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## REDEVELOPMENT PLAN

Green Village Road Special Use Area  
Block 3001/Lot 8  
33 Green Village Road  
Borough of Madison, New Jersey

September 20th, 2011  
Revised October 12<sup>th</sup>, 2011

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**REDEVELOPMENT PLAN**  
**Green Village Road Special Use Area**  
**33 Green Village Road**  
**Block 3001, Lot 8**

Prepared for:  
Madison Borough

Prepared by:  
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The original of this report was signed and  
sealed in accordance with N.J.S.A. 13:41-1.2



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## I. INTRODUCTION

The Green Village Road Special Use Area Redevelopment Plan encompasses an area of almost five (+/- 4.94) acres adjacent to the existing developed downtown, also known as Block 3001, Lot 8. The Plan Area has 280 feet of frontage along Kings Road, opposite the NJ Transit rail line, as well as 111 feet of frontage along Green Village Road. The Plan Area is owned by the Madison School District; the site was formerly the Green Village Road School, which closed in 1974. The Plan Area encompasses the former school building and all associated improvements on the parcel. The area surrounding the Plan Area is developed with a mix of professional offices and residential uses along Green Village Road south of the Plan Area, residential development (including both multi-family residential and single-family residential) west of the Plan Area, and commercial downtown-oriented development along Kings Road to the east of the Plan Area. West of the Plan area along Kings Road is developed with a mix of office uses and religious institutions. The Plan Area also shares a property line with Drew University along part of its western boundary. The Plan's location and context are shown in Figure 1, below.



Figure 1: Location Map/GVRSU Redevelopment Plan Area

In June of 2011, the Planning Board of the Borough of Madison, as authorized via resolution by the Mayor and Council, directed a study of the subject area to determine whether it qualifies as an area in need of redevelopment pursuant to New Jersey's Local Redevelopment & Housing Law (LRHL). The ensuing report, *Area in Need of Redevelopment Study* for 33 Green Village Road, was submitted in July of 2011 and the Borough Council concurred with the report's recommendation to designate the study area as in need of redevelopment on August 22<sup>nd</sup>, 2011. The *Area in Need of Redevelopment Study* outlined the basis for the subject area meeting the criteria for designation as a redevelopment area, based on the following considerations:

- The subject area consists of buildings and/or improvements that are largely obsolete, dilapidated, and illustrative of faulty arrangement and design;

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- Conditions of the subject area, including environmental contaminants, poor condition of infrastructure, lack of barrier-free design, and code violations are detrimental to the safety, health, and welfare of the community; and,
  - Designation of the area as an area in need of redevelopment, consistent with adopted Borough planning policies supporting mixed-use, transit-supportive densities, clearly advances smart growth planning principles.

This Draft Redevelopment Plan has been prepared at the direction of the Madison Planning Board as requested by Borough Council. Upon adoption, this Draft Redevelopment Plan will guide the future redevelopment of the GVRSU Area.

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## II. GOALS & RELATIONSHIP TO LOCAL OBJECTIVES

This redevelopment plan advances smart growth and sustainable design planning principles. The following goal statement, excerpted from the Borough's 2009 Land Use Element Amendment, is proposed to guide redevelopment of the Plan Area:

*To maximize the development potential of the area, consistent with transit-oriented design and sustainable design principles, in a manner that is context sensitive, that strengthens the connection between this area of Kings Road and the core of the downtown, and that balances site development opportunities with impacts.*

In addition, a complementary goal of this Redevelopment Plan is to encourage superior building aesthetics, sustainable site design and building practices, and cohesive overall design to effectively address circulation, site access, parking and other shared infrastructure.

More specifically, the following community objectives are proposed to guide redevelopment of the GVRSU Area (note: these objectives are also included in the 2009 Land Use Element Amendment of the Madison Master Plan):

- Maximize the positive economic impact of future development and strength the connection between this area along Kings Road, Drew University, and the downtown.
- Incorporate a wide range of housing types, including opportunities for attached housing, multi-family housing, apartments, as well as age-restricted housing, and affordable housing to help meet the Borough's COAH obligation.
- Provide for density consistent with transit-supportive design principles given proximity to the Borough's NJ Transit station, yet achieve this in a context-sensitive manner that takes advantage of topographical features of the area and the ability to incorporate a range of building types and heights, while minimizing visual impacts.
- Encourage mixed-use development along Kings Road with first floor retail and opportunities for offices, cultural uses and residences on upper floors. Alternatively, a small boutique hotel could also anchor the site and provide street level activity and interest for pedestrians.
- Promote the use of incentives or other tools to encourage inclusion of publicly accessible pocket park interior to or along the Kings Road frontage, the use of green building practices, inclusion of structured or below-grade parking, and provisions for other public and cultural amenities.
- Develop bulk regulations and design standards that allow for a range of heights and require building massing and siting to take advantage of the property's existing topography to minimize visibility of structures to the greatest extent feasible.
- Develop design standards to ensure high quality architectural elements and cohesive overall design, including, but not limited to: provisions encouraging a range of building heights; requirements for articulated facades; the use of natural materials; inclusion of green roofs and other green design features; inclusion of site features to promote pedestrian accessibility and safety; and, the inclusion of structured parking wrapped with commercial and/or residential uses.
- Ensure appropriate buffer, particularly along the western boundary adjacent to Drew University property and residences.
- Promote an access scheme that addresses the needs of non-motorized and motorized traffic, as well as emergency access to the area.

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In addition to this goal statement and objectives from the 2009 Land Use Element Amendment, the following Master Plan goals are applicable to the GVRSU Area:

- To promote a balanced variety of residential, commercial, recreational, public, and conservation land uses;
- To maintain and improve the downtown business district;
- To guide proper development of the remaining large parcels and scattered vacant sites within neighborhoods;

As outlined in this Plan, future redevelopment of the Plan Area will include a variety of housing types, as well as a balance of residential and commercial uses. The future redevelopment of the Plan Area will also serve to strengthen the connection between the Kings Road part of the central business district and the core of the downtown. Design standards have been developed to guide proper development of the Plan Area.

The 1992 Master Plan and 2009 Land Use Element Amendment also contains several objectives that are advanced by this Redevelopment Plan, as follows:

- To permit multi-family residential uses at appropriate densities in locations accessible to major roadways, commercial services, and public facilities;
- To meet the Borough's affordable housing obligation;
- To encourage the use of mass transportation;
- To promote the use of sustainable design and green building practices;
- To encourage development opportunities that incorporate transit-oriented design principles in locations within ¼ mile of the NJ Transit train station with densities, amenities and uses that reflect neighborhood context and site-related features and opportunities;
- To encourage downtown design and infill development that reflects the unique scale, context, and character of the core of the downtown; and,
- To encourage pedestrian accessibility, including street level pedestrian interest and activity within the downtown.

The redevelopment plan developed for the GVRSU Area includes opportunities for a wide range of housing types at densities that reflect the Area's proximity to transit, community services, and the downtown. The proximity to transit, in conjunction with the design standards developed to guide development, will support the use of alternative modes of transportation by future area residents and tenants. Buffer and setback standards have been included that reflect the Plan Area's varying context. Development standards along Kings Road have been crafted to maintain and extend the character of downtown development that abuts the Plan Area. Design standards have also been developed with an eye toward encouraging street level pedestrian interest and pedestrian activity and connectivity. Given the site's context and topography, this Plan includes specific development and design standards for two sub-zones, consistent with the Area's current Green Village Road Special Use (GVRSU) Zoning designation.

### III. Development, Site Planning & Design Standards

As illustrated in Figure 2, the GVRSU Plan Area is divided into two sub-zones, with specific permitted uses, bulk requirements and design guidelines for each area.

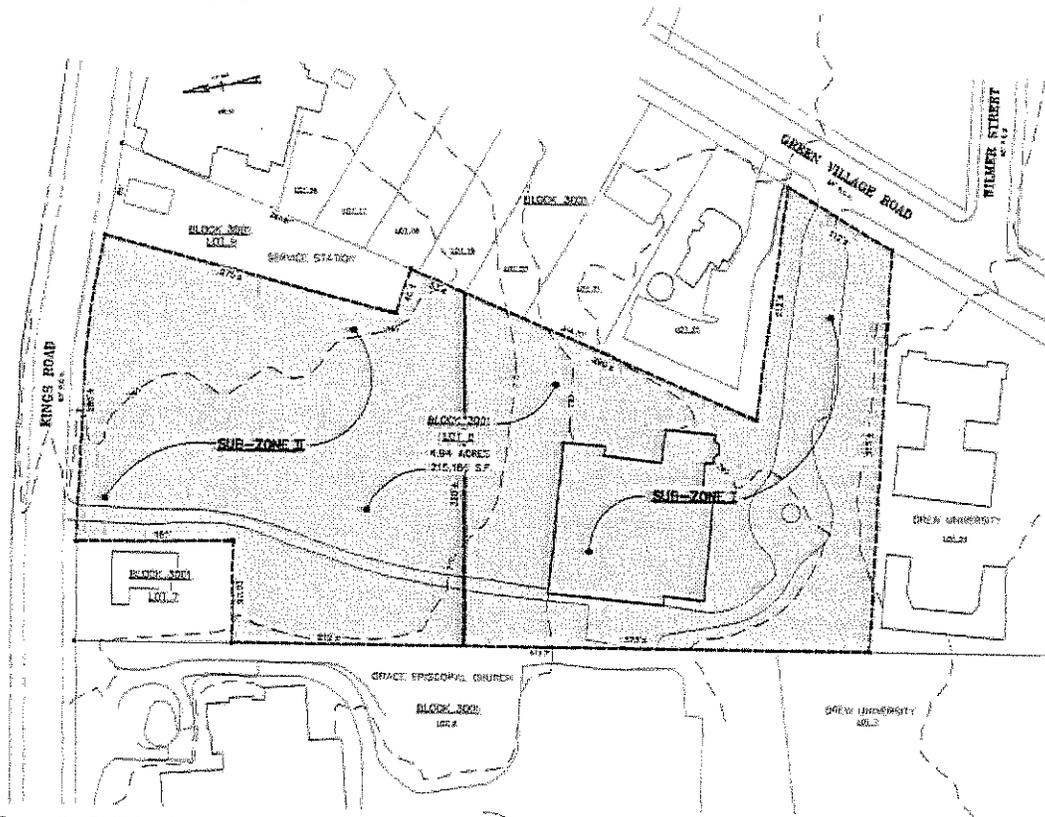


Figure 2: GVRSU Sub-Zones

#### **Development Standards for Sub-Zone I: Permitted Uses, Area, Height & Bulk Standards**

##### A. Principal Permitted Uses:

- (1) Townhouse development in accordance with the standards of the R-6 Zone as outlined in the Madison Land Development Ordinance;
- (2) Multi-family development and attached single-family development, whether attached to one another horizontally, vertically, or by some combination of the two, in accordance with the standards of this Section.
- (3) Boutique hotel, under the following conditions:
  - (a) Must be an extension of a boutique hotel primarily located in Sub-Zone II and shall be part of a comprehensively designed plan for a boutique hotel;
  - (b) Buildings shall not exceed the maximum height/stories put forth for Sub-zone I;
  - (c) No surface parking shall be located within 25 feet of any property line with the exception of an interior lot line between Sub-Zone I and II which shall have no required setback;

##### B. Accessory uses:

- (1) Uses that are customarily incidental and accessory to the principal use.

##### C. Affordable Housing Requirement: Provisions shall be made to meet the required affordable

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housing obligation as required by NJ Department of Community Affairs/State Statute either on-site, off-site or through a payment in lieu agreement.

D. Area, Height, Setback, and Density Requirements:

(1) Minimum lot area: 80,000 sq. ft.

(2) Maximum height/stories:

(a) Maximum building heights shall be governed by a combination of the sky exposure plane (as illustrated in Figure 3 and defined as the theoretical inclined plane connecting a point five feet above grade plane elevation at the top of the curb of the eastern side of Kings Road and traveling westward) and elevation based on the "Topographic Map of the Borough of Madison," prepared by VEP Associates, dated 4/13/93. Buildings shall not project above the sky exposure plane as noted in Figure 1 nor shall they exceed 332' elevation, based on the "Topographic Map of the Borough of Madison," prepared by VEP Associates, dated 4/13/93. No building shall contain more than four (4) stories, without incentives.

(b) Up to one additional story of height may be permitted, but only as provided for through incentives in this Plan, provided that any fifth story shall not break the sky exposure plane by more than 10 feet, nor shall any part of any fifth story exceed 342' elevation above sea level based on the "Topographic Map of the Borough of Madison," prepared by VEP Associates, dated 4/13/93 and as illustrated in Figure 4.

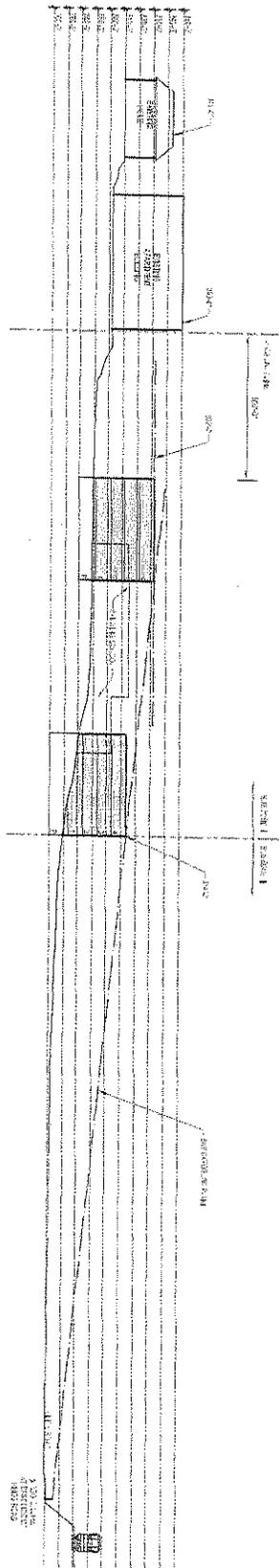


Figure 3: Sky Exposure Plane & Elevation Line Controlling Building Heights in Sub-Zone 1 without Incentives.

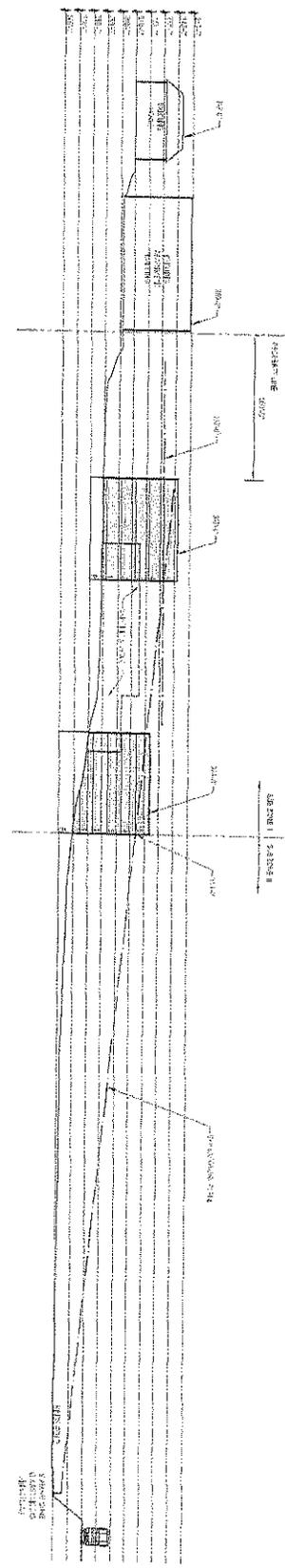


Figure 4: Maximum height in Sub-Zone I with incentives

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- (c) Any story above the third story shall not occupy more than 80% of the building footprint of the floor below.
  - (d) Enclosed, fully or partially below grade parking shall not count as a story if the exposure of the parking level (exclusive of any entrance or exit) is less than 4 feet as measured from the proposed or existing grade to the underside of the structure of the floor above.
- (3) Minimum setbacks for all buildings:
- (a) Setback along property line abutting Lot 23: 75 feet
  - (b) Perimeter setback (all other yards): 25 feet except shall not apply to internal line between Sub-Zone I and Sub-Zone II.
  - (c) Building separation: 25 feet minimum if both structures are three (3) stories or less; 35 feet if over three (3) stories
  - (d) Setback from Green Village Road frontage: 175 feet
- (4) Setbacks for accessory buildings: 20 feet to any side or rear yard; no accessory buildings allowed in any front yard.
- (5) Maximum impervious coverage: 55%
- (6) Minimum number of buildings: 2 buildings (exclusive of accessory structures)
- (7) Maximum building coverage: 35%
- (8) Maximum density: 15 units per base acre with the option for the Reviewing Board to grant density/height bonuses based on the following:
- (a) Incorporation of green building/design techniques to achieve at least a LEED Certified project under the LEED ND Program, or Silver Certification under LEED for New Construction, or provision of an engineered green roof occupying at least 50% of rooftop area or 6,000 square feet, whichever is greater: Bonus of 20% density over base density and a half story of additional height.
  - (b) Inclusion of an on-site amenity, or payment in lieu toward a community amenity/facility provided off-site, or a site design feature that clearly benefits the public and/or the environment to an extent reasonably related to the density incentive offered: up to 20% bonus.
  - (c) Provision of all parking below grade and/or within the principal structures: Bonus of 20% of the base density and a half story of additional height.
  - (d) Maximum cumulative incentives shall not exceed 40% over the base density or a total gross density of 21 units per acre, nor shall additional heights exceed one story.
- (9) Off-street parking shall be as set forth in the RSIS for residential uses; however, a waiver request from these standards may be appropriate due to opportunities for shared parking within the Plan Area.
- (10) Minimum common open space: 35%.

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**Development Standards for Sub-Zone II: Permitted Uses, Area, Height & Bulk Standards**

A. Principal Permitted Uses:

- (1) Permitted ground floor uses: retail sales and service (non-drive thru), restaurants (non drive-thru), boutique hotel, performing arts venue, museum, theater, art galleries. Boutique hotel refers to a facility offering transient lodging accommodations to the general public with up to 100 rooms and which may include additional facilities and services, such as restaurants, meeting rooms, and recreational facilities.
- (2) Permitted upper floor uses: commercial; office; apartments; live/work artist lofts; institutional/educational use not to exceed 15 percent of gross floor area; performing arts venue; boutique hotel; museum; theater; art galleries. Live/work artist loft is defined as a combined living/work spaces for visual arts including artist residences with studio space.
- (3) Townhouse development behind permitted ground floor uses fronting Kings road, in accordance with the standards of the R-6 Zone as outlined in the Madison Land Development Ordinance;
- (4) Multi-family development and attached single-family development, on ground floors and upper floors, whether attached to one another horizontally, vertically, or by some combination of the two, shall be permitted.

B. Permitted Accessory Uses:

- (1) Uses that are customarily incidental and accessory to the principal use.

C. Affordable Housing Requirement: Affordable Housing Requirement: Provisions shall be made to meet the required affordable housing obligation as required by COAH/State Statute either on-site, off-site or through a payment in lieu addressed in a Developer's Agreement.

D. Sub-Zone II: Area, Height, Bulk and Parking Requirements:

- (1) Minimum lot area: 40,000 square feet
- (2) Minimum and maximum height/stories:
  - (a) Maximum height: 3 stories/35 feet along Kings Road measured from the top of curb to the highest part of the roof surface
  - (b) Based on incentives specified in this Plan for Sub-Zone II, the Planning Board may allow a partial or full fourth story (4 stories/45feet as measured from the top of the curb of Kings Road) for any building along Kings Road.
  - (c) Any story above the second story shall be setback an additional eight (8) feet from Kings Road.
  - (d) Enclosed, below grade parking levels shall not count as a story if the exposure of the parking level at the street line (exclusive of any entrance or exit to the parking) is less than 4 feet as measured from the proposed or existing grade to the underside of the structure of the floor above.
  - (e) Minimum height shall be two (2) stories along the Kings Road frontage.
- (3) Minimum yards (setbacks):
  - (a) Minimum yards (setbacks) for all buildings shall conform to the requirements of the CBD District as outlined in the Borough's Land Development Ordinance except that residential buildings may span the internal boundary between Sub-Zone I and Sub-Zone II.
  - (b) Building separation: 20 feet minimum if structures are three (3) stories or less; 30 feet if over three (3) stories.
- (4) Maximum impervious coverage: 75%

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- (5) Minimum number of buildings: 2 buildings (exclusive of accessory structures)
  - (6) Incentives/Height Bonus: The Planning Board may grant height and/or impervious coverage bonuses of up to one additional story of the building's footprint and/or 10% of impervious coverage based on the following standards:
    - (a) Incorporation of green building/design techniques to achieve at least a LEED Certified Silver project, or LEED ND Certification, or provision of an engineered green roof occupying at least 50% of rooftop area or 6,000 square feet, whichever is greater: Bonus of a half story (i.e. a full story that occupies half of the building footprint) of additional height and/or 5% additional impervious coverage.
    - (b) Provision of a public plaza (park) that is accessible via a pedestrian path from Kings Road and encompasses at least 15,000 square feet: Bonus of a half story of additional height (i.e. a full story that occupies half of the building footprint) and/or 5% additional impervious coverage.
    - (c) Provision of a venue for visual and/or performing arts and cultural activities that accommodates at least 150 people on the site: Bonus of half story of additional height and/or 5% additional impervious coverage.
    - (d) Provision of at least 75% of the required parking below grade and/or in a structure that is wrapped along public street frontages with permitted ground floor uses: Bonus of half story of additional height and/or 5% additional impervious coverage.
    - (e) Inclusion of an on-site amenity, or payment in lieu for a community amenity/facility provided off-site, or a site design feature that clearly benefits the public and/or the environment to an extent reasonably related to the density incentive offered: Bonus of half story of additional height and/or 5% additional impervious coverage.
    - (f) Maximum cumulative incentives shall not exceed one full story and/or 10% additional impervious coverage with total building height of no more than four stories/50 feet (and corresponding square footage for one additional story based on the building's footprint).
  - (7) Off-street parking: shall be as set forth in the RSIS for residential uses; for non-residential uses, the parking requirements of the CBD Zone in the Borough's Land Development Ordinance shall apply; however, a waiver may be requested from these standards due to the availability of proximate downtown parking resources and other opportunities for shared parking within the Plan Area based on a parking plan prepared by the Redeveloper.

**Site Planning & Design Standards for Sub-Zone I:**

A. Site planning and design standards for Sub-Zone I:

(1) Parking

- (a) At least 50% of the off-street parking shall be contained within the principal structures. No parking garages shall be permitted in the required front yard, nor face a public street. No single story accessory garages shall be permitted.
- (b) Areas for bicycle storage shall be provided within all parking garages or designated storage areas, as well as in any public plaza or along the primary internal access drive serving the site.

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(2) Landscaping, Screening, Lighting & Fencing

- (a) A minimum twenty-five foot landscaped buffer shall be required along the western property line and a ten-foot planted buffer shall be required around the balance of the perimeter of the site. All pervious areas in the required front yard and/or between the building façade and the property line or any internal circulation road shall be fully planted and maintained in a combination of lawn area or ground cover with a mix of native deciduous and evergreen shrubbery and trees. The landscape plan shall be prepared by a licensed landscape architect and reviewed by the Madison Shade Tree Management Board. Emphasis shall be placed on preservation of existing trees and vegetation, as well as on creating open spaces that reflect the human scale and promote passive usage and enjoyment of such spaces. Natural grasses and native plantings, rather than extensive lawn areas, shall be used on at least half of the common open space areas in order to reduce the need for herbicides, pesticides, and fertilizers. All trees and plantings shall have a two-year maintenance guarantee from the time of planting. All trees shall have a minimum three and a half (3.5) inch caliper at planting. Internal streets and pedestrian paths shall have shade trees planting at a minimum 40-foot spacing.
- (b) Parking areas, solid waste storage areas, sheds and all other accessory structures shall be screened from view of adjacent residential zones, existing residential uses and public roads by landscaping, fencing or a combination of these to create a buffer of at least six feet in height. Landscaping shall contain a mix of deciduous and evergreen plantings sufficient to screen the view of vehicles in all seasons.
- (c) No fences or gates across access drives shall be permitted. Fencing along the perimeter of rear and side yards shall not exceed six (6) feet in height. No chainlink for vinyl fencing shall be permitted.
- (d) Site lighting should be harmonious with the building style and design and shall use only downward facing fixtures to minimize spillage and glare. Lighting intensities shall be the minimum required to adequately light the site and shall consider the proximity and nature of adjoining uses. No freestanding lights in parking areas (base plus pole) shall exceed 16 feet in height. Pedestrian lighting shall not exceed 12 feet tall (base plus pole). See also Chapter 195-25.6 of the Land Development Ordinance for additional standards.

(3) Vehicular Access

- (a) Curb cuts, circulation, and parking areas shall be located at least 35 feet from the southwesterly property line along Green Village Road and a minimum of ten (10) feet from all other property lines.
- (b) Internal access drives shall be privately owned and designed as traffic calmed, low-speed, narrow streets.

(4) Pedestrian Access

- (a) Internal pedestrian circulation should include pedestrian access interior to the site connecting through sub-zone II to Kings Road and the CBD. Design of this pedestrian accessway should include landscaping, street trees, pedestrian scale street lights, and similar features appropriate to the

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- zone's context. The minimum width of such path shall be five (5) feet.
- (b) In addition, pedestrian access shall be provided to Green Village Road with a minimum 4' sidewalk along the northern edge of the access drive.
- (5) Building arrangement and design:
- (a) When development consists of multiple structures, buildings shall be oriented around open space, courtyard or similar landscape amenity with the overall design preserving existing trees, vegetation and grades to the maximum extent possible.
- (b) The selection of building design elements, such as materials, fenestration, color and texture, should be compatible with that in the Borough and neighborhood. Clapboard siding, cedar shingles, hardie plank, stone, or brick shall be the primary exterior material.
- (c) All building facades shall be treated as front facades.
- (d) All buildings are required to incorporate frequent vertical and horizontal articulation through slight variations in build-to-lines along, incorporation of front entries and porches, variations in roof pitch, careful selection of materials, the use of windowed projections, and similar architectural treatments to improve the visual appearance of the buildings.
- (e) Vertical articulations shall be provided at least every 30 feet along all facades that exceed 60 feet in length or width.
- (6) The proposed site plan shall implement Section 195-24 General Design Standards and 195-25 Specific Design Standards of the Borough Land Development Ordinance.
- (7) Concept Plan Requirement: Applicants for development in the GVRSU Plan Area shall submit a concept plan and an existing conditions survey with elevation/slope information and existing vegetation both on-site and within 50 feet of the property boundary for planning board review prior to making a site plan application.
- (8) Photo Simulations Requirement: Photo simulations shall be provided showing the massing, scale, materials and finishes proposed for the project from various viewpoints in context with surrounding properties. These simulations shall be submitted at the time of the initial application for site plan approval.
- (9) Preparation of EIA & TIS: All proposals for development in this zone shall be required to prepare an Environmental Impact Assessment in accordance with Chapter 195-20.F and a Traffic Impact Statement in accordance with Chapter 195-20.G of the Borough's Land Development Ordinance.
- (10) Stormwater Management: Progressive approaches to stormwater design should be used as found in NJDEP's stormwater standards and RSIS NJ Stormwater Best Practices.
- (11) Utilities: All utilities (water, sewer, electric, phone, etc.) shall be located underground.
- (12) Signage: The signage standards for multi-family residences, as outlined in Chapter 195, Schedule IV, shall apply.
- (13) Sustainable/Green Design: Buildings shall be designed to meet the minimum LEED standards for New Construction. In addition, green site design methods shall be incorporated to the maximum extent feasible.
- (14) Other Standards: Standards related to site design and layout, including, but not limited to landscaping, stormwater management, lighting, parking, etc. outlined in

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various sections of Chapter 195, Land Development, shall apply. In the event of inconsistencies between standards in Chapter 195 and in this section, the Redevelopment Plan shall govern.

**Site Planning & Design Standards for Sub-Zone II:**

A. Site planning and design standards for Sub-Zone II:

- (1) Design Standards: Guidelines for development in Section 195--24.2.E. of the Land Development Ordinance (entitled Guidelines for Development in the GVRSU District), shall serve as the design guidelines for redevelopment in Sub-Zone II.
- (2) Bicycle Parking: An area for bicycle storage shall be provided within all parking garages or designated storage areas, as well as in any public plazas and along the public street frontage of Kings Road.
- (3) Fences: No fences or gates across access drives shall be permitted. Fencing along the perimeter of rear and side yards shall not exceed six (6) feet in height. No chainlink or vinyl fencing shall be permitted.
- (4) Access: Vehicular access is limited to two points of access along Kings Road, with a minimum spacing of 150 feet between access drives to minimize traffic conflicts. Internal access drives shall be designed as low-speed, traffic-calmed, narrow streets under private ownership.
- (5) Pedestrian Access: Internal circulation should provide pedestrian access interior to the site connecting through to Sub-zone I and aligning with the internal pedestrian pathway in that Sub-zone. Design of this pedestrian accessway should include landscaping, street trees, pedestrian scale street lights, and similar features appropriate to the zone's context and shall be a minimum 5' wide.
- (6) Concept Plan Requirement: Applicants for development in the GVRSU Zone shall submit a concept plan and an existing conditions survey with elevation/slope information and existing vegetation both on-site and within 50 feet of the property boundary for planning board review prior to making a site plan application.
- (7) Photo Simulation Requirement: Photo simulations shall be provided showing the massing, scale, materials and finishes proposed for the project from various viewpoints in context with surrounding properties. These simulations shall be submitted at the time of the initial application for site plan approval.
- (8) Preparation of EIA & TIS: All proposals for development in this zone shall be required to prepare an Environmental Impact Assessment in accordance with Chapter 195-20.F. and a Traffic Impact Statement in accordance with Chapter 195-20.G.
- (9) Signage: master signage plan shall be submitted as part of the site plan review process and signage requirements for the CBD-1 Zone shall apply.
- (10) Landscaping: The landscape plan shall be prepared by a licensed landscape architect and reviewed by the Madison Shade Tree Management Board. Emphasis shall be placed on preservation of existing trees and the use of native trees and vegetation. Street trees shall be provided along the Plan Area's frontages with a minimum spacing of 30 feet. All trees and plantings shall have a two-year maintenance guarantee from the time of planting. All trees shall have a minimum three and a half (3.5) inch caliper at planting. Internal streets and pedestrian paths shall have shade trees planted at a minimum 40 foot spacing.

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- (11) Lighting & Street Furniture: Pedestrian scaled lights, consistent with the lights within the downtown, shall be provided along Kings Road and along interior pedestrian pathways. Street furniture, consistent with such furniture within the downtown, shall be provided along Kings Road and within any public plazas or parks. No freestanding lights in parking areas (base plus pole) shall exceed 16 feet in height. Pedestrian lighting shall not exceed 12 feet tall (base plus pole). See also Chapter 195-25.6 of the Land Development Ordinance for additional standards.
  - (12) Stormwater Management: Progressive and sustainable approaches to stormwater design should be used as found in NJDEP's stormwater standards, RSIS NJ Stormwater Best Practices, and other similar guidance.
  - (13) Utilities: all utilities (water, sewer, electric, phone, etc.) shall be located underground.
  - (14) Green/Sustainable Design: Buildings shall be designed to meet the minimum LEED standards for New Construction. In addition, green site design techniques shall be incorporated to the maximum extent feasible.
  - (15) Standards related to site design and layout, including, but not limited to landscaping, stormwater management, lighting, parking, etc. outlined in various sections of Chapter 195, Land Development, shall apply. In the event of inconsistencies between standards in Chapter 195 and in this section, the Redevelopment Plan shall govern.

**Maximum Residential Development:**

The total number of residential units on Sub-Zones I and II shall not exceed 90 units without the use of incentives or 125 units with incentives.

**Other Improvements:**

In lieu of providing active recreation facilities within the Plan Area, the Redeveloper may propose to construct or fund appropriate improvements elsewhere within the Borough to satisfy the recreational needs of future residents.

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#### IV. Plan Consistency Review

##### *Land Use Plans of Neighboring Municipalities:*

Madison is bordered by Florham Park to the north, Chatham Borough to the east, and Chatham Township to the south and west. Madison also shares a very small common border with Morris and Harding Townships at the western terminus of Madison Avenue. The GVRSU Plan Area is located in the geographic center of Madison Borough, far from neighboring communities. As such, and especially given its transit-accessible location, it is not expected to have any measurable negative impacts on surrounding municipalities.

The Chatham Borough 2000 Master Plan's discussion of regional growth impacts focuses on residential development in Florham Park on North Passaic Avenue, noting that these developments are not consistent with state planning policy supporting center-oriented, mixed-use development. The GVRSU Plan area, by contrast, is centrally located on the edge of the downtown and provides for mixed-use development.

Chatham Township recently adopted a new Land Use Element in January, 2011. While Chatham Township is less urbanized than Madison, the following goals and objectives of their Land Use Plan are nonetheless consistent with the GVRSU Plan:

- Promote development and redevelopment of desirable retail and service uses and attractive buildings and landscaping to make the Business District more vital, accessible and pedestrian-friendly.
- Preserve the desirability of the community and its neighborhoods by managing the scale of new and expanded buildings and alterations to their landscapes.
- Promote a balance of housing types for all segments of the population.

The GVRSU Plan promotes a mix of retail and commercial uses, along with opportunities for a variety of housing types. Design standards integrated into this Plan will advance attractive buildings and landscaping, as well as promote pedestrian accessibility. The scale of new buildings has been carefully considered relative to the site's unique features and context.

In addition to the Township's land use goals and objectives, Chatham's new Land Use Element considers additional options for the part of Giralda Farms within Chatham Township. Specifically, the Plan notes that: "a Planned Residential Neighborhood (PRN) Overlay, permitting multiple-family residential buildings subject to the bulk and height restrictions that currently govern the PCD zone, is recommended as an additional use opportunity on the property. Rather than eliminating the PCD zone and its permitted uses, the PRN overlay will be an elective option for the developer in lieu of the commercial development." The development of the GVRSU Plan Area will not have any measurable impacts on Giralda Farm's future build out in Chatham Township under either commercial or residential scenarios.

Madison's shared border with Florham Park on Park Avenue is currently undergoing major development, consistent with a PUD adopted by Florham Park. Known as Florham Green, and originally slated entirely for office development, this area is under development as a mixed-use project with 325,000 square feet of corporate office space (LEED Platinum), several other office buildings, the New York Jets Headquarters and Training Center (which is completed and in operation), a hotel, sports

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health center, and a 425-unit active adult community directly abutting the Madison border. Concern about the scope of this development in Florham Park is expressed in Madison's land use planning documents, including the 2004 and 2011 Master Plan Re-examination Reports. By comparison, the scale of development proposed at the GVRSU Area is quite modest and no measurable impacts are anticipated in Florham Park. In addition, the proposed mix of land uses outlined in this Plan for the GVRSU area reflects a similar land use planning policy goal in support of mixed-use development.

The small areas within Harding and Morris Townships abutting Madison are residentially zoned. The 2007 Morris Township Master Plan Re-examination report identifies proposed zoning changes in Morristown along the shared border as an issue of concern. No such concerns are identified along the Madison border. In addition, the Morris Master Plan includes a goal related to minimizing pollution that identifies the use of stormwater management techniques to improve water quality. The GVRSU Plan encourages the use of stormwater management best practices, consistent with the Morris Township Master Plan.

As noted in the Harding Township Master Plan, Harding and Madison share a common border for a short distance along the northeastern tip of Harding. The area along this common border is zoned for low density residential in both communities, and is thus compatible. The GVRSU Redevelopment Area will have no impact on the zoning or land uses along the Borough's border with Harding.

***Morris County Plan:***

Madison was designated a traditional center in the County's 1975 Land Use Element. The emphasis of the 1975 Plan was to concentrate economic activity within existing centers so that future growth could be better coordinated and that transportation and utility investments could be planned and implemented in an efficient manner. The planning goals for traditional centers include preserving and revitalizing downtowns and encouraging both retail and office uses in the Borough's center. The Plan clearly notes that residential densities should be highest near the town center. This Plan is clearly consistent with the objectives of the County Plan as a wide range of uses are permitted in the Plan Area and the permitted density reflects the area's proximity to transit and its downtown context.

***State Development & Redevelopment Plan (SDRP):***

Originally adopted in 1992, the SDRP was updated by the State Planning Commission in 2001. The State Plan sets forth a series of policies and classifies the state into five planning areas, as well as designated centers. Madison is located within Planning Area 1 (PA1), the Metropolitan Planning Area, an area targeted to accommodate much of the State's growth and redevelopment in the Plan. The Plan's vision for PA 1 includes promoting compact higher-density development, encouraging distinctive places and a mix of housing opportunities, providing for mixed-use concentrations of residential and commercial activity, and revitalizing cities and towns. The GVRSU Plan is consistent with the SDRP's vision for Planning Area 1, as well as the SDRP goal of leveraging private investment to encourage infill and redevelopment consistent with this vision. The GVRSU Plan advances mixed-use, compact development at a density that reflects the Plan Area's transit accessibility. Furthermore, the GVRSU Plan requires that bicycle parking and pedestrian accessibility be integrated into a future development plan. A mix of residential and commercial uses is envisioned in the GVRSU Plan Area, along with opportunities to include a variety of housing types. Development and design standards reflect the site's varying context and encourage the use of sustainable design and green building techniques.

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## V. Implementation

The standards contained within this Redevelopment Plan supersede any conflicting regulations in the Madison Borough Land Development Ordinance. For standards or area of site related regulation not addressed by this Plan, compliance with the Land Development Ordinance or other applicable Borough standards shall be required. No use within the redevelopment area shall be permitted which will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, noxious odors, undue noise or vibration, or other features substantially detrimental to public health, safety or welfare.

### ***Redevelopment Activities & Authority:***

Madison Borough shall have such powers and authority as outlined in the LRHL and as may be further conferred by this Plan, including, but not limited to selection of redevelopers, establishment of terms and conditions for redevelopment through negotiation, execution and administration of Redeveloper's Agreements, and other activities as set forth in the LRHL.

While NJ law allows for the use of eminent domain to acquire properties for the purpose of redevelopment, no properties are identified for acquisition and the power of eminent domain will not be exercised as part of the redevelopment effort put forth in this Plan.

### ***Site Plan & Subdivision Review:***

Prior to construction, site plans for the construction of improvements in the redevelopment area shall be prepared in accordance with the requirements of the Municipal Land Use Law (MLUL) and shall be submitted by the applicant for review and approval by the Madison Planning Board so that compliance with the Redevelopment Plan can be determined. Any subdivision of land within the redevelopment area shall comply with the requirements of this Plan, as well as with subdivision requirements within the Borough Land Development Code.

### ***Non-Discrimination Provision:***

No instruments shall be affected or executed by the Borough Council or by any redeveloper or any of his/her successors or assignees whereby land, usage or occupancy is restricted on the basis of race, creed, color, or national origin. Covenants running in perpetuity with the land shall prohibit such restrictions.

### ***Deviation Requests & Procedure for Amending Approved Plan:***

The Planning Board may grant deviations from the regulations (with the exception of permitted uses) contained within this Plan where, due to reason of exceptional narrowness, shape, or exceptional topographic conditions, or other physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk, or design regulation adopted pursuant to this Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant deviations relating to a specific piece of property where the purposes of this Plan are advanced by such deviation from the strict requirements and the benefits of the deviation clearly outweigh any detriments. No relief may be granted under this Section unless such deviation can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this Plan. Applications for deviations from the requirements of this Plan shall provide public notice in accordance with the requirements for public notice set forth in NJSA 40:55D-12a. and b. Any changes to the permitted uses in this Plan shall only be permitted via

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amendment of this Plan by the Borough Council, and only upon a finding that such amendment is consistent with and advances the goals and objectives of this Plan.

This Plan may be amended periodically upon compliance with the LRHL. An application fee of \$1,500 shall be paid by the party requesting such amendment, unless the request originates from a Borough agency. The Borough may further require the party requesting amendments to prepare a study that evaluates the impact of such amendments. Any such study shall be prepared by a Professional Planner, licensed in the State of New Jersey. In addition, the Borough may require the party requesting the amendments to establish an escrow account with the Borough to permit the Borough to retain a Professional Planner, licensed in New Jersey, to review any proposed amendments and to confirm that the intent of the Plan will not be compromised.

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## VI. Other Provisions

In accordance with NJSA 40A:12A-1 et seq., known as The Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies for implementation in order to carry out the objectives of this Plan;
- The Redevelopment Plan lays out the proposed land uses and building requirements for the redevelopment area;
- Because there are no residents, tenants, businesses, etc. in the project area, no provision need be made for relocation assistance (N.J.S.A. 40A:12A-7a(3)).
- The Borough will not use the power of eminent domain to acquire properties as part of the redevelopment effort;
- This Redevelopment Plan is consistent with the Master Plan for the Madison Borough and also advances the goals and objectives of the New Jersey State Development and Redevelopment Plan.
- This Redevelopment Plan shall supersede all provisions of the Land Development Ordinance of the Borough of Madison regulating development in the area addressed by this Redevelopment Plan. No variance from the requirements herein shall be sought from the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this Plan;
- Final adoption of this Plan by the Borough Council of the Madison Borough shall be considered an amendment of the Borough Zoning Map; and,
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

