

Re: City of Lambertville Planning Board's Ordinance 11-2024 Consistency Review dated June 26, 2024 - Responses to Planning Board's Findings of Inconsistency and Recommendations

**FINDING 2** – ENCOURAGE NEW PUBLIC PARK AREAS THROUGHOUT THE CITY FOR PASSIVE AND ACTIVE RECREATIONAL AREAS: The Board finds that there will be dedicated conservation easements for open space. The Amended Redevelopment Plan is therefore **SUBSTANTIALLY CONSISTENT** with this objective of the Master Plan.

**RECOMMENDATION:** The Board recommends the creation of public access easements dedicated to public use which should be incorporated into any redevelopment agreement(s) encompassing the area. The Board also recommends that more specificity be provided as the process continues regarding areas to be set aside for public parks, if any, in terms of area, location, and use.

**RESPONSE:** (A) [Public Access Easement\(s\)](#). The proposed townhome and affordable housing projects within the Redevelopment Area will not be gated communities; there will be no controlled entrances impeding public access, such as pedestrians, bicycles, or automobiles. The public will have unrestricted access to the roadways and sidewalks within the Redevelopment Area, and, therefore, public access easements are not necessary or anticipated. It should be noted that the 2020 Redevelopment Plan did not require creation of public access easements. (B) [Public Park\(s\)](#). The Arnett Park is located a mere two blocks from the Redevelopment Area and provides nearby recreational facilities. The 2020 Redevelopment Plan did not require creation of a public park within the Redevelopment Area.

**FINDING 4** – SEEK LONG-TERM SOLUTIONS TO PROBLEMS OF PARKING AND TRAFFIC CONGESTION, PARTICULARLY TRUCK TRAFFIC: Phase 1 of the Amended Redevelopment Plan proposes the construction of 166 new dwelling units and Phase 2 proposes the construction of 30 to 34 additional dwelling units. This will produce several hundred additional vehicles traveling in and out of the Redevelopment Area. The Board finds this increase in vehicle traffic excessive and therefore **INCONSISTENT** with this objective of the Master Plan.

**RECOMMENDATION:** The Board recommends a traffic study be conducted of the Redevelopment Area in consideration of the proposed development.

**RESPONSE:** The Board's finding that the increase in vehicular traffic resulting from the number of homes proposed in the Amended Redevelopment Plan is "excessive" is not based on any traffic impact study. A traffic impact study to assess the impact of the projects' traffic on the surrounding roadway network will be required as part of the redeveloper's site plan application. The redeveloper's traffic engineer and Planning Board's respective traffic engineers will make recommendations to mitigate any negative traffic impacts.

**FINDING 7** – PRESERVE AND PROTECT ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING BUT NOT LIMITED TO, FLOOD PLAINS, WETLANDS AND STEEP SLOPES: The Board finds that the Amended Redevelopment Plan is **INCONSISTENT** with this goal of the Master Plan with respect to the steep slope disturbance provisions. The Master Plan encompasses the steep slope standards that were adopted in 1995. The Lambertville High School Redevelopment Plan that was adopted in 2018 lessened those standards and made them less onerous for developers. The steep slope standards proposed by this Redevelopment

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Plan are even less onerous than the 2018 standards. The Board has therefore determined that the proposed steep slope standards in the Amended Redevelopment Plan do not further the goals of the Master Plan.

**RECOMMENDATION:** The Board recommends that the current steep slope standards contained in the Land Development Ordinance be incorporated into the Amended Redevelopment Plan.

**RESPONSE:** A significant portion the steep slope areas that will be disturbed as part of the redevelopment are isolated or man-made and, therefore, do not serve to protect environmentally sensitive areas. Moreover, another significant portion of the steep slope areas will be disturbed in order to comply with the recently adopted NJDEP stormwater regulations. These newer regulations require larger stormwater management basins (BMPs) to account for increased projected future rainfall conditions utilizing the latest NOAA rainfall data and result in additional steep slope disturbance as compared to the 2020 Redevelopment Plan. However, a positive result of the new regulations is that this redevelopment will be required to decrease, even more than the project contemplated in the 2020 Redevelopment Plan, the amount of runoff by promoting greater infiltration and recharge of stormwater runoff on-site. Therefore, greater protections for adjacent properties and the downtown will be achieved by this redevelopment.

**FINDING 9** – ENCOURAGE THE DEVELOPMENT OF A CAPITAL IMPROVEMENT PLAN: The Board finds the Amended Redevelopment Plan **SUBSTANTIALLY CONSISTENT** with this objective of the Master Plan.

**RECOMMENDATION:** The Board recommends a re-evaluation of the entire road network within the Redevelopment Area.

**RESPONSE:** The Board does not explain why it recommends a wholesale re-evaluation of the road network within the Redevelopment Area. The proposed project roadway system complies with RSIS.

**FINDING 10** – ENCOURAGE TREE PLANTING AND MAINTENANCE OF EXISTING TREES IN ORDER TO ENHANCE NEIGHBORHOOD QUALITY: The Board finds that the Amended Redevelopment Plan to be inadequate regarding tree planting and maintenance and is therefore **INCONSISTENT** with this objective of the Master Plan.

**RECOMMENDATION:** The Board recommends exploration of the option of reforestation of the ash tree blight within the Redevelopment Area as well as developer contributions to the Shade Tree Fund. This provision should be incorporated into any redevelopment plan(s) encompassing the area.

**RESPONSE:** The redeveloper's site plan application will comply with the Shade Tree Commission Ordinance (Sec. 3-16.1 et seq.), including removal and replacement of trees within the "Jurisdiction Zone" defined in the Ordinance. The Jurisdiction Zone is defined as follows:

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“The area or space bordering any public street, sidewalk or pedestrian walkway which is reserved for public purposes inclusive of Shade Tree growth and protection. The Jurisdiction Zone shall extend from the outer edge of the sidewalk or walkway to the outer edge of the opposite sidewalk or walkway. Where no opposite sidewalk or walkway exists, the Jurisdiction Zone shall extend eight feet beyond the edge of the street.”

In addition, the Amended Redevelopment Plan requires that all portions of the tract not utilized by buildings or paved surfaces be planted with trees, shrubs, herbaceous plants, and vegetative ground cover; native plant species will be used to the greatest extent possible to maintain or reestablish the historic tone of the vegetation in the area and promote the retention of natural plant and animal communities. A comprehensive landscape plan will be prepared by the redeveloper for review and approval by the Board's professionals.

**FINDING 11** – STRIVE TO PRESERVE THE NATURAL, SCENIC, HISTORIC, AESTHETIC ASPECTS OF THE COMMUNITY AND ITS ENVIRONMENT: The Board finds that the Amended Redevelopment Plan is **INCONSISTENT** with this goal of the Master Plan because the current viewshed within the Redevelopment Area will be substantially disturbed by the proposed development.

**RECOMMENDATION:** The Board recommends that the current viewshed be preserved. The current sight lines, geographical views and topographic character must not be disturbed, interrupted or obscured by the proposed development. This requirement should be incorporated into any redevelopment agreement(s) encompassing the Redevelopment Area.

**RESPONSE:** Existing viewsheds from within the Redevelopment Area outward will not be substantially disturbed. Incorporation of retaining walls at the perimeter of the site significantly reduce the amount of disturbance required along the Redevelopment Area boundary. For these reasons, as well as the site's hilltop location and topography, existing sight lines and geographical views from locations below the site (i.e., from Route 179, Washington Street and downtown) will not be substantially disturbed. As demonstrated on the two (2) attached cross-section exhibits, the development maintains a majority of existing steep slopes along Route 179 and Washington Street, thereby preserving the natural screening of the project from the western and downtown areas. It should be noted that the development limits are comparable to the concept plan included in the 2020 Redevelopment Plan.

**FINDING 12** – PROMOTE THE DEVELOPMENT OF RECREATIONAL OPPORTUNITIES FOR YOUNG PEOPLE: Due to the lack of clarity regarding recreational activities, facilities or opportunities for young people, the Board finds that the Amended Redevelopment Plan is **INCONSISTENT** with this goal the Master Plan.

**RECOMMENDATION:** The Board recommends further clarification and identification of possible recreational opportunities for young people.

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**RESPONSE:** The Amended Redevelopment Plan shows an open space recreation area. The redeveloper will clarify the use of that area in its site plan application. As stated in connection with the Board's Finding 2, Arnett Park, which provides recreational opportunities for young people, is located a mere two blocks from the Redevelopment Area. It should be noted, too, that the 2020 Redevelopment Plan did not require recreational activities or facilities for young people.

**FINDING 13** – ENCOURAGE THE FORMATION OF COOPERATIVE AGREEMENTS WITH THE COUNTY AND ADJOINING MUNICIPALITIES FOR THE PROVISION OF NEEDED SERVICES IN THE REGIONAL AREA: The Board finds that the Amended Redevelopment Plan is **SUBSTANTIALLY CONSISTENT** with this objective of the Master Plan.

**RECOMMENDATION:** The Redevelopment Area borders the Township of West Amwell. The Board recommends that the City formally communicate with West Amwell to discuss the formation of any cooperative development agreements which may be necessary for the provision of basic resources and services needed for the Redevelopment Area.

*CITY RESPONSE*

**FINDING 14** – FOSTER REGIONAL PLANNING WITH ADJOINING MUNICIPALITIES TO ACHIEVE COMMON OBJECTIVES IN A COMPLEMENTARY-RATHER THAN COMPETITIVE-MANNER: The Board finds that the Amended Redevelopment Plan is **SUBSTANTIALLY CONSISTENT** with this objective of the Master Plan.

**RECOMMENDATION:** The Board again recommends formal communication with the Township of West Amwell in furtherance of this objective.

*CITY RESPONSE*

**FINDING 15** – IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT ("ADA"), PROMOTE EQUAL ACCESS FOR ALL PEOPLE TO FACILITIES AND STRUCTURES THROUGHOUT THE CITY: The Board finds that the Amended Redevelopment Plan is **SUBSTANTIALLY CONSISTENT** with this goal of the Master Plan.

**RECOMMENDATION:** The Board recommends the incorporation of sidewalks and traffic lights designed to provide safety for pedestrians who do not have a vehicle to get to and from other areas of the town, thereby encouraging connectivity with the greater Lambertville community.

**RESPONSE:** (A) Sidewalks. The City professionals and the redeveloper jointly evaluated the feasibility of a pedestrian pathway, which would meet ADA standards, connecting the development to other parts of the City via Route 179 through public right of ways, Grant Avenue and/or Hancock Street. The existing right of way grades do not meet ADA standards, and there are several significant design obstructions, including existing stormwater structures, several large embankments, existing on-street parking along Hancock Street, and a rock swale along Route 179. These conditions preclude the construction of ADA-compliant pathways without significant impacts to the surrounding neighborhoods and would require, but not be limited to, construction

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easements, private property acquisition, vegetation removal, and direct impact to view corridors. (B) Traffic Signal(s). A traffic impact study to assess the impact of the projects' traffic on the surrounding roadway network will be required as part of the redeveloper's site plan application. The redeveloper's traffic engineer and Planning Board's respective traffic engineers will make recommendations to mitigate any negative traffic impacts, including, without limitation, traffic signal(s).