

## Hanover Township Affordable Housing Highlights

Q. Why is the affordable housing process a requirement of the Township?

A. Hanover Township has the right to adopt a master plan to zone and plan for the future property development in the Township. A master plan is important because it establishes the density and location of residential development and the intensity and location of commercial or industrial development. In order to maintain this right, New Jersey laws mandate the Township meet its obligation to provide for affordable housing obligation. If the Township complies with its obligation, it maintains the right to plan for the growth of the municipality in a manner which it so chooses.

Q. What happens if the Township does not comply with its affordable housing obligation?

A. The impact would be catastrophic. Courts could order that all pending or future building or land-use applications stop. The Township could be subjected to any developer coming forward and requesting high density residential development at almost any available location in the community. This is also known as a “builder’s remedy” lawsuit. The high-density project would not be considered or even reviewed by the Planning Board or zoned by the Township Committee, but instead by a Court Order. This type of devastating action could effectively change the development, character, traffic, schools and have a significant impact on the Township of Hanover. There would be no way to plan or control such a sprawl of development within our community.

Q. What is Hanover doing about remaining compliant with its affordable housing obligation?

A. The Township has worked over the past number of years to review various locations to meet its affordable housing obligation that has been promulgated by the Court and Fair Share Housing Center, a private non-profit entity interested in assuring that municipalities meet their obligation. In order to meet its obligation, the Township reviewed all of the vacant parcels, all of the parcels which sought development, and all of the parcels whereby there was a threat of residential development. At its conclusion, the Township decided that “pocket developments” of high density development, behind existing long-standing residential communities, would be disruptive to the overall character of the Township. Instead, the Township identified two main projects: (1) “Pine Plaza,” which is in dire need of redevelopment and rehabilitation; and (2) “River Park,” which is essentially its own area in the Township that was once an industrial paper mill surrounded by industrial uses. The “River Park” project was also approved for a 400,000 square feet industrial use which would have included 24-hour truck traffic and operations on the site. There will not be an industrial development on the site

After considering all potential avenues and alternatives, the Township believes that these two redevelopment projects will best minimize the impact of the quality of life of the residents of Hanover Township. After all, the property owners do have the right to develop their land. It is best that it is done with the guidance, input and land use restrictions of Hanover Township.

Q. So does that mean that Pine Plaza and River Park have approvals?

- A. No. Both projects must go through the appropriate process to obtain their development approvals.

In the case of "Pine Plaza," the developer proposes to reconstruct the commercial aspect of the development to a modern, much more aesthetically pleasing project that is more in line with the current uses in the surrounding area. "Pine Plaza" will have a residential component which will include townhomes and, in addition, 60 senior affordable housing units. This is because it has been determined that Hanover Township has one of the highest rates of seniors in the County and a need for affordable senior housing opportunities which will be provided for in this project

In the case of "River Park," there will be 80,000 square feet of commercial retail development on the site. However, it will not consist of "big box" retail stores such as Walmart, Target or Home Depot. Rather, it will be light retail, boutiques, restaurants, and shops. The commercial retail area will be surrounded by a residential component, 80% of which will be one and two bedroom units. The residential component is aimed at targeting a certain need for residential development in the community and complimenting the corporate development of Bayer Corporation and Barclay's.

- Q. Will there be any impact on the residents of Legion Place?

- A. We do not believe so. In fact, Legion Place is the one residential development that is adjacent to both Pine Plaza and River Park.

In the case of "River Park," the previous proposals all included housing development at the end of Legion Place. However, the current agreement with "River Park" calls for no development on Legion Place.

In the case of "Pine Plaza," the rear of the shopping center is adjacent to Legion Place. The site consists of dumpsters, deliveries and a commercial use. The proposed redevelopment will require a residential use with appropriate setbacks, as well as appropriate aesthetics, such as a 3 to 5 foot wall separating Pine Plaza and Legion Place. The residential component of "Pine Plaza" will be near Legion Place. The commercial development will be on the opposite side of the Legion Place side of the property. It appears this would be an improvement to the existing conditions adjoining Legion Place.

- Q. Will other developers be able to come into Hanover Township and make demands for high density development?
- A. No. This provides the Township with the right to make its own zoning decisions through 2025. At that time there may be a fourth round affordable housing obligation that the Township may be required have to comply with.
- Q. What would have happened if Hanover Township proceeded in Court and not resolve its affordable housing obligation through a settlement?
- A. If the Township was not successful in litigation, its obligation may significantly increase and the right of developers to intervene and demand high density development in any location throughout the Township would exist. Hanover is a very desirable community and developers could leverage their property in order to obtain the maximum number of residential developments. However, with the affordable housing settlement, that will no longer be an option.

To date, there has only been one case that has been tried, and the findings of that case were applied to Hanover and all towns in Morris County by the Court. It was then determined that if the Judge in Morris County ruled in a similar fashion, the obligation of the Township would be at least 200 additional affordable units above the current settlement proposal.