gate School site on East Curlis Avenue, owned by the Borough. A portion of this tract is currently being developed as an arboretum, as described above. The area includes a small stream and a trail from Curlis Avenue to Welling Avenue used mostly by school children. A portion of the trail is on a Borough right-of-way extending from Baldwin Street.
2. 3.2 acres with trails on the east side of Green Street, connecting to North Main Street, owned by The Pennington School and designated as the Lewis Brook Nature Trail. This site borders the south side of Lewis Brook. Additional markings could help walkers identify the access point for this trail on North Main Street.
3. Approximately 0.75 acres at the northern end of Reading Street, owned by the Borough. This area is the northern part of the Senior Citizen Center site and is bounded on the west by the railroad tracks, on the east by the backyards of homes on Hale Street, and on the north by property of the Pennington School.
4. Just north of the Borough in Hopewell Township, there is an approximately 14-acre wooded area to the rear (north) of the Borough's Public Works garage. Crossing the site from Route 31 to the railroad tracks is Baldwin Brook, which feeds Baldwin Lake. The stream is considered to have a high natural resource value by the NJ Department of Environmental Protection (C-1) which requires a 300-foot-wide buffer on either side.
5. Also in Hopewell Township, the Borough owns a 4-acre former dam site on Stony Brook just west of Old Mill Road. The WPA-built dam from the 1930s has been mostly destroyed by flood waters through the years, going back to the 1973 flood. The breach in the approximately 5-foot-high deteriorated stone dam is more than 100 feet wide.

Landfill Site

The Borough is currently conducting reviews of environmental remediation needed for its approximately 3-acre abandoned, grass-covered landfill along West Delaware Avenue. After the reviews are complete, zoning and suitable potential uses, which could include open space, will be decided.

Howe Commons

The privately owned courtyard area in the center of the Howe Commons office complex on South Main Street is a highly valued oasis of open space in the Borough. In addition to its aesthetic quality, this open space is used for special public events. Under a license agreement signed by the owner and the Borough in January 2005, the courtyard area can be used without charge for “community events” such as “Pennington Day, holiday events and summer band concerts,” and has been so used for at least 25 years.

Trails and Bike Routes

The Borough is fortunate to have direct pedestrian access to hiking trails from its borders to two large open space preserves: the County’s Curlis Lake Woods section of Mercer Meadows, and land north of the Borough extending to Baldwin Lake via the Pennington Loop Trail. This land includes property owned and maintained by the NJ Department of Environmental Protection - Fish and Wildlife, and D&R Greenway Land Trust.

The Borough also enjoys direct access to the multi-use Lawrence Hopewell Trail (LHT) via the Pennington Connector, completed in 2014. The LHT is a 22-mile loop trail suitable for biking which extends through sections of Hopewell Township and Lawrence Township. Of particular benefit to Pennington is the trail’s connection to the County’s Rosedale Park and other sections of Mercer Meadows. See Appendix B for a map showing entrance points to the LHT and hiking trails.

Just south of the Borough, Pennington-Lawrenceville Road (County Route 546) has been widened by Mercer County to provide bike lanes. This improves safety for bicyclists riding from Pennington to the Twin Pines recreational fields and residential areas along County Route 546, including Brandon Farms. Bicyclists can extend their ride from the Twin Pines fields to Mercer Meadows on the east side of Federal City Road and further east to Village Park and the Johnson Trolley Line in Lawrenceville.

This improvement of Route 546 is part of the implementation of Mercer County’s plans for the “Great Western Bikeway.” The Great Western Bikeway, mostly on CR 546, will extend from Washington Crossing State Park to Lawrenceville and the D&R Canal. The route includes Washington Crossing-Pennington Road to the west of Pennington and Pennington-Lawrenceville Road to the east of Pennington, with Pennington being at the mid-point of the 8-mile bikeway (see map in Appendix C). The plan calls for the bike route to detour around the Pennington Circle via Ingleside Avenue and South Main Street with a pedestrian activated light at the Route 31-Ingleside Avenue intersection. At its western end, this bike route will provide access to roads within Washington Crossing State Park and to the Delaware & Raritan Canal State Park towpath, a 30-mile bikeway extending along the feeder canal from Trenton to Frenchtown. At the eastern end, the route will connect to the main leg of the D&R Canal and its towpath, and the Lawrence Hopewell Trail in Lawrence Township.

4. Recreational Needs Analysis

The Borough's existing open space within its boundaries clearly cannot alone provide for expansion of open space recreation. The only feasible strategy is for the Borough to work with other agencies and non-profit groups to expand permanently protected and preserved open space outside the Borough for recreational use. Within the Borough, however, there are ways to enhance some recreational opportunities.

5. Open Space Resource Assessment

A broad band of undeveloped land, some already preserved and much of it not preserved, extends around Pennington Borough and offers substantial opportunities for progress towards the OSRP goals. Specific parcels of land will be identified as potential preservation opportunities through communication with interested landowners.

Analysis of tax maps suggests possible preservation opportunities that would expand preserved open space to the east and west. To the east, there is substantial vacant land opposite Mercer Meadows along Federal City Road. To the west, open space corridors are being created by Hopewell Township and other entities toward the Delaware River along Pennington-Titusville Road and Washington Crossing-Pennington Road. Expansion of open space preservation in each of these areas would advance the OSRP goals.

Criteria for preserving land outside the Borough should be based on several factors including (in no order of priority):

1. Proximity to the Borough
2. Whether adjacent to preserved land
3. Natural resource value, including woodlands and stream corridors
4. Potential for environmental restoration and protection, including flood mitigation.
5. Potential for passive recreational use
6. Potential for active recreational use
7. Viewshed from adjacent roads
8. Potential for linkages to other preserved land
9. Risk of potential development

The Borough's Open Space Tax (one cent on every \$100 of assessed valuation) is an important source of revenue for open space acquisition in and around the Borough, and for enhancing recreational facilities within the Borough. The tax revenue allows the Borough to tap into other revenue sources that can dramatically increase the purchasing power of modest expenditures from its own funds. For open space acquisition, the Borough has taken advantage of NJ Green Acres grants and Mercer County Municipal Assistance grants; when both are obtained for a project, they cover all but a 10% required local match for an open space purchase. This practice has allowed the Borough to build up its open space fund. The Borough should consider this fund as a strategic asset that can be used to leverage State and County funds and

funds available from non-profit partners. The Borough should actively pursue grant opportunities for restoration and enhancement of acquired land.

6. Action Plan

Open Space Acquisition

The Borough's strategy is and should continue to be to work in concert with Hopewell Valley partners. These partners are already actively identifying emerging land preservation opportunities. The Borough can work with interested landowners to negotiate terms and financial arrangements that can satisfy the public's interest in land preservation and landowners' legitimate interest in realizing a fair return for their land. The Borough should cooperate with Hopewell Township, the Friends of Hopewell Valley Open space, D&R Greenway Land Trust, Mercer County, the New Jersey Conservation Foundation, and the State of New Jersey. The Borough should remain open to participating in transactions that might entail purchase of land in fee simple from owners, as well as transactions in which land is preserved through the conveyance of conservation easements. With such cooperation, the Borough can expect that land preservation transactions will typically involve a combination of resources contributed by the Borough and these partners.

Rather than identify specific parcels that would be targets of preservation, the Borough prefers to follow up on opportunities that are consistent with the overall goals of the OSRP. Identifying specific parcels would be unrealistic, since the voluntary interest of landowners in the area must first be engaged. Moreover, identifying specific parcels in the absence of landowner's expressions of interest could be perceived as coercive or alternatively might weaken the bargaining position of the partners who are negotiating preservation deals.

The plan of action for open space acquisition will be guided by the accompanying Open Space Map (Appendix A) showing the proposed Greenbelt and nearby greenway corridor roads. Other "gateway" corridors that offer potential non-auto access to the Borough can be identified based on emerging land preservation opportunities. This map provides a broad guideline for determining whether land preservation opportunities will contribute to the overall OSRP goals. The Borough will also consider the Hopewell Township Open Space Plan, which defines a Greenbelt around the Borough. The watershed improvement initiative led by the Watershed Institute for Princeton, Lawrence Township, Hopewell Township and Pennington may identify other opportunities for open space acquisition for flood mitigation.

The proposed Greenbelt as shown on the Open Space Map is important to preserving the identity of Pennington as a separate and distinct small town. The Greenbelt includes a substantial amount of undeveloped land, especially to the west and east of the Borough. The eastern boundary extends to Mercer Meadows along Federal City Road, while the western boundary extends to Scotch Road. The northern boundary extends to Yard Road, and the southern boundary extends to Pennington Circle and Blackwell Road. It should be noted, however, that further residential development around Pennington could make it appropriate to reconsider and expand this Greenbelt definition to maintain a focus on preserving green areas

that surround Pennington and its adjacent developed areas in what might be called “greater Pennington.”

The other major element in preserving open space as shown on the Open Space Map consists of nearby “greenway corridors” emanating from the Borough or the nearby Pennington Circle. In earlier OSRPs, these corridors were defined solely along roads that link Pennington to state, county, and municipal parks; preserving the scenic quality of these roads can thus contribute to the goal of maintaining Pennington’s character. Each of these roads is bordered by a substantial amount of open space, much already preserved.

The identified “greenway corridor roads” are as follows: 1) to the west of Pennington, Washington Crossing-Pennington Road and Pennington-Titusville Road, both of which extend to Hopewell Township’s Woolsey Park and Washington Crossing State Park; 2) to the east, Federal City Road, which leads to Rosedale Park and the County’s Mercer Meadows; 3) to the northeast, Pennington-Rocky Hill Road, which includes the former Bristol-Myers Squibb site with its 200 acres of farmland; and 4) South Main Street and its extensions to the Pennington Circle and along Pennington-Lawrenceville Road. Priority for preservation should be given to sites on these roads within two miles of the Borough.

There is an increasing appetite among the public for ways to move around our area without getting in a car. For that reason, the OSRP envisions the creation, where possible, of off-road corridors in and out of the Borough. Such corridors may provide Borough residents with access to recreational opportunities outside the Borough, and for non-Borough residents to come into the Borough to visit local businesses or friends. Such corridors could include footpaths or even bicycle paths where feasible.

Preservation of Wooded Areas in Pennington and of Other Sites Owned by the Borough

The Borough has designated the land behind Toll Gate Elementary School as the Eileen M. Heinzel Arboretum and has included it in its ROSI. The Borough should continue to work with the Environmental Commission, the Shade Tree Committee, local volunteers and the Public Works Department to transform selected areas of that wooded parcel into an arboretum - a protected area for installation of native trees, shrubs, and perennials, with access trails, that can serve the enjoyment and education of students, residents and visitors.

The Borough Public Works garage is on a site in Hopewell Township just north of the Borough Boundary, which is partly wooded. The entire wooded area to the rear (north) of the garage should be retained and kept natural by the Borough. The area immediately behind the facility is already devoted to a solar array. Given stream buffer requirements, difficulty of access from Route 31, and Township zoning (industrial commercial), it is unlikely that the wooded area north of Baldwin Creek is threatened by development interests. Since that area is also isolated from residential areas in the Borough, it is not an attractive site for development of recreational trails. Nevertheless, the Borough could consider deed-restricting the remainder of that site (Township Block 48, Lot 13) to ensure that it remains undeveloped.

No action is needed to preserve the Borough's dam site as open space due to wetland and stream corridor restrictions imposed by NJ DEP. Future recreational use of the site is doubtful given extensive wetlands on the site, limited access from Old Mill Road, and the unlikely reconstruction of the dam given DEP permitting issues and cost. Subdivision and sale of the site to adjacent homeowners on either side of Stony Brook should be considered.

Recreational Enhancements

Biking:

The safety of bicyclists within the Borough could be served by the installation of bike route signs on those streets best suited for bicycles and which provide connections to bike routes outside the Borough – see Proposed Bike Route map in Appendix D. These routes run both east-west and north-south. The east-west route shown takes advantage of bike lanes on lower King George Road, which lead to the Pennington Connector to the Lawrence-Hopewell Trail. Whenever the Borough is resurfacing roadways that align with the Proposed Bike Route map or that intersect with the Great Western Bikeway, appropriate signage to the center of town and road marking should be created.

Property owners in the Route 31 commercial corridor whose properties can be safely reached by bicycle from the Borough should be encouraged to provide bike racks on their sites.

A major improvement in access to safe bicycle routes outside the Borough could be achieved with a “Stony Brook-Presidential Hill Connector.” This connector would link the Pennington Connector to the LHT with the Pennington neighborhoods south of East Delaware Avenue. It would consist of:

- A crosswalk across East Delaware Avenue at its intersection with King George Road
- A new bicycle-capable trail along the south side of East Delaware Avenue from Stony Brook to the intersection of East Delaware Avenue and Federal City Road. This can be an off-road trail because the land is owned by the County.
- A crosswalk across Federal City Road from that intersection to the fire road access to Presidential Hill.
- Surfacing the fire road up to Madison Avenue, from which cyclists and pedestrians can safely use neighborhood streets to the southeast quadrant of Pennington.

Many students attending the Toll Gate school ride bicycles to school on the 4-foot- wide sidewalk along the south side of E. Curlis Avenue leading to bicycle racks near the playground. The sidewalk is also used by students walking to and from school and by students being dropped off or picked up by their parents momentarily parking along E. Curlis Avenue. Since the sidewalk is adjacent to the curb, open car doors extend over the sidewalk. The 4-foot width is inadequate for both bicycle and pedestrian use and hazardous due to its proximity to parked cars. To address this hazard and make bicycling to the school safer, a separate bike path consistent with the Borough's “complete streets” policy should be constructed running east from the school driveway potentially as far as the intersection with Abey Drive or perhaps part (e.g., 300 feet) of that distance. Alternatively, the sidewalk could be widened.

Bike-friendly linkages can also be extended to the south, taking advantage of the Great Western Bikeway (GWB) route. Bike lanes along South Main Street could connect to the GWB for rides towards Lawrenceville. If bike lanes or markings were added to Wellington Drive, Borough residents could ride safely to shopping and dining opportunities on Denow Road without a Route 31 riding experience.

Pedestrian Trails:

The Pennington Loop Trail should be extended north of Baldwin Lake along the west side of the Stony Brook to Titus Mill Road and then to the The Watershed Institute Reserve on the east side of the Stony Brook. Trail easements and land acquisition by Mercer County make this theoretically possible, but details of those deeds have become obstacles to achieving agreement with the owners or neighbors. Further discussions could be pursued again to determine whether agreement on such trails is now feasible.

Park Enhancement:

Important improvements have been made to the Borough's Kunkel Park and Sked Street Park. The emphasis has been on children's playground equipment. Opportunities might be found in those parks, or at other locations in the Borough, for simple facilities to enhance exercise values for runners and walkers.

Potential Synergies with Economic Development:

Although the emphasis in this OSRP is on outdoor recreation, some initiatives focused primarily on economic development could serve recreation goals as well. For example, promoting the creation of youth-friendly establishments might create indoor recreation and entertainment. The availability of outdoor-oriented shops can help residents find convenient ways to equip themselves for recreational jaunts on foot or on bikes.

7. Relationship with other Regional Plans

Hopewell Township Master Plan

The Township adopted an Open Space and Recreation Plan on June 18, 2018, to allow it to continue to participate in the Green Acres program and use the Planning Incentive Grants for the preservation of open space and recreational lands. This plan was targeted at technical and site-specific updates rather than a comprehensive update. A more comprehensive Open Space and Recreation Plan was adopted by the Township Planning Board on February 24, 2022. It included a review of and revisions to the goals and objectives of the original 2004 plan, updates to the open space and recreation inventory, amendments to the action plan based on a needs analysis and updates to the Open Space and Recreation System Map.

Pennington Borough works with partners on open space selection, acquisition and development. In addition to Hopewell Township, the partners are the Friends of Hopewell Valley Open space, D&R Greenway Land Trust, Mercer County, the New Jersey Conservation Foundation, and the State of New Jersey. These partners are actively identifying emerging land preservation opportunities. Most of the parcels close enough to be of interest to the Borough are in Hopewell Township, so it is important that the Borough and Township work together on acquisition and preservation.

Mercer County Master Plan

Mercer County has been aggressively acquiring open space since the County open space preservation trust fund tax ballot question was overwhelmingly approved by the voters in 1989. It has been continually supported since. Pennington is a beneficiary of the extensive efforts by the County to preserve open space and develop it for active or passive recreation or as wildlife preserves. Within easy reach of Pennington are Mercer Meadows (consists of Rosedale Park, the Mercer County Equestrian Center, the Pole Farm, and Curlis Woods), the Ted Stiles Reserve at Baldpate Mountain, Howell Living History Farm, and the Hopewell Valley and Mountain View County Golf Courses. The County is also a principal supporter of the Lawrence-Hopewell Trail (LHT). The Mercer County Open Space Plan gives the history of its preservation efforts with its partners, resulting in 27% of County Land being preserved, up from 9% in 1990. The map on page 5 of the Plan shows Pennington and its surroundings as a County “action area” for acquisitions. The Borough Master Plan discusses its purchasing partners, including the County.

New Jersey State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP), also known as the State Plan, provides a vision for the future that will preserve and enhance the quality of life for all residents of New Jersey. The purpose of the State Plan is to coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination (N.J.S.A. 52:18A-200(f)).

The current SDRP was adopted in 2001 and is in the process of being updated by the Office of Planning Advocacy (OPA) and the State Planning Commission (SPC). The SPC approved the Draft Final SDRP on September 15, 2025 and aims to approve the final plan by the end of 2025: https://nj.gov/state/bac/planning/documents/update-to-state-plan/dfsdrp_20250915.pdf

Goal 8 of the ten Goals of the Draft Final SDRP relates to open space:

8. Protect, enhance, and improve access to areas with exceptional archeological, historic, cultural, scenic, open space, and recreational value.

Pages 75-77 of the Draft Final SDRP give Policy Objectives in the following areas relevant to open space and recreation:

Agriculture and Farmland Preservation:

“Encourage farmland retention and minimize conflicts with development. Prioritize farmland preservation funding in rural areas and enhancing large contiguous farmland areas. Promote diversified farming operations and adjust zoning to align with environmental sensitivity and climate change considerations. Promote agritourism that includes wineries, breweries, distilleries, cideries, and facilities that provide auxiliary activities.”

Recreation:

“Promote maximum active and passive recreational and tourism opportunities at the neighborhood, local, and regional levels by targeting the rehabilitation and development of parks within half a mile of residential neighborhoods with an appropriate density. Target parkland acquisitions and improvements, especially those that enhance large contiguous open space systems and link to other networks through redevelopment, reclamation, or restoration projects. Create public access and recreation opportunities and linkages along ocean front areas, bayfronts, and riverfronts. Convert obsolete railroad rights-of-way and canal pathways to multi-purpose trails equipped with amenities such as convenience stations including restrooms, bicycle rentals, and interpretive signage.”

8. Relationship with Other Plan Elements in the Master Plan

The Open Space and Recreation Plan Element impacts and is impacted by other Master Plan elements as follows:

Land Use Plan Element. The capacity to support open space and parks within the Borough is impacted by the development and redevelopment that the Borough permits through zoning. Where the Borough owns land that is in a natural state, its preservation should be formalized by rezoning as Open Space.

Housing Plan Element. The Borough has identified areas in need of redevelopment which may hold the opportunity for high density housing, including affordable units. The impact of these developments on the opportunities for open space acquisition should be considered.

Mobility Plan Element. The Mobility Plan includes goals to provide safe access to open spaces and to recreational facilities for pedestrians, bicyclists and those not in cars. This will enhance the opportunities for residents to access these facilities.

Community Facilities and Services Plan Element. This element documents parks and open space within the Borough and will need to be updated if additional acquisitions are made.

Conservation of Natural Resources Plan Element. This element along with the Environmental Resource Inventory (ERI) documents conserved resources and includes plans for additional conservation. It is closely aligned with the Open Space and Recreation Plan.

Economic Development Plan Element. This Plan considers all aspects of commerce and economic development in the Borough. The businesses in town frequently participate in the recreational activities organized by the Parks and Recreation Committee. The recreation plans

should ensure that the joint efforts are supported appropriately. Open space developments and links to the town center are important to local businesses as residents and visitors can increase their customer base.

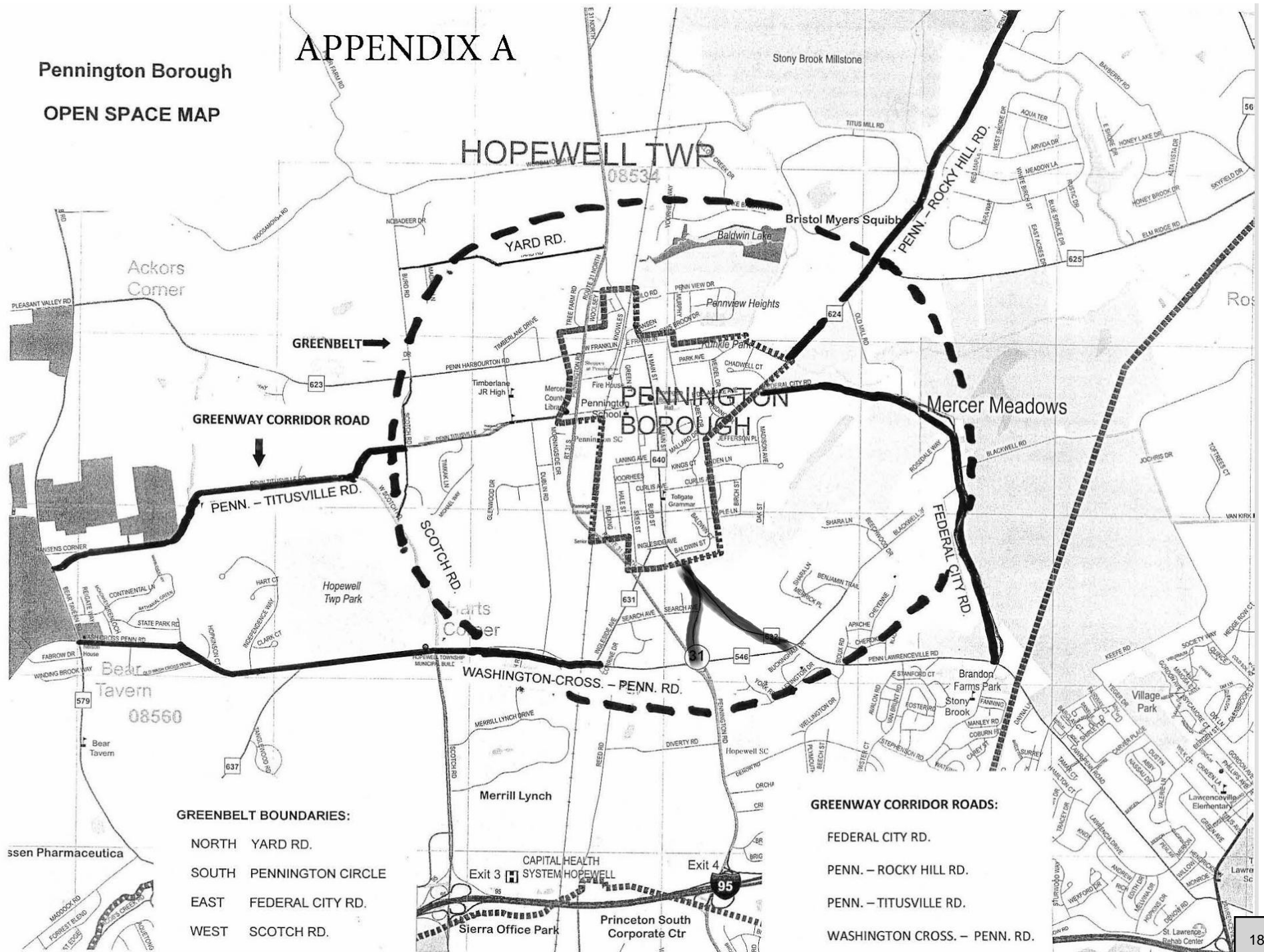
Historic Preservation Plan Element

Historic preservation aims to maintain the Borough's historic character and its goals are closely aligned with open space preservation.

Conditionally Adopted

Pennington Borough
OPEN SPACE MAP

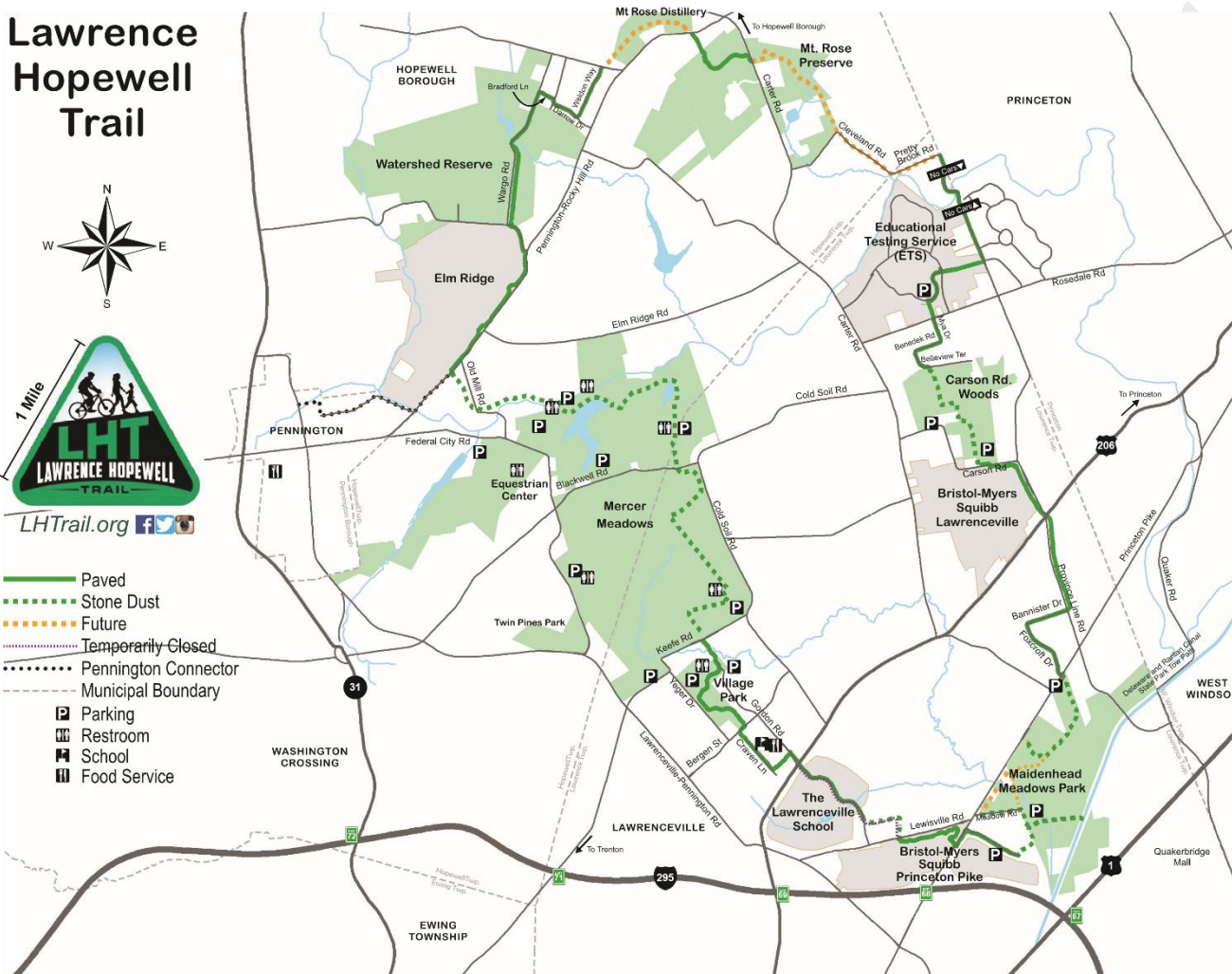
APPENDIX A



Lawrence Hopewell Trail



- Paved
- - - Stone Dust
- - - Future
- - - Temporarily Closed
- - - Pennington Connector
- - - Municipal Boundary
- P Parking
- R Restroom
- S School
- F Food Service



APPENDIX B

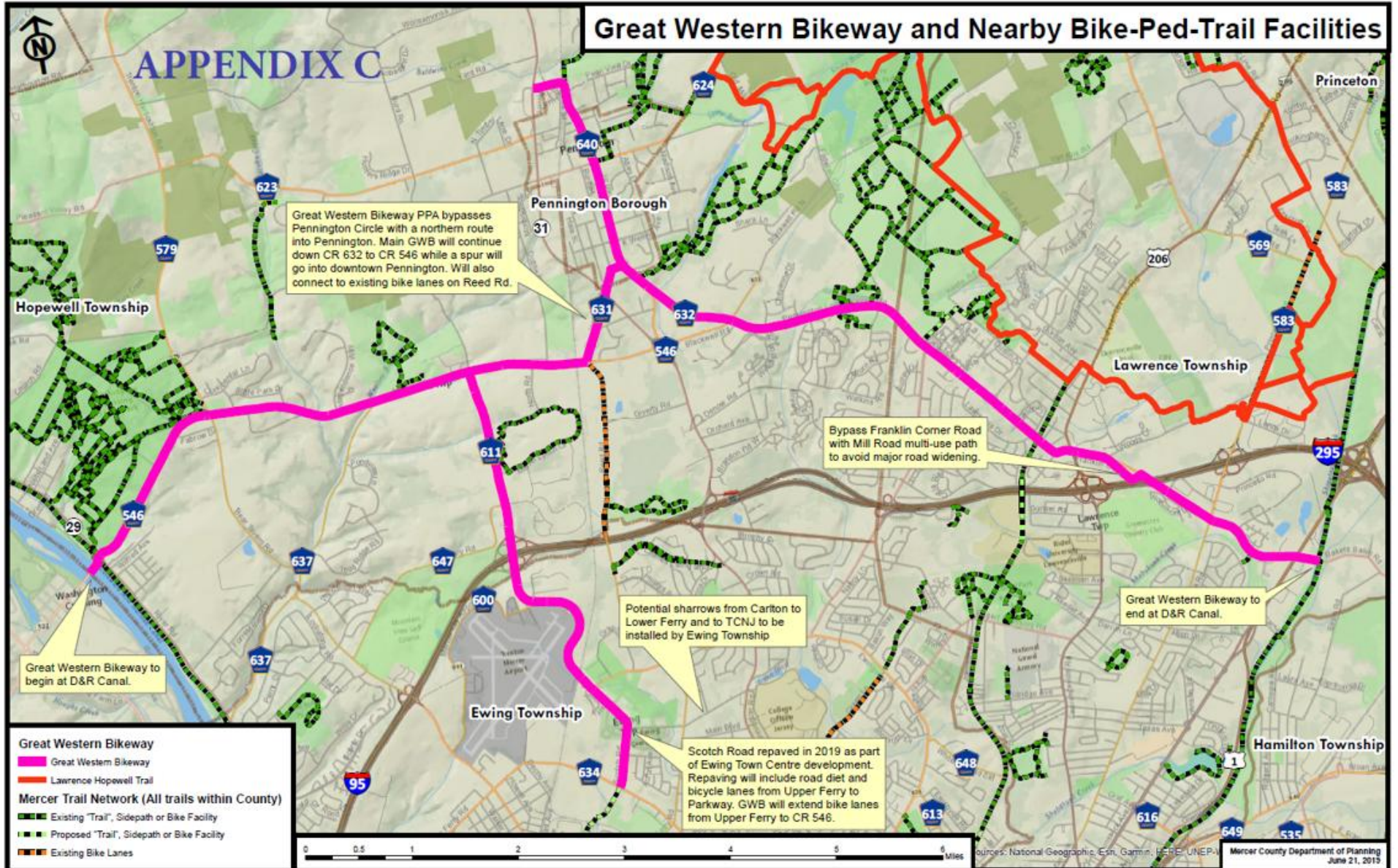


SUGGESTED ROUTES	BIKE RIDE	WALK / RUN
SHORT (<2 miles round trip)*	Carson Road Woods (5)	Carson Road Woods (5)
MEDIUM (2-5 miles round trip)	Keefe Road / Pole Farm to Blackwell Road (13)	Keefe Road / Pole Farm to Rosedale Lake (13-14)
LONG (>5 miles round trip)	Maidenhead Meadow to Carson Road (5-8)	Rosedale Lake to Main Street Lawrenceville (11-14)
	Village Park to Rosedale Lake (12-14)	Stony Brook Watershed to Rosedale Lake (14-16)

*Also good for families with young children

Great Western Bikeway and Nearby Bike-Ped-Trail Facilities

APPENDIX C

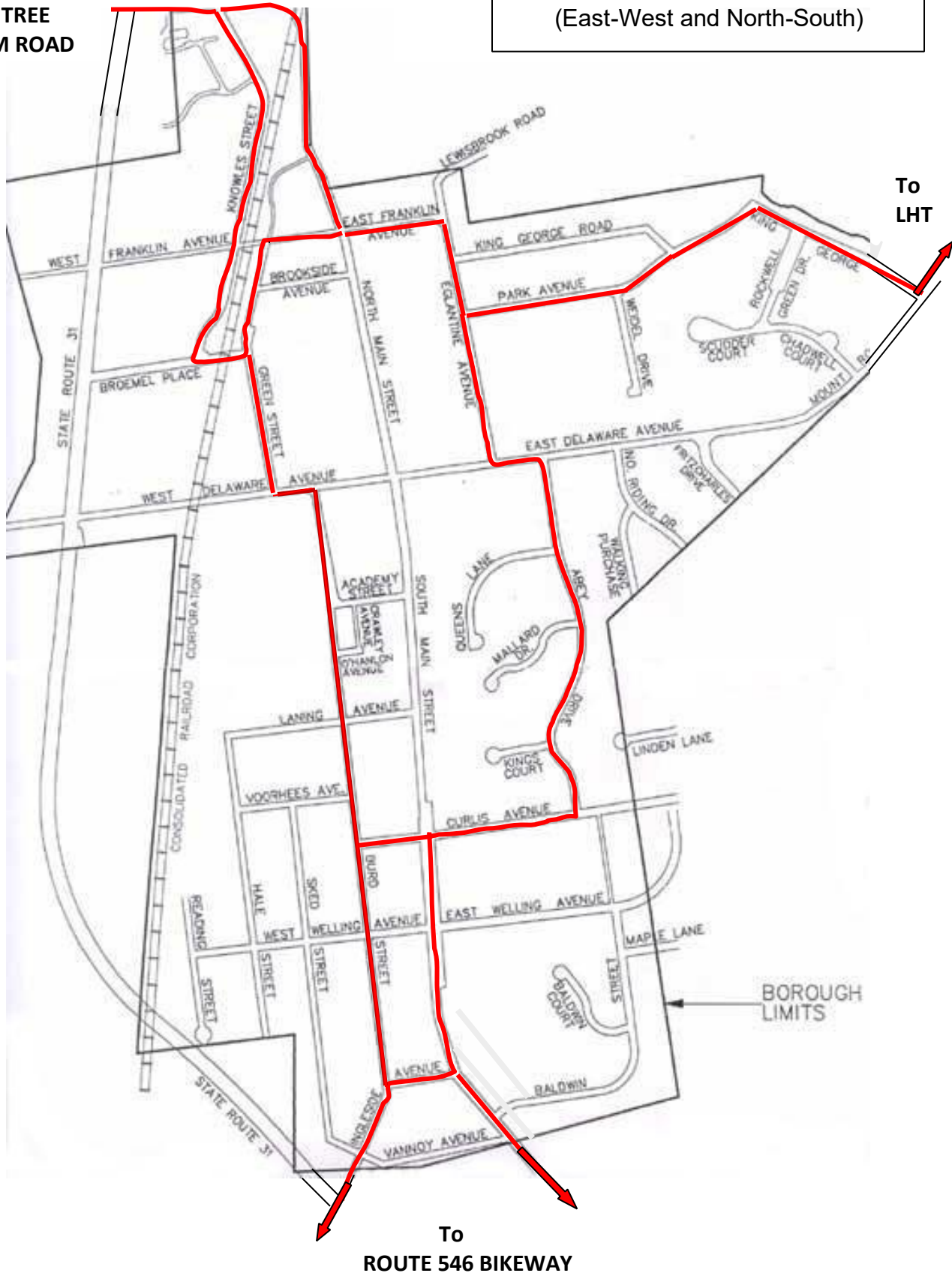


APPENDIX D

PROPOSED BICYCLE ROUTES in and through Pennington

(East-West and North-South)

To TREE
FARM ROAD



MASTER PLAN
BOROUGH OF PENNINGTON
NEW JERSEY

4. Community Facilities and Services Plan Element

The Community Facilities and Services Plan element draft released by the writing team was conditionally adopted by the Planning Board on April 9, 2025, and posted on the Borough website for public comment. Revisions made to address comments received and to ensure consistency with other Plan elements were endorsed by the Planning Board on October 8, 2025. This near-final draft will be available for further public comment prior to final adoption at a public meeting later in 2025.

Contents

- 1. Introduction**
- 2. Community Facilities and Services Plan Vision and Goals**
- 3. Borough Facilities and Services**
- 4. Other Facilities and Services**
- 5. Open Space in Pennington for Recreation**
- 6. Relationship with Regional Community Facilities Plans**
- 7. Relationship with Other Plan Elements in the Master Plan**

Thanks go to the following people who helped create the Community Facilities and Services Plan element: Chair Ryan Schwab, Suzanne Elliott, Allison Neary, Kate O'Neill, Rob Ingram, Roger Demareski, and Andy Jackson. Thanks also to Kati Angerone for her thorough and insightful editing.

1. Introduction

The Municipal Land Use Law (MLUL) includes a Community Facilities Plan as a permitted Master Plan element. N.J.S.A. 40:55D-28(4) describes the element as follows:

“A community facilities plan element showing the existing and proposed location and type of educational or cultural facilities, historic sites, libraries, hospitals, firehouses, police stations and other related facilities, including their relation to the surrounding areas.”

This element, which is entitled Community Facilities and Services Plan, shall serve as a catalog of not only facilities but also services available to Borough residents and businesses, and presents goals for improvement. The Plan is based on a review and evaluation of the Community Facilities Plan of the 1998 Pennington Borough Master Plan and of the 2005, 2013 and 2023 Master Plan Reexamination reports. The writing team also reviewed Community Facilities Plan elements from nearby communities.

The vision and goals for the Community Facilities and Services Plan are a subset of the overall Master Plan vision and goals developed by the Master Plan Committee (MPC) and the Citizens Advisory Committee (CAC). The CAC is composed of 15 volunteers appointed by the Mayor on October 4, 2023. As set forth in New Jersey MLUL N.J.S.A. 40:55D-27a, the role of the CAC is to assist the Planning Board in its duties. Here, the CAC was assigned to work with the MPC to help develop the various elements of the Master Plan. In addition, CAC members served as community contacts, obtaining feedback and buy-in as the Plan elements were developed.

In the fall of 2023, the MPC and CAC worked together to develop the vision and goals for the updated Master Plan. Their report was reviewed, modified and endorsed by the Planning Board in a public meeting on January 10, 2024. The modified vision and goals were presented to the public at an Open House at Borough Hall on April 10, 2024. Revisions were made, based on feedback from the public. The resulting list of draft goals was distributed to the teams developing the Master Plan elements as a guide for their discussions. The community facilities and services goals in that report were the starting point for the Community Facilities and Services Plan element writing team.

2. Community Facilities and Services Plan Vision and Goals

This Plan includes data on municipal facilities, other non-municipal facilities that may be available for public use, parks and recreation, schools, and churches, and services they provide.

Pennington Borough has an extensive range of community facilities to serve its population. The Borough Administrator undertakes an annual review of Borough needs with respect to community facilities and services in collaboration with the Hopewell Valley Office of Emergency Management and Borough Council to ensure facilities and services are properly functioning and have the capacity for the forecasted annual usage. Many facilities have been upgraded over the course of the last decade to reflect Americans with Disabilities Act requirements and other needs.

According to the 2020 Census, Pennington Borough had a population of 2,800 people. With limited vacant land and little opportunity for new development, no major additions to, or expansion of the existing community facilities are anticipated. However, it may be necessary to consider renting some nearby space or repurposing other borough buildings if needs arise.

Pennington Borough works to ensure equitable access to community facilities and services, and to provide these for people of all ages, races and ethnicities, gender identities, religions, abilities, and socioeconomic status. The Borough will enhance the physical and mental wellness of its residents by creating meaningful opportunities for social connections, culture, learning, and leisure, and by supporting the availability of public and private facilities and services in the community.

Goals for community facilities and services:

1. With the renovation of Borough Hall and the modern Public Works facility, the community is well positioned to provide municipal services. However, Borough Hall space is limited and may not be adequate for the proper functioning of some departments. The Borough should continue to evaluate facilities and services annually for function and future capacity to support all services. It may be necessary to consider renting some nearby space or repurposing other borough buildings.
2. The Borough should communicate with the community on the availability of the services it provides. This communication should be kept current and occur via multiple modes. It is especially important that community members understand the roles of various departments in the Borough and Hopewell Valley in the event of an emergency.
3. Emergency services, including fire, ambulance and medical services, evacuation plans, local shelters and emergency communications should be reviewed annually to ensure that the needs of Pennington and the region are met now and in the future. Emergencies to be prepared for include rainstorms and flooding, snowstorms and ice storms, strong winds, tornados, wildfires, extreme heat, extreme cold, train derailments, and pandemics. A long-term and sustainable replacement for the Emergency Medical Services should be prioritized.
4. Pennington Borough should consider becoming a National Weather Service StormReady municipality and work the Hopewell Valley Office of Emergency Management to offer a comprehensive StormReady environment in Hopewell Valley. Consideration should be made to implement Outdoor Warning Sirens to ensure multiple layers of alerts.
5. The Senior Center on Reading Avenue may become redundant when the regional Community Center on Reed Road is opened. Alternate uses will need to be found, as outlined in the Land Use Plan and Housing Plan elements.
6. Pennington should have a place that provides opportunities for learning, social connections, culture, and leisure for all. It should be rich in arts, community activities, and entertainment. Although the proposed new community center on Reed Road may provide opportunities, the

Borough should provide them in town by fostering partnerships and developments that can serve all segments of the community, especially those who cannot drive.

7. To support community activities, the Borough should keep an updated list of public and private indoor and outdoor facilities that are willing to host activities, such as community events, youth and adult sports, meetings of volunteers, book clubs, art shows, etc. Helping residents find facilities that meet their needs will bring the community together in shared activities.
8. Church attendance is in decline and some of the churches in the Borough may close or consolidate. These buildings are often historic and to preserve the Borough's history, while providing community facilities, the Borough should encourage repurpose rather than demolition of these buildings.
9. The Borough should encourage the development or revitalization of daycare services to help families to be able to live in Pennington.

3. Borough Facilities and Services

3.1. Borough Facilities

3.1.1. Pennington Municipal Building (Borough Hall)

(<https://www.penningtonboro.org>)

Borough Hall is located at 31 North Main Street. It houses a conference room that can be used for in-person meetings of the Council and of the various Boards, Commissions and Committees of Pennington Borough. The conference room also serves as the Municipal Court, a local court whose procedures are governed by New Jersey Court rules. Borough Hall also contains offices for the Mayor, the Borough Administrator and the Borough Clerk, and a work area for employees of the various municipal departments including the Tax Collector, Tax Assessor, Land Use Administrator, Zoning Officer, Building and Construction officials, Public Works, Board of Health, and the Office of Emergency Management. Borough Hall also houses the Police Station and the independent Public Library. It is equipped with auxiliary power.

3.1.2. Public Works Building

(<https://www.penningtonboro.org/departments-public-works>)

The Department of Public Works (DPW) is located on North Main Street on a lot in Hopewell Township owned by Pennington Borough. The lot also includes a PSE&G solar farm with a battery backup system, which provides electric power to the grid and provides power to the Public Works building. The building and parking lots store all equipment for garbage and other waste collection, and for the maintenance of Borough-controlled roads, water system (including fire hydrants), sewer collection system, stormwater infrastructure, Borough-owned buildings and grounds, parks, streams and catch basins, and shade trees within the Borough right-of-way. The maintenance of DPW vehicles and equipment is conducted at the Public Works building,

whenever feasible. Further information on Public Works services and facilities, including the sites of water wells and sewer pumps can be found in the Utility Services Plan element of the Master Plan.

3.1.3. Senior Center

The Hopewell Valley Senior Center on Reading Street is supported by Hopewell Valley Senior Services (HVSS), which serves seniors from Pennington Borough, Hopewell Borough and Hopewell Township. Activities are organized by HVSS and those at the Reading Street facility include Artists' Choice and Collage, Social Bridge, Games, Knitting Club, and Mahjong. Other activities open to Pennington seniors take place at the Hopewell Township Building, the Mercer County Library and the Hopewell Borough Library. Additionally, the Mercer County Nutrition Program for Older Adults provides ready-to-eat meals at the Reading Street facility.

Hopewell Township is in the design stage of a multipurpose building off Reed Road to serve primarily as a senior and community center, with integrated fitness and wellness facilities for residents of the Hopewell Valley (i.e., Hopewell Township, Hopewell Borough and Pennington Borough). The new center will also have office space for non-profit organizations. Outdoor amenities envisioned include an outdoor pool, passive and active recreation areas, a walking nature trail, and a community garden. No date has been set for completion, but when it is opened, the current Senior Center may become obsolete, and the facilities and lot will be re-envisioned.

3.1.4. Pennington Parks

Pennington has four public parks for active and passive recreational use, covering 11.8 acres of Borough land (see Table 2 in Section 3c, which also includes details of additional open space in the Borough). The largest at 7.5 acres is Kunkel Park, bordered by Lewis Brook, Stony Brook and King George Road. It has a meeting and events shelter, playgrounds and a sand pit. The D&R Greenway Pennington Loop Nature Trail through the Baldwin State Wildlife Management Area can be accessed from the north side of the park. The Eileen M. Heinzl Arboretum sits on 2.7 acres of woodlands east of Toll Gate Grammar School. It was purchased from HVRSD in 2022 and work to create the arboretum is being conducted by volunteers guided by the Pennington Environmental Commission. There is a 1.1-acre children's park with playground equipment on Sked Street. There is also a 0.5-acre space with a gazebo at the corner of Knowles Street and Broemel Place which is known as Veterans Memorial Park. The parks are maintained by Public Works and improvements may be funded by grants or from the Borough's Open Space Fund.

3.1.5. The Closed Landfill

A closed municipal landfill sits on 7.6 acres to the west side of the CSX railroad tracks, bounded by West Delaware Avenue to the south and Broemel Place to the north. It was operated from 1954 to 1980. In 1972, the Borough reported the following refuse streams by volume: household (75%), commercial (8.3%), landscape (12.5%), construction (2.1%) and bulky items (2.1%). According to the records, liquids, sewage sludge, septic tank waste, chemicals, agricultural waste and oils were excluded from the landfill. The volume of waste is estimated to be 65,000 cubic

yards, or about 15,000 tons. The landfill has been the subject of several environmental studies. The site is managed by Public Works and contains a disused garage and a storage area for construction and other materials. It also is the site of Borough water well #6.

Adjacent to the southwest corner of the landfill is a 0.2-acre lot with an old water tank and a building that used to be the Public Works Director's office. At the northwest corner is a 0.6-acre lot that used to belong to Nassau Oil Company. The three lots have been declared an Area in Need of Redevelopment by the Borough Council. A stone road runs north-south across the property. According to a 1950 Fire Map, a tributary of Lewis Brook ran diagonally across the landfill lot but in the early days of the landfill it was diverted to a ditch along the west side of the lot, to a culvert under the stone road, and then east to the tunnel under the railroad tracks.

The northeast side of the landfill is bounded by the Fire House and the First Aid Squad buildings and lots. As discussed in Section 6.1 below, the Hopewell Township Community Facilities Plan states that "The Fire District is developing a plan for the construction of a building in the Municipal Services Complex to house Fire District administrative offices, equipment storage, rescue vehicles and emergency response. As residential and non-residential development proceeds towards build-out, the Fire District may also need to re-evaluate its operations and the need for additional facilities." As noted in Sections 4.1 and 4.2 below, this may result in the fire house and EMS building becoming redundant. If these were added to the three lots currently in the area in need of redevelopment, the area would increase from 8.3 to about 9.4 acres, increasing the potential value to a developer.

In view of the recent increases in land value in Pennington, the Borough should consider returning the property to greenfield status by transferring the contents of the landfill to a modern, lined landfill such as the GROWS landfill in Morrisville PA, where Pennington's current waste goes via the Mercer County transfer station.

3.2. Borough Services

Details on Services provided within the Borough by the Department of Public Works can be found in the Utility Services Plan element of the Master Plan. These include:

1. Operation, management and maintenance of the Pennington Water Department, a public water system, including water supply infrastructure, such as water supply wells, water treatment and water distribution system (i.e., water mains, valves, towers, hydrants, etc.) for the provision of safe and adequate water supply and fire protection for residents, businesses and municipal buildings.
2. Operation, management and maintenance of the wastewater collection system and delivery to the Stony Brook Regional Sewerage Authority (SBRSA) Pennington Wastewater Treatment Plant.
3. Operation, management and maintenance of Borough-owned or controlled stormwater infrastructure (i.e., pipes, inlets, basins, etc.) and provision of stormwater management consistent with applicable federal and state laws.
4. Borough road repairs and maintenance.
5. Snow removal from Borough Streets and Borough owned or controlled properties.

6. Maintenance of Borough Trees, as defined in the Borough's Community Forestry Management Plan developed by the Shade Tree Committee.
7. Garbage collection, including additional fee-based services for bulk waste.
8. Leaves, branches, and lawn and yard waste collection.

The Utility Services Plan also presents details of services provided to the Borough by others:

1. Recycling by the Mercer County Improvement Authority
2. County road maintenance, including leaf and snow removal, by the Roads Section of the Mercer County Department of Transportation & Infrastructure
3. Electricity from Public Service Electric and Gas (PSE&G).
4. Natural Gas from Elizabethtown Gas
5. Telecommunications by several suppliers.

Services provided to Borough residents and businesses by entities other than the Department of Public Works are described below.

3.2.1. Police Services

(<https://www.penningtonboro.org/police>)

The Pennington Police Department is responsible for enforcing local and state laws with respect to motor vehicles and enforcing the New Jersey criminal code. Police headquarters are located within the Municipal Building on North Main Street. This space houses offices, a holding cell, an evidence room and break rooms.

Police equipment in 2025 included the following:

- 4 Marked police vehicles
- 1 Unmarked police vehicle

Pennington Borough has shared service agreements with Hopewell Township and Mercer County for Emergency 911 and Dispatch. The Department's authorized complement of officers and dispatchers is supplemented by civilians and crossing guards.

3.2.2. Emergency Management

(<https://www.hopewellpolice.nj.gov/divisions/oem>)

Hopewell Valley has a regional Office of Emergency Management (OEM) including Hopewell Township, Hopewell Borough and Pennington Borough. Each municipality has an emergency Management Coordinator. The OEM is responsible for planning for, responding to, and coordinating efforts during major emergency events in Hopewell Valley. The OEM has developed a comprehensive emergency operations plan. Periodically the OEM conducts drills involving the police departments, fire departments, emergency medical units, communications centers, health departments and other government agencies such as the public works departments. Emergencies to be prepared for include rainstorms and flooding, snowstorms and ice storms, strong winds, tornados, wildfires, extreme heat, extreme cold, train derailments, and pandemics.

The OEM uses an emergency operations center located in the Hopewell Township Police headquarters. This center is activated several times a year for incidents such as floods, major snowstorms, and other large-scale events. The Hopewell Valley OEM works closely with the Mercer County and New Jersey Offices of Emergency Management.

3.2.3. Board of Health

(<https://www.penningtonboro.org/board-health>)

(<https://www.hopewelltpw.org/190/Board-of-Health>)

The Board of Health provides health services to Borough residents and businesses through a shared services agreement with the Hopewell Township Health Department. The mission of the Township Board of Health is to protect, improve, and promote the health, productivity, and well-being of all Hopewell Valley residents. The Borough also has shared service agreements with the Township for animal control and senior services.

3.2.4. Recreation

The Pennington Parks & Recreation Commission sponsors recreational programs from youth to senior levels. Included are summer concerts, Art in The Park, Hopewell Valley Night Out and the 4th of July Races. Theme events include the Memorial Day Parade, the Easter Egg Hunt and the Holiday Walk.

The annual Pennington Day in May is organized by the non-profit organization Pennington Day Inc. Pennington Day's stated mission is; to further the Borough's spirit and identity as a community, and enhance its quality of life, while providing community groups, civic organizations and businesses of Hopewell Valley an opportunity to inform the community of their mission; to allow community organizations to raise funds through their sponsorship of Pennington Day events and/or the booths, and; to make grants to non-profits, civic organizations, schools and municipalities for specific projects that serve Pennington Borough and Hopewell Valley.

4. Other Facilities and Services

This section describes community facilities owned and operated by other entities within the Borough, and the services they provide.

4.1. Pennington Fire Company

Pennington Fire Company (PFC) operates from its own building on Broemel Place. Pennington Borough Fire District No. 1 is an autonomous entity responsible for providing fire protection and extinguishing fires within the geographic boundaries of Pennington Borough and, pursuant to an agreement with the Hopewell Township Board of Fire Commissioners, for providing primary fire protection and extinguishing fires to the central and southern portions of Hopewell Township. The Fire District is governed by a five-member Board of Fire Commissioners. It is funded through a fire tax - in 2025 this was set at 5.0 cents per \$100 of property valuation for

real estate tax purposes. Its mission is to protect life, property and the environment from damage due to fire and environmental emergencies in the district, and to assist neighboring communities in their mission to do the same. The Fire District's administrative office is in the PFC building on Broemel Place.

Pennington Fire Company is a 100% volunteer organization that has provided volunteer fire services and emergency services to Pennington Borough, Hopewell Borough, and Township, as well as the surrounding areas, since 1891. It is one of only four 100% volunteer fire companies left in Mercer County. (<https://penningtonfire.org>). Section 6.1 reports that in its Community Facilities Plan, Hopewell Township states that “The Fire District is developing a plan for the construction of a building in the Municipal Services Complex to house Fire District administrative offices, equipment storage, rescue vehicles and emergency response. As residential and non-residential development proceeds towards build-out, the Fire District may also need to re-evaluate its operations and the need for additional facilities.” With housing growth in both the Borough and the Township and a reduction in the number of volunteers, such a re-evaluation may be needed. This may result in the PFC Building on Broemel Place becoming redundant. Its location adjacent to the closed landfill is discussed in Section 3.15.

4.2. Pennington First Aid

The Pennington First Aid Squad (PFAS) stopped responding to emergency calls on February 28, 2022, after 68 years of continuous 911-response to the community. The squad has gone out of business due to steadily declining numbers of volunteer EMTs. Squad leadership pursued several avenues to help ease staffing difficulties, including ramping up recruitment and retention efforts, and trying to expand the use of paid EMTs to supplement the volunteers. These were not enough to overcome the challenges, and the squad was left with no other option than to disband. In its February 7, 2022, regular meeting, the Borough Council authorized the Mayor to enter into a Shared Services Agreement with Mercer County for the provision of EMS dispatch services (Resolution 2022-2.13). Ambulance services are currently being provided by Capital Health in Hopewell Township.

As discussed in Section 4.1, if the Fire District re-evaluates current needs for emergency response, an option may be to combine fire and rescue services in a modern building in the Township. That would make the current EMS building on Broemel Place redundant. If both the fire house and EMS building are no longer needed, the lots they occupy could be added to the area in need of redevelopment centered around the landfill (see Section 3.1.5), making the redevelopment a more valuable proposition.

4.3. Pennington Public Library

(<https://www.penningtonlibrary.org>)

Pennington Public Library is an independent community institution that was founded in 1876. The library is a tenant of the Borough subject to a MOU. The mission of the library is to celebrate reading in all formats and provide a warm, welcoming place where community members of all ages can interact, engage in public discourse, and pursue lifelong learning for personal growth and entertainment. The library offers a variety of quality programming,

knowledgeable staff, dedicated volunteers who staff the circulation desk, a comfortable physical environment and coffee and tea station courtesy of the Friends of the Library. The library's current collection of books, e-books, DVDs, newspapers and magazines exceeds 34,000 titles. The circulation is over 44,000 titles checked out annually. The library also provides access to the world through free Wi-Fi, offers frequent programs for education and entertainment, and builds a strong community by sharing information from local organizations.

To ensure fiscal parity among municipalities that support a local or joint library and those that support a county library, on March 21, 2011, Governor Chris Christie signed P.L. 2011, c. 38 into law. This law provides a dedicated line item on the property tax bill for the minimum funding to municipal and joint free public libraries. In 2025, the Pennington Municipal Library tax was 4.6 cents per \$100 of property valuation for real estate tax purposes. The Borough collects these taxes and passes these funds through to the library. The library budget is supplemented by donations from the community to the Friends of Pennington Library. Library cards can be obtained at no charge for people who live in the Hopewell Valley Regional School District. The library trustees have completed a strategic plan and a building program plan, which will be used to determine future library needs.

4.4. Post Office

The United States Post Office occupies a building on a 0.5-acre site on Broemel Place across from the Pennington Fire Company. Post Office employees provide window, P.O. Box and passport services. All mail carriers and vehicles for the delivery of mail in the Pennington 08534 Zip Code operate out of the building. The 08534 Zip Code includes about 13,000 residents in 5000 homes on 22 acres that include Pennington Borough and an area of Hopewell Township surrounding Pennington. Of these, 2,800 residents and 1,100 homes are in Pennington Borough.

4.5. Churches

There are five churches, and two active cemeteries located in Pennington. These are identified in Table 1 below. Partnership with these churches to have their buildings be shelters as part of the emergency management plan is recommended. If the churches were to offer public parking outside church hours, it could increase the number of parking spaces in the Borough and help town center businesses. They could also add fee-based electric charging infrastructure to their community services. These would help generate revenue.

Table 1. Churches and Active Cemeteries

Use/Facility	Location	Size (Acres+/-)
Pennington United Methodist Church	South Main Street	1.0
First Baptist Church of Pennington	Academy Street	0.3
St. Matthew's Episcopal Church	South Main Street	1.2
St. James Roman Catholic Church	Eglantine Avenue	5.0
Pennington Presbyterian Church and Cemetery	South Main Street	1.9
Pennington Cemetery Association	South Main Street	<u>4.8</u>

The Pennington Historic Preservation Commission recognizes the importance of preserving historic structures while repurposing them to meet evolving community needs. Many buildings, including churches, within the Historic District offer unique opportunities to serve as community facilities. The adaptive use and reuse of these structures can provide venues for cultural, educational, and recreational activities while maintaining their historical integrity.

Given the potential for church closures or consolidations due to declining attendance, the Commission advocates for proactive measures to repurpose them. These spaces could accommodate a range of services, such as daycare centers, meeting halls, or cultural hubs, ensuring their continued contribution to the community fabric. Integrating these facilities into the Borough's service offerings allows Pennington to honor its architectural heritage while meeting modern needs, fostering a sense of continuity and shared purpose.

4.6. Howe Commons

Named for a very influential member of the community who developed many of Pennington's neighborhoods and served twice as Mayor, the William P. Howe Commons at 65 South Main Street is made up of five buildings that fit with the Colonial feeling of the town. The oldest building, Abey House, started life as a farmhouse in the early 1800's and after a few ups and downs, was restored to its current state by Dr. William Abey as his residence in 1942. Building E, the last of the five, was completed in 2009. Building D is occupied by Howe Commons' principal owner, the Electrochemical Society. The grounds of the Commons add to the aesthetic appeal of the Borough streetscape. With cooperation from the owner, hosting various public events in the Borough has been a long-standing tradition of Howe Commons. These include concerts for the Parks & Recreation Committee, use by the Pennington Business & Professional Associations for The Holiday Walk and to host the Borough Christmas Tree and Menorah, and as a gathering place for dignitaries for the Memorial Day Parade.

4.7. Trenton Cyrus #5 Freemasons Lodge

The Freemason Trenton Cyrus #5 Lodge has a Temple at 131 Burd Street in Pennington. The Temple was dedicated and opened for business on September 23, 1961. It hosts several events that are open to the public, including Octoberfest, a Santa Claus visit before Christmas, and various events to celebrate local citizens, who do not need to be freemasons.

4.8. Public Schools

(<https://www.hvrdsd.org>)

The Hopewell Valley Regional School District (HVRSD) has been in operation since 1965 when voters of Hopewell Township, Hopewell Borough and Pennington Borough approved a plan to consolidate their schools. A history of schools in Hopewell Valley can be found on the HVRSD website. HVRSD operates six schools, Central High School (grades 9-12), Timberlane Middle School (grades 6-8) and four elementary schools (pre-K to grade 5). Pennington resident children may attend Toll Gate Grammar School, Timberlane Middle School and Central High School.

Toll Gate Grammar school is located at 275 South Main Street in Pennington Borough and has a student population of around 300. It was built in the 1920's along with the original Central High School at 425 South Main Street, which now houses the HVRSD administration offices. These two buildings are well-preserved landmarks in the historic landscape of Pennington and if either were to be vacated by HVRSD, the Historic Preservation Commission would like to see adaptive reuse to preserve the historic architecture.

4.9. Private Schools

4.9.1. The Pennington School

The Pennington School was founded in 1838. It is a private, coeducational school with day and boarding programs for students in grades 6 through 12. Boarding is offered for grades 8-12. The Pennington School has an enrollment of about 535 students and about half of them live on campus. School grounds are located on both sides of West Delaware Avenue. Approximately 33 acres are located on the south side of West Delaware and 17 acres on the north side, including staff housing. As shown in Table 2, about 12 acres on either side of Green Street are open space.

4.9.2. Cambridge School

Cambridge School is an independent grade 1-12 day school that specializes in helping students with language-based learning differences. The school is located at 100 Straube Center Boulevard in Pennington Borough and serves around 130 students with a teacher-to-student ratio of about 4.

5. Open Space in Pennington for Recreation

As shown in Table 2, there are several other areas of open space available for residents to use in addition to the four Borough-owned parks described in section 3.1.4.

Table 2. Parks and Other Open Space in Pennington

Use/Facility	Location	Size (Acres+/-)
Parks and Recreation		
Kunkel Park	King George Rd.	7.5
Mini-park	Sked St.	1.1
Veterans Memorial Park, with gazebo	Broemel / Knowles	0.5
Eileen M. Heinzl Arboretum	East Curlis	<u>2.7</u>
		11.8
Educational Facilities		
Toll Gate rear field and playground	South Main	3.3
HVRSD Admin rear field	South Main	2.9
Pennington School sports fields and lake	Burd Street	15.9
Pennington School woods walk and field	Green Street, east side	5.7
Pennington School field and tennis courts	Green Street, west side	<u>6.5</u>

		34.3
Other spaces open to the public		
Pennington African Cemetery and south	South Main	1.3
Hopewell Valley Senior Center	Reading Street	5.4
		<hr/> 6.7
Total area		52.8

Pennington's four parks cover 11.8 acres of Borough land. Educational facilities in the Borough contribute an additional 34.3 acres of land that is available for public use. These include Toll Gate School rear field and playground, the Board of Education's Administration Building rear field, the Pennington School sports fields and lake on Burd Street and its fields and woodlands on both sides of Green Street. In addition, the Pennington African Cemetery contributes 1.3 acres and there are 5.4 acres of open space north of the Senior Center on Reading Street. The total area of open space available to the public in Pennington is approximately 53 acres.

The National Recreation Association has determined that approximately 10 acres of parkland is needed for every 1000 people in a community. According to this recommended ratio, Pennington Borough, with a population of about 2,800, should have 28 acres of recreational open space. Pennington is adequately served by the 53 acres of combined open space shown in Table 2. In addition, the Borough is surrounded by large tracts of open space including Baldwin Lake Wildlife Management Area, the Watersheds Institute, and the Mercer County Park – Rosedale, Mercer Meadows and Curlis Woods. Many of these areas are connected via trails such as the Lawrence Hopewell Trail, which also connects to additional open spaces throughout the County.

6. Relationship with Regional Community Facilities Plans

6.1. Hopewell Township Master Plan

<https://www.hopewelltp.org/DocumentCenter/View/8614/Community-Facilities-Plan-Element--Adopted-April-12-2007>

Hopewell Township adopted a Community Facilities Plan element in 2007. It covered

1. Hopewell Township Municipal Complex
2. Fire Protection and Emergency Services
3. Police Protection
4. Hopewell Valley Regional School District
5. Library
6. Senior Citizens
7. Youth Activities

Facilities and services recommendations were made in five areas in the 2007 element:

1. Municipal Operations

The addition of more bays at the public works building was recommended, because the bays are undersized for some of the existing equipment and some equipment is

stored outside. Given the size of the tract and its location, the public works site also presents further opportunities for expansion.

2. Township Fire District

The Fire District is developing a plan for the construction of a building in the Municipal Services Complex to house Fire District administrative offices, equipment storage, rescue vehicles and emergency response. As residential and non-residential development proceeds towards build-out, the Fire District may also need to re-evaluate its operations and the need for additional facilities.

3. School District

After a population growth analysis, it appeared that future school enrollments, combined with programmatic requirements established by the N. J. Department of Education (DOE), will create a need for a new school site or substantial reconfiguration of existing school sites. In the HVRSD planning process an early childhood center also is being considered.

4. Hopewell Valley Senior Advisory Board

A proposal by the Hopewell Valley Senior Center Planning Committee (later constituted as the Senior Advisory Board) recommended the construction of a Hopewell Valley Senior Center with a full-time director.

5. Youth Activities and Youth Advisory Committee

It was recommended that the Youth Advisory Committee meet with interested parents, community leaders, government officials, health professionals and youth to determine the feasibility of a teen/youth center in Hopewell Valley.

No significant changes were recommended for the 2007 Community Facility Plan element in the 2021 Master Plan Reexamination report.

6.2. Mercer County Master Plan

<https://www.mercercounty.org/home/showpublisheddocument/1242/636058423221200000>

The Mercer County Master Plan framework document of 2010, and amended in 2016, discusses County assets, strengths and challenges in Section III. Regional Vision: Goals, Policies, and Strategies (page 25). The assets are discussed at a very high level, rather than at the facilities or services level.

A 2024-25 \$450k grant program called Mercer County at Play for All enables non-profits and municipalities to provide programming and facility improvements that benefit vulnerable populations. Funding is available in three eligibility categories:

1. Equipment purchases and programming for municipal senior physical recreation programs.
2. Inclusive playground improvement grants to municipalities
3. Programming support grants for non-profits that provide after school mentoring and sports programming to underserved youth

This and similar future programs could be tapped for resources to improve certain Borough recreational facilities and services.

<https://www.mercercounty.org/departments/planning/mercer-at-play-3-test>

7. Relationship with Other Plan Elements in the Master Plan

The Community Facilities and Services Plan Element impacts and is impacted by other Master Plan elements as follows:

Land Use Plan Element. The capacity to support community facilities and services is impacted by the development and redevelopment that the Borough permits through zoning. Consequently, the potential to redevelop and/or re-imagine facilities within the Borough to support the community's needs and the goals and objectives set forth in this and other elements should be reflected in the Borough's Land Use Plan Element and the zoning that implements it.

Housing Plan Element. The Borough has identified areas in need of redevelopment which may hold the opportunity for high density housing, including affordable units. The impact of these developments on the need for additional community facilities should be considered. As the Borough investigates the redevelopment opportunities, possible new community facilities should be included.

Mobility Plan Element. The Mobility Plan includes goals to provide safe access to the town center and to recreational facilities for pedestrians, bicyclists and those not in cars. This will enhance the opportunities for residents to access community facilities.

Utility Services Plan Element. The Utility Services Plan gives details of the services provided to residents by the Borough using the facilities described in this Community Facilities and Services Plan.

Economic Development Plan Element. This Plan considers all aspects of commerce and economic development in the Borough. Some of the commercial facilities in the Borough may be willing to offer space for community activities and furthermore, local businesses rely upon, and benefit from, services offered within the Borough, as well as facilities that draw visitors to the center of town.

Open Space and Recreation Plan Element. Open space and recreation were combined with community facilities in the 1998 Master Plan. Since they are now separate plans, it will be necessary in the future to review both plans to ensure their goals remain consistent.

Historic Preservation

Historic preservation aims to maintain the Borough's historic character. Some of the preserved buildings may be of interest for a variety of community activities, both historical and recreational.

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12. Relation to Other Plans

The Relation to Other Plans element draft released by the writing team was conditionally adopted by the Planning Board on October 13, 2025. This near-final draft v2 will be available for further public comment prior to final adoption at a public meeting in 2026.

Contents:

- 1 Introduction**
- 2 Planning Board Roles and Responsibilities for External Plan Monitoring**
- 3 Framework for Ongoing Master Plan Implementation**
- 4 Hopewell Township Master Plan**
- 5 Mercer County Master Plan**
- 6 New Jersey State Development and Redevelopment Plan (SDRP)**
- 7 MCIA District Solid Waste Management Plan**
- 8 Other Regional Plans**
 - a. Delaware Valley Regional Planning Commission Strategic Plan**
 - b. NJ Department of Transportation Long Range Transportation Plan**
- 9 Influence of External Plans on Other Elements of Master Plan 2025**

Members of the Master Plan Committee

Andy Jackson (Chair), Nadine Stern, Amy Kastler-Taub, Kate O'Neill, and Board Planner Jim Kyle of KMA.

Thanks to Mayor Jim Davy for editing the sections on Planning Board responsibilities and implementation.

1. Introduction

The Municipal Land Use Law (MLUL) N.J.S.A. 40:55D-28(4)d states that the master plan shall include a specific policy statement indicating the relationship of the proposed development of the municipality, as developed in the master plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located, (3) the State Development and Redevelopment Plan adopted pursuant to the State Planning Act, sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et seq.) and (4) the district solid waste management plan required pursuant to the provisions of the Solid Waste Management Act: P.L.1970, c.39 (C.13:1E-1 et seq.) of the county in which the municipality is located.

Pennington Borough has chosen to include this topic as a separate element in the Master Plan. Four plans directly impact Pennington Borough.

- Hopewell Township surrounds the Borough, so its Master Plan and actions have a direct impact on the Borough and its residents. The Township and Borough also have several shared services and cooperate in a number of areas.
- The Borough is one of 12 municipalities in Mercer County and the County's Master Plan elements relating to land use and infrastructure are relevant to the Borough. All County Government departments play a role in the lives of Borough residents. The County Planning Department is responsible for the County Master Plan and has approval authority over the master plans of County municipalities. The County's Engineering and Highway divisions are responsible for County roads and bridges and other infrastructure. The County is the Borough's point of contact with the Delaware Valley Regional Planning Commission (DVRPC), the federally designated Metropolitan Planning Organization (MPO) for the Greater Philadelphia region, and the New Jersey Department of Transportation. These relationships are key to projects on State Route 31.
- The State of New Jersey Office of Planning Advocacy (OPA) and the State Planning Commission (SPC) are responsible for the State Development and Redevelopment Plan (SDRP). The SPC adopted a new SDRP on December 17, 2025. Its vision is "A stronger and Fairer New Jersey in 2050". The Mercer County Planning Department connects its municipalities and the State for SDRP development and implementation. Pennington Borough participated in the cross-acceptance process for the new SDRP during 2025.
- The Mercer County Improvement Authority (MCIA) is an independent agency set up to provide services and programs for the County and its municipalities. It is responsible for developing, amending, and administering the District Solid Waste Management Plan. It manages the recycling or disposal of all waste in the County, including the municipal solid waste (MSW) collected by the Borough and delivered to the MCIA transfer station, and the recyclable materials collected by an independent contractor.

Other plans that have an impact on the Borough are the Delaware Valley Regional Planning Commission (DVRPC) Strategic Plan and the NJ Department of Transportation (NJDOT) Long Range Transportation Plan. The County is the Borough's point of contact for these entities.

Borough Vision on External Plans - Be Proactive; Not Reactive

The vision for Pennington Borough's approach to external planning matters is to maintain vigilant monitoring of regional developments that may adversely affect Borough interests or conflict with adopted Master Plan policies. The Borough should ensure that its interests are protected through early identification of potential threats and timely, informed advocacy positions developed by Borough Council based on Planning Board recommendations.

2. Planning Board Roles and Responsibilities for External Plan Monitoring

1. **External Plan Monitoring and Early Warning System** - The Pennington Borough Planning Board shall monitor external plans and developments from surrounding municipalities, County, State, and regional agencies to identify potential adverse impacts to Pennington Borough from proposed changes or developments. The Board shall assess consistency between external plans and the Borough's adopted Master Plan and flag inconsistencies or conflicts that could undermine Borough planning objectives. Whenever a change in an external plan is deemed to impact Pennington, the then-current Master Plan elements and ordinances affected should be reviewed by the Planning Board to determine if they remain consistent or need updating.
2. **Borough Council Advisory and Reporting Function** - The Chair of the Planning Board will provide regular reports to Borough Council summarizing: external planning activities that may affect the Borough, potential adverse impacts identified through monitoring, inconsistencies with the Borough Master Plan, and recommended Borough responses or positions. Urgent matters that require prompt Borough action or response shall be brought to Council immediately by the Council representative to the Planning Board or the Mayor or Mayor's representative. The Planning Board shall recommend Council positions on external plans during public comment periods or cross-acceptance processes.
3. **Impact Assessment - Hopewell Township Developments** -- The Planning Board must monitor Township activities and alert Council to:
 - a. **Economic Development Impacts** - Monitor Township commercial development plans, particularly along Route 31 corridor. Assess traffic, infrastructure, and economic impacts on the Borough from Township development decisions. Identify opportunities for coordinated development that benefits both municipalities. Alert Council to Township developments that may adversely affect Borough businesses or infrastructure. Of particular interest to the Borough is development on Route 31. Properties south of West Delaware Avenue are largely in the Township, whereas those to North Main Street are in the Borough.
 - b. **Transportation and Infrastructure Impacts** - Monitor Township transportation planning and Route 31 corridor studies. Assess potential traffic impacts on Borough streets and intersections. Identify needed Borough positions on regional transportation improvements. Recommend coordinated advocacy positions for

Council consideration. Mobility issues on Route 31 and its intersections are of great concern to the Borough.

- c. **Open Space and Land Use Impacts** - Monitor Township land use decisions that may affect Borough viewsheds, traffic patterns, or environmental conditions. Identify and alert Council and the Borough's Open Space Committee about opportunities for joint open space acquisition that serves Borough interests. Assess impacts of Township density changes on Borough infrastructure and services.
- d. **County and Regional Plan Assessment** -- The Planning Board shall monitor Mercer County planning initiatives for potential Borough impacts and assess County infrastructure plans that may affect Borough services or development capacity. The Board shall evaluate DVRPC and State transportation plans for Route 31 and regional mobility impacts and recommend Borough positions on County and State planning initiatives. Relationships with the Mercer County Planning Department, DVRPC, and the NJ Department of Transportation are key to projects on State Route 31 in Pennington Borough and Hopewell Township.
- e. **State Development Plan Compliance and Impact Assessment** -- The Planning Board shall monitor State Development and Redevelopment Plan updates and policy changes, assess impacts of State planning area designations on Borough development capacity, and evaluate consistency between State policies and Borough Master Plan objectives. The Board shall recommend to the Mayor and Borough Council participation in cross-acceptance processes when Borough interests are at stake.

The external plans outlined above are discussed in detail in later sections.

3. Framework for Ongoing Master Plan Implementation

Threat Assessment and Opportunity Identification --The Planning Board shall conduct regular reviews to identify external developments that may; adversely impact Borough infrastructure, services, or quality of life; create inconsistencies with Borough Master Plan goals; present opportunities for beneficial regional coordination; or require Borough advocacy or opposition positions.

Strategic Recommendations to Council -- The Planning Board shall recommend proactive Council actions to address identified threats or opportunities, propose Borough positions on external planning matters, suggest timing for Borough participation in regional planning processes, and identify resource needs for effective Borough participation in regional planning.

Master Plan Consistency Review --The Planning Board shall evaluate external plans against Borough Master Plan elements, recommend Master Plan amendments when external changes create inconsistencies, assess need for ordinance updates to maintain consistency with regional

requirements, and propose defensive measures to protect Borough planning objectives from adverse external impacts.

The Master Plan implementation process shall coordinate implementation priorities with external plan monitoring findings, adjust implementation strategies based on identified external threats or opportunities, align implementation timing with regional planning cycles when beneficial to Borough interests, and incorporate defensive measures into the implementation plan to protect against adverse external impacts. See the Framing element for additional detail in implementation.

4. Hopewell Township Master Plan

The Hopewell Township Planning Board adopted its latest periodic reexamination of its Master Plan and Development Regulations on December 13, 2021. Its previous reexamination was adopted on December 15, 2011.

The current list of Township Master Plan elements, with adoption dates, is as follows:

- Round 4 Housing Element and Fair Share Plan (adopted June 26, 2025)
- Open Space and Recreation Plan Element (adopted February 24, 2022)
- Master Plan Amendment: Creation of the OP1 Zone (adopted December 8, 2016)
- Farmland Preservation Plan Element (adopted January 26, 2012)
- Land Use Plan Element (adopted November 19, 2009)
- Utility Services Plan Element (adopted November 19, 2009)
- Community Facilities Plan Element (adopted April 12, 2007)
- Circulation Plan Element (adopted March 9, 2006)
- Stormwater Management Plan Element (adopted March 22, 2005)
- Historic Preservation Plan Element (adopted December 9, 2004)

<https://www.hopewelltp.org/DocumentCenter/View/8410/2021-Periodic-Reexamination-of-the-Master-Plan-and-Development-Regulations-PDF>

A Township Planning Board recommendation in the 2021 reexamination report was that an Economic Development Plan element should be prepared. This was in response to the economic impact on the Township of the economic downturns that took place across the country during the Great Recession of 2008 and the Covid-19 pandemic of 2020-21. According to the report, “*The Economic Development Plan will provide an opportunity to review existing economic contributors, land development patterns, workforce and employment characteristics of the Township. An analysis of these factors will provide a means to develop strategies to diversify the local economy, promote workforce initiative, develop economic partnerships, increase economic and natural resiliency, and foster meaningful redevelopment opportunities that will take into consideration the location and types of development that will benefit not only new residents and employees but also provide additional development and services for existing residents.*”

The Tourism and Economic Development Advisory Committee was established by Hopewell Township Resolution 22-334 on September 19, 2022. Its goal is to promote agriculture, historical

and recreational tourism, local restaurants, and other businesses. The Committee works to support existing businesses, attract new businesses, and promote tourism in the Township and the entire Hopewell Valley. In January 2025, representatives of the Pennington Borough Economic Development Commission were invited to participate in a “business-listening session” held by the Advisory Committee. An outcome was that the Township Committee and Borough Commission would work together on development areas of interest to both parties. Of particular interest to the Borough is commercial development on Route 31. Properties to the south of West Delaware Avenue are largely in the Township, whereas those to the north are in the Borough. It would make sense that development in both locations follows a consistent and optimized plan.

The Township adopted an Open Space and Recreation Plan on June 18, 2018, to allow it to continue to participate in the Green Acres program and use the Planning Incentive Grants for the preservation of open space and recreational lands. This plan was targeted at technical and site-specific updates rather than a comprehensive update. A more comprehensive Open Space and Recreation Plan was adopted by the Township Planning Board on February 24, 2022. It included a review of and revisions to the goals and objectives of the original 2004 plan, updates to the open space and recreation inventory, amendments to the action plan based on a needs analysis and updates to the Open Space and Recreation System Map.

Pennington Borough works with partners on open space selection, acquisition and development. In addition to Hopewell Township, the partners are the Friends of Hopewell Valley Open space, D&R Greenway Land Trust, Mercer County, the New Jersey Conservation Foundation, and the State of New Jersey. These partners are actively identifying emerging land preservation opportunities. Most of the parcels close enough to be of interest to the Borough are in Hopewell Township, so it is important that the Borough and Township work together on acquisition and preservation.

Hopewell Township Land Use issues addressed in the 2021 reexamination report were focused on how the Township would satisfy its Round 3 Fair Share Housing obligations. The large housing developments on Scotch Road and Pennington-Washington Crossing Road near Pennington Circle are the outcome of these recommendations. On June 26, 2025, The Township adopted its Round 4 Housing Element and Fair Share Plan. The 2021 reexamination report said that the Township had directed the Planning Board to prepare a Preliminary Investigation Report and Redevelopment Plan for the BMS site, located at Titus Mill Road and Pennington Rocky Hill Road. The Plan was completed and has resulted in developments on the site, including the BeOne Medicines (BeiGene) facility and the Princeton West Innovation Campus. Pennington Borough was not consulted on these developments, even though they surround Pennington and have an impact on traffic, housing, services and local businesses.

Since all traffic entering and leaving Pennington Borough does so through Hopewell Township, the Circulation Plan element of the Township’s Master Plan and the Borough’s Mobility element should be largely in agreement on traffic management issues. In addition, since a much larger stretch of Route 31 is in Hopewell Township, any Township proposals for Route 31 will impact Pennington. The Route 31 aspects of the 2006 Circulation Plan build off the recommendations in the 2002 Route 31 Design Study. There was a positive discussion on the merits of reestablishing passenger trains on the West Trenton line. At the time it was shown as an NJ Transit candidate

project. The only additions to circulation in the 2021 reexamination report were related to the Lawrence Hopewell Trail. Circulation issues on Route 31 and its intersections are of great concern to the Borough. The Borough and the Township should provide a uniform face to Mercer County and the State of New Jersey on requests for improvements to address common concerns.

In addition to partnering with Hopewell Township and Hopewell Borough in the Hopewell Valley Regional School District, the Borough has shared services agreements with the Township for Emergency Management, Fire Services, Public Health, Senior Services, and Animal Control. The Green Team and Municipal Alliance operate across Hopewell Valley.

5. Mercer County Master Plan

The Mercer County Master Plan was adopted by the Mercer County Planning Board on September 8, 2010. It consists of a Framework document and six elements:

- Farmland Preservation (2020)
- Historic Preservation (2010)
- Mobility (2010, amended 2016)
- Open Space (2021)
- Mercer County Bicycle Plan (2020)
- Mercer County Corridor Enhancement Program (2025)

<https://www.mercercounty.org/departments/planning/plans-and-reports/mercer-county-master-plan>

The County adopted a new Land Development Ordinance on May 23, 2024. It replaced the Land Development Standards in force since 1970. It covers all applications to subdivide property in the County and all site plan applications affecting or abutting County drainage facilities, County roads, and County property. Exceptions are site plans not abutting County roads that include less than a combined total of one acre of existing and proposed impervious surfaces, and site plans for a single-family residential home or multifamily structures containing four or fewer units.

<https://www.mercercounty.org/home/showpublisheddocument/30976/638543926182800000>

The power to review and approve all Subdivisions and Site Plans rests with the Mercer County Planning Board through its Land Development Committee, whose meetings take place after the regularly scheduled Mercer County Planning Board meetings. Site plans on County Roads in the Borough should be reviewed to see if they need to be submitted to the County.

According to the County website, the purpose of the Ordinance is to:

1. Promote the public health, safety, convenience and general welfare of the citizens of Mercer County.
2. Provide the rules, regulations and standards for all Subdivisions and (re)development projects that guide the design of development of land affecting or abutting County drainage facilities, County roads, County property and other County facilities in Mercer County.
3. Ensure that land development within the County proceeds in accordance with, and is consistent with, the goals and objectives of the Mercer County Master Plan and other adopted County plans/sub-elements.

4. Allow land development that is compatible and harmonious with the existing, planned and contemplated infrastructure base of the County.
5. Institute standards for assessing developers for a proportionate share of the cost of County improvements located outside of a given development to achieve the goals of the County Master Plan which must be made to accommodate the increased traffic, stormwater runoff, and/or other impact which would be generated as a result of the development.
6. Mitigate adverse traffic and drainage impacts from proposed development on roads, drainage facilities, buildings and lands owned and/or maintained by the County.
7. Facilitate pedestrian and/or bicycle traffic along County Roads.
8. Create and/or maintain aesthetically pleasing landscapes along County roads.
9. Ensure that development and redevelopment occurring under the County's jurisdiction minimizes any adverse impacts to the physical and living environment and is developed with the long-term goal of energy and natural resource conservation and environmental sustainability.
10. Achieve maximum coordination between the Applicants' professionals, the local municipality and the County development review staff.
11. Provide for the coordinated review of development projects involving various other State and County agencies which have regulatory responsibilities pursuant to the requirements of the following statutes including but not limited to:
 - a. Stormwater Management (N.J.A.C. 7:8 et seq.)
 - b. Flood Hazard Area Control Act (N.J.S.A. 58:16A-50)
 - c. Soil Erosion and Sediment Control Act (N.J.S.A. 4:24-39 et seq.)
 - d. Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.)
 - e. Storm Water Management Act (P.L. 1981, C. 32 N.J.S.A. 40:55D-1 et seq.)
 - f. Freshwater Wetlands Protection Act of 1987 (N.J.S.A. 13:9B-1 et seq.)
 - g. Realty Improvement, Water Supply & Sewer System Act (N.J.S.A. 58:11-37)
 - h. State Highway Access Management Act (N.J.S.A. 27:7-1 et seq.)
 - i. NJDOT Access Code, NJAC 16:47-1 et seq.
 - j. New Jersey Municipal Land Use Law (N.J.S.A. 40:55-1 et seq.)
 - k. Water Quality Planning Act (N.J.S.A. 58:11A-1 et seq.)
 - l. Waterfront Development Law (N.J.S.A. 12:5-3)
 - m. The Americans with Disabilities Act (42 U.S.C. §12101, et seq.)
 - n. New Jersey Map Filing Law (N.J.S.A 46:23-9.8 et seq.)
 - o. Residential Site Improvement Standards (N.J.A.C. 5:21)
 - p. Fair Housing Act (N.J.S.A 52:27D-301 et seq.)
 - q. New Jersey Public Records Law (N.J.S.A 47:1A-1 et seq.)
 - r. New Jersey Uniform Construction Code (N.J.A.C 5:23)
 - s. County Roads and Highways (N.J.S.A. 27:16-31)
 - t. New Jersey Open Public Meetings Act (N.J.S.A 10:4-6 et seq.)

The Borough's Mobility Plan element discusses links to the County Mobility Plan and the Mercer County Bicycle Plan. Section 4 of the County Mobility Plan details policies and associated strategies. The policies are

1. Preserve existing transportation facilities.
2. Improve safety for all travelers.

3. Promote choice of travel mode.
4. Promote land uses that reduce reliance on automobiles.
5. Link transportation improvements to economic and environmental goals.

Strategies associated with these policies may be found in the online County Mobility Plan.

Mercer County has been aggressively acquiring open space since the County open space preservation trust fund tax ballot question was overwhelmingly approved by the voters in 1989. It has been continually supported since. Pennington is a beneficiary of the extensive efforts by the County to preserve open space and develop it for active or passive recreation or as wildlife preserves. Within easy reach of Pennington are Mercer Meadows (consists of Rosedale Park, the Mercer County Equestrian Center, the Pole Farm, and Curlis Woods), the Ted Stiles Reserve at Baldpate Mountain, Howell Living History Farm, and the Hopewell Valley and Mountain View County Golf Courses. The County is also a principal supporter of the Lawrence-Hopewell Trail (LHT). The Mercer County Open Space Plan gives the history of its preservation efforts with its partners, resulting in 27% of County Land being preserved, up from 9% in 1990. The map on page 5 of the Plan shows Pennington and its surroundings as a County “action area” for acquisitions. The Borough Master Plan discusses its purchasing partners, including the County.

Mercer County does not have an Economic Development element in its Master Plan. However, the Mercer County Office of Economic Development provides a variety of business development programs and workshops to help small and large businesses in the County build growing, successful companies, such as:

- Business Workshops; e.g. Business Fundamentals, Financing, and Procurement
- Individual Business Mentoring
- Financial Assistance for Mercer County Businesses
- Foreign Trade Zone Program
- Site Selection Services
- Employee Recruitment and Training Assistance

The County offers financial assistance through a variety of grant programs. An example in 2025 is the Revitalize & Grow Grant program, which provides grants to businesses for signage and façade improvements to improve traffic for businesses and support increased tourism. Another is the Business Builder Rebate Grant program for items to help business startup or refreshing, such as accountant fees, office supplies, software and some website development. The Mercer County Purchasing Department offers a streamlined process for local businesses to navigate the County procurement process, a comprehensive system of specifications and competitive solicitations.

The County is the Borough’s point of contact with the Delaware Valley Regional Planning Commission (DVRPC) and the New Jersey Department of Transportation (NJDOT), see Section 8 below. These relationships are key to projects on State Route 31 in Pennington Borough.

6. New Jersey State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP), also known as the State Plan, provides a vision for the future that will preserve and enhance the quality of life for all residents of New

Jersey. The purpose of the State Plan is to coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination (N.J.S.A. 52:18A-200(f)). A new SDRP was adopted by the State Planning Commission (SPC) on December 17, 2025. It replaced the 2001 SDRP. The plan was developed by the Office of Planning Advocacy (OPA) who published a preliminary draft on December 14, 2024. The draft was presented at meetings in all NJ counties and feedback was incorporated. A series of cross-acceptance meetings were held in the second half of 2025. Pennington Borough participated in a Mercer County meeting where the preliminary SDRP was presented, and in a cross-acceptance session. The new SDRP can be found online at https://www.nj.gov/state/bac/planning/documents/update-to-state-plan/sdrp_2025.pdf

The Goals of the 2025 SDRP are to:

1. Promote economic growth that benefits all residents of New Jersey.
2. Provide an adequate supply of housing for residents of all ages and incomes in communities of their choosing, that meet their needs and offer ready access to the full range of supportive goods and services.
3. Create economic opportunities through nation-leading infrastructure.
4. Revitalize and recenter the State's underutilized developed areas.
5. Effectively address the adverse impacts of global climate change.
6. Protect, maintain, and restore the State's natural and water resources and ecosystems.
7. Protect the environment; prevent and clean up pollution.
8. Protect, enhance, and improve access to areas with exceptional archeological, historic, cultural, scenic, open space, or recreational value.
9. Implement equitable planning practices to promote thriving communities for all New Jerseyans.
10. Foster sound and integrated planning and implementation at all levels statewide.

Pages 83-85 of the 2025 SDRP give Policy Objectives in 12 areas. They are reproduced below. All are directly relevant to Pennington except Agriculture and Farmland Preservation, and this is included below as it is relevant to Hopewell Township and thereby indirectly relevant to the Borough. Statements of direct relevance to Pennington Borough are underlined. Although most of the elements in the Borough's new Master Plan were developed by writing teams before the 2025 SDRP was available, it is clear that the Borough and State goals are aligned.

Land Use: Plan and zone to promote a variety of land uses that create balanced communities. Guide development and redevelopment in or near appropriately located Centers, Cores, and Nodes to accommodate growth based on smart growth principles. Encourage densities that support public transit, where appropriate. Preserve the character of agricultural land, prime soils, open space, and environmentally sensitive areas, with appropriate scaling of public facilities and services, without compromising the planning area's capacity to accommodate future growth. Environs should be protected and enhanced. Future development in the Environs should be carefully considered. It should be in the form of contextually Appropriate Density. Clustered and compact development should also avoid environmental features and areas that are vulnerable to natural hazards.

Housing: Provide a full range of housing choices to accommodate projected growth. Development should occur primarily in or near Centers and at Appropriate Densities through new construction, redevelopment, and adaptive reuse. Provide an adequate supply of diverse housing types particularly for affordable units, senior citizen developments, accessory dwelling units, for residents with special needs, and cohousing and that wherever feasible, it is developed with maximum access to a full range of commercial, cultural, educational, recreational, health, and transportation services and facilities. Any housing outside the Center should be planned to maintain or enhance the existing character. Location of any type of housing in vulnerable areas is not consistent with the State Development and Redevelopment Plan.

Economic Development: Encourage new businesses, private sector investment, and tourism where appropriate and based on smart growth principles. Revise outdated zoning restrictions to promote flexible workplaces that recognize the changing needs of the contemporary workplace. Any economic development occurring outside the center should be planned and designed to maintain or enhance the area's qualities with minimum impact on agricultural or environmentally sensitive resources. Development should aim to diversify the local economy and achieve more sustainable year-round models.

Transportation: Encourage a variety of public transportation modes, including pedestrian, bicycle, and micromobility, over the single-occupancy vehicle to maximize circulation and mobility options. Accommodate seasonal demands of travel and tourism. Implement a vigorous traffic calming program. Emphasize the use of public transportation systems and alternative modes of transportation where appropriate and feasible. Maximize circulation and mobility options (including pedestrian and bicycle connections between developments) throughout the transportation systems. Encourage significant redevelopment and intensification around existing and planned rail stations along transit corridors and ferry stations along waterfronts. Promote flexible (variable route) transit and support employer-operated shuttle services. Preserve and stabilize general aviation airports and, where appropriate, encourage community economic development.

Natural Resource Conservation: Conserve continuous natural systems, strategically locate open space, and buffer Critical Environmental Sites. In Metropolitan and Suburban Planning areas use open space to reinforce neighborhood and community identity and protect natural linear systems, including regional systems that provide connectivity to neighboring communities and to urban and suburban amenities. Minimize conflicts between development/ redevelopment, agricultural practices, and sensitive environmental resources. Protect and preserve large, contiguous tracts and corridors of recreational areas, forests, or other open space land that protect natural systems and sensitive natural resources, including endangered species, ground and surface water resources, wetland systems, Steep Slope areas, scenic vistas, and other significant Environmentally Sensitive Features, including marshlands and coastal recreational areas. In coastal areas, prioritize water conservation measures to prevent saltwater intrusion, protect vital ecological zones, and restore native shellfish populations while promoting compatible development near sensitive areas.

Agriculture and Farmland Preservation: Guide development and redevelopment opportunities to meet the needs of the agricultural industry, including production, processing, and marketing. Promote urban farming initiatives such as rooftop farms and community gardens to address food deserts and highlight the benefits of healthy diets. Support the fishing industry and appropriate aquaculture. Guide development away from farmland to sustain agriculture, promoting intensive farming practices and new crop enterprises. Ensure the availability of adequate water resources in large contiguous tracts of land with minimal land use conflicts. Encourage farmland retention and minimize conflicts with development. Prioritize farmland preservation funding in rural areas and enhancing large contiguous farmland areas. Promote diversified farming operations and adjust zoning to align with environmental sensitivity and climate change considerations. Strategies may include, but are not limited to, clustering, density transfers, and limiting the extent of infrastructure investments in agricultural areas. Promote agritourism that includes wineries, breweries, distilleries, cideries, and facilities that provide auxiliary activities.

Recreation: Promote maximum active and passive recreational and tourism opportunities at the neighborhood, local, and regional levels by targeting the rehabilitation and development of parks within half a mile of residential neighborhoods with an Appropriate Density. Target parkland acquisitions and improvements, especially those that enhance large contiguous open space systems and link to other networks through redevelopment, reclamation, or restoration projects. Create public access and recreation opportunities and linkages along ocean front areas, bayfronts, and riverfronts. Convert obsolete railroad Rights-Of-Way and canal pathways to multi-purpose trails equipped with amenities such as convenience stations including restrooms, bicycle rentals, and interpretive signage.

Redevelopment: Encourage environmentally appropriate redevelopment in existing Centers and in developed areas that are or have the potential to become Centers. This can accommodate growth that would otherwise occur in the Environs and in ways that supports Center-based development. Redevelop with a broad range of uses, an efficient use of infrastructure, and at sufficient densities to support transit with physical design features that enhance public safety, facilitate pedestrian and bicycle activity, and reduce auto-dependency. Redevelop or repurpose obsolete commercial buildings. Amend zoning provisions to eliminate barriers that diversify existing building stock. For existing structures located in floodprone areas, elevate buildings and critical infrastructure to reduce the impacts of natural hazards.

Historic Preservation: Encourage the preservation and adaptive reuse of historic or significant buildings, Historical and Cultural Sites, neighborhoods, and districts in ways that do not compromise the historic resource or the area's ability to develop or redevelop. Coordinate historic preservation needs with open space and farmland preservation efforts. Coordinate and promote historic preservation with tourism efforts.

Public Facilities and Services: Program and phase the extension/expansion of existing systems or new public facilities and services to support planned development and redevelopment in appropriate areas while safeguarding farmlands and open spaces. Locate central facilities that serve a sizeable population in or near dense populations. Encourage private investments and public-private partnerships to provide necessary facilities and services, particularly wastewater systems. Advocate for public utilities that are designed to withstand the impacts of climate

change and its hazards and invest in the hardening of public infrastructure systems to prevent failures during dangerous weather conditions.

Intergovernmental Coordination: Coordinate efforts of various Federal and State agencies, county and municipal governments, and regional, and intra/interstate agencies to support regional approaches to planning and implementation of their Master Plans. Foster partnerships between public and private sectors to attract, locate, and facilitate coordinated development and redevelopment. Policies and programs should support economic development and environmental protection efforts by examining the effects of financial lending, government policies and regulations, and tax implications.

Climate Change: Encourage development and redevelopment in areas with low flood risk and existing infrastructure. Support climate adaptation by discouraging development in vulnerable areas, and instead, investing in resilient infrastructure and implementing mitigation strategies. Floodprone and wildfire risk areas will require careful consideration to ensure land uses minimize risk to people, assets, and neighboring lands. New development or redevelopment projects within already developed high risk areas are encouraged to follow and implement resilient design and hazard mitigation initiatives.

The SDRP provides a balance between growth and conservation by designating planning areas that share common conditions regarding development and environmental features. The 2025 SDRP revised the planning areas slightly from the 2001 Plan and the criteria can be found in the 2025 SDRP, from page 85 onwards:

- Metropolitan Planning Area (PA1), to provide for much of the state's future growth in compact development and redevelopment.
- Metropolitan/Flood prone Planning Area (PA1B), to recognize developed areas that face current and future flood risk.
- Suburban Planning Area (PA2) to provide for a portion of the state's future growth in compact development and redevelopment in Centers and other appropriate areas.
- Suburban/Flood prone Planning Area (PA2B), to recognize developed areas that face current and future flood risk.
- Fringe Planning Area (PA3), to accommodate growth in Centers, excluding flood prone areas.
- Rural Planning Area (PA4) and Rural/Environmentally Sensitive Planning Areas (PA4B), to maintain the Environs as large contiguous areas of farmland, open space and forested areas.
- Environmentally Sensitive Planning Area (PA5) and Barrier Islands (PA5B).
- Critical Environmental Sites (CES) & Historical and Cultural Sites (HCS)

The 2025 SDRP places Pennington Borough within a 6,800 acres (10.6 sq. mile) Fringe Planning Area (PA3) that runs about 8 miles WNW from Washington Crossing to Mount Rose, as shown in Figure 1. In a PA3 area, the intention of the State Plan is to:

- Accommodate growth in Centers, excluding flood prone areas.
- Protect and enhance natural resources.
- Protect the environs primarily as open space or forested areas.

- Provide a transition between more developed Metropolitan and Suburban Planning Areas and less developed Rural and Environmentally Sensitive Planning Areas.
- Confine programmed sewers and public water services to Centers, except where public health is at stake.
- Revitalize towns and older traditional communities.
- Protect and diversify the character of existing stable communities.

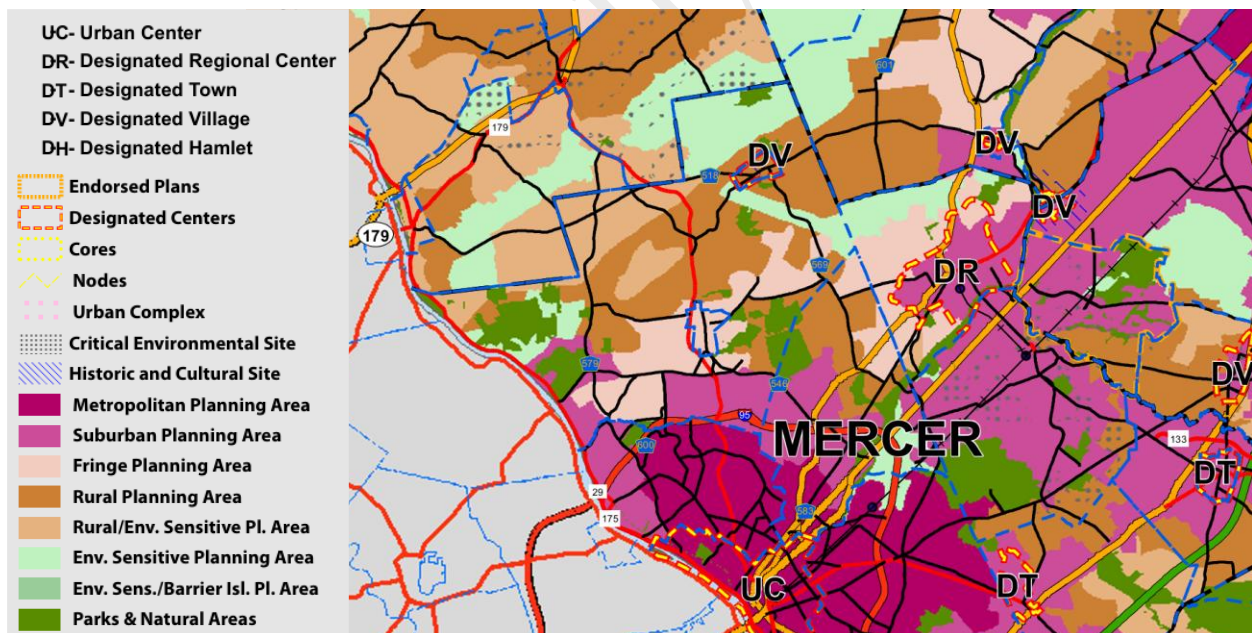
The following criteria are intended as a general guide for delineating the Fringe Planning Area PA3. Local conditions may require flexible application of the criteria to achieve the Policy Objectives of this Planning Area.

- Population density of less than 1,000 people per square mile.
- Generally lacking in major infrastructure investments. The circulation system is mainly provided by state and county roadways with major emphasis on moving traffic through the area. Some Centers are served by public water and sewer.
- Land area is greater than one (1) square mile.

Note that Pennington is not currently designated by the State as a Center. Hopewell Borough is a Designated Village, one of the classifications as a Center.

Figure 1. SDRP Policy Map. Pennington Borough can be seen within the pink area.

Policy Map of the State Development and Redevelopment Plan (July 8, 2021)



Links to the 2025 SDRP Policy Map:

<https://nj.gov/state/bac/planning/documents/maps/stateplanmapMarch2025.jpg>

and

<https://njogis-newjersey.opendata.arcgis.com/datasets/dosopa::planning-area-boundaries-of-the-nj-state-development-and-redevelopment-plan-new-jersey-1/explore>

7. MCIA District Solid Waste Management Plan

In 2002, the New Jersey Department of Environmental Protection (NJDEP) was required to update and re-adopt the Statewide Solid Waste Management Plan because of significant changes to the regulatory and legal environment since the last plan update in 1993. The Department issued a revised plan on January 3, 2006. As a requirement of the State Plan update, each county was required to amend its District Solid Waste Management Plan to reflect the findings and recommendations of the State Plan. In particular, the State Plan calls for the maximization of Source Reduction techniques to reduce or eliminate the disposal of certain waste from the solid waste stream. Equally important, the State Plan called for the continued aggressive approach to recycle 60% of the state's total solid waste stream and 50% of the state's municipal solid waste (MSW) stream. As the designated planning and implementation agency, the independent Mercer County Improvement Authority (MCIA), prepared the District Plan update in December 2006. It can be found at www.mcianj.org/filestorage/133/154/SWMP.pdf

The State Plan mandated that the District Plan include the following:

- Designation of the department, unit or committee of county government to supervise the implementation of the District Plan.
- An inventory of the quantity of solid waste generated within the district for the ten-year period commencing with the adoption of the District Plan.
- An inventory of all solid waste facilities and recycling facilities including approved waste types and amounts, hours of operation and approved truck routes.
- An outline of the solid waste disposal strategy to be utilized by the district for the ten-year planning period.
- A procedure for processing applications for inclusion of solid waste and recycling facilities into the District Plan.
- A strategy for attainment of the recycling goals as outlined in the State Plan.
- An analysis of the existing solid waste collection systems and transportation routes within the solid waste management district.
- The methods of financing solid waste management within the district.

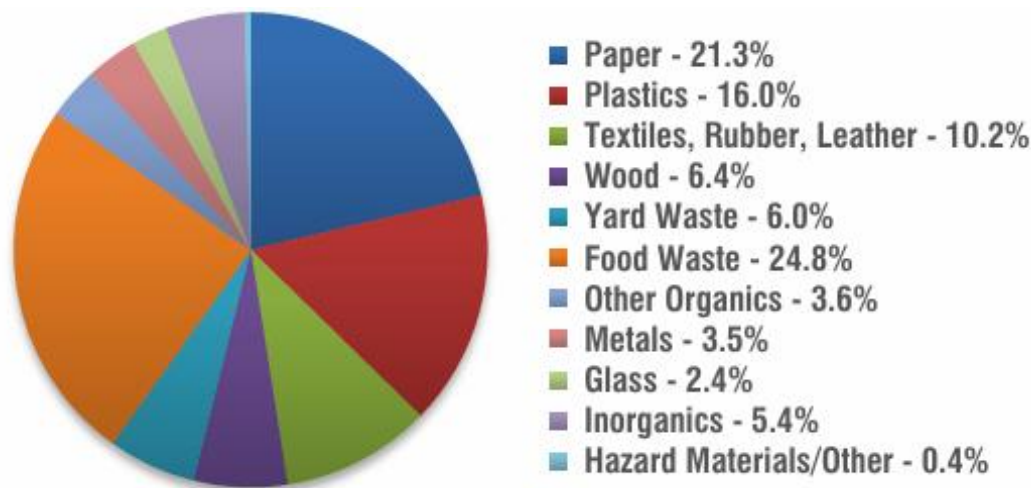
The District Plan includes a draft ordinance for Municipalities on Recycling. Pennington Borough adopted its current recycling plan on December 29, 2008 by Ordinance 2008-08. It can be found in Chapter 172 of the Borough Code.

In September 2015, T&M Associates prepared a report for the MCIA on the quantification and characterization of solid waste and recycling, following a yearlong study of waste delivered to the MCIA waste transfer station in Ewing Township in 2013. The composition of the MSW can be found in the pie chart in Figure 2.

The study also found that the County's waste stream met the State's goal of an overall recycling rate of 60% but at 42% fell short of the 50% target for municipal solid waste. As a result of the study, targets have been set to increase the recycling levels of certain components of the MSW

and these have been communicated to the municipalities. The 25% of food waste was noted and programs for composting were recommended.

Figure 2. Composition of waste delivered to the MCIA transfer station in Ewing in 2013.



8. Other Regional Plans

a. Delaware Valley Regional Planning Commission (DVRPC)

DVRPC is the federally designated Metropolitan Planning Organization (MPO) for the Greater Philadelphia region, established by an Interstate Compact between the Commonwealth of Pennsylvania and the State of New Jersey. Pennsylvania members are Bucks, Chester, Delaware, Montgomery, and Philadelphia counties, plus the City of Chester. New Jersey members are Burlington, Camden, Gloucester, and Mercer counties, plus the cities of Camden and Trenton. DVRPC serves strictly as an advisory agency. Any planning or design concepts as prepared by DVRPC are conceptual and will require engineering design and feasibility analysis. Actual authority for carrying out any planning proposals rests solely with the governing bodies of the states, local governments or authorities that have the primary responsibility to own, manage or maintain any transportation facility.

DVRPC provides services to member governments and others through planning analysis, data collection, and mapping services. Aerial photographs, maps and a variety of DVRPC publications are available to the public. The DVRPC traffic count data was used in the analysis in Appendix A of the Mobility Plan in the Borough's Master Plan 2025. DVRPC's current strategic plan, Connections 2050, was approved in 2021 and is currently being updated. Details of the process can be found on <https://www.dvrpc.org/plan/>. Public input is being sought to update the strategic plan, and proposed projects will be considered under their weighted Benefits Criteria process for inclusion in the Transportation Improvement Program (TIP).

The County is the Borough's point of contact with the Delaware Valley Regional Planning Commission (DVRPC).

b. New Jersey Department of Transportation (NJDOT) Long Range Transportation Plan

The current New Jersey mobility plan is the State Long-Range Transportation Plan (SLRTP), published in October 2008 with the title "Transportation Choices 2030". It can be found at <https://www.nj.gov/transportation/works/njchoices/pdf/2030plan.pdf>. The ten goals of the plan can be found in its Section 5. The State is currently working on an updated plan "Keep It Moving NJ!" aimed at 2050. No release date for the plan has been given. NJDOT describes the plan as "*a forward-thinking initiative to consider current challenges and anticipate future needs, ensuring that our transportation infrastructure remains robust and resilient*". NJDOT is currently obtaining input from the public.

In its Mobility Plan, Mercer County describes its relationship with NJDOT as follows: "*NJDOT is a primary partner with Mercer County for local project implementation through its local aid formula funding (state funds) for bridge and highway maintenance. NJDOT is also a very active participant in developing DVRPC's TIP, since most federal funding goes to projects on state-maintained interstates and federal highways. County participation and support for these projects is vital because federal and state highways are the primary links in the county's transportation network.*" This relationship is key to projects on State Route 31 in Pennington Borough and Hopewell Township.

9. Influence of External Plans on Other Elements of Master Plan 2025

The wide range of topics addressed by the external plans described above can influence any of the elements of the Pennington Borough Master Plan. The monitoring process recommended in the goals may trigger amendments to Master Plan elements and the Borough Code to meet mandated sections of County, State and MCIA plans. In some cases, this may trigger an update and readoption of an element. The monitoring process will allow a proactive response by the Council and Planning Board, rather than a reactive one.

PENNINGTON BOROUGH MASTER PLAN

Climate Change-Related Hazard Vulnerability Assessment (CCRHVA) v4

For incorporation into the Land Use Plan element.

CCRHVA Requirements

In 2021, the Municipal Land Use Law, N.J.S.A. 40:55D-28 was amended to include a provision requiring that a vulnerability assessment for hazards related to climate change be included in the land use plan element of any future Master Plan. The amendment requires that the climate change-related hazard vulnerability assessment meet the following criteria:

1. Municipalities are to analyze current and future threats to, and vulnerabilities of, the municipality associated with climate change-related natural hazards.
2. Include a build-out analysis of future residential, commercial, industrial, and other development in the municipality, and an assessment of the threats and vulnerabilities identified above related to that development.
3. Identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and sustaining quality of life during a natural disaster, to be maintained at all times in an operational state.
4. Analyze the potential impact of natural hazards on relevant components and elements of the master plan.
5. Provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards.
6. Include a specific policy statement on the consistency, coordination, and integration of the climate-change related hazard vulnerability assessment with certain other plans adopted by the municipality.
7. Rely on the most recent natural hazard projections and best available science provided by the New Jersey DEP.

The purpose of this vulnerability assessment is to assess Pennington Borough's vulnerability and resilience to the impacts of climate change using the best available data, to inform any future policy and development decisions for which climate-related hazards are relevant considerations, and to recommend actions the Borough can take to improve its resilience to climate change-related hazards.

Climate Change-Related Natural Hazards

This vulnerability assessment considers the extent to which Pennington Borough is at risk from various natural hazards, several of which are projected to increase in frequency or become more severe due to climate change. This section was developed using the best available science and natural hazard projections including the NJ DEP's 2020 Scientific Report on Climate Change and the 2021 Update to the Mercer County Hazard Mitigation Plan.

[New Jersey Scientific Report on Climate Change](#)
[Mercer County Hazard Mitigation Plan | Mercer County, NJ.](#)

NJ DEP's 2020 Scientific Report on Climate Change describes multiple climate change-related natural hazards in New Jersey. Some effects, such as increases in ocean temperature and acidification, the rise in sea level and other impacts on marine and coastal ecosystems and communities do not directly impact Pennington Borough and its residents. The highlights below, taken from the 2020 report, are those of relevance to Pennington:

1. Rising temperatures

- New Jersey is warming faster than the rest of the Northeast region and the world.
- Since 1895, New Jersey's annual temperature has increased by 3.5°F.
- Historically unprecedented warming is projected for the 21st century with average annual temperatures in New Jersey increasing by 4.1°F to 5.7°F by 2050.
- Heatwaves are expected to impact larger areas, with more frequency and longer duration by 2050.
- Climate change could result in a 55% increase in summer heat-related mortalities.

More recent data on temperature rise can be found in "A 30-Year Heat Wave Analysis in New Jersey" published by the NJ DEP Division of Science and Research (2005):

<https://dep.nj.gov/wp-content/uploads/dsr/heat-wave-analysis.pdf>

2. Precipitation

- Annual precipitation in New Jersey is expected to increase by 4% to 11% by 2050.
- The intensity and frequency of precipitation events is anticipated to increase due to climate change, resulting in flooding that can impact safety and the ability to access emergency services.
- Tropical storms have the potential to increase in intensity due to the warmer atmosphere and warmer oceans that will occur with climate change, resulting in power outages and damage from strong winds, hail and ice storms, in addition to flooding.
- Droughts may occur more frequently due to the expected changes in precipitation patterns.

3. Air Quality

- The effects of climate change are likely to contribute to an increase in air pollution, lead to increased respiratory and cardiovascular health problems, like asthma and hay fever, and a greater number of premature deaths.
- Environmental degradation from climate-induced increases in air pollution will reduce visibility and cause damage to crops and forests.
- Wildfire seasons could be lengthened, and the frequency of large fires increased due to the hot, dry periods that will result from increased temperatures. Wildfires not only threaten life and property but even at a great distance, e.g. Western Canada and Colorado, they can impact air quality, resulting in adverse health effects.
- Climate change is expected to lead to an increase in air pollution due to meteorological changes (known as the ozone-climate penalty).

4. Freshwater Resources

- Extreme temperatures and more frequent droughts will stress the water supply.
- Surface and groundwater quality will be impaired as contaminants, pathogens, and nutrients from fertilizers enter waters due to runoff from more intense rain events.
- While freshwater wetland ecosystems are generally resilient, environmental and human stressors may reduce the natural capacity of wetlands to rebound.
- Freshwater fish, like brook trout, that need cold-water habitats are expected to lose habitat as water temperatures increase due to climate change.
- Harmful algal blooms may increase as changes to precipitation patterns lead to increased nutrients and thus eutrophic conditions that favor the growth of blooms.

5. Terrestrial Systems

- The loss of forest habitats to climate change will result in carbon losses and increase New Jersey's net greenhouse gas emissions.
- Climate change will facilitate the range infilling and expansion of invasive plant species.
- Increasing temperatures will move the range of invasive pests to the north, and spread them into areas where they were not previously found.
- A third of New Jersey's bird species are vulnerable to climate change, including the State bird, the American Goldfinch.

The 2020 Scientific Report on Climate Change concludes with recommendations on research data gaps and needs. This is a rapidly changing field and continual adjustment to adaptation strategies will be needed as the impacts unfold.

Vulnerability Assessment

The 2021 Update to the Mercer County Hazard Mitigation Plan (HMP) assesses the vulnerability of the Borough to various natural hazards, and the Borough's adaptive capacity with respect to each hazard. The methodology of the assessment is described below, and results are summarized in the table.

The hazard ranking, which evaluates risk or vulnerability, "involves an assessment of the likelihood of occurrence for each hazard, along with its potential impacts on people, property, and the economy as well as community capability and changing future climate conditions" (Mercer County HMP, 9.10-20). Based on these considerations, the risk to the Borough from each natural hazard is ranked on a scale of Low to High.

The Mercer County HMP also considers adaptive capacity. Adaptive capacity is the ability of systems, institutions, humans and other organisms to adjust to potential damage, take advantage of opportunities, or respond to consequences. Using this definition, the Borough submitted to the County a ranking of its capacity to adapt to various natural hazards on a scale of Weak to Strong, where a rating of Strong indicates that the capacity exists and is in use, a rating of Moderate indicates that the capacity may exist, but is not used or could use some improvement, and a rating of Weak indicates that the capacity does not exist or could use substantial improvement.

Hazard	Risk/Vulnerability	Adaptive Capacity
Dam Failure	Low	Moderate
Disease Outbreak	High	Moderate
Drought	Medium	Moderate
Flood	Medium	Moderate
Hurricane/Tropical Storm	High	Moderate
Infestation and Invasive Species	High	Moderate
Nor'Easter	Medium	Moderate
Severe Weather	High	Moderate
Severe Winter Weather	High	Strong
Wildfire	Low	Moderate

Mercer County Hazard Mitigation Plan, 2021 Update. Volume II. Tables 9.10-8 and 9.10-12.

Climate Change-Related Hazards in Pennington

Flooding

As with much of New Jersey, flooding is the most frequent and impactful climate hazard that occurs in Pennington Borough. With multiple waterways running through town, and significant amounts of impervious surface and aging infrastructure, the Borough is vulnerable to both fluvial (non-tidal) and pluvial (stormwater) flooding.

The Federal Emergency Management Agency (FEMA) designates Flood Zone AE as an area with a 1% annual chance of flooding (often called a 100-year-flood). AE is classified as a Special Flood Hazard Area (SFHA), and property owners in these areas are required to follow strict building codes and obtain flood insurance to mitigate the risks associated with flooding. In the Borough, FEMA has identified 2.1 acres of AE regulatory floodway and 1.3 acres of AE base floodplain along Stony Brook and its tributaries, adjacent to King George Road. The rest of the Borough is considered by FEMA to have minimal flood hazard. However, FEMA mapping is based on historical data and is not representative of potential increases in climate change-induced flooding. In fact, FEMA estimates that approximately 20% of flood impacts occur outside of mapped floodplains.

New Jersey rainfall studies released by the NJ DEP in 2021 show that data used to inform flood potential was out of date, and that the state was experiencing extreme precipitation 2.5-10% higher than data used by FEMA, depending on location in the state. These studies further projected a high likelihood that precipitation intensity will increase in the latter half of the century. For example, projections suggest that the amount of precipitation associated with the 100-year, 24-hour storm is likely to increase by up to 36% in Mercer County.

Recognizing that New Jersey is already experiencing regular flooding that is more extreme, and extends further than FEMA mapping, and based on the 2021 rainfall studies, in 2023 the NJ DEP adopted Inland Flood Protection rules that increase the extent of areas regulated by the NJ Flood Hazard Area Control Act. These new regulations increase the fluvial design flood elevation

(height of the lowest floor level of a building) to 3 feet above the FEMA-mapped 1% annual floodplain and thus extends the area of the regulated floodplain. The geographic extent of this new area is estimated by Rutgers University and provided at <https://www.njfloodmapper.org/>. This is shown in Figure 1 for Pennington. Areas in Pennington mapped as prone to fluvial flooding are limited and include the intersection of East Delaware and King George Road at the Stony Brook bridge, and within Kunkel Park at the confluence of Lewis Brook and Stony Brook.

Figure 1. NJ flood elevation (2023), 3 feet above MEAM 100-year flood.



The Borough has also experienced flooding at several other locations during heavy rainfall events. Areas of concern include the intersection of Route 31 and West Delaware Avenue, the railroad underpass at Broemel Place, and the intersection of East Franklin Avenue and Eglantine Avenue, all of which have experienced flooding on multiple occasions. Flooding at the intersection of Route 31 and West Delaware Avenue results from outdated, inadequate stormwater management infrastructure controlled by the State and County, and by surrounding properties.

Multiple private properties also experience flooding, particularly along tributaries to Lewis Brook, due to culverts that pipe streams under roads and private homes and are unable to sufficiently drain at a rate commensurate with recent storm events. There is one repetitive loss property in the Borough that has repeatedly filed National Flood Insurance Program claims. Flooding can occur near Stony Brook, Lewis Brook and their tributaries because of overwhelmed stormwater systems.

Tropical Storm Ida impacted the region on September 1, 2021, causing one of the most severe flooding events in the Borough's recent history. During Ida, flooded roadways included the intersection of Route 31 and West Delaware Avenue, Broemel Place at Green Street, King George Road at East Delaware Avenue, Eglantine at East Franklin, and North Main Street at Brookside. Three motorists were stranded in their vehicles at the intersection of Route 31 and West Delaware Avenue and were rescued by the police department. Several roadways became impassable, which could have severely hindered the ability of emergency vehicles to enter the Borough should an unrelated emergency have occurred. Figure 2 shows eight floods that occurred during Tropical Storm Ida on September 1, 2021. These areas are likely to flood again in the future unless steps are taken to update the stormwater management infrastructure that cause the flooding.

Figure 2. Flooding locations along Lewis Brook.



The Mercer County Hazard Mitigation Plan identifies 11 flood events and 5 severe weather events that impacted Pennington Borough in the years from 2008 to 2015. Note that multiple recent floods and severe weather events referenced here occurred after 2015.

Finally, the Stony Brook Regional Sewerage Authority (SBRSA) Pennington Treatment Plant experienced major flooding from Stony Brook during Tropical Storm Ida. A likely cause was the build-up of a large beaver dam on Stony Brook just east of the East Delaware Avenue bridge. The beaver dam was eventually washed away by Ida and the flood abated somewhat. The plant treats all of Pennington Borough's wastewater and sewage. While the plant is not located in Pennington Borough, the Borough is concerned about the risk of damage to the plant if another severe flooding event occurs. Figures 3-6 show floods at various locations in the Borough.

Figure 3. Flooding at the Route 31 and West Delaware Avenue intersection.



Figure 4. Flooding at North Main Street and Brookside Avenue



Figure 5. Flooding at the Stony Brook bridge on East Delaware Avenue from an unnamed storm on August 22, 2021. Picture downloaded from <https://mycoast.org/nj/>.



Figure 6. Flooding of the Stony Brook onto King George Road, near the intersection with E. Delaware Avenue on August 22, 2021. Picture downloaded from <https://mycoast.org/nj/>.



Severe weather

Intense storms can result in a variety of hazardous conditions in addition to flooding. Strong winds can topple trees, damage buildings, and bring down overhead power lines. Tornadoes were rare in the past but are becoming more frequent in the area and are a threat to life. Snow and ice from winter storms can create life-threatening driving conditions and make roads impassable, hindering rescue services. Ice storms can bring down trees and power lines and immobilize traffic.

Helping the public respond to such emergencies is the role of the Hopewell Valley regional Office of Emergency Management (OEM), which covers Hopewell Township, Hopewell Borough and Pennington Borough and coordinates with County and State emergency services. The Hopewell Valley OEM uses several methods of alerting the public when there is an emergency event approaching or taking place. The Everbridge secure portal allows residents and businesses to add their contact information to receive emergency messages. The OEM has identified public and private facilities that can provide refuge in various kinds of emergencies and will coordinate public evacuation to the facilities as needed. Strong winds and ice storms can cause interruptions in electric power supply so refuge buildings, such as those designated as warming or cooling centers, should have backup power. Borough Hall is one such facility and it has backup power.

Drinking Water Availability

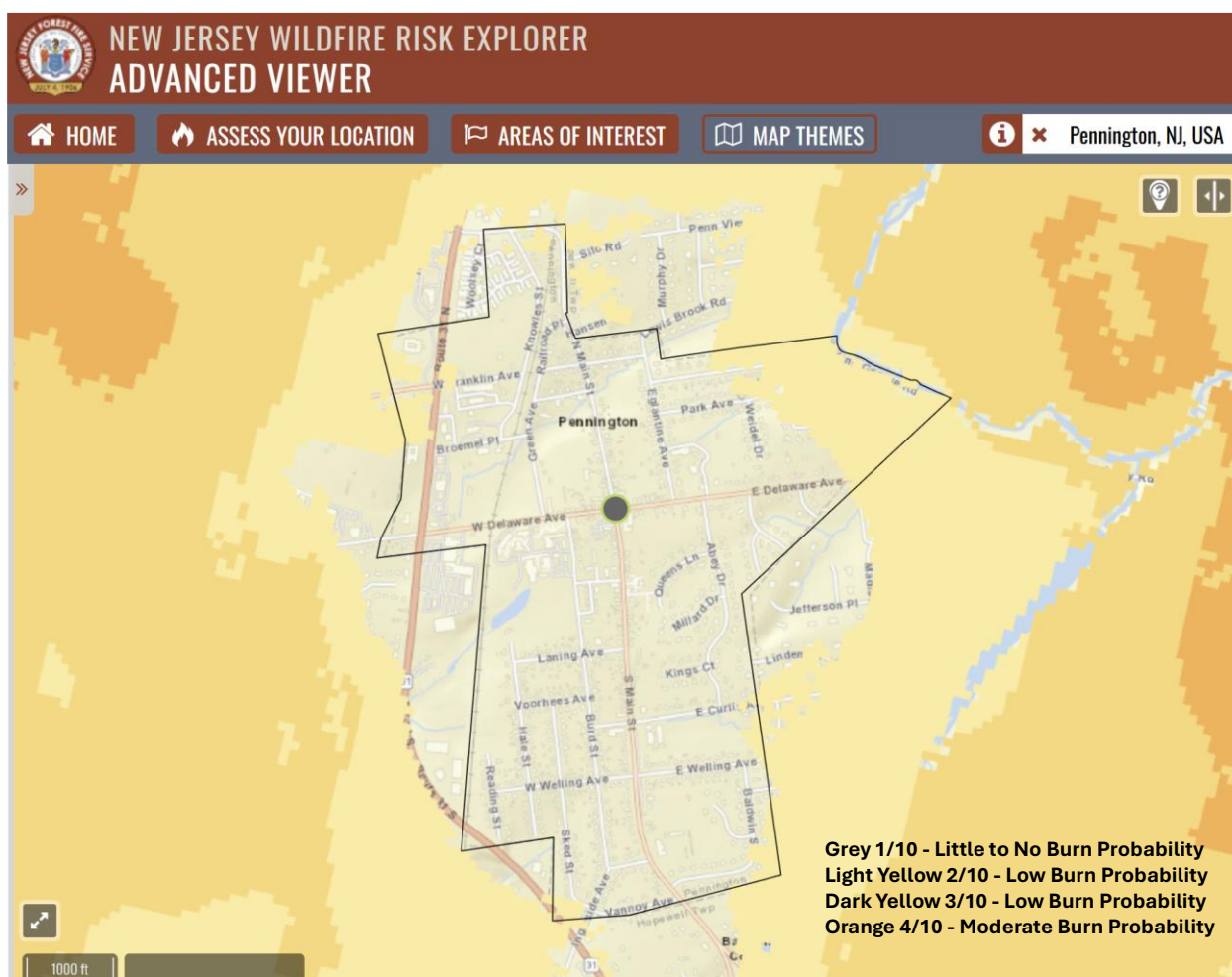
There currently are four active water supply wells in the Borough. Failure of the wells may reduce the amount of water available for consumption and firefighting. Backup power is needed in case of emergencies. Well 9, one of four wells supplying water for the Borough, is hooked up to a portable generator. With rationing, Well 9 should be able to meet the short-term needs of the customers of the Pennington Water Department. Average water demand in 2024 was 7.5 million gallons per month, or 175 gpm (gallons per minute), and Well 9 can produce 250 gpm. It may be prudent to add back-up power to Well 7 with a capacity of 190 gpm in case Well 9 develops a problem during an emergency. Battery back-up may be a better option for both in place of diesel generators. The Borough has a 600,000-gallon tank adjacent to Borough Hall as a back-up. At an emergency usage rate of 175 gpm, it could supply water for over two days. During heavy precipitation and flooding events, inflow and infiltration issues result in higher rates of wastewater, which has the potential to lead to sewage overflows and other related problems.

Wildfires

The New Jersey Forest Fire Service developed the Wildfire Risk Explorer tool which includes multiple datasets on local risk to wildfire hazards (<https://wrap.newjerseywildfirerisk.com/>). The majority of the Borough is classed as 1/10 Little or No Burn Probability, the outer edges are classed as 2/10 Low Burn Probability, see Figure 7. Risk to structures is also classed as low on this website. However, the Borough is not risk-free. In March 2025, a forest fire occurred in Hopewell Township between Woosamonsa and Poor Farm Roads It burned for two days and impacted 293 acres. Pennington experienced a severe 81-day drought from Sept. 1 to Nov. 20, 2024. There was no rain at all for 77 days. Less than 0.4 inches fell September 27-28 and 0.3

days on November 11-12 (data from the Rutgers NJ Weather Network for the weather station at The Watershed Institute in Hopewell Township, found on <https://www.njweather.org/data>). Foliage and grasses were very dry and could have presented a fire risk. We are proud of Pennington being a Tree City but the density of the canopy and spacing of trees should be controlled to prevent the spread of fire. Moving from lawns to meadows can increase fuel load and fire risk should be balanced against the benefits of rainwater capture.

Figure 7. Wildfire Risk in Pennington Borough



Infestations and invasive species

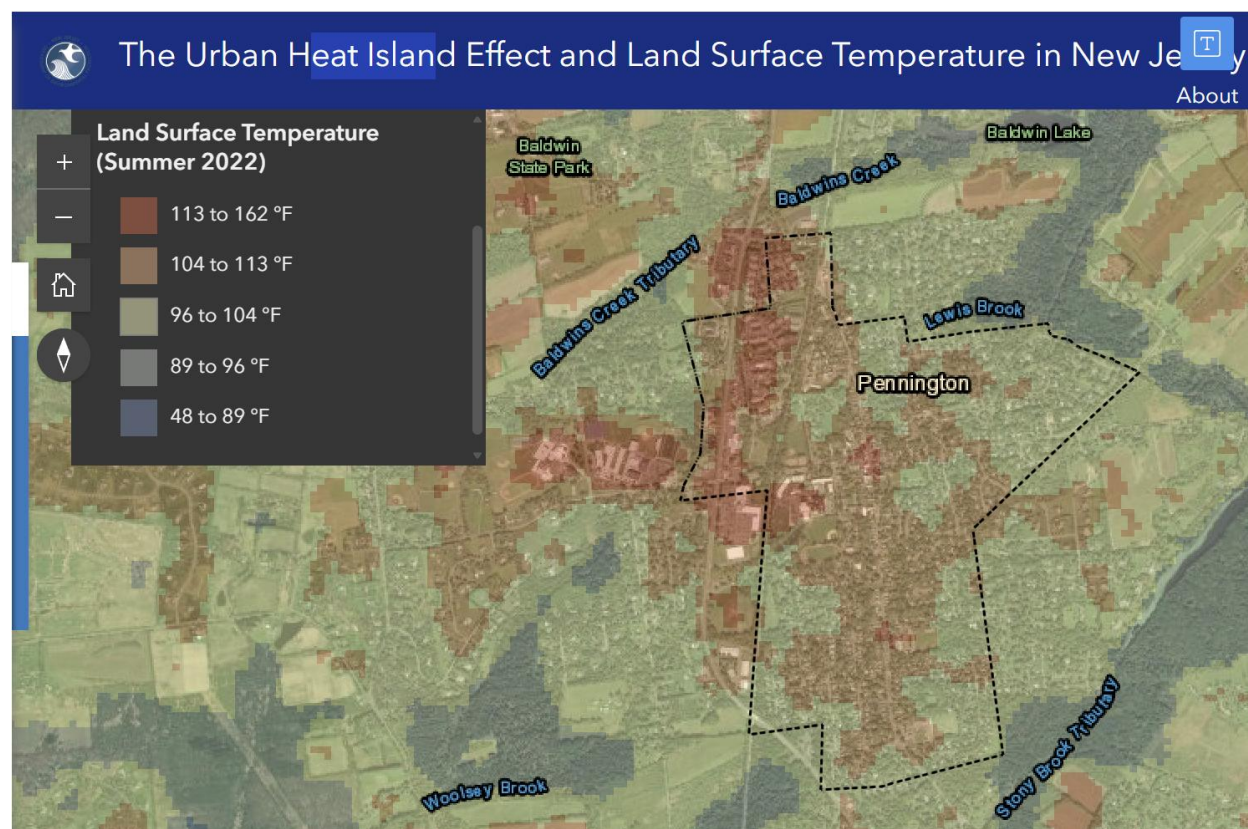
The Borough's Pin Oak trees have been impacted by Bacterial Leaf Scorch (BLS). Public Works has removed many dead and dying trees. However, there are 50-60 very large Pin Oaks within the Borough that exceed the Department's capabilities due to their size. Falling trees may result in damage to infrastructure and private property, as well as injuries or death in a worst-case scenario. The NJ DEP's 2020 Scientific Report on Climate Change projects that BLS may become more prevalent as temperatures increase while other pests and diseases may also spread more easily.

Emerald ash borer was first discovered in New Jersey in 2014 and has taken a toll on the Borough's ash trees. In addition to the loss of many of the Borough's mature shade trees, the weakened trees and dead limbs are dangerous. Fallen trees and branches also clog streams and culverts and can aggravate flooding. Regular removal of dead tree branches and trunks from streams near the entrance to culverts is a good practice to follow.

Extreme Heat

Extreme heat events significantly impact daily activities and public health, particularly for vulnerable populations such as the young, elderly, pregnant and those with chronic health issues. Federal statistics over a 30-year period show extreme heat is the leading cause of weather-related deaths in the United States. Communities in New Jersey are particularly at risk during extreme heat events due to the Urban Heat Island Effect, when urban areas are hotter than surrounding rural or forested areas. While Pennington's greenery and location in a rural area mitigates the most extreme impacts from heat, the Borough is not immune from this climate hazard.

Figure 8. Urban Heat Island effect in Pennington, Summer 2022



There are multiple tools that assess vulnerability to extreme heat, many of which are located on Heat Hub NJ (<http://heathub.nj.gov/>), New Jersey's one-stop hub for information regarding extreme heat. One such tool – The Urban Heat Island Effect and Land Surface Temperature in NJ – shows land surface temperature from satellite measurements during the summer of 2022 (see Figure 8). It shows the hottest areas in the northwest portion of the Borough, generally along

the Route 31 corridor, as well as on the Pennington School campus, Toll Gate, and in the town center. These areas show surface temperatures between 113 and 162-degrees F. Areas with less impervious surface (e.g. buildings, roads) and more green space have lower temperatures.

Similarly, the 2024 Heat Severity Map shows areas that are hotter than the average temperature for the area as a whole. In the Borough, the post office, Cambridge School, Straube Center and portions of Heritage townhouses and Pennington Point show as “extreme.” Notably, other areas adjacent but important to Borough residents also show as extreme, including Timberlane Middle School, Hopewell Central High School, and the Pennington Quality Market parking lot.

Interestingly, a tool called “Where Will Tree Planting Improve Urban Heat Health?” seeks to identify areas that would benefit most from planting more trees to mitigate against extreme heat. Pennington Borough ranks 2.3 on a scale of 1-5, suggesting some improvement could be made through a tree planting campaign.

Finally, Heat Hub NJ includes a mapping application called “Chill Out NJ” that identifies places to visit to seek relief from the heat, but that are not necessarily official “cooling centers.” In Pennington, both the Borough Library and Senior Center are identified, as are the Hopewell Branch of the Mercer County Library system and multiple county parks and in the surrounding area.

Air Quality

Along with extreme heat and wildfire in recent years air quality impacts come. New Jersey’s air quality will be impacted by climate change, leading to increased exposure to pollutants (e.g., ground level ozone and particulate matter), which has been associated with symptoms ranging from eye irritation to severe respiratory distress, and exacerbates pre-existing conditions. Additionally, as experienced multiple times in recent year, most dramatically in 2023, smoke from wildfires also has a significant impact on air quality and has pushed the Air Quality Index to reach “unhealthy” and “very unhealthy” levels.

Build Out Analysis [This will need updating when the Housing Plan is completed]

Pennington is almost entirely built out with respect to impervious surface, but in 2025 the Borough submitted a Housing Plan to the state that contemplates the redevelopment of multiple parcels, which would result in growth. While vacant land is not in large supply, as Pennington considers redevelopment and rehabilitation of existing facilities it is important to contemplate how these changes, from commercial to residential or mixed use, for example, will impact the Borough’s vulnerability to climate change-related natural hazards.

Two properties with “Realistic Development Potential” (RDP) were identified in a report by the Borough Planner (Borough Council Special Meeting Minutes, 1/17/23). These properties are the former landfill site and adjacent land owned by the Borough (Block 206, Lots 4, 5, and 12, ~8.3 acres) located between West Delaware Avenue and Broemel Place, and the Hopewell Valley Senior Center (Block 701, Lots 5, 6, 7 and 8, ~3.3 acres), located on Reading Street.

A Licensed Site Remediation Professional (LSRP) was contracted to conduct a preliminary environmental assessment and a floodplain analysis of the former landfill site to inform future development. The assessment indicated that due to the landfill materials present on the property and environmental constraints associated with Lewis Brook, which runs through the property (wetlands, wetland transition areas, flood hazard areas and riparian buffers), development of the site will be significantly constrained unless the landfill materials are removed. The results of the environmental study will allow the Borough to ensure that future development is not vulnerable to flooding.

There is no known flood hazard associated with the Hopewell Valley Senior Center property. Redevelopment will only occur once the new senior center in Hopewell Township has been completed as a replacement for the senior center in Pennington Borough. Any future development of this and other properties should consider the risk from those climate change-related natural hazards that will have a general impact on all properties in the Borough, such as increased temperatures and severe weather.

Critical Facility Identification

In the event of a disaster, certain facilities, utilities, roadways, and other infrastructure must remain functioning to ensure the safety and quality of life of residents or for evacuation purposes. The Borough identified 34 critical facilities in the action plan of the Mercer County Hazard Mitigation (HMP) using FEMA's community lifelines approach. The locations of these facilities are shown in the Appendix Map 1. Note that the map was from an earlier report (2016) and some of the facilities no longer exist.

Critical Facility	Facility Type
NJ State Highway Route 31	Roadway
East and West Delaware Avenues	Roadway
North Main Street	Roadway
NJ Transit Bus Line	Transit
West Delaware Avenue Bridge over CSX railroad	Bridge
Route 31 Bridge over CSX railroad	Bridge
North Main Street Bridge over CSX railroad	Bridge
Pennington Borough Hall	Government
Pennington Fire Department	Community Facility
Pennington Police Department	Community Facility
Hopewell Valley Senior Center	Community Facility
Pennington Water Department Active Wells (4)	Potable Water
Drinking Water Storage Tank	Potable Water
Curlis Avenue Pumping Station	Wastewater Utility
Sked Street Pumping Station	Wastewater Utility
Schools, Childcare, and other Education (5)	Educational Facilities

The chart above from the Mercer County HMP lists critical facilities that may be vulnerable to natural hazards or that are especially important for safety, quality of life, and evacuation purposes. FEMA's community lifelines approach may assist the Borough in allocating adaptation investment among critical facilities.

Critical Facility Vulnerability.

There are no critical facilities located in the 1% annual risk floodplains identified by FEMA or the expanded flood prone areas identified by Rutgers University <https://www.njfloodmapper.org> (FEMA +3 ft). As discussed previously, several roads in the Borough are known to flood during periods of significant rainfall, including the busy intersection of Route 31 and West Delaware Avenue, and Broemel Place, which is an important means of access for the Fire Department to the rest of the town.

The EMS facility on Broemel Place has reverted to Borough ownership since the First Aid Squad went out of business. The parking apron of the facility floods during heavy rain events which prevented egress of the ambulances and limits the ability of the facility to provide critical services. The facility also lacks backup power.

Climate Change Resilience Strategies

The Borough should continue to reduce its vulnerability to the climate change-related natural hazards. Existing measures and potential strategies to reduce vulnerability are described below. The Borough Government is doing its part to reduce greenhouse gas emissions and is developing a community energy plan that will focus on residential and commercial energy efficiency and moving energy demand towards renewables. Pennington Borough should do all it can to limit government emissions and promote policies that incentivize and do not hinder individual action.

However, greenhouse gas emissions reduction policy in the United States is currently under threat and global targets for atmospheric CO₂ limits go unmet. It is therefore critical that Pennington pursue ways to adapt to climate change and to protect the community in extreme events. The following strategies are proposed.

Planning and General Strategies

- 1) Review the action plan in the Borough of Pennington annex in Section 9.9 of the 2021 Mercer County Hazard Mitigation Plan. It includes resources and information to assist public and private sectors with reducing losses from future hazard events. The annex is not intended as guidance for actions to take *during* an emergency. It provides actions that can be implemented *in advance* to protect people and reduce or eliminate damage to property. Following a general overview of Pennington, the annex presents an action plan that should be implemented to achieve a more resilient community.
 - a) Table 9.9-14. Status of Previous Mitigation Actions. As of 2021, 10 actions were listed, 3 were complete, 5 were in progress and 2 were not yet started.

- b) Table 9.9-16. Proposed Hazard Mitigation Initiatives and Associated Priority. These are listed in the table in a Problem/Solution mode as summarized here and the 2025 status is shown in *italics*:
 - i) Stormwater management upgrades. *In progress.*
 - ii) Backup power for Well 7. *Not yet started.*
 - iii) EMS flood protection and backup power. *Reviewing options for the building.*
 - iv) Repetitive flood loss mitigation. *Completed.*
 - v) All hazards - public education and outreach. *In progress.*
 - vi) Disaster debris management plan. *Completed.*
 - vii) Flood damage prevention ordinance update. *In progress.*
 - viii) Increase staff hazard training and responsibilities. *In progress.*
 - ix) Backup power for the Senior Center. *Obsolete.*
 - x) Hazardous tree removal. *Not yet started.*
 - xi) Backup water supply. *In progress.*
 - xii) Reduce inflow and infiltration. *In progress.*
 - c) Table 9.9-17. Summary Evaluation and Action Priority. This presented a scoring system to determine whether the items in Table 9.9-16 above were low, medium or high priority. All were ranked as high priority.
- 2) Increase public outreach and education about natural hazard risks, wildfire prevention, flood risk, extreme heat and other emergency preparedness topics.
 - a) Document and provide public information on the locations and circumstances of flooding in the borough.
 - b) Engage residents in taking pictures (safely) of flooding using mobile phones, which date and time stamp the images. Create a Borough repository for these images as they are invaluable data points for validating future models of flooding in Pennington.
 - c) Include educational material in regular borough outreach strategies, such as the borough newsletter.
 - d) Assess the needs of limited-income and socially vulnerable populations, such as the elderly, who may be at increased risk from natural hazards. In addition, work to build climate resilience within these communities through outreach and emergency planning at the municipal level. Target education and outreach to socially vulnerable populations and collaborate with appropriate messengers such as the Mercer County Office on Aging, Senior Advisory Board, and Board of Health to promulgate messaging.
 - e) Create a “Welcome to Pennington” information package for new residents, including information on climate resilience and hazard mitigation, while providing other important government information (unrelated to resilience), and promoting local business.
 - 3) Increase the awareness of Borough residents and businesses of the role of the Hopewell Valley regional Office of Emergency Management (OEM) in managing the response to a variety of emergencies.
 - a) Send out occasional email reminders of the role of the OEM.
 - b) Remind residents and businesses to sign up for the Everbridge secure portal in order to receive timely emergency messages.
 - c) Encourage residents to access the website of the New Jersey Office of Emergency Management (<https://nj.gov/njoem/>). The “Plan and Prepare” tab contains a wealth of

information on weather and natural hazards; winter, hurricanes, earthquakes, droughts, floods, lightning/thunderstorms, pandemic influenza, tornados, and wildfires. It also covers man-made and technological hazards: nuclear power plants, power outages, chemical emergencies, hazardous materials, and terrorism

- 4) Identify and pursue funding opportunities to ensure investment in the adaptation measures needed to protect the Borough's residents and businesses from climate change-related natural hazards.
 - a) Use the [NJ Climate Resilience Funding Directory](#) to identify grant and program opportunities for resilience projects.
 - b) Assess the opportunities for financing of projects that include resilience from the [NJ Infrastructure Bank](#), which includes opportunities for water infrastructure, transportation, and resilience projects.
 - c) Partner with private landowners to implement mutually beneficial risk mitigation strategies, such as green infrastructure. One example of such an opportunity is to implement the [Green Infrastructure Site Designs](#) prepared by The Watershed Institute in 2021 for several properties in Pennington Borough.
 - d) Maintain and monitor climate resilience and risk mitigation actions continuously to ensure goals are met and new challenges are addressed.
- 5) Pennington Borough is in two watersheds (HUC11) and is surrounded by another municipality, so it is significantly impacted by decisions outside its borders. Consider participating in regional planning programs (such as [Resilient NJ](#)) and continue working with regional partners, such as Mercer County, Hopewell Township, and The Watershed Institute, to address climate impacts.
- 6) Incorporate resilience and hazard mitigation into all capital projects and adopt a "dig-once" policy to consolidate construction projects.
 - a) For example, when repaving streets, take the opportunity to install upgraded water/sewer lines; move electric wires and internet utilities underground; install stormwater green infrastructure that also acts of traffic calming; place sidewalks on the opposite side of the street from power lines allowing tree-planting to mitigate heat impacts on pedestrians.
 - b) Incorporate and incentivize resilience and hazard mitigation into redevelopment projects, including green infrastructure, open space, tree planting, and shade structures.
- 7) Engage all borough boards, commissions, and committees in climate resilience; each has purview over resilience and risk mitigation activities, and/or represents communities/sectors that are impacted.
- 8) The Greater Mercer Public Health Partnership (GMPHP) has released a Community Health Improvement Plan (CHIP). It does not include climate change-related health issues, but it is described as a living document that will be amended as additional data and resources are identified. Our Board of Health representative on the GMPHP could suggest the addition of a climate change section in an expanded CHIP referencing the Health Addendum to the Science Report. <https://dspace.njstatelib.org/items/8d5e35b0-bf75-40a0-9955-dff93eae3711>.

Topics to cover are the effects of climate change on:

- a) An increase in vector-borne diseases.
- b) Stress from extreme heat or cold.
- c) Declining air quality.
- d) Mental health issues from coping with a disaster.

Flooding Strategies

The Borough has taken many steps to improve its resilience to flooding, one of the most urgent natural hazards it faces. The Stormwater Control and Flood Damage Prevention ordinances have continually been updated to remain in compliance with NJ DEP rules. In addition, in 2020, The Watershed Institute prepared an Impervious Surface Assessment and Reduction Plan for the Borough, designed to help assess and guide future policies. However, while the Borough continues to experience flooding during extreme rainfall events, new modeling tools and data are available, and a regional stormwater study is forthcoming. Pennington should consider updating climate-informed ordinances that will improve resilience and reduce flooding. Potential strategies to improve resilience to flooding include:

- 1) The Borough should consider infrastructure improvements, stormwater management improvements, reduction of impervious cover, and other strategies to mitigate flooding without exacerbating flooding downstream.
- 2) Work with the county and state to address flooding at the intersection of West Delaware Avenue and Route 31 and on North Main Street, while improving other state/county-owned infrastructure that reduces the efficient delivery of emergency services.
- 3) Increase the drainage or absorption capacity of the current stormwater management system, prioritizing stream sheds with flood-prone locations. Measures would include adding/enhancing detention or retention basins, relief drains, vegetated planters or swales, perform logjam and debris removal, and enhancing culverts.
 - a) Most, if not all, stormwater management infrastructure in Pennington was built based on requirements that are out of date and do not consider increasing precipitation from climate change. Such infrastructure creates pinch points or fails to manage stormwater during extreme events and may flood adjacent areas, including transportation infrastructure. The borough should assess all stormwater management infrastructure and prioritize the replacement/appropriate sizing or increasing of drainage/absorption capacities of those structures deemed inadequately designed to withstand climate change-related disasters.
- 4) Update ordinances to restrict increases in and reduce impervious surfaces throughout the Borough.
- 5) Ensure that redevelopment and construction of new critical facilities, utilities, and community facilities meet or exceed statewide minimum stormwater standards and occurs away from floodplains.

- 6) Conduct a hydrology and hydraulic study of the watersheds feeding into the Borough's tributaries to identify the locations with the most severe flooding and to determine appropriate mitigation measures.
- 7) Address the following specific areas of deficient stormwater pipes and drainage
 - a) the pipes to the landfill from the intersection of Route 31 and West Delaware Ave.
 - b) the driveway bridge on the landfill property,
 - c) the Lewis Brook tunnel from the landfill under the CSX tracks,
 - d) the channel under the CSX railroad tracks at Knowles St. and Bixby's Way,
 - e) the bridge tunnel and pipes at the Green Street and Broemel Place intersection,
 - f) the tunnel under the garage on the Blackwell property,
 - g) the pipes under the rear yards of 20 and 22 East Franklin Avenue.
- 8) The Lewis Brook bridges under Green Street, North Main Street and Eglantine Avenue are old and in poor condition. The County is looking to replace and upgrade the Green Street and Eglantine Avenue bridges.
- 9) Inflow and infiltration issues result in higher rates of wastewater during heavy precipitation and flooding events. Identify and address stormwater inflow and infiltration issues during heavy rainfall events.
- 10) Consider the use of open space funds to acquire properties both inside and outside of the borough to 1) attenuate existing flooding, and 2) that would result in additional flooding within the borough if developed.
- 11) Consider the acquisition/purchase or elevation/moving of the most flood-prone residential properties in the borough.
 - a) Convert properties to open space designed to flood during extreme events and mitigate flooding in the area.
 - b) Offset housing and ratable loss with increased density in the town center and appropriate redevelopment areas.
- 12) Consider daylighting streams in the borough that have been piped. Returning streams and buffers to natural function improves flood attenuation and slows stream flow, reducing flood impacts. Co-benefits of such action include heat island mitigation, additional open space, improved water quality, restored habitat, and neighborhood beautification.
- 13) Add green infrastructure throughout the borough, prioritizing public lands to lead by example.
 - a) Work with Watershed Institute to utilize public green infrastructure for use as demonstration projects, education, and training opportunities.
 - b) To promote stormwater infiltration, resurface impervious pavement such as borough-owned parking lots, with pervious surfaces.
 - c) Incorporate stormwater green infrastructure in road designs that serve to mitigate stormwater flooding, while calming traffic and beautifying neighborhoods.
 - d) Adopt and implement a Complete and Green Streets policy.

Severe Weather Strategies

The Borough has made concerted efforts to ensure that its critical facilities can remain functional in the event of a power interruption. So far, the municipal building, which serves as a cooling center, traffic signals at Main and Delaware and Route 31 and West Delaware, and Well 9 have been equipped with auxiliary power systems.

Potential strategies to improve resilience to severe weather include:

- 1) Work with PSE&G to ensure that the electrical grid is more resistant to severe weather, including high-speed winds. Measure would include replacing utility poles, reinforcing key infrastructure, burying power lines, managing vegetation, and pruning trees near power lines.
- 2) Ensure that remaining critical infrastructure facilities have auxiliary power systems installed and regularly tested.
- 3) Increase the Borough's long-term resilience through distributed renewable energy such as Community Solar or Wind projects.
- 4) Assess the vulnerability of the Borough's Historic District and other cultural resources to determine if adaptive measures are needed.
- 5) Assess the opportunity to enhance the Borough Hall/library into a resilience hub. Typically, resilience hubs are existing community-serving facilities that are upgraded to provide local communities with shelter and electricity during extreme heat events, poor air quality, and disasters. Resilience hubs should also act as education centers, where community members can go to learn about climate-related hazards and other effects, how to prepare and respond to them, and enhance community connections to increase adaptive capacity.
- 6) Ongoing natural weather hazards warrant the need for additional integration to allow for better emergency preparedness.
- 7) Public Works has removed many trees but estimates there are 50-60 very large pin oaks remaining that are outside of the Department's capabilities due to their size. A strategy is needed to remove these trees. Ash trees have also become a problem due to the emerald ash borer invasion and need to be managed.

Extreme Heat Strategies

Potential strategies to improve resilience to heat and air quality include:

- 1) Maintain or increase vegetated cover and shade tree plantings where possible to mitigate the urban heat island effect, especially adjacent to walkways and the shopping district.
- 2) Promote the use of heat-reflective building materials, shade structures, and other heat adaptations.

- 3) Plan for extreme temperature events to protect Borough residents that are uniquely vulnerable to extreme heat waves by promoting awareness of cooling centers and the signs and symptoms of heat related illness.
- 4) Coordinate with PSE&G to limit unnecessary tree loss, and to promote appropriate tree planting.
- 5) Prioritize tree planting in areas with hotter than average temperatures, including the post office, Cambridge School, Straube Center, and portions of Heritage townhouses and Pennington Pointe.

Air Quality Strategies

While the opportunities to address air quality impacts are limited, as these largely occur on a regional scale, there are some actions that Pennington can take:

- 1) Enforce anti-idling regulations, which negatively impact local air quality, particularly for vulnerable populations (e.g youth, elderly, those with pre-existing conditions).
- 2) Promote “green transportation” such as walking, biking, public transit, and electric vehicles, including the infrastructure to support and incentivize those uses. For example:
 - a) Install EV charging stations
 - b) Ensure that sidewalks and walkable areas are shaded
 - c) Install bike lanes
 - d) Work with NJ Transit to install shade-providing bus shelters at stops in the Borough, or if needed, install shade and seating at bus stops.

Wildfire Strategies

While Pennington has a low risk of wildfire, recent events demonstrate a need to remain vigilant. Additionally, while drought response is largely addressed by state resources, there are actions that the borough can take to ensure that we do our part to limit extensive impacts.

- 1) Ensure that public buildings are resistant to fire and manage risk from wildfire on an ongoing basis using forestry management strategies, wildfire fuel management, etc.
- 2) Consider participating in the Firewise Communities Program, a foundational action for community wildfire preparedness, and one included in the Sustainable Jersey program.

Drought Strategies

- 1) Prepare a drought emergency strategy, which may include:
 - a) Criteria or triggers for drought-related actions
 - b) A communication plan
 - c) Agreements for secondary water sources

- d) Mandatory water conservation measures for non-essential usage beyond state minimums (also a Sustainable Jersey action)
- e) Increase public awareness of wildfire risk during periods of prolonged drought.

Impacts on the Other Elements of the Master Plan

Land Use Plan Element. The Land Use Plan Element informs and underpins the Borough's zoning and potential redevelopment areas. As discussed in this analysis, natural hazard vulnerability is a key consideration for the Borough as it plans for redevelopment. Climate change-related natural hazards are relevant to all land uses in the Borough.

Community Facilities and Services Plan Element. This element analyzes the existing and proposed locations of educational, cultural, health- and safety-related, and other community facilities in the Borough. The risk to community facilities from natural hazards and opportunities to improve their resilience are discussed in this vulnerability assessment.

Public Works Services Plan Element. Risk from natural hazards, especially flooding, is a key concern for the Utility Service Plan Element. The element considers the need for and location of water supply and distribution facilities, drainage and flood control facilities, sewage and wastewater treatment, stormwater management facilities and others. Heavy rainfall and flooding, damage from severe storms, and pollutant infiltration may impact the continued operation of the Borough's utilities.

Mobility Plan Element. Extreme rainfall and flooding events, most notably during tropical storm Ida in 2021, have historically impeded circulation in the Borough. The assessment of existing and future development should address mobility concerns due to these stressors.

Economic Development Plan Element. The Economic Plan Element considers all aspects of economic development in the Borough. Economic activity is impacted by disasters when businesses suffer damage or losses or business is interrupted by power loss or road closures. Resilience planning for businesses includes working with the county, state and landowners to ensure that stormwater is managed to reduce flood disruption and damage and that trees are planted to reduce daytime heat in business areas.

Historic Preservation Plan Element. Pennington's Crossroads Historic District consists of properties and landmarks whose historic character and architecture the Borough seeks to preserve. Severe storms, wind, flooding, and other natural hazards have the potential to cause damage to the historic district and its properties. The Borough and the Historic Preservation Commission should explore how to improve the resilience of these properties, and repair them if damaged, while maintaining their historic character.

Open Space and Recreation Plan Element. Flooding and damage from other hazards to the Borough's open spaces and recreation areas may negatively impact quality of life. The design of open spaces and recreation facilities can incorporate natural hazard adaptation measures as well as tree canopy and stormwater management measures that have the potential to enhance the

Borough's overall resilience. Open space acquisition that can prevent flooding, reduce local heat island effects, or protect water quality should be prioritized.

Conservation Plan Element. The Conservation Plan Element addresses the conservation, preservation, and utilization of the Borough's natural resources. Climate change and natural hazards are projected to impact wildlife habitats, water supplies, forests, and other natural resources. Conservation efforts can be strategically planned to increase the resilience of Pennington's environment and community.

Green Buildings and Environmental Sustainability Plan Element. The assessment of opportunities related to renewable energy systems, water conservation and reuse, the interactions between buildings and the environment, and the Borough's carbon footprint are fundamentally linked to future climate impacts and the costs associated with those impacts. Strategies discussed in the Green Buildings and Environmental Sustainability Plan Element have the potential to reduce the Borough's contributions to climate change, reduce future costs and improve its long-term resilience to natural hazards.

Consistency with Other Plans

This assessment is intended to help Pennington Borough reduce its vulnerability to climate change-related natural hazards by identifying risks and suggesting strategies to improve resilience. This document builds upon and is consistent, coordinated, and integrated with the Mercer County Hazard Mitigation Plan as well as the Borough's Master Plan, Community Forestry Management Plan, and the Municipal Stormwater Management Plan.

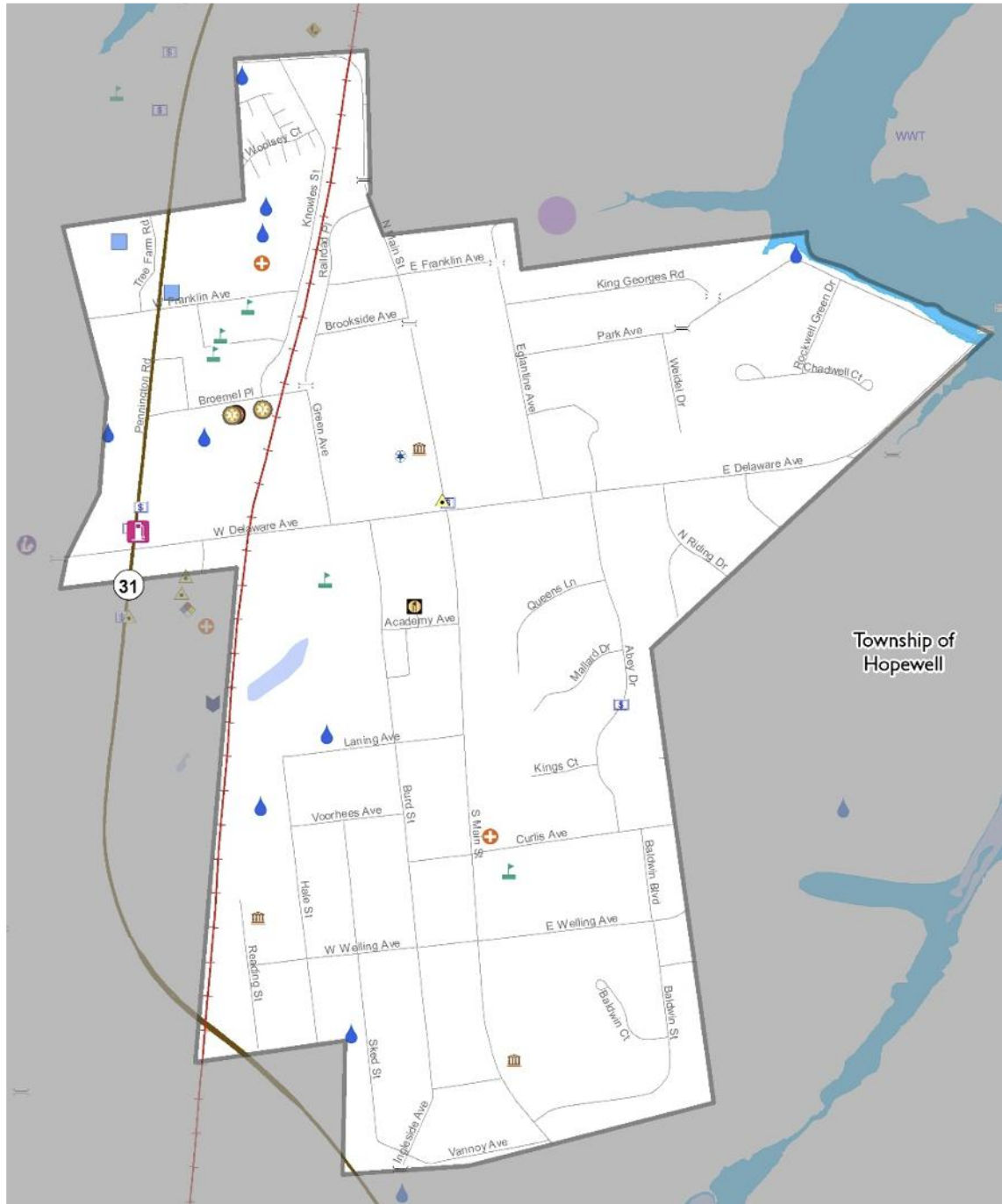
In 2025, Pennington Borough joined Princeton, Hopewell Township, and Lawrence Township in a collaborative effort to address stormwater management requirements for the Stony Brook Watershed. The Borough Council approved a resolution authorizing participation in this regional initiative to develop a comprehensive Watershed Improvement Plan (WIP). The partnership will allow the four municipalities to share resources and expertise while working with a respected watershed management firm to collect essential technical data needed to meet state stormwater discharge requirements and plan for climate change. Work on the project is expected to be completed by Fall 2026, in advance of state deadlines for required reports. The resulting data and recommendations will help Pennington identify effective strategies to improve water quality, address pollutants, and mitigate flooding issues within the Stony Brook Watershed, benefiting residents, businesses, and the environment for years to come.

With an understanding that mitigating climate impacts is generally understood to be fiscally positive, the Borough will continue to implement and explore policies that improve resilience to climate change-related natural hazards and that align with and, where appropriate, exceed state and federal minimums. The findings and recommendations described here, in addition to the best available science, will be used to guide the Borough's resilience efforts and should be incorporated into future planning efforts and updates.






APPENDIX

1. Mercer County Hazard Mitigation Plan Critical Facilities Map

Note: Key to the symbols can be found on the next page.



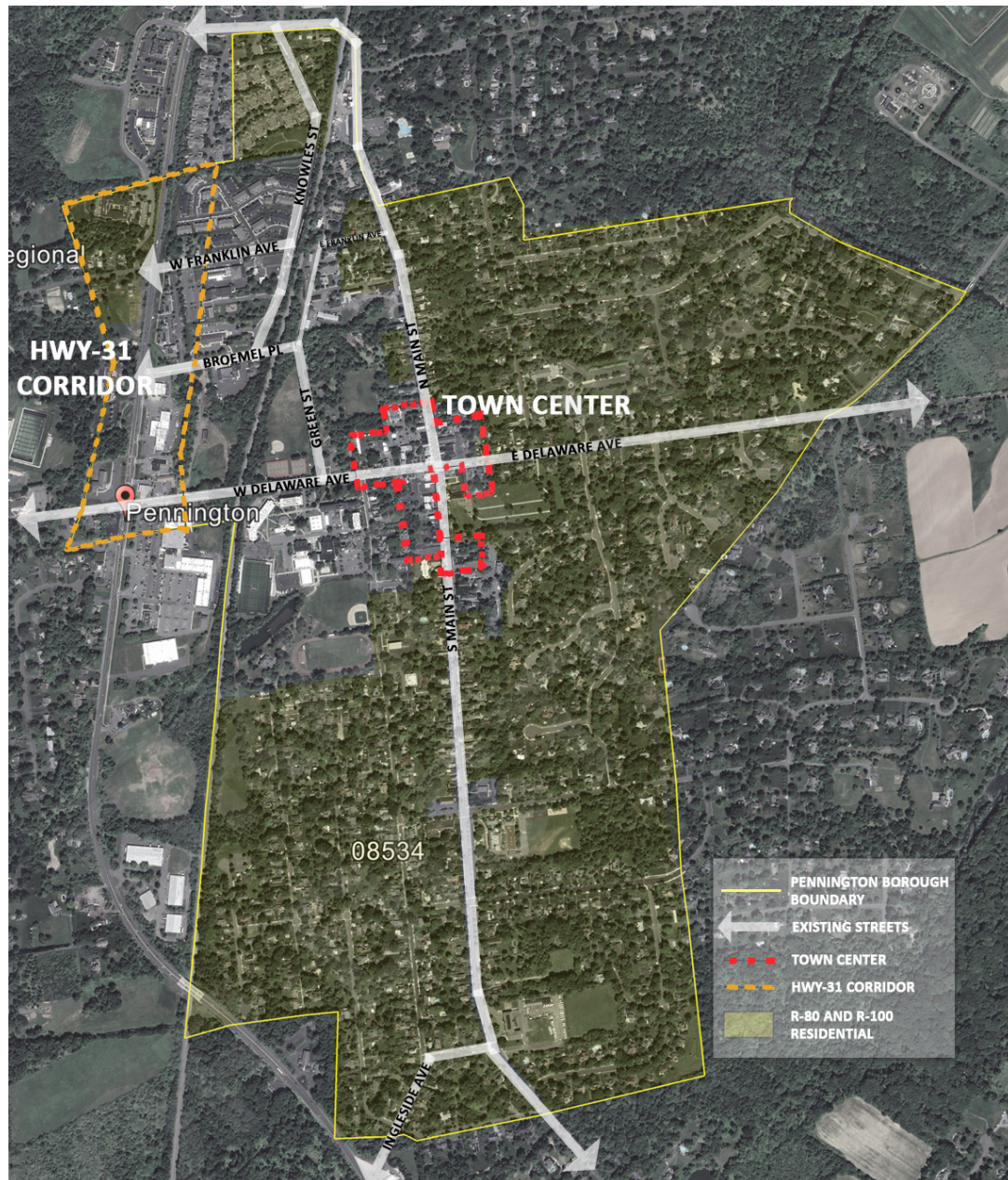
Borough of Pennington

 Airport	 Fire Station	 Pharmacy
 Bank	 Food Distribution	 Police Station
 Bridge	 Gas Station	 Post Office
 Bus Facility	 HazMat Facility	 Potable Water
 Child Care	 Heliport	 Public Health
 Communication	 Library	 Public Housing
 Community Services	 Major Employer	 Rail Facility
 County Building	 Marine	 Religious Site
 Cultural	 Medical	 Senior Facility
 DPW	 Municipal Building	 Shelter
 Dam	 Natural Gas	 State Building
 EMS	 Oil Facility	 Transportation
 EOC	 Park/Recreation	 Veterinary
 Education	 Parking	 WWT Wastewater
 Electric		

Pennington Borough Master Plan Survey Results Summary

The goal of this survey is to identify key issues and priorities to inform the development of Pennington Borough's Master Plan, specifically the Land Use Plan, the Economic Development Plan and the Housing Plan.

The survey consists of 5 brief sections and a total of 18 questions with multiple choice, visual preference choices and open-ended responses.

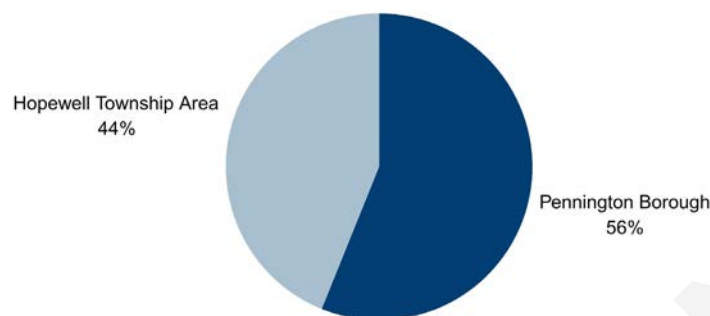


Introduction

This survey was conducted from July 28 to August 15, 2025 and received a total of 550 responses. Participants live in Pennington Borough (56.8%) and the Hopewell Township Area (38.6% from Hopewell Township and 4.6% were single responses including Hopewell Township locations as well as areas immediately adjacent). Results are based on Survey Total (550 Responses), Pennington Borough (309 Responses) and Hopewell Township Area (241 Responses).

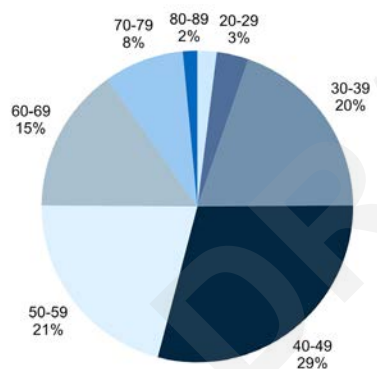
Survey Demographics

Q16. Do you live in Pennington Borough?

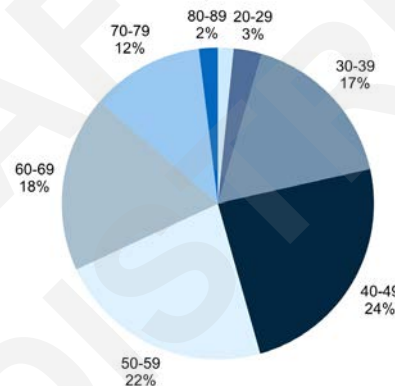


Q17. What is your age?

Age Distribution
Survey Total

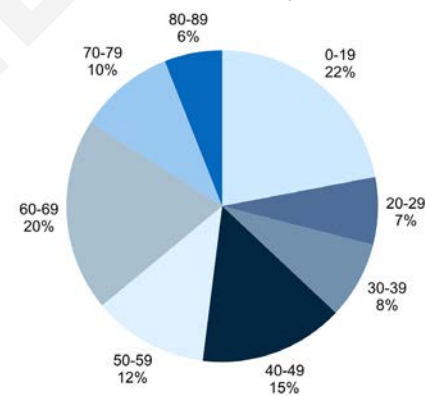


Age Distribution
Pennington Borough



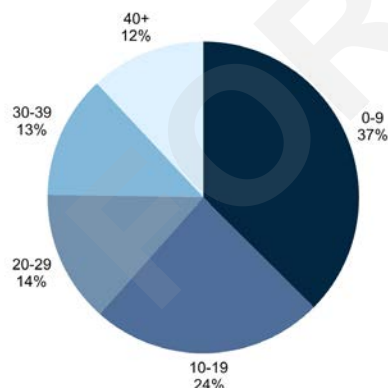
Age Demographic of
Pennington Borough

ACS 2023 5-year

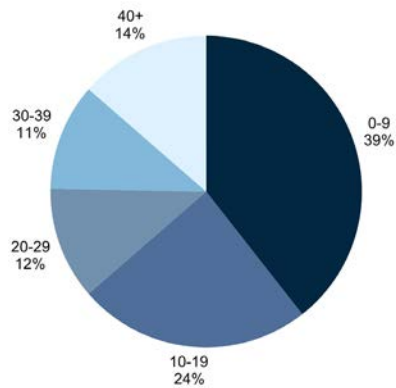


Q18. How long have you lived in the area?

Survey Total



Pennington Borough



About Survey Analysis:

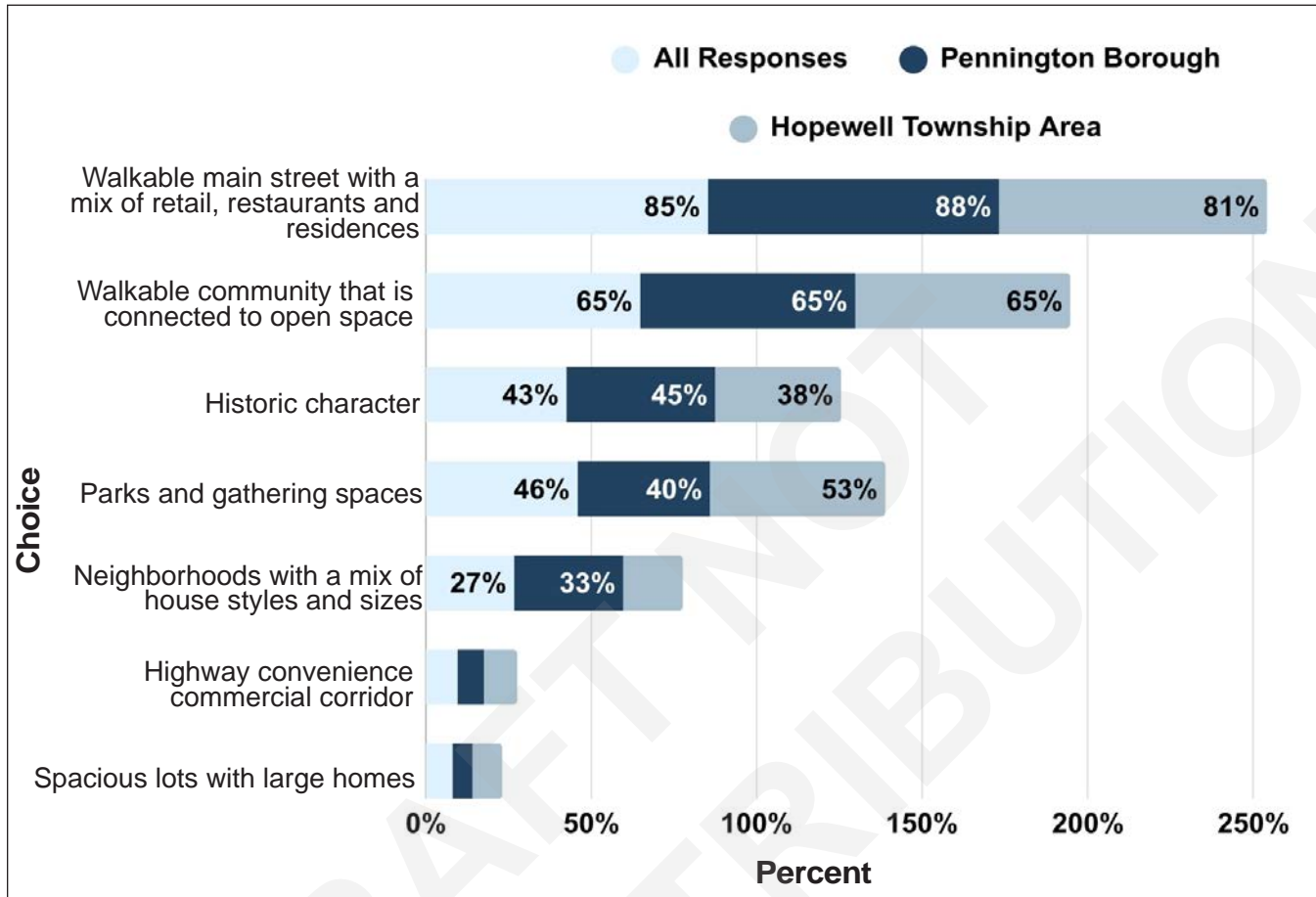
Quantitative & Qualitative Analysis
(Thematic Analysis)

AI Disclosure: How AI was used in
this survey and Analyst's specific
methodology:

After foundational quantitative and
qualitative analysis was established,
AI was utilized as a word processing
and data processing tool within
an extensive analog process
and oversight to sort data, create
thematically analyzed summary
drafts and draft categorical lists.

Q1. Which of the following attributes do you value most about Pennington Borough?

Multiple Choice / Select Three



Participants were asked to select images that represent what they value most about Pennington. The top (3) selections were:

85% chose “Walkable main street with a mix of retail, restaurants and residences”



65% chose “Walkable community that is connected to open space”



46% chose “Parks and Gathering Space”

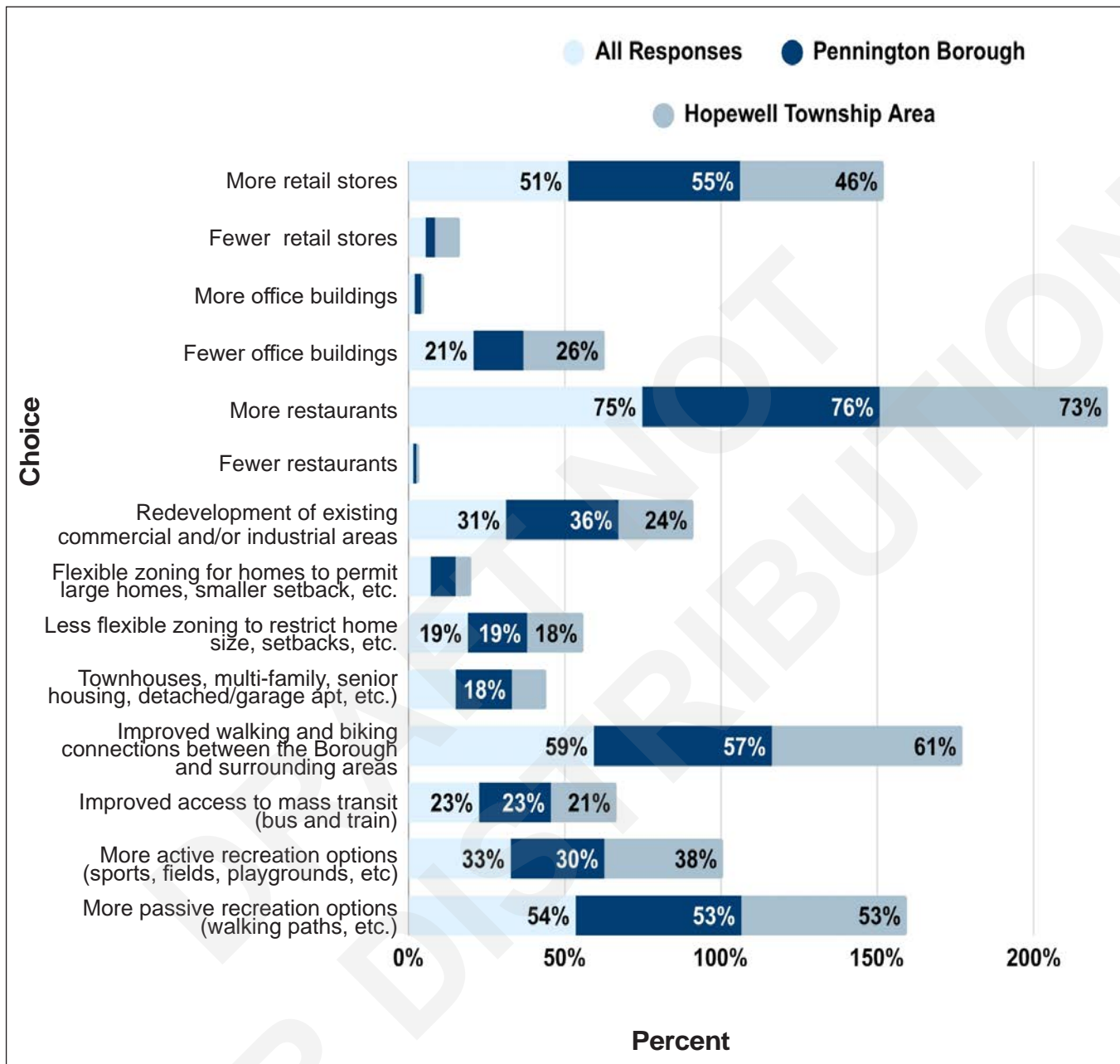


Write-in Responses (“Other”)

- low criminal rate
- Open space and parks
- Safe, comfortable Bicycle infrastructure
- Single family homes that are reasonably sized and priced. No need for huge homes but some people don’t want townhouses.
- It’s like Mayberry !
- ability to use a bicycle for transportation
- a good dedicated coffee shop

Q2. What changes would you like to see in Pennington Borough?

Multiple Choice



Respondents' top four selections align with the purpose and vibrancy respondents envision for Town Center as well as the priorities for the Hwy-31 Corridor.

The request of Fewer Office Buildings suggests a preference for public-facing businesses over private, professional spaces. In terms of development, respondents tend to prefer re-use of existing properties over new construction. There is a clear interest in more housing choices reflecting the respondents' concerns over affordability, while respondents are divided over zoning preferences. Overall, responses indicate mixed feelings on development, from opposition and distaste for styles and aesthetics to an interest in more housing choices and the desire for greater affordability and variety of living options. Respondents request the addition of active recreation to (in both Town Center & Hwy-31 Corridor). Lastly, respondents expressed a need for better bus and train access to connect the Borough to a wider region.

Q2. What changes would you like to see in Pennington Borough?

Multiple Choice

Write-in Responses ('Other')

- ""The Blackwell property at the bottom of the hill on North Main Street is a safety/environmental/flood/health hazard + eye sore, why the [expletive] are these decrepit old buildings being allowed to rot away in the middle of the borough?""
""cleanup the Blackwell mess""
- ""NO MORE BUILDING!!!! The infrastructure cannot handle it. Flooding will continue in low lying areas! Please keep this in mind. Do not develop anymore!""
""NO MORE CONDOS AND/OR DEVELOPMENTS!""
""No development""
- ""Closure of Ingleside to Rt 31 traffic.""
""Safer access to 31 via traffic lights, right turn only, etc. Better traffic flow near middle & high school""
- "Primary Concern: the Pennington Shopping center is disgusting. Needs to take on a face lift similar to what the Newtown, Pennsylvania shopping received in the past few years."
- ""DOGE audit of the school district budget to keep them from hemorrhaging costs""
""lower property taxes""
- "Places for teens or older children to gather, places of interest for kids to encourage pos interactions, more shops or hobby type places like beading/pop up shop opportunities, dessert shops, toy store (miss Twirl)!"
- "Rigorous planning review of any permitting and uses to better assure compliance with zoning. Zoning written that is more airtight so that zoning officer(s), planning committees and permit requesters have no flexibility in interpretation without a variance process"
- "Better flood management through daylight of Lewis Brook where possible"
- "Fix the sidewalk and install proper curbs on a Main Street to protect our children going to toll gate"
- "Places for teens or older children to gather, places of interest for kids to encourage pos interactions, more shops or hobby type places like beading/pop up shop opportunities, dessert shops, toy store (miss Twirl)!"
- "Primary Concern: the Pennington Shopping center is disgusting. Needs to take on a face lift similar to what the Newtown, Pennsylvania shopping received in the past few years."
- "Rigorous planning review of any permitting and uses to better assure compliance with zoning. Zoning written that is more airtight so that zoning officer(s), planning committees and permit requesters have no flexibility in interpretation without a variance process"
- ""cleanup the Blackwell mess""
""Redeveloping the old garage area but not into large homes or condos. Preferably mixed use much like the center of Main. A few rentals with retail below and some open space""
- ""Fix the sidewalk and install proper curbs on a Main Street to protect our children going to toll gate""
""Improve infrastructure. Bury power lines""
- ""NO MORE CONDOS AND/OR DEVELOPMENTS!""
""No development""
- ""Safer access to 31 via traffic lights, right turn only, etc. Better traffic flow near middle & high school""
""Bridge over 31 on Delaware at light for safe crossing - especially w new housing coming and now Starbucks- it's getting really dangerous""
- "Regarding more/less retail stores and restaurants: I would like to see the current empty storefronts to be filled, as opposed to more physical buildings/structures built."
- ""Bowling, gymnastics, ice skating, roller skating""
""Gym or ymca with a pool""
- "More in-borough events (Pennington Day/Farmers Market) within the central business area to encourage economic development"
- ""More flexible zoning to permit ADU's, multi family density""
""Less mass housing complexes.""
- ""A dedicated coffee shop""
""Keep the grocery store""
- "Walking and biking connections across rt 31 are especially needed. Would also be amazing to make the commercial area along 31 more walkable with plantings/barriers/shade"
- "More educational/ developmental center for kids and teenagers"

Pennington Borough Town Center



Question 3: Visual Preference Survey: Elements that could make Pennington Borough's Town Center more vibrant.

Participants were asked to rate the desirability of images of elements that they feel could make Pennington Borough's Town Center more vibrant.

Question 4: What would bring activity and purpose to the Town Center?

Open-Ended Response: Participants were asked to share what they think would bring activity and purpose to the Town Center.

Question 5: What kinds of businesses and restaurants do you want to see in Pennington's Town Center?

Open-Ended Response: Participants were asked to share what kinds of businesses and restaurants they would like to see in Pennington's Town Center.

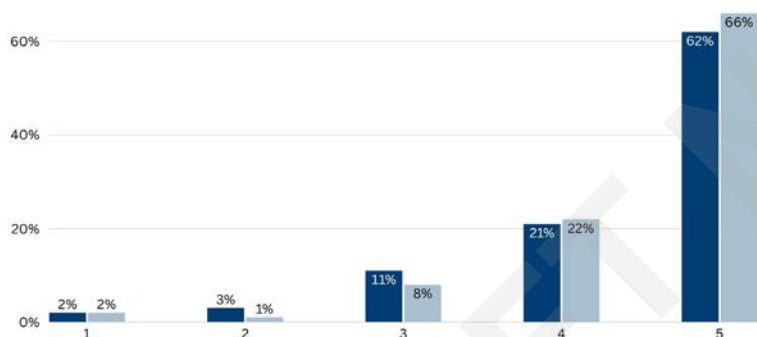
Q3. Elements that could make Pennington Borough's Town Center more vibrant.

Visual Preference Survey: Rate on a scale of 1 (least desirable) to 5 (most desirable)



Pedestrian ways with a mix of businesses, residences, and outdoor dining

This single preference is the embodiment of the town's vision: It directly creates the outdoor seating and shop space, achieves the desired car-reduced environment, and represents the key mixed-use/density goal.



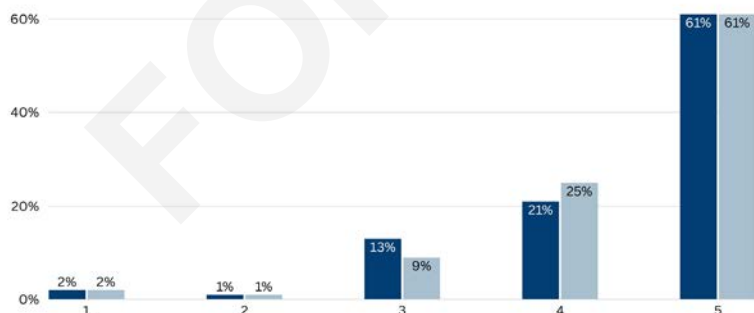
1 Least Desirable

5 Most Desirable



Sidewalks with space for shade cover, bicycle racks, seating and outdoor dining

Directly fulfills the demand for comfortable, shaded seating and public amenities. It also provides crucial space for restaurants to expand operations via outdoor dining.



1 Least Desirable

5 Most Desirable

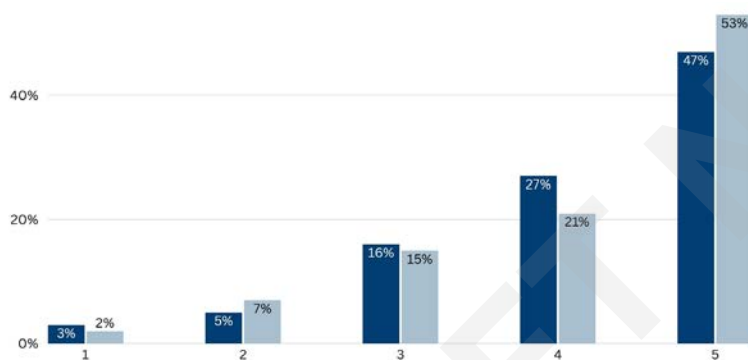
Q3. Elements that could make Pennington Borough's Town Center more vibrant.

Visual Preference Survey: Rate on a scale of 1 (least desirable) to 5 (most desirable)



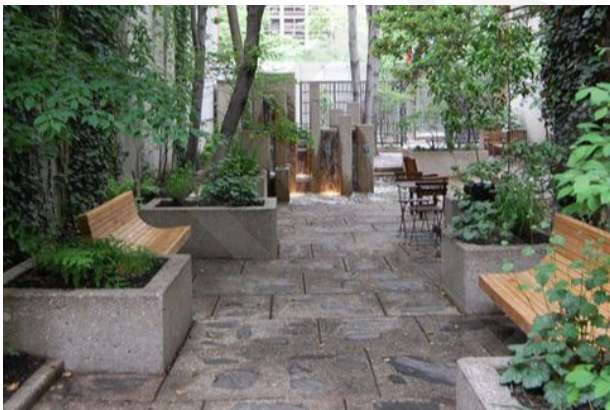
Sense of place created by streetscaping, plants, trees, seasonal lighting, and public art

Representative of respondents' request for outdoor spaces to casually socialize and creates an engaging and biophilic experience of the Town Center.



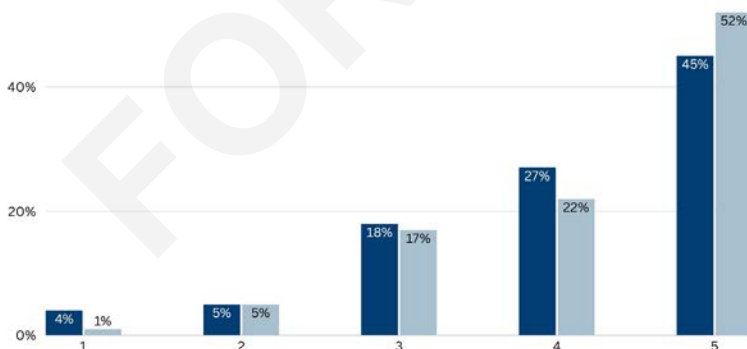
1 Least Desirable

5 Most Desirable



Pocket parks and/or 'greenways' that connect to areas around the center

Provides the small parks and green spaces requested. These spaces also serve as informal community gathering spots or family play areas.



1 Least Desirable

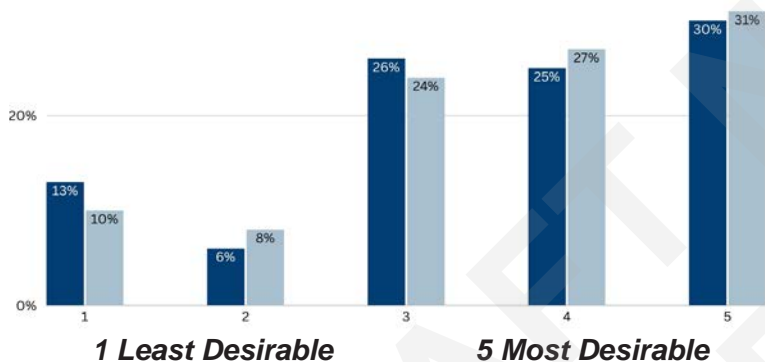
5 Most Desirable

Q3. Elements that could make Pennington Borough's Town Center more vibrant.
Visual Preference Survey: Rate on a scale of 1 (least desirable) to 5 (most desirable)



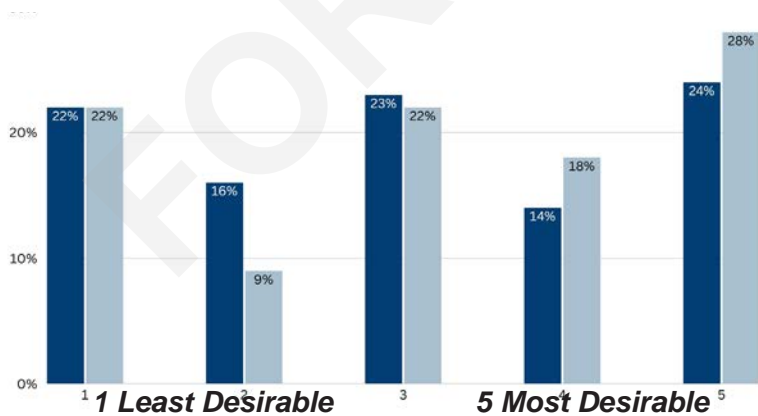
More mixed-use development

This is a primary tool for achieving the necessary density. By integrating residences above retail, it ensures a built-in customer base to support the increased number of shops and restaurants desired.



Accessible sidewalks with improved pedestrian crossings that are visible and engaging

Directly addresses safety and accessibility concerns. By improving crossings, it safely links the town center's attractions to the surrounding neighborhoods, supporting the goal of walkability.



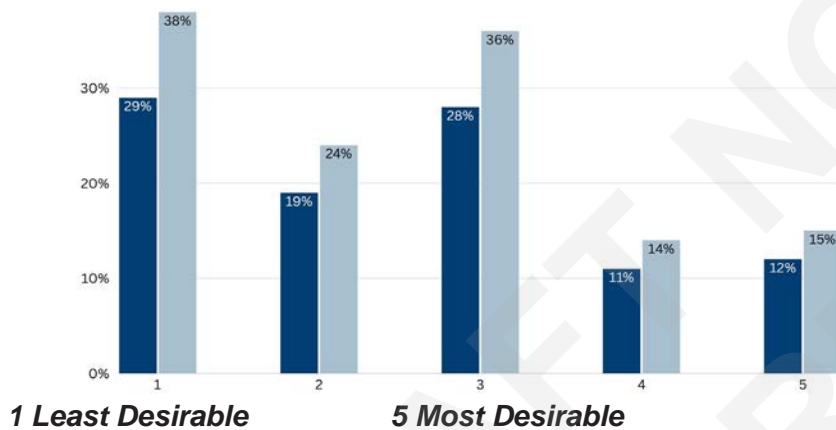
Q3. Elements that could make Pennington Borough's Town Center more vibrant.

Visual Preference Survey: Rate on a scale of 1 (least desirable) to 5 (most desirable)



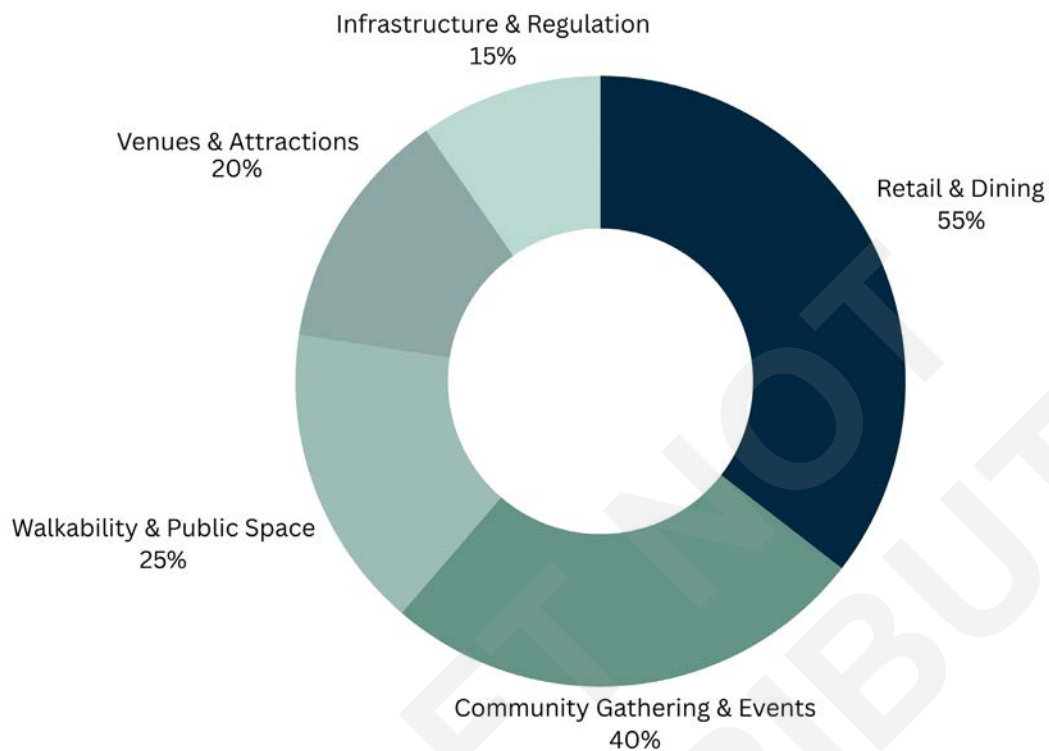
Inns and bed-and-breakfasts

Attracts out-of-town visitors, creating external revenue to support local shops and restaurants. It adds a new type of specific hospitality amenity to the list of town attractions and can contribute to the social and dining scene respondents desire.

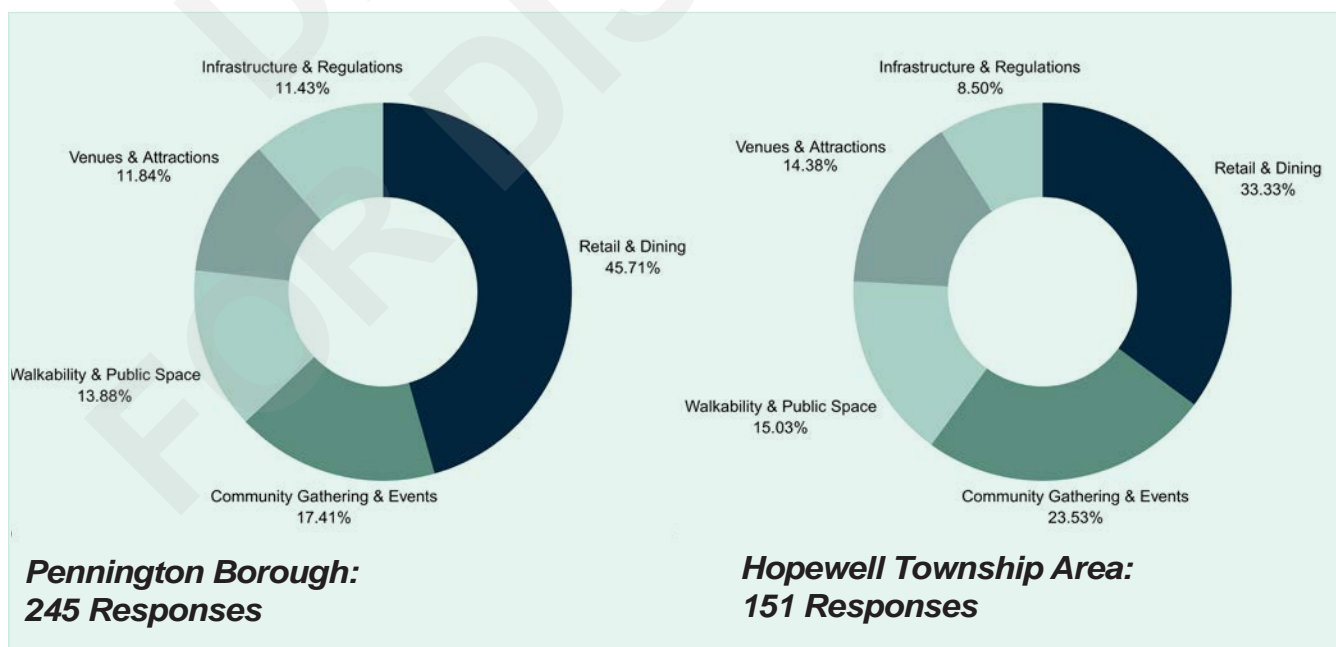


Q4. What would bring activity and purpose to the Town Center?

Open-Ended Response



Survey Total:
395 Responses



Q4. What would bring activity and purpose to the Town Center?

Open-Ended Response

Summary of Responses for Activity and Purpose

1. Retail & Dining Expansion

Approximately 55% of Responses

The most requested element is an increase in diverse and high-quality commercial options, primarily focused on food and retail, with a strong preference for locally-owned, independent businesses.

- **Increase Restaurant Quantity & Quality:** More restaurants in general, including both sit-down dining and affordable, quick, casual dining and breakfast options.
- **Locally-owned:** Respondents showed a strong preference for locally-owned options across all business varieties.
- **Diversify Offerings:** More diverse types of eateries (e.g., sandwiches/salads/burgers, casual dinner, different cuisines).
- **Essential Daily Draws & Everyday Needs:** High-quality, independent cafes and coffee shops, ice cream/dessert shops, and bakeries, as well as stores for everyday needs, including a hardware store.
- **Nightlife:** More bars, pubs, and upscale bars, often tied to the need for more liquor licenses (acknowledging the town's current status).
- **Brewery/Brewpub:** Specifically mentioned as a family-friendly anchor with a liquor license.
- **Outdoor Dining:** Encourage and allow more outdoor seating for restaurants (e.g., sidewalk dining) with comfortable seating and shade cover.
- **Youth-Oriented:** Respondents desire children's stores and playspaces.
- **Incentivize Business:** Offer tax benefits and incentives for small, independent businesses.
- **Longer Hours:** Stores should be open for longer hours to accommodate family lifestyles.
- **Destination Feel:** The goal is to make the Town Center a "destination" comparable to Hopewell Borough, Lambertville, or New Hope.

2. Community Gathering & Events

Approximately 40% of Responses

These responses center on more opportunities for residents to gather, connect, and participate in shared community experiences. This addresses the respondents' desire to actively use the town center to build a stronger sense of community and provide activities for all ages.

Events and Arts

Respondents request frequent and diverse events and activities throughout the year to foster a greater sense of resident engagement and make the town center a hub for connection. Suggestions include utilizing existing or potential new spaces (like the former bank or an arts center) for performances and exhibitions.

Multi-Generational Activities

The need for activities and spaces catering to different age groups is a major priority. For families and children, respondents seek more family-friendly dining, playgrounds near the town center, and dedicated activity spaces like a kids' art studio or an indoor play area. For older children and teens, there is a clear request for a Youth Center or safe, engaging hang-out spots. Across all ages, the desire for a formal Community Center is strong, signaling a need for an indoor hub for meetings, clubs, and year-round activities that foster resident engagement.

Q4. What would bring activity and purpose to the Town Center?

Open-Ended Response

Community Gathering & Events (cont'd)

- **Gathering Spaces:** There is a demand for general gathering spaces (e.g., public squares, plazas, or piazza-like areas) where people can sit and socialize.
- **Dedicated Spaces:** High demand for a “Community center,” an “Arts Center,” or repurposing existing structures (like the former bank building) for mixed-use events, theater, or cultural space.
- **Events and Culture:** Many want more community events and festivals, including live music/concerts (especially outdoors), seasonal & cultural festivals, art shows, cultural lectures, and family-friendly activities like outdoor movie nights.
- **Themed Gatherings:** Organize car shows, sidewalk sales, cultural lectures, holiday walks, and town BBQs, game nights
- **Increase Frequency:** Host more frequent community events, festivals, and year-round festivities.
- **Targeting Different Ages:** Specific requests were made for places and activities catering to families with young children, young adults, and a dedicated teen center or activity space (e.g., escape rooms, craft studios). Community Center: Build a Community Center with space for meetings, activities, clubs, and events.
- **Social Mixers:** Organize events for younger residents and new residents to meet current residents.
- **Community Engagement:** Address low volunteerism (e.g., for the first aid squad) and improve existing annual events (e.g., Memorial Day parade, Pennington Day).

3. Walkability & Public Space

Approximately 25% of Responses

These responses centered on creating a more pedestrian-focused, inviting, and comfortable outdoor environment that is walkable and safer for both pedestrians and cyclists. This includes demands for improved sidewalks, bike lanes, better connectivity, and measures to slow traffic on Main Street.

A major element is a central, public gathering space—often envisioned as a town green, plaza, or park with seating, tables, benches, and shade. This space should feature elements like shaded seating, benches, and tables to encourage residents to sit, socialize, and linger. It is intended to support both spontaneous meet-ups and organized events. Overall, respondents prioritize a “biophilic natureful town center” with green spaces and a pleasant streetscape.

- **Pedestrian Focus:** Calls for more walkable areas, including “no-car zones” ,temporary street closures (like closing Main Street on weekend evenings), “walkable pedestrian-only street”, “fewer cars, more pedestrian areas” and safer sidewalks and bike paths are common.
- **Connectivity:** Requests for better bike racks and safe bike lanes connected to the Town Center.
- **Parking Management:** The recognition that parking is a major drawback that needs to be solved (whether through better enforcement or dedicated parking alternatives) to allow for increased foot traffic.
- **Green Spaces:** People want the addition of small, accessible green spaces, “pocket parks,” or a central “town green” with shaded seating, tables, and benches for passive recreation.
- **Biophilic Design:** A few responses emphasized improving streetscapes with attractive landscaping, flowers, and prioritizing a more “natureful” town center.

Q4. What would bring activity and purpose to the Town Center?

Open-Ended Response

4. Venues & Attractions

Approximately 20% of Responses

Many respondents suggested specific anchors or uses for existing or potential buildings to draw daily visitors.

- **High-Impact Venues:** Repeated requests include a movie theater, an Arts Center/Theater (with specific suggestions to convert the former bank building), and a brewery/pub.
- **Farmers Market:** A consistent, strong suggestion is to move the Farmers Market into the town center (e.g., a car-free square) to serve as a weekly anchor event.
- **Fitness and Wellness:** A local gym or specialized studio (like yoga/barre) was mentioned as a desirable, daily-use business.

Specific Suggestions:

- “Turn the bank into a community theater/event/mixed-use space.”
- “Bring the farmers market into the town center or at Tollgate on the weekend.”
- “A brewery that is family friendly and promotes local eateries.”
- “We need an independent coffee shop and a local pub where friends and family can safely walk to and from.”
- “Art center - bookstores.” Many respondents suggested specific anchors or uses for existing or potential buildings to draw daily visitors.

5. Infrastructure & Regulation

Approximately 15% of Responses

These responses highlight existing challenges that must be addressed to support a more vibrant town.

- **Parking:** Lack of easy and adequate parking is consistently cited as a major drawback and a factor hindering new business success, along with a need for better enforcement.
- **Traffic Management:** There’s a call to address traffic speed and reducing cut-through traffic from Route-31.
- **Infrastructure:** Improve and expand sidewalks, install bike lanes, and add bike racks.
- **Business Environment:** Concerns were raised about restrictive zoning, antiquated regulations (e.g., grease trap ordinance), and the need for tax benefits/incentives to attract and retain small businesses.
- **Maintenance:** Invest in regular maintenance, clean-ups, lighting, and attractive storefront facades.
- **Transit Connection:** Create better access or connection to regional public transportation (SEPTA/ NJ Transit).
- **Sustainability Program:** Implement a comprehensive sustainability program (better recycling, green energy, community cleanups).
- **Green Infrastructure:** Develop walking and bike paths connecting to nature, and prioritize green community initiatives (e.g., community gardens).
- **Physical Environment:** Preserve unique historic character.

Q5. What kinds of businesses and restaurants do you want to see in Pennington's Town Center?

Open-ended Response

Summary of Responses: Business Types

1. Food & Dining

This was the most dominant group of requests, with respondents overwhelmingly focused on expanding and diversifying the town's food and drink options.

- **Cafes, Coffee Shops, & Bakeries: 25.9%** This was the single most requested item, emphasizing a desire for "cozy" gathering places, coffee shops, bakeries, and dessert shops.
- **Dining Varieties: (General): 22.2%** A large number of responses made a general request for "more sit-down restaurants," "casual dining," and "finer dining," particularly options open for dinner and with outdoor seating.
- **Diverse Food Choices: 21.0%** Respondents desire a broader variety of diverse food options, including delis, healthy/salad options, and a wide range of ethnic cuisines (especially Indian, Mexican, and Thai).
- **Bars, Pubs, & Breweries: 12.9%** Respondents frequently requested "pubs," "breweries," "beer gardens," and "wine bars," often linking this to a need for more liquor licenses and a more active "night life."

2. Retail & Shops

This category includes all requests for non-food retail and specific practical services.

- **Specialty Retail & Other Services: 18.0%** This is a broad category that includes requests for boutiques (clothing, home goods), art galleries, artisan/craft shops, gyms/wellness studios, markets, and banks.
- **Bookstore: 12.5%** The desire for a "local bookshop" was so high it stands as its own major category. It was often paired with the request for a coffee shop.
- **Hardware Store: 5.1%** A specific, practical request from many respondents who miss and/or wish for a local hardware store.

3. Community & Family-Focused

This category includes businesses aimed at children, teenagers, and families.

- **Kid, Teen, & Family-Focused Businesses: 10.4%** This theme includes requests for "ice cream" or "candy" shops, "toy stores," "arcades," and other activity-based centers for young people and families to gather.

Business Types Sorted by Mentions:

Coffee Shop / Cafe:	18.0%	Arcade / Teen & Kid Activity Center:	2.1%
Bookstore:	12.5%	Market / Specialty Food Store:	1.8%
Bakery / Dessert / Pastry Shop:	6.0%	Mexican Restaurant / Taqueria:	1.6%
Bar / Pub / Tavern:	5.1%	Toy Store:	1.6%
Hardware Store:	5.1%	General / Convenience Store:	1.4%
Brewery / Brew Pub / Beer Garden:	4.6%	Wine Bar / Wine Shop:	0.9%
Ice Cream / Candy / Sweets Shop:	3.5%	Thai Restaurant:	0.7%
Breakfast Spot / Diner:	3.5%	Greek / Mediterranean Restaurant:	0.7%
Healthy / Salad / Smoothie Shop:	3.0%	Bagel Store:	0.7%
Deli / Sandwich Shop:	2.8%	Donut Shop:	0.5%
Boutique (Clothing/Home/Gifts):	2.5%		
Gym / Fitness / Wellness Studio:	2.5%		
Art Gallery / Artisan / Craft Shop:	2.3%		
Indian Restaurant:	2.1%		

Q5. What kinds of businesses and restaurants do you want to see in Pennington's Town Center?

Open-ended Response

Detailed Responses: Unique or Noteworthy Suggestions

Experiential & Activity-Based Businesses

- “Maker Space” / “Apprenticeship Shops”: Multiple respondents suggested a place offering classes and services, such as a “Maker Space” for artists and STEM programs, or “apprenticeship shops” for learning skills like “sewing, blacksmith, pottery, cooking, drawing, woodworking.”
- “Creative Reuse Center”: A store for reselling art and craft supplies.
- “BYO Arcade”: One user specifically suggested a concept like “Yestercades,” a “bring your own” arcade.
- “Small Movie Theater” / “Community Theater”: A desire for local entertainment venues, including a small cinema or a community theater for adults.

Modern & Niche Business Models

- “Refillery” Store: A store specializing in refillable, bulk goods where customers bring their own containers for items like “soap, oats, beans, rice, etc.”
- “Food Hall” Concept: Several people suggested a food hall, similar to the “Ferry Market in New Hope,” with multiple small food vendors in one space. One person specifically suggested repurposing the “former borough hall or the Blackwell home” for this.
- “Food Trucks”: A suggestion for a rotating selection of food trucks that “leave town by nightfall.”
- “Winery Tasting Room”: A niche spot for local or regional wine tasting.

Community-Centric & “Third Space” Ideas

- Coffee Shop Hybrids: Rather than just a standard coffee shop, suggestions included a “coffee shop that transforms into [a] cute evening cafe with wine and open mic nights” or a “coffee shop even better if it had a space for kids to play!”
- “Old Fashioned Malt Shop”: A nostalgic “soda fountain” type place envisioned as a “cool place for high school kids to work” and a gathering spot for all ages.
- “A Place for Public Clubs”: A dedicated community space, with one respondent citing “Flemington DIY” as an example.
- “Greener Town Center” for Kids: A unique suggestion combining urban planning with business, proposing “a greener ‘town center’ where kids can meet up” alongside “a small convenience-style store where kids can buy snacks after school.”

Overarching Sentiment

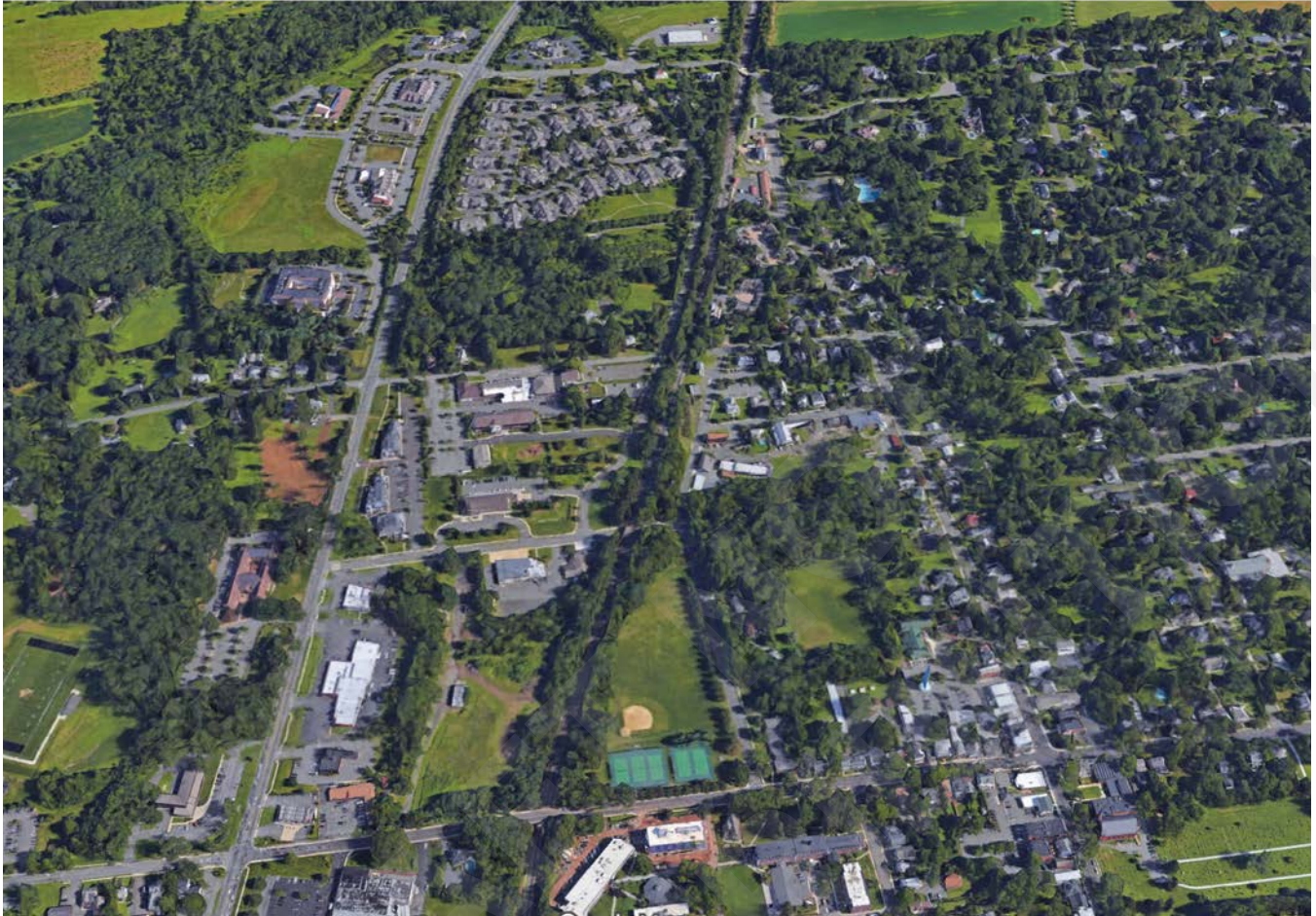
This theme represents the style of business respondents want to see, which applies to all other categories.

- **Local/Independent “Mom & Pop” (Anti-Chain): 12.2%** Respondents repeatedly stressed a preference for “locally-owned,” “independent,” and “small businesses” while expressing strong opposition to “chain stores” and “franchises.”

Other Key Sentiments

- **Criticism of Existing Businesses:** A common sentiment was frustration with the number of hair salons. (“Less beauty parlors!,” “No more hair salons!!!,” “Not another salon.”).
- **Outdoor Space:** The desire for “outdoor dining,” “shaded outdoor seating,” “picnic tables,” and “beer gardens” was mentioned frequently in conjunction with restaurants and cafes.
- **Inspiration from Other Towns:** Several respondents pointed to other towns as models to emulate, with New Hope (PA), Lambertville (NJ), Doylestown (PA), Princeton (NJ), and Haddonfield (NJ) being the most common examples.

Hwy-31 Corridor



Question 6: What changes would you like to see along Hwy-31 Corridor?

Open-ended Response: Participants were asked to share what they envision for the future of the Hwy-31 Corridor. Participants responded with visions, insights, strategies and concerns.

Question 7: The Hwy-31 commercial corridor primarily consists of strip development that prioritizes vehicular access. If you were to think about this area in 10-20 years, which of the following would you like to see.

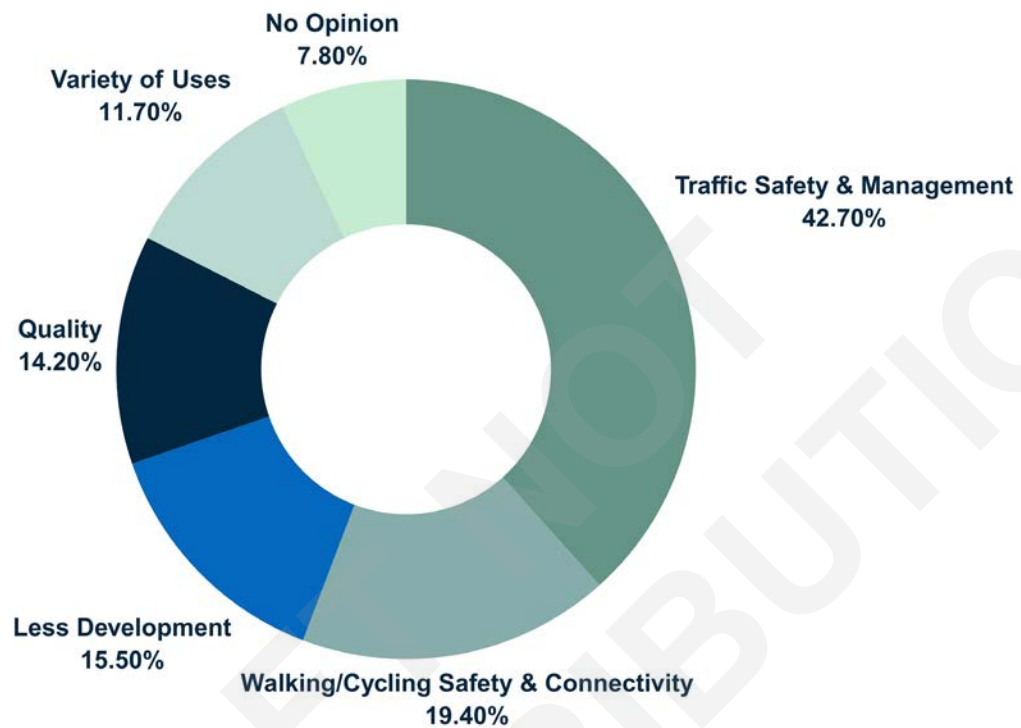
Visual Preference Survey: Participants were asked to rate images based on a scale from 1 (least desirable) to 5 (most desirable)

Question 8: 8. What additional considerations would improve pedestrian and cycling in this area?

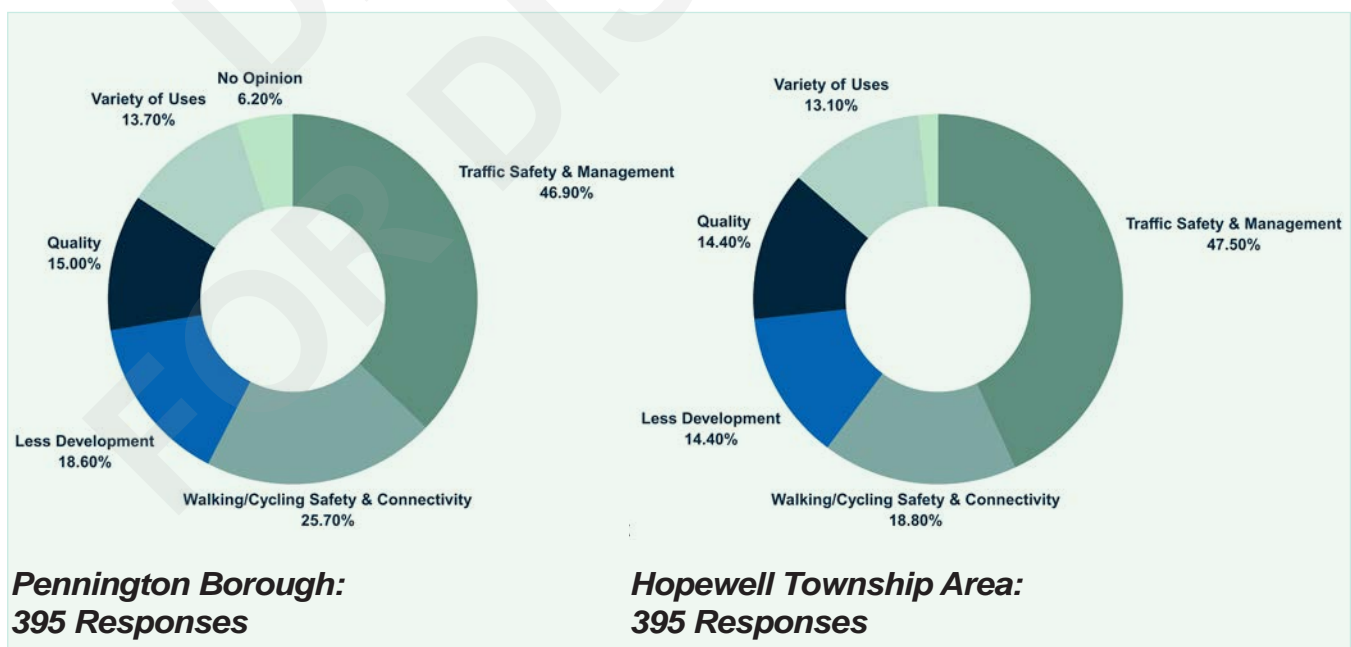
Multiple choice: This question focused on area of Hwy-31 & W Delaware Ave. Participants were asked indicate their priorities for upgrades and improvements to the area.

Q6. What changes would you like to see along Hwy-31 Corridor?

Open-ended Response



Survey Total:
395 Responses



Pennington Borough:
395 Responses

Hopewell Township Area:
395 Responses

Q6. What changes would you like to see along Hwy-31 Corridor?

Open-ended Response

Primary Goals and Areas of Focus for Changes along Hwy-31 Corridor

- **Traffic Safety & Management:** A clear demand to control the corridor by calming traffic, reducing or banning heavy trucks, and fixing notoriously dangerous intersections.
- **Pedestrian Connectivity:** A strong desire to connect the community with safe infrastructure, most notably through repeated requests for a pedestrian bridge or overpass.
- **Vision & Development:** A vision to beautify and redevelop the existing “depression era” strip malls, replacing “seas of asphalt” with green space, trees, and updated facades that match the Borough’s character.

1. Traffic Safety & Management

Total: 42.7%

Pennington Borough: 46.9%

Hopewell Township Area: 47.5%

This was the most dominant theme. Respondents expressed frustration with the speed, volume, and type of traffic on Route 31. This category includes three major sub-themes:

- **Specific Intersection Fixes:** The most common requests were for proper traffic light at the Ingleside Avenue intersection (the “Sinclair gas station”). There were also numerous demands to fix or remove the Pennington Circle.
- **Truck Restrictions:** A very high number of responses called for banning or restricting heavy trucks (tractor-trailers), often citing noise (engine brakes) and danger.
- **Speed & Congestion:** General pleas to “lessen traffic,” “lower the speed limit” (often to 35 mph), and increase traffic enforcement were frequent.

2. Walking and Cycling Safety & Connectivity

19.4%

Pennington Borough: 25.7%

Hopewell Township Area: 18.8%

Directly linked to the traffic theme, this category focuses on the safety of pedestrians and cyclists as well as a request for the improvement and expansion of walking and cycling paths.

- **Safety & Accessibility:** The most common requests were for “safer crosswalks,” “wider sidewalks,” and “protected bike lanes” to connect the Borough to the schools and shopping centers. A frequent, highly specific solution proposed by many was a “pedestrian bridge,” “overhead crossing,” or “elevated walkway,” almost always to help students safely cross Route 31 at Delaware Avenue.
- **Infrastructure and Planning:** This was often in context of improving walkable and bikable connections between the Borough and surrounding areas, as well as acknowledging its frequent use and the need to make it significantly safer. There a few mentions mass transit, requesting easier access and more route/destination options.

Q6. What changes would you like to see along Hwy-31 Corridor?

Open-ended Response

3. Vision & Development

A. Less Development / As-is

15.5%

Pennington Borough: 18.6%

Hopewell Township Area: 14.4%

A strong contingent of respondents voiced opposition to further development, viewing it as the primary cause of traffic and congestion. This theme was defined by phrases like “no more development,” “stop building,” “less commercial,” and “no more housing.”

Many explicitly stated that any new development should be left to other areas (like Route 1) and that the focus in Pennington should be on preserving “open space,” “green space,” and the “small town feel.”

B. Quality

14.2%

Pennington Borough: 15.0%

Hopewell Township Area: 14.4%

This category captures the vision for improving the look and feel of the existing corridor rather than adding to it. Respondents want to “reimagine the current strip malls” and “enhance frontages,” often citing Newtown, PA, as a positive example.

Key requests include “more trees,” “more landscaping,” “more greenery,” and repurposing “massive parking lots” to create a “boulevard” feel.

This also includes items like banning “flag signage” and addressing “light pollution.”

C. Variety of Uses

11.7%

Pennington Borough 13.7%

Hopewell Township Area: 13.1%

In direct contrast to the anti-development theme, this group of respondents wants to see more or different commercial options.

This includes requests for more retail and restaurants, medical offices, activities and recreation, often in a pedestrian-oriented environment, with a desire for outdoor dining.

Respondents showed a preference for local, non-chain businesses, while there were requests for specific large chains like “Target,” “Wawa,” “Chick-fil-A,” and “Trader Joe’s.”

Additionally, some respondents envision a pedestrian-oriented mixed-use commercial & residential mix with greenspace and gathering spaces.

D. Indifference or No Opinion

7.8%

Pennington Borough: 6.2%

Hopewell Township Area: 1.9%

A small but notable portion of respondents had no specific vision for the corridor, responding with “don’t know,” “not sure,” “none,” or “no preference.”

Q6. What changes would you like to see along Hwy-31 Corridor?

Open-ended Response

Specific Ideas, Suggestions & Insights by Respondents

Traffic Safety & Management

The most urgent and frequently mentioned theme is the desire to control what is perceived as a dangerous, high-speed, and overly-congested corridor.

- Install a full traffic light at the Ingleside Avenue intersection (the “blinking light”).
- Ban or severely restrict heavy truck traffic (tractor-trailers, 18-wheelers).
- Create No air-brake zone
- Lower the speed limit and increase enforcement.
- Redesign or remove the Pennington Circle.
- Implement advanced traffic management and road design.
- Improve traffic flow
- Regulate speed and flow
 - Traffic cameras
 - Traffic calming mechanisms
 - Increased speed enforcement
 - More traffic lights
- Turn restrictions
- Turning radius improvements
- Reconfigure shopping center access & flow
- Clear labels on traffic lanes and at circle
- Grade separation for pedestrians and cyclist: pedestrian overpass (bridge) or underpass (tunnel)
- Install safe bike lanes and wider sidewalks to connect the town.
- Widen Sidewalks
- Elevated Crosswalk
- Widen shoulders
- Reduce speed limit
- Boulevard design to separate paths from roadways
- Colorful and well-lit intersection crossings
- Planted barriers / safety rails

Walking/Cycling Safety & Connectivity

There is a strong insight that the corridor severs the community, creating a critical safety hazard for students and residents trying to walk or bike between the Borough, the schools, the library, and the shopping centers.

- Add more sidewalks to connect Pennington Borough to the surrounding area:
 - W Delaware & Hwy-31 connect to library and schools
 - Connection between Main St and Hwy-31
 - N Main St & Hwy-31
 - North and South along Hwy-31 (from I-295 or Denow to Cream King and beyond)
 - Greenway connections between Hopewell Township and Pennington Borough
 - More frequent crossings
 - 2 mile walking radius of the schools
- Improved and more efficient between shopping areas
- Pedestrian-oriented parking lots: reduced and/or reconfigured layouts
- Fewer curb-cuts
- Wayfinding to direct traffic to divert/reduce traffic toward destinations

Q6. What changes would you like to see along Hwy-31 Corridor?

Open-ended Response

Vision & Development

Less Development / As-is

- A significant insight is the strong belief that the area is “full” and cannot support more development, especially housing, due to the existing strain on traffic and schools.
- Prioritize open/green space or school resources over new development.
- No development
- Remove retail
- Fewer stores
- Maintain current level of development
- Keep as-is
- No multi-family
- No expansion
- Replace with open space
- Preserve open space

Quality & Variety of Uses

- Many respondents feel the current strip malls are ugly, outdated, and poorly designed. The vision is to replace “seas of asphalt” with human-scale, green, and attractive spaces.
- Create pedestrian-oriented commercial areas with outdoor dining, green spaces
- Reduce large surface parking lots and/or redesign existing to add vegetation & rain gardens
- Relocate parking lots to be less prominent
- Redevelop existing strip malls with a “less asphalt, more green” model.
- Emulate successful “village” or “mixed-use” concepts from other towns.
- General beautification (trees, lighting, signage).
- Prioritize open/green space or school resources over new development.
- Reduce light pollution
- Ban temporary signs, flags and banners
- Update existing signage and create uniform aesthetic
- Update storefronts
- Update Exxon station
- Create housing
- Create pedestrian-oriented mixed-use (commercial / residential) with gathering spaces, greenspace, wider sidewalks and landscaping
- Quality, affordable housing
- More Retail & Restaurants
- Focus on local, non-chain businesses
- Attract major fast-food and retail chains.
- Add large-format grocery stores.
- Build community and activity centers.
- Add practical services like medical offices.
- Add activity / recreation uses, IE. ice-skating, sports fields, courts
- Add retail to reduce trips/need to shop on Rte-1
- Home stores
- Family & youth oriented businesses & activities

Q6. What changes would you like to see along Hwy-31 Corridor?

Open-ended Response

General Ideas & Strategies

- Move some of that retail to main street.
- Close the intersection of W. FRANKLIN and 31. Make all vehicles use the light at Tree Farm Rd and 31
- Removal of telephone poles, bury utilities. Increased drainage.
- Whatever it is, done with style, landscaping, concern for traffic patterns stormwater. And a connection in some way tot rest of the borough; maybe its a commitment to get involved in EDC, to help with Holiday walk, etc. Maybe a professional center with doctor offices, and related service businesses.
- "The bank building on the corner of rt 31 should be purchased by the school district and made into an administrative and school board office...The old school board office on Main st. should be redeveloped into mixed use.
- Fill the empty retail spaces, connect existing spaces with safe walkable options, flooding control at 31 & Delaware
- "4 lanes - revitalization of PQM shopping center - development of old Ego matic building to create a "center" walkable from town "
- Improve the Pennington circle
- Tree-lined boulevard instead of highway

Township Area:

- Less sprawl, preservation of rural tracts, redevelopment or updating existing business complexes, avoid adding to strip mall tacky appearance, consider traffic plan and avoid further congestion and traffic accidents
- ...We also need a solution for flooding. Again, we can't build more on green space. If anything,

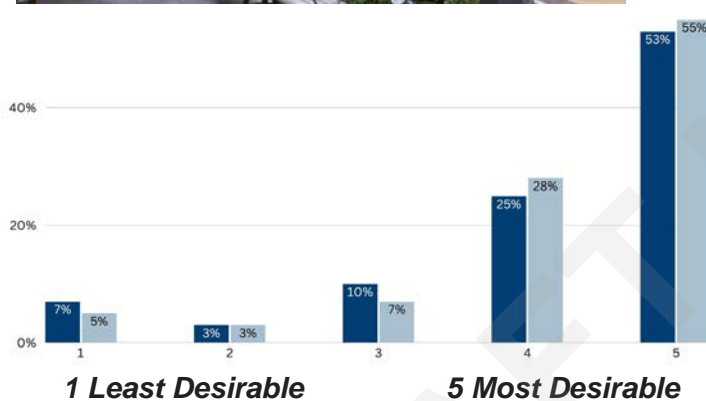
Q7. If you were to think about this area in 10-20 years, which of the following would like to see?

Visual Preference Survey: Rate on a scale of 1 (least desirable) to 5 (most desirable)



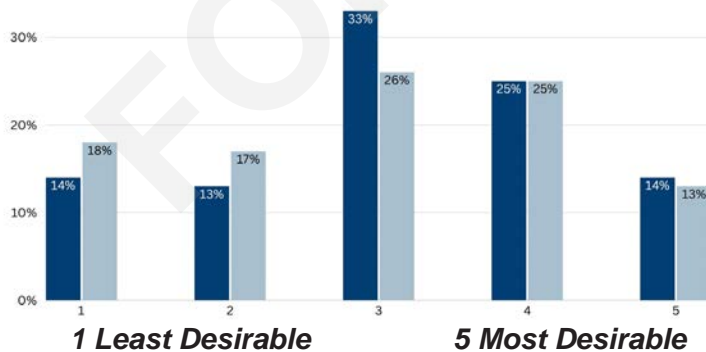
Outdoor, pedestrian-oriented shopping centers with green infrastructure

Highly Desired. Seen as the ideal to replace strip malls. Focus is on repurposing excessive asphalt for wider sidewalks, shade, trees, green spaces, and outdoor dining to create a central, walkable, destination center



Offices over retail and restaurants

Moderate/Qualified Support. Positive only if it is professional offices (e.g., doctor, service businesses) that bring in tax revenue and people, but not cars. Generally less popular than residential mixed-use, as the focus is on creating a lively, walkable foot traffic environment



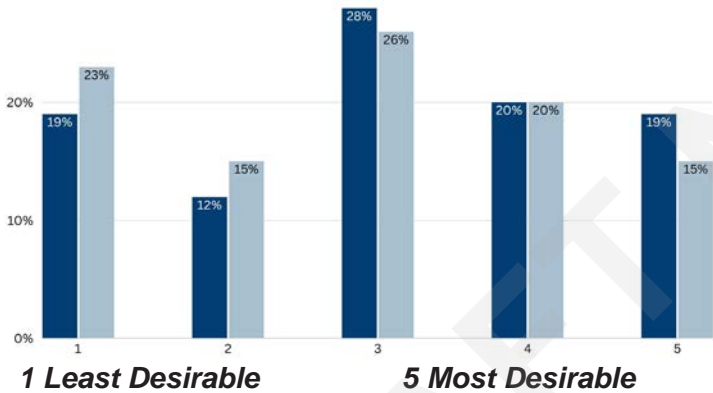
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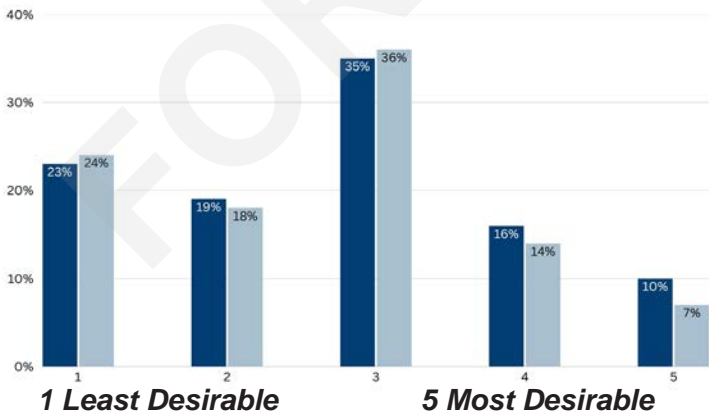
Residences over retail and restaurants

Moderate Support (Strategic). Supported vertically downtown or in strategic areas, especially to allow for affordable housing or senior housing. However, strongly conditioned to be well-planned and of quality-design.



**Same as is
(commercial, retail, offices and services)**

Low/Non-Existent. The current state is frequently described as “depressing,” “ugly,” “outdated,” and “highway strip mall appearance.” There is a strong desire for a facade refresh and better traffic flow.



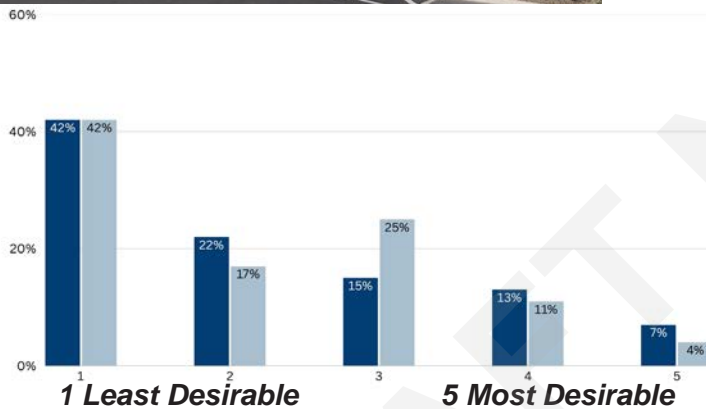
Q7. If you were to think about this area in 10-20 years, which of the following would like to see?

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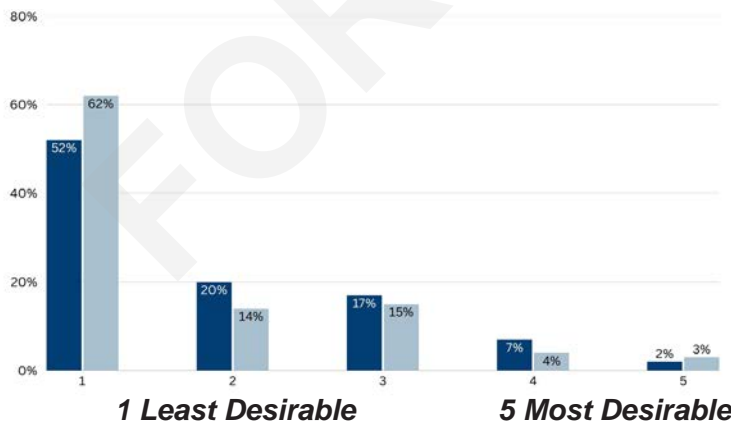
Parking and highway oriented shopping center

Strongly Disliked. These represent the “strip mall tacky appearance” and car-centric design the community wants to move away from. Drive-throughs are seen as adding to traffic congestion, though a few responses wished for a drive-through Starbucks or Wawa.



Hotels

No Mention/Not a Priority. There was no significant mention or expressed preference for hotels. The focus is overwhelmingly on residential, commercial amenities, and safety/infrastructure.



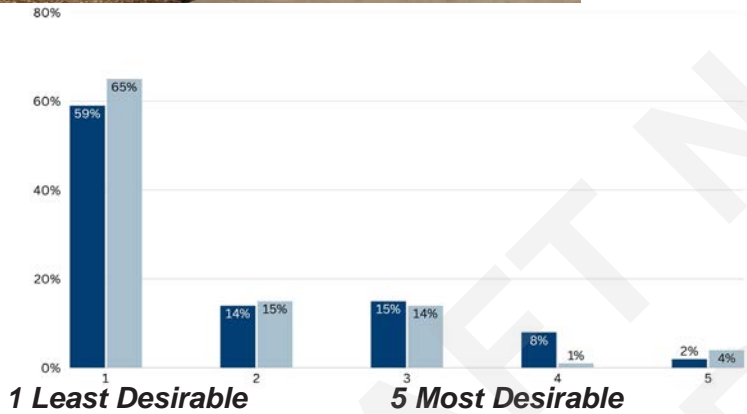
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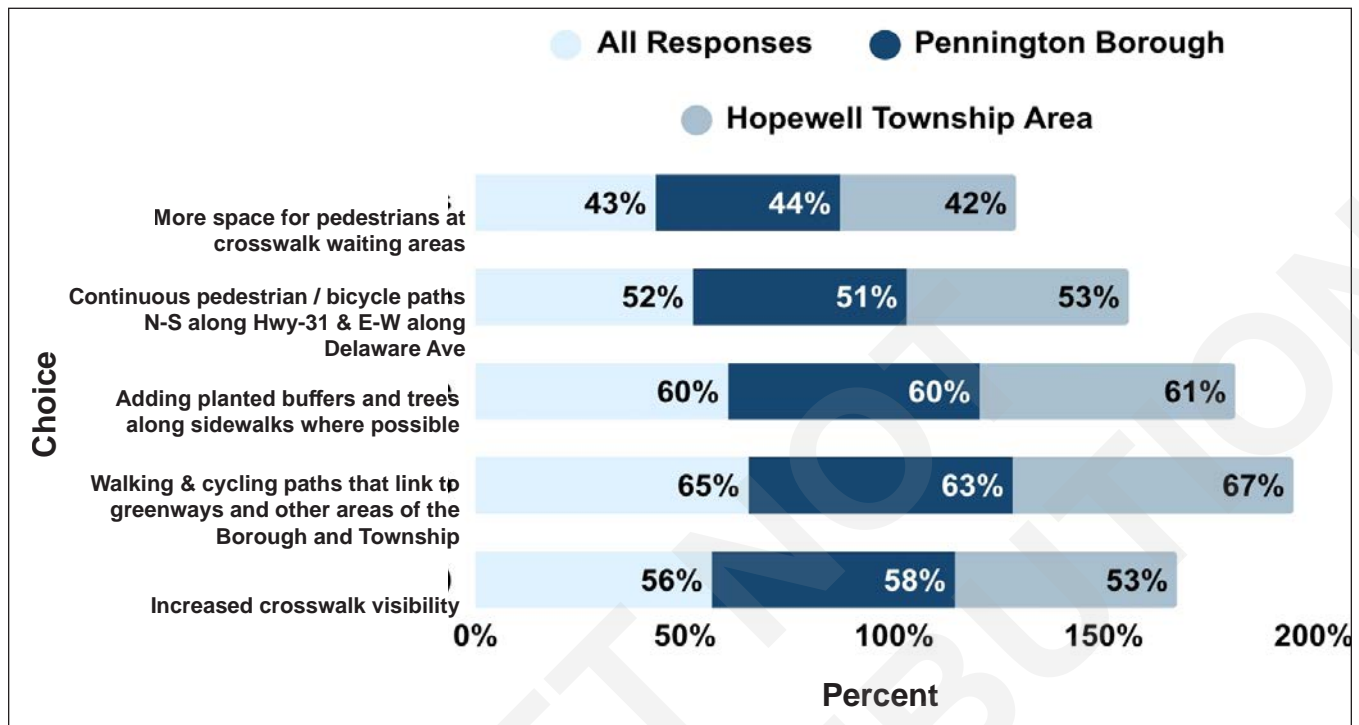


Multi-unit residential

Strongly disliked, but highly contributes to walkability. Respondents associate this with negative views on development. Its density is a primary driver of walkability, providing the essential population base needed to support neighborhood retail and transit.



Q8. Hwy-31 & W Delaware Ave: What additional considerations would improve pedestrian and cycling in this area?



Respondents are generally united in their priorities for the Hwy-31 and W Delaware Ave with the top three choices:

- Adding planting buffers and trees along sidewalks where possible
- Walking & cycling that link to greenways and other areas of the Borough and Township
- Continuous pedestrian / bicycle paths N-S along Hwy-31 & E-W along Delaware Ave

These choices emphasize connectivity (paths that link) safety (pedestrian/cyclist buffers) and increased vegetation ('greening'), which closely align to respondents' overall vision for a Hwy-31 corridor that is safe for pedestrians & cyclists with extensive walking & biking opportunities supported by green infrastructure.

These choices are closely followed by the two options focused on safety interventions at the intersection itself. A number of respondents opted to write-in "Pedestrian Bridge" (or similar grade-separation).

Summary of Write-in Responses ('Other')

Pedestrian/Bicycle Overpass/Bridge over Route 31

Pedestrian/Bicycle Bridge/Overpass (General)	12
Bridge over 31 for those going straight/at PQM/Delaware Ave	4
Bridge over 31 - Keep it historic/wrought iron/fancy	2
Bridge/Overpass/Tunnel (ADA-compliant)	2

Traffic Lights/Signals

Real light/Traffic light needed at Ingleside Rd/Eglantine (with 31)	3
Continuous Stoplight Monitoring of the 31 traffic circle	1
Lengthen green light phase for Delaware traffic	1
North Main light needs attention	1
Prioritize activation of pedestrian signal with push button	1

Pedestrian Crossing/Movement

Increased Crosswalk Visibility (patterns, markings, lighting, etc.)	2
All-way/Diagonal crossing allowed (at Main St/Delaware or all directions)	3
Safer pedestrian crossing signage (flashing lights to alert drivers)	1
PEDESTRIAN ONLY PHASE where all traffic is stopped	1
Move crosswalk further from the corner	1

Sidewalks/Walkable Connectivity

More sidewalks (general or on specific roads like Pennington Harbourn)	3
Connect township to borough in a walkable/bikeable way	1
Need additional crosswalks across W Delaware (Boro Mkt - PQM)	1
No sidewalk immediately bordering traffic lanes	1

Bicycle Lanes/Paths

Bike lanes (general mention)	2
Bike lanes need to be protected/separate (like greenway paths)/Physical barriers	3
Bike path along Delaware from Stony Brook bridge to high school	1
Bike path along Rt 31 may not be safe/Keep bikes off 31	2
Pedestrian and bicycle paths parallel to 31/Delaware (not on road)	1
Bike path along Delaware from Stony Brook bridge to high school	1
Bike path along Rt 31 may not be safe/Keep bikes off 31	2
Pedestrian and bicycle paths parallel to 31/Delaware (not on road)	1

Traffic Calming/Speed Reduction

Reduce speed/Slower speed	2
Radar/camera ticketing/Photo enforced/Speed monitoring	3
Rumble strips to slow down traffic / Traffic calming features to slow traffic	2
Flashing warning signs to drivers of upcoming busy pedestrian area	1
Reduction of oversized trucks ¹ Divide north and southbound lanes	1
Raised walkway/crosswalk for additional clarity	1

Roadway/Geometric Improvements

Expanding the roadway to provide a buffer between sidewalk/road edge	1
Fix no right turn signs (make visible)	1
Widening Delaware slightly	1
Fix Pennington-Titusville Road between Rt 31 and the high school	1

Regulation/Other

No right on red	1
Car-Free Zones similar to Europe	1
Contest for the noise the cross walk makes (bird sounds)	1
Keep people and bikes off 31 / Keep pedestrians away from the highway	2
Tree to wait in shade to cross	1
Increased crosswalk visibility WITHOUT political/cause influence	1
Address the flooding	1
Less development	1
Golf card friendly community (electric only)	1
No signs near road that block visibility	1
Connecting the Twp to the Borough in a walkable/bikeable way is so important	1

Housing & Development

Pennington Borough largely consists of single-family housing. While Pennington does have duplexes, townhouses and apartments nestled in single-family neighborhoods, there is a lack of housing diversity and a limited amount of vacant or developable properties.

In addition, Pennington, like all towns in New Jersey, has a constitutional obligation to plan for affordable housing. To meet these obligations, and offer diverse housing options, Pennington must have zoning that allows and incentivizes housing variety.

Some opportunities for affordable and accessible housing include a range of multi-unit or clustered housing types, such as duplexes, triplexes, townhouses, courtyard apartments, and garage/detached apartments (ADUs). Sometimes referred to as “Middle Housing”, this variety of housing helps address housing affordability and provide more walkable, diverse, and vibrant neighborhoods.

Overview of Pennington Borough’s Housing Demographics

Pennington residents have a median household income of \$171,282 and mean income of \$206,343. 6.5% of children (under the age of 18) live in poverty, compared to 13.8% for the County and 13.3% for NJ.

67.4% of the Borough is single-family detached housing, and 12.3% single-family attached. 79.3% of single-family houses are owner-occupied. Pennington’s houses tend to be older, and larger, than the County and State. The majority of Pennington’s housing was built before 1939. Most houses in Pennington Borough are 4 BR and 3BR, whereas the county and state are 3BR and 2BR.

Pennington’s median home value at \$608,200 (\$697,000 in Aug-2025) compared to \$351,000 for Mercer County, and \$427,600 for NJ. 32.3% of residents’ homes are valued at \$750,000 - \$999,999. 7.1% of County residents are valued at this amount.

The average sale price in Pennington in 2024 was \$648,072 with 29 total sales that year. In Mercer County, the average sales price was \$500,349 with 2514 total sales in 2024.\

79.5% of Pennington’s houses are owner-occupied. 20.5% of Pennington Residents rent their homes.

Of the 20.5% renters, more than half pay rents around \$1500 - \$1999, which is nearly twice the amount of Mercer County residents who pay the same amount.

In terms of development, the Borough has permitted roughly 7.7 housing units annually since 2013 (85 total). Pennington Borough saw an office boom in 2013 and 2015, with over 8,556 new office spaces, and none since, with no new retail growth in over a decade.

Summary based on ACS 2023 5-year

About Housing Varieties, Scale & Density

“Missing Middle Housing” is an essential concept for addressing housing shortages, increasing diversity, and fostering walkable communities. It refers to a range of multi-unit building types that provide context-sensitive density within existing residential neighborhoods.

- **What it is:** House-scale, multi-unit buildings that gently increase density by fitting seamlessly into residential blocks while housing multiple units. Duplexes, Triplexes, Fourplexes, Townhouses, Cottage Courts
- **Where it fits:** Single-family homes → Missing Middle Housing → Mid-rise apartment buildings
The “missing” gap between detached single-family houses and large apartment buildings.
- **Why it matters:** Provides more diverse and attainable housing options for various household sizes and incomes, and supports walkable, sustainable neighborhoods.
- **Why it’s missing:** Largely restricted by post-WWII single-family zoning regulations.



Housing Types in this Survey

Accessory Dwelling Unit (ADU)

Smallest; secondary unit (e.g., above garage, basement) on a single-family lot.

Adds gentle density; income stream for homeowner; retains primary single-family lot use.

Duplex

House-scale; two units side-by-side or stacked under one roof.

Matches the massing and architectural identity of a single-family home.

Single-Family to Apt. Conversion

Maintains existing single-family structure.

Preserves historic integrity of the original home; repurposes existing building stock.

Triplex

House-scale; three units under one roof.

Blends into single-family neighborhoods with higher housing capacity.

Cottage Court

Small, detached units clustered around a shared yard or courtyard.

Cottage Court (Cont'd)

Emphasizes shared open space and a strong sense of community feel; units are typically smaller.

Townhouses (Attached)

Attached row of individual units, each with private ground-level entry.

Maximizes use of long, narrow lots; each unit is a separate property with its own lot ownership.

Courtyard Apartments

Units arranged within a single building or around one large, defining shared courtyard.

Higher density than a cottage court but still human-scale; courtyard provides central shared amenity.

Multi-Unit Multi-Family Apartment Building

Medium-Large scale; typically three or more stories.

Provides significantly more housing units per acre (maximizing land efficiency and addressing housing supply shortages) while still being low enough to feel integrated into a suburban area, avoiding the height and mass of high-rise towers.

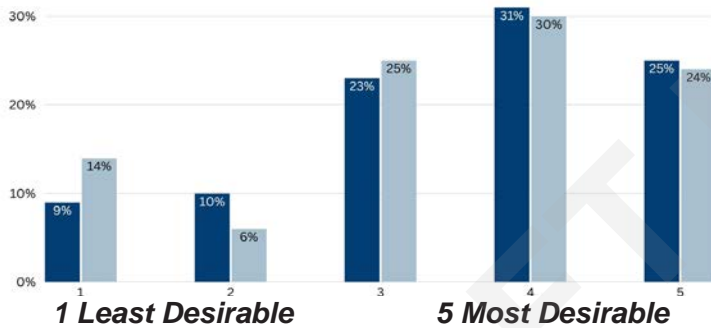
Q9. Visual Preference Survey: Housing Types

Rating Scale: 1 (least desirable) to 5 (most desirable)



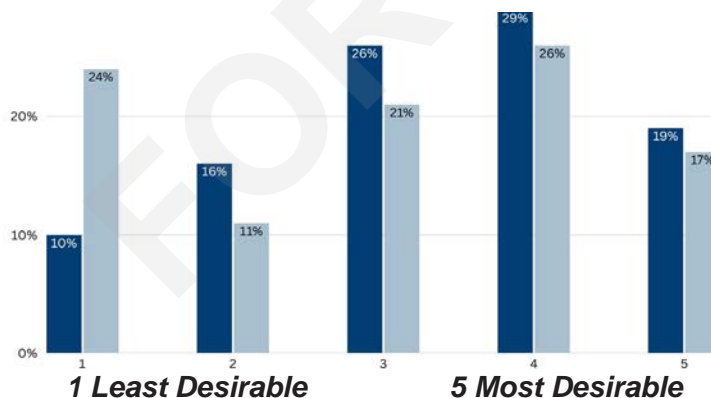
Cottage Court

Highly desirable for its ability to foster a sense of community (shared courtyards) and appeal to specific groups (e.g., grandparents/seniors downsizing) while maintaining neighborhood scale.



Duplex

Perceived as a good choice for gentle density that maintains the visual identity and massing of a single-family home, making it the least intrusive multi-unit option.



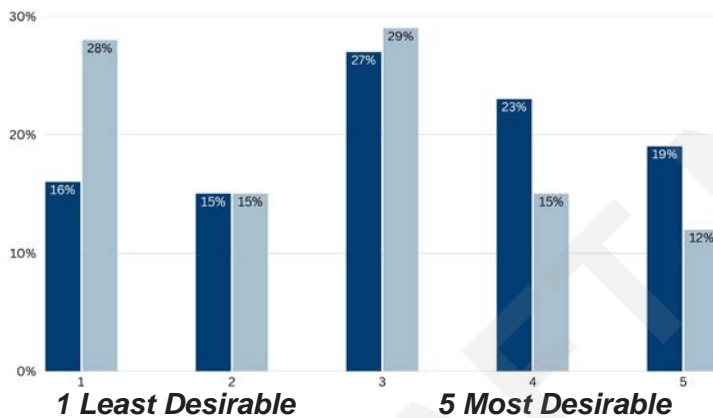
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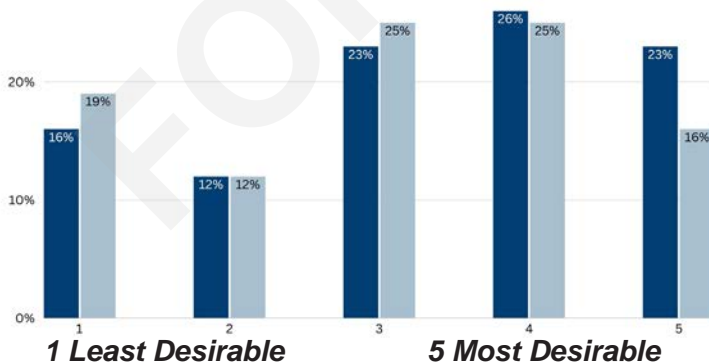
Accessory Dwelling Unit (detached / garage apartment)

Recognized for its potential to help with family housing and provide an income stream, but met with concern over its impact to on-street parking and the potential for changing the feel of residential streets.



Mixed-Use

Viewed positively as a necessary step to vitalize downtown (galleries, cafes) and provide tax support, moving away from residential-only growth and creating the desired walkable community.



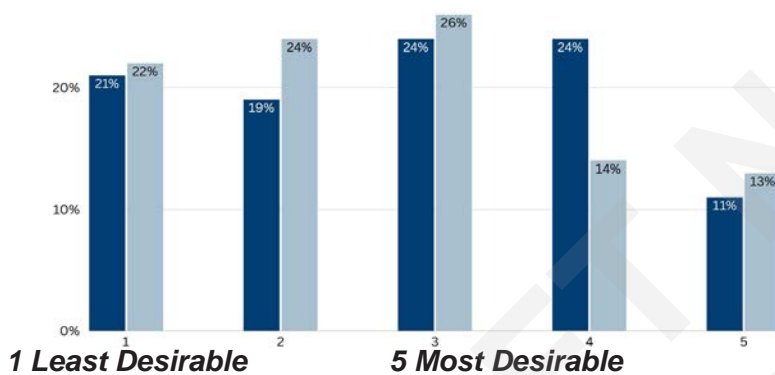
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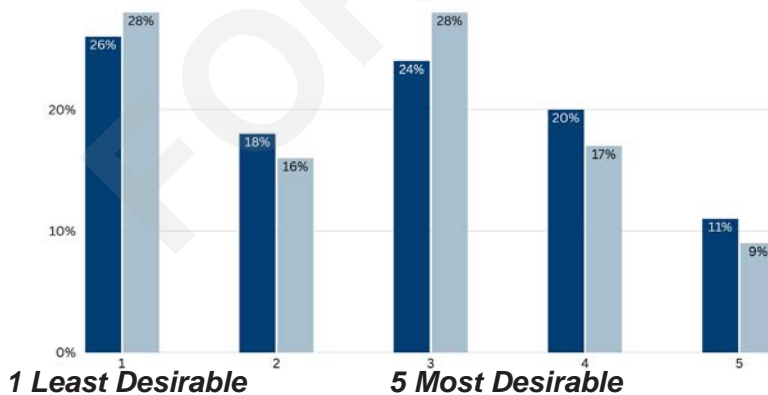
Single-family to multi-unit conversion

Seen as a way to preserve historic integrity of older homes, but concerns exist about whether the resulting units are cost-effective and if this model adequately addresses large-scale housing needs, but also is reflective of respondents' request to reuse existing buildings.



Courtyard Apartment

Offers moderate density and a shared amenity, and can vary in scale, and creates a shared green space.



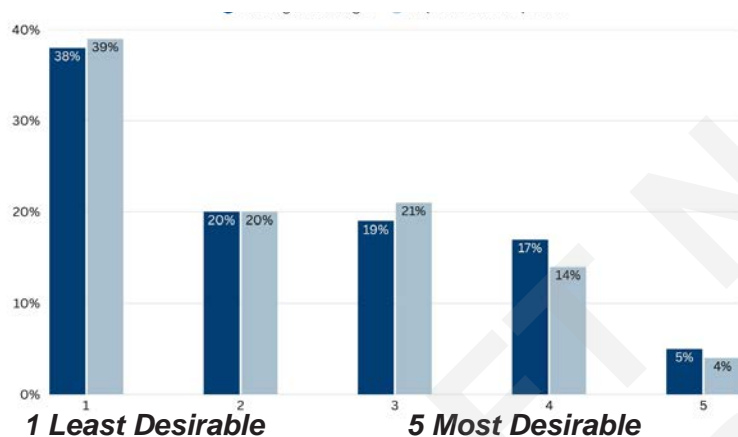
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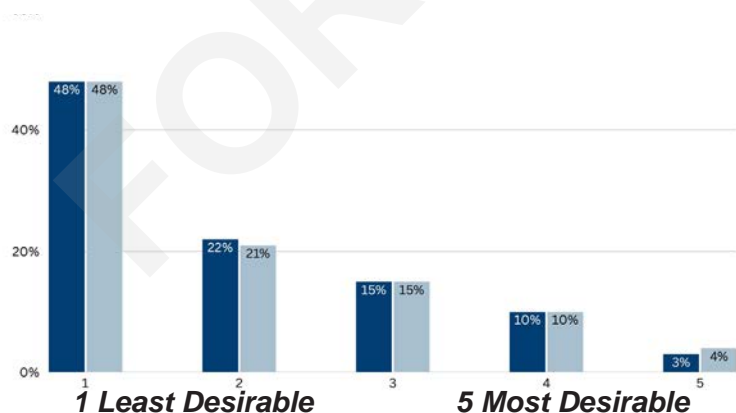
Townhouses

Throughout the survey, respondents are critical of townhouses in reference to 'housing factors and concerns' where they are described as "cheap," "ugly," "barracks-like," and "too dense."



Multi-unit multi-family

Strongly disliked and similar to the response in the Hwy-31 Corridor for being monolithic, ugly, and out-of-character. These structures represent the concern respondents associate with new development. This type of density can maximize land value and encourage walkability.



Q10. What are the most important factors for you when considering new housing development in your community?

Open-ended Response

**Summary (431 All Responses), Pennington Borough (255 Responses)
Hopewell Township Area (176 Responses)**

Factor 1: Physical & Social Environment (*Neighborhood Character*)

This is the most dominant theme by a significant margin. Respondents are deeply concerned with preserving the existing aesthetic and “small town feel” of the Borough

- 38.9% All Respondents
- 42.4% Pennington Borough
- 34.1% Hopewell Township Area

Definitions of ‘Neighborhood Character’ per Response Context

63.1% of respondents used the general terms like ‘character’ or ‘small town feel’ without further clarification.

Key Concerns: “impact on character,” “small town feel,” “loss of charm,” “impact on community,” “ruining the character,” “fits in with the community,” “small village feel.”

- “Infrastructure, character, amenities”
- “Affordability and neighborhood character”
- “Impact on neighborhood character”
- “Losing small town feel”
- “Impact on community”

26.2% of respondents stated explicitly aesthetic / physical attributes, citing a desire to preserve the historic look and avoid ‘cookie-cutter’ design.

Key Concerns: “copy & pasted townhouses,” “ugly” or “cookie-cutter” design, “historic look,” “McMansions,” and preserving a “human scale.”

- “The most important thing is its impact on our character. Rows of copy & pasted townhouses jammed into small areas are an abomination.”
- “Any new developments should be held to a pretty, historical looking standard to match the character of the town.”
- “...new housing must be compatible in terms of scale, massing, materials, appearance”
- “Preserving the best of existing neighborhood character, providing low-rise solutions, preserving historic buildings...”

10.7% of respondents expressed factors that were explicitly exclusionary, linking new housing to “crime” or “demographics.”

Key Concerns: A perceived link between new residents and “crime,” a desire to and concerns over “demographics.”

- “Keeping crime low and the character of the neighborhood intact. Maintaining a high-trust population.”
- “Don’t change our neighborhood character & safety!”
- “Keep out the riff raff”
- “Keeping crime low and the character of the neighborhood intact. Maintaining a high-trust population.”
- “Affordable housing WILL bring more crime... I am very concerned about the kind of people that will be moving in.”

Q10. What are the most important factors for you when considering new housing development in your community?

Open-ended Response

Factor 2: Impact on Infrastructure (Schools, Traffic, Services)

This is the second-most-frequent concern. It includes all mentions of “infrastructure,” “schools” (and “overcrowding”), “traffic,” “congestion,” “parking,” “sewers,” “stormwater,” and the “capacity” of public services (police, fire, etc.).

- 29.9% *All Respondents*
- 25.5% *Pennington Borough*
- 31.3% *Hopewell Township Area*

Factor 3: Green Space & Environment

This is the third pillar of community concern. It includes all mentions of “green space,” “open space,” “trees,” “environment,” “flooding,” and “drainage.”

- 25.1% *All Respondents*
- 21.6% *Pennington Borough*
- 18.2% *Hopewell Township Area*

Factor 4: Affordability

This is a major and highly-polarized theme. This count includes all mentions of “affordability,” “affordable,” “cost,” “low income,” “middle class,” “economic diversity,” “senior housing,” “55+,” and “renters.”

- 22.0% *All Respondents*
- 23.5% *Pennington Borough*
- 16.5% *Hopewell Township Area*

Factor 5: Opposition to Development

This theme captures all explicit, overarching statements to stop development, such as “Stop the building,” “NO MORE DEVELOPMENTS!,” “No further development,” and “We don’t need anymore housing.”

- 12.1% *All Respondents*
- 7.8% *Pennington Borough*
- 8.5% *Hopewell Township Area*

Factor 6: Access to Amenities, Walkability, & Transportation

This category includes all mentions of “access to amenities,” “walkability,” “walking paths,” “transportation,” “mass transit,” and “bus stops.”

- 10.9% *All Respondents*
- 9.8% *Pennington Borough*
- 7.4% *Hopewell Township Area*

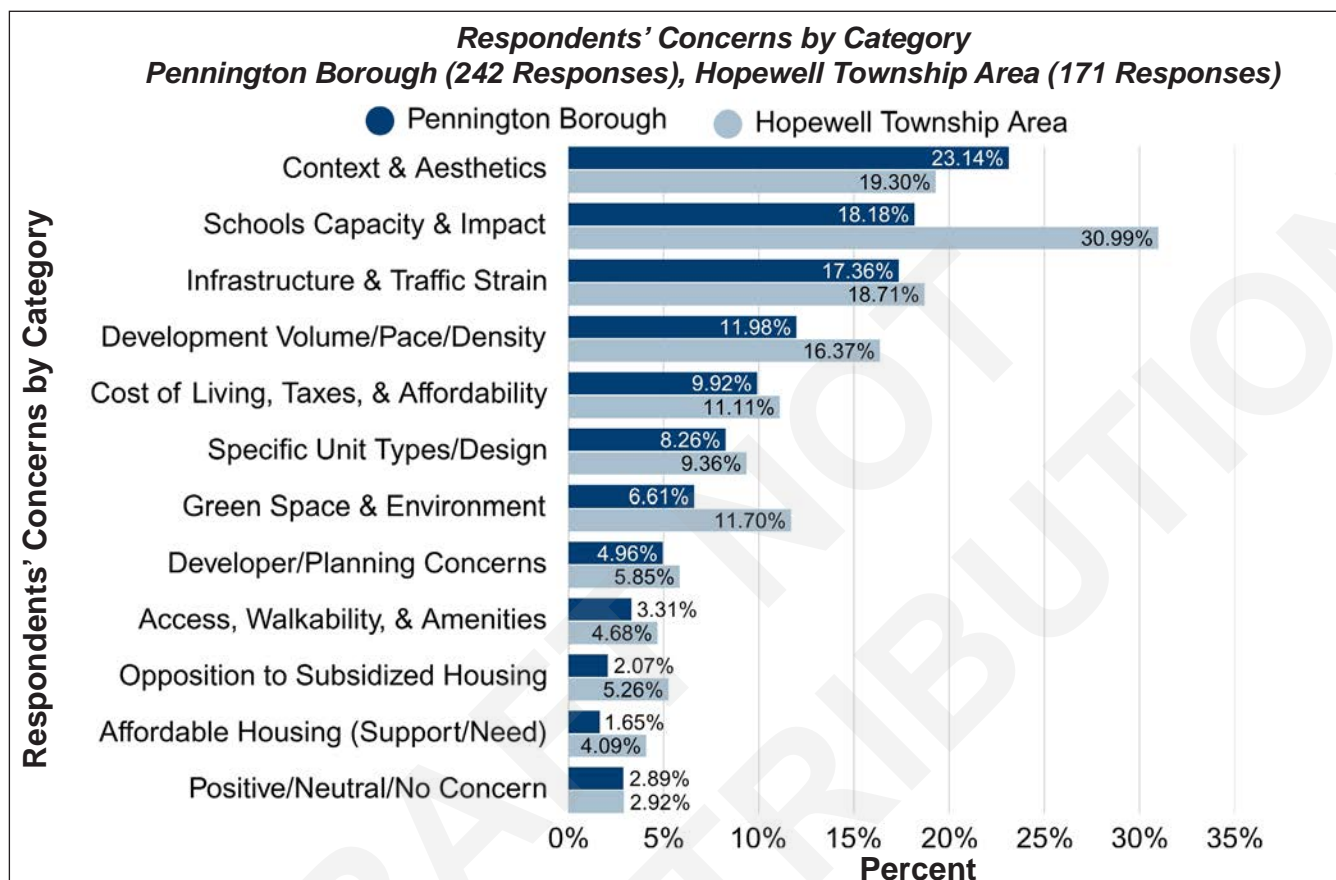
Factor 7: Financial Impact (Taxes & PILOTs)

This is a specific but passionately-voiced theme, including all mentions of “taxes,” “property taxes,” and strong opposition to “PILOT PROGRAMS” and “developers deals.”

- 5.1% *All Respondents*
- 3.1% *Pennington Borough*
- 1.7% *Hopewell Township Area*

Q11. What concerns, if any, do you have about the pace or type of housing growth in your area?

Open-ended Response



Q11. Summary: (All Responses 413)

Concern 1: Infrastructure and Capacity

This is the most frequent concern, representing a fear that the community is losing its ability to function effectively due to a lack of capacity.

53% All Respondents

- **School Overcrowding:** Respondents repeatedly express about the impact on schools, citing both increased classroom sizes (“overcrowding”) and funding limitations.
- **Traffic Congestion:** “Traffic, traffic, traffic” is a constant refrain and “roads cannot handle congestion.”
- **Fiscal/Tax Burden:** Many believe new developments, especially those with PILOT programs (tax breaks), do not generate enough tax revenue (ratables) to cover the school and municipal service costs they create.
- **Municipal Services:** Concerns extend to the capacity of the fire/police, water demand, sewer access and utilities to keep up with the pace of development.

Q11. What concerns, if any, do you have about the pace or type of housing growth in your area?

Open-ended Response

Concern 2: Type of Development & Aesthetics

Respondents strongly oppose the type of housing being built, arguing it damages the community's unique identity.

18% All Respondents

- **Views on Development:** Respondents who chose the area for its rural character and small-town identity, view new development as an intrusion of urban-scale density that threatens to erode those qualities. The growth is seen as “ruining the community,” “losing our small town feel”.
- **Design Quality:** There is a strong response to the design of high-density housing. Townhouses and apartments are cited as “cheap and ugly,” “monolithic” and “barracks-like.” Respondents call for high quality design and construction that is sensitive to the historic character and scale.
- **Oversized Infill:** Concerns about “tear downs of smaller homes for mega-homes” that are “out-of-scale”
- **Developer Intent:** A strong belief exists that developers “only care about profit,” resulting in poorly constructed, “cookie cutter” developments with little regard for the local context or environment.

Concern 3: Pace of Development

This theme focuses on the volume and speed of construction, particularly in the immediate surrounding area.

14% All Respondents

- **Pace is “Out of Control”:** Phrases like “Too much, too fast!” “It is out of control!” and “Pace is way too fast” are pervasive.
- **Lack of Plan:** Many feel the development is unmanaged and not coordinated with infrastructure upgrades: “It gets built up too quick with no master plan.”
- **Scale:** There is significant concern over “excessive [growth] in Hopewell Township” (near ShopRite, Scotch Road) and its impact on traffic and schools.

Concern 4: Affordability and Equity

Concerns are voiced regarding who the new housing is actually serving.

8.6% All Respondents

- **Price of New Houses:** Respondents note that the new “glamour townhouses” are often “overpriced” and “not affordable to middle class,” pushing out the younger families the town supposedly needs to attract.
- **Social Anxiety / Bias:** A segment of respondents expressed concern about the mandatory state requirements (Mount Laurel), linking “low income housing” to “more crime” and a reduction of “trust we have with our neighbors”.
- **More Affordability:** A counter-argument highlights that “young families are being priced out” and that the town needs more variety of housing, such as smaller homes (1500 sq ft) or housing for seniors (grandparents). Respondents expressed support for affordable housing and a variety of housing types: “Must have mixed income housing.” “Affordability- genuine affordability for more folks.” “Add seniors housing.” “Currently, young families are being priced out... we need to make space for young families with kids.” “We need more housing of more types!”

Concern 5: Environmental and Open Space

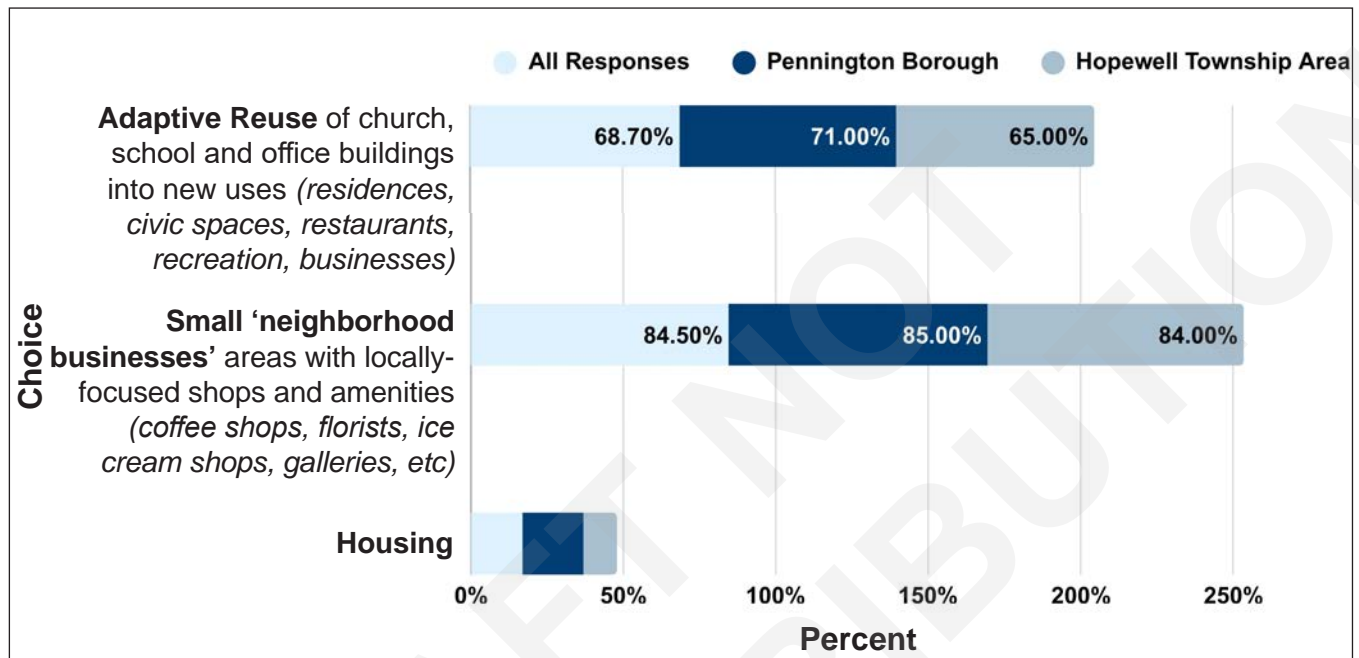
Growth is frequently framed as a zero-sum trade-off against the natural environment.

6.9% All Respondents

- **Loss of Green Space:** Development is seen as “losing all our green space,” paving over nature, and converting farmland into “huge housing developments.”
- **Flooding Risk:** Concerns about “flooding in areas is already an issue” and the new homes making the problem worse due to more impervious surfaces are common.
- **Wildlife:** Development is cited as contributing to the loss of nature and impacting wildlife.

Q12. Buildings may become available for reuse, and areas that are limited in their zoning but may be able to offer more community amenities. Which do you feel would be positive considerations for Pennington Borough's future development?

Multiple Choice



Write-in Responses ('Other')

Pennington Borough (19 Responses)

- Open space preservation
- As I said above- a large center/facility that will attract multiple demographics to increase foot traffic to other parts of town.
- farmers market / town park with entertainment space
- Housing, Cultural activities
- Housing, Evolve or die.
- Housing, Retrofitting churches is very expensive and then there's the issue of cemeteries and memorial gardens on those spaces. I like the idea of the building being useful but not at the cost of losing historical or cultural value.
- Housing, Somewhere for youth to gather
- More green spaces and family friendly restaurants with outdoor seating
- No more new buildings for housing- True what we have
- All of the above as long as they stay in keeping with the environments around them
- Na
- None
- See answer above
- Definitely not housing, unless it were a limited number of beautiful apartments or condos. We don't need to be packing 20 or 30 people into a building that used to house 4 or 5. That would not be in keeping with the character of the town. It's mostly a single-family town and should stay as such, not an urban center.

Q12. Buildings may become available for reuse, and areas that are limited in their zoning but may be able to offer more community amenities. Which do you feel would be positive considerations for Pennington Borough's future development?

Multiple Choice

Write-in Responses ('Other') (Cont'd)

- I am totally opposed to developing the HVRSD administration building into additional housing. Why would that be done. Taxpayers would then have to pay for district to build an admin building elsewhere? Why ? What is the purpose? To build more and destroy more land and create more problem with drainage. The land behind admin building has been used as playing fields for students. According to the school district there is a great need for playing fields. Why would the district then sell this property and take away the field and pay money for a building elsewhere. If people were so concerned with environment then why would there be thought of building g more and more and covering more earth with cement and non previous surfaces.
- Limited adaptive reuse excluding franchises
- not housing unless single family
- Single family homes or green space
- This question is poorly worded, but I don't think any of the above should be adapted for reuse or rezoned unless the question is clarified.

Hopewell Township Area (13 Responses)

- Flood control.
- Mixed use
- All are good options. If things are converted to businesses, I'd prefer to see ones that are more "interactive" (shops/restaurants) rather than just office spaces since those don't add much of interest to the community or draw in visitors from outside.
- community farms, community walking paths connecting more places outside of car oriented streets
- Housing is focused on high density infill with access to trails, bike paths, green spaces, and public transportation
- Medical offices
- Throw out old zoning; look at form based codes of neighborhood overlay zones that focus on mixed-uses and appropriate density and scale
- Youth center
- Gym like lifetime, a community center similar to Woodbridge community center.
- None!!!! Stop pulverizing our town with these projects and leave it alone!!!
- parks, garden, green community initiatives
- No more residences!
- The school district needs athletic fields. There should be consideration of redevelopment of some of these spaces for the school district's needs. The town has already committed to significant over development of the area and as such this has an impact on our school district. At the present time builders are not helping to make sure that the needs for the district are taking care of. Instead current taxpayers are footing the bill for all of this. A two-faceted approach where portions of the land can be used for athletic fields or building other needs for the school district should be considered along with having any developer or company that seeks to come into the area contribute to the needs of the school district.

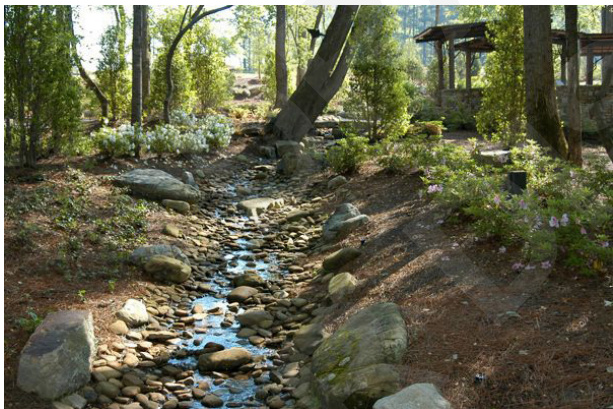
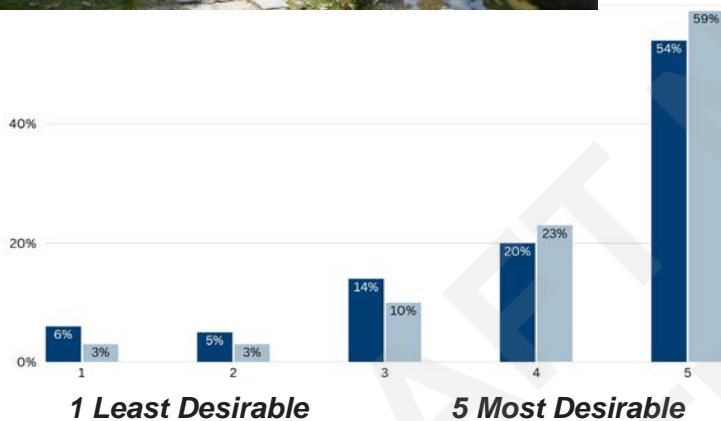
Q13. Visual Preference Survey: What type of approaches to stormwater management do you feel would be positive or worthwhile additions to the quality of life in Pennington Borough?

Rating Scale: 1 (least desirable) to 5 (most desirable)



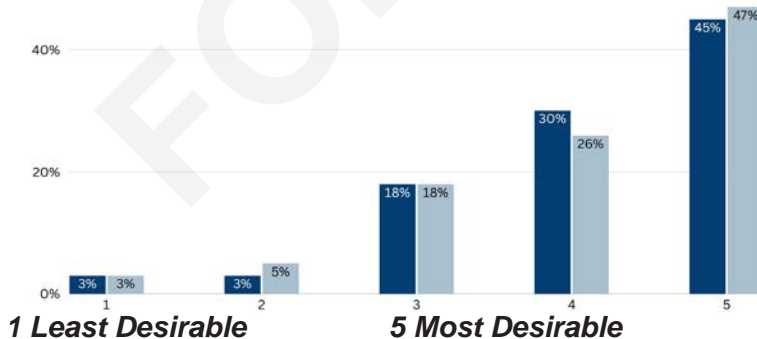
Integrating multiple strategies where possible to create engaging and enriching experiences

Strongly backed for its dual benefit as a strategic measure that mitigates flood issues while simultaneously creating valued public amenities and gathering spots, enhancing the 'Sense of Place.'"



Uncovering and restoring previously buried, or culverted, streams (or sections of streams)

Attractive concept that provides a significant natural amenity and solves flooding, but may be seen as lower priority due to the higher cost and potential need for major land-use changes compared to simple buffers or gardens.



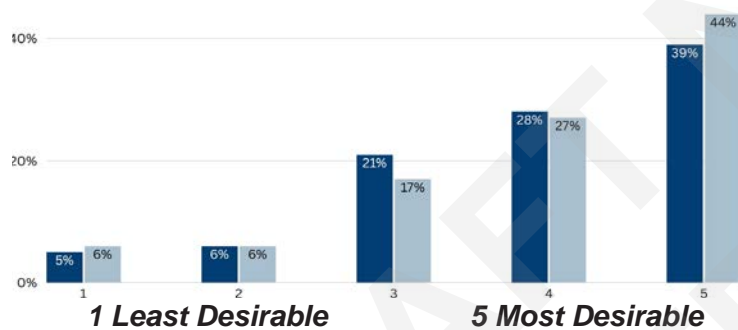
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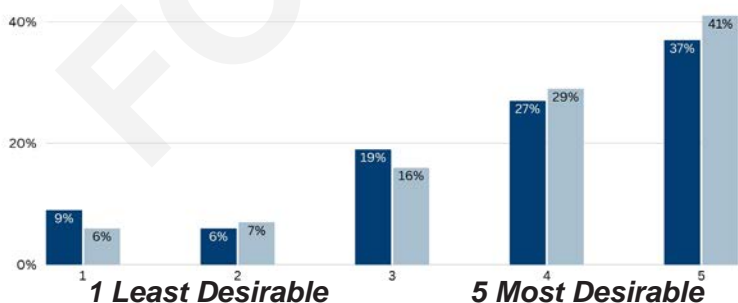
Buffers between sidewalks and roadways with plants and/or shade trees

Highly desired as a dual-purpose feature that provides physical safety/separation for pedestrians while immediately enhancing the visual quality of the streetscape.



Integrating green infrastructure into existing strip malls and setbacks, where possible

Strong support for repurposing underutilized asphalt (the hated “strip mall look”) to address stormwater issues and enhance aesthetics without requiring new development.



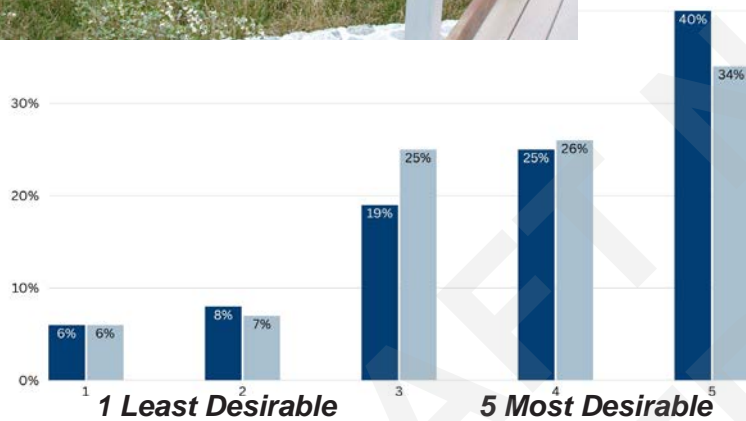
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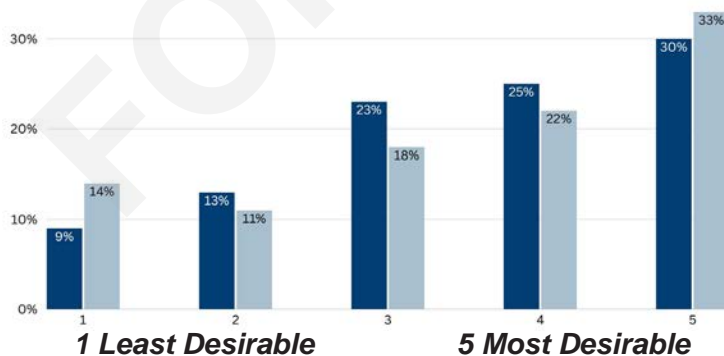
Parks and recreation spaces integrated with retention basins

A practical and functional compromise that takes necessary infrastructure (basins) and transforms it into a positive recreational asset (a park) for the community.



Lawns with native plantings and meadows

Simple, cost-effective change that directly addresses the desire for more green space and less artificial sprawl, contributing positively to the town's "natural feel."



Q14. Do you have any ideas for how to address stormwater issues in your neighborhood?

Open-ended Response

Summary

Pennington Borough (138 Responses)

1. Focus on hands-on actions that the Borough and residents can undertake immediately to manage water flow.

- Storm Drains/Curbs/Pipes 18.84%
- Green Infrastructure/Planting 18.12%

2. Focus on addressing specific, large-scale problems like Lewis Brook, key problem properties, and the impacts of development.

- Lewis Brook/Stream Management 8.70%
- Blackwell Property/Eyesore 5.07%
- Reduce Impervious Surfaces 4.35%
- Development Control/Density 4.35%

3. Requests for specialized knowledge, structural fixes, and an acknowledgment of the issue's severity.

- Lewis Brook/Stream Flooding 2.90%
- Retention/Drainage Basins 2.90%
- Property Grading/Runoff Control 2.90%
- Expert Advice/Education 2.17%

Hopewell Township Area (78 Responses)

1. Implement nature-based and structural solutions to mitigate runoff, with a particular emphasis on reducing paved surfaces.

- Green Infrastructure/Planting 26.92%
- Reduce Impervious Surfaces 10.26%

2. Focus on the functional needs of the existing system and controlling the volume of new construction, which is seen as a primary cause of water issues.

- Development Control/Density 15.38%
- Storm Drains/Maintenance 11.54%

3. Requests for specialized structures, stream management, and educational support.

- Retention Basins/Tanks 6.41%
- Lewis Brook/Stream Management 3.85%
- Specific Structural Fixes 3.85%
- Public Education/Incentives 3.85%

Q15. What would improve your quality of life in Pennington Borough?

Open-ended Response

Summary (354 All Responses)

1. Social Vitality and Downtown Activation

This is the most frequently mentioned theme, centered on transforming Main Street into a highly active, all-hours social destination.

- Dining and Entertainment: Respondents requested more dining options (40+ mentions), especially affordable, diverse ethnic cuisine, upscale bars/cocktail lounges, and places with outside seating (10+ mentions). The lack of evening activity is a major pain point.
- Vibrant Downtown Hubs: Desire to create a “vibrant Main Street” (15+ mentions) or a “Palmer Square-like” center that acts as a destination with useful shops, cafés, and gathering spots that stay open later.
- Community Events: High demand for more structured and informal events, including music, festivals, concerts, food trucks, and a better location for the Farmers Market.

2. Activities and Spaces for All Ages

Respondents emphasized a significant gap in programming and facilities for specific demographic groups.

- Families and Youth: High demand for activities for young families, children, and teens (30+ mentions). Specific requests include a Community Center with a pool/gym (5+ mentions), indoor play spaces, and places for teens to congregate safely.
- Adults and Seniors: Increased demand for activities for adults (15+ mentions), including dining with liquor, adult education, and dedicated recreation like pickleball.
- Civic Spaces: A lack of general, publicly owned, weather-independent civic spaces for meeting and gathering was noted (10+ mentions), beyond the limited capacity of Howe Commons.

3. Green Infrastructure and Walkable Environment

This directly links environmental quality and aesthetics to functional mobility.

- Green Infrastructure: Widespread support (25+ mentions) for Green Infrastructure, including planting more trees (for shade/CO2 absorption) and adding green spaces. The idea of Repurposing Surface Parking into Green Spaces was repeatedly identified as a high-value action (10+ mentions).
- Walkable Environment: Strong focus on safety and maintenance, including requests for repairing/adding sidewalks (10+ mentions), addressing the Blackwell eyesore property (5+ mentions), and enforcing noise ordinances and speed limits to make walking and biking safer.

Q15. What would improve your quality of life in Pennington Borough?

Open-ended Response

Detailed Response Categories: Pennington Borough & Hopewell Twp Area

Pennington Borough (222 Responses)

1. This category represents over half of the feedback, dominated by the need to create a destination that is both lively and physically appealing.

- Restaurants/Dining 22.07%
- Green Space/Repurposing Parking 18.47%
- Activities/Events/Vibrancy 16.22%

2. This category focuses on the functional needs of residents, particularly young families, and addresses key issues of access and cost.

- Family/Kids/Youth Focus 12.16%
- Walkability/Bikeability/Transit 9.91%
- Affordability/Cost 5.86%
- Retail/Shops 4.50%
- Community/Civic Spaces 4.05%
- Infrastructure Stress/Traffic/Safety 3.60%

3. This final category groups requests about aesthetics, specific sites, and low-frequency functional needs.

- Neighborhood Character/Historic 3.15%
- Blackwell Site/Eyesores 0.90%
- Farmers Market 0.90%
- Housing/Density 0.90%
- Liquor Licenses/Bars 0.90%

Hopewell Township Area (132 Responses)

1. These three themes account for nearly 70% of the feedback, dominated by the desire to transform the physical landscape and activate it with events and dining.

- Green Space/Repurposing Parking 29.55%
- Activities/Events/Vibrancy 20.45%
- Restaurants/Dining 19.70%

2. This category focuses on creating a fully functional town that is safe for all ages to navigate and provides dedicated, non-commercial spaces for gathering and activities.

- Family/Kids/Youth Focus 12.12%
- Walkability/Bikeability/Transit 9.09%
- Community/Civic Spaces 6.82%

3. This final category groups requests about financial management, commerce, and maintenance issues.

- Affordability/Cost/Taxes 5.30%
- Retail/Shops 3.03%
- Infrastructure/Maintenance 3.03%
- Housing/Development Control 2.27%