

AZZOLINI & BENEDETTI, LLC

ATTORNEYS AT LAW

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ADMITTED NY/NJ*

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OF COUNSEL
FRANK VIOLA*
ALAN J. ZAKIN

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HAND DELIVERED

September 10, 2021

Frances Boardman, Board Secretary
Planning Board, Borough of Madison
50 Kings Road, Room 206
Madison, NJ 07940

Re: Applications of: 66 Main, LLC
Premises: 3 Central Avenue, Madison, NJ 07940
Block: 1802 Lot 4
Zone: CBD-1
Application: Application for Preliminary and Final Site Plan Approval
Our File No. 2020-5816

Dear Ms. Boardman

I represent the applicant, 66 Main, LLC. ("Applicant.") The applicant is seeking preliminary and final site plan approval along with certain variances and waivers in connection with the removal of the existing structure on the site and the construction of a new mixed-use with retail on the first level and six (6) apartments on the upper levels. In connection therewith, enclosed please find eighteen (18) copies of the following:

- I. Application for Preliminary and Final Site Plan Approval and Variances and Addendum
 - i. Owner's Consent to application
 - ii. Fee Schedule is included in the addendum
 - iii. Addendum to Application;
 - iv. Proposed Notice;
 - v. Checklist for A - General Requirements;
- b. Checklist C - Preliminary Site Plan Checklist
 - i. Reasons for Waiver Requests - included in addendum
- c. Checklist D - Final Site Plan Checklist
- d. Permission for Board Members to Enter the Property

2. Property Survey dated March 4, 2021 prepared by Casey & Kellar, Inc.
3. OPRA request documents which include previous Resolution granted for 66 Main Street.
4. Photos of the property.
5. Environmental Checklist;
6. Architectural Elevations and Floor layouts prepared by Gertler & Wentz, Architects, LLP dated August 18, 2021.
7. Signed and Sealed Sets of Preliminary and Final Site plan dated August 25, 2021 prepared by Casey & Kellar, Inc., consisting of six sheets.

And Four (4) copies of the following: (the first four (4) packets contain these documents)

8. Signed report from Borough Tax Collector confirming all taxes paid and current.
9. Technical Review Escrow Agreement and W-9;
10. Certified 200' list;
11. Confirmation of utility payment.

Also enclosed are the following two checks payable to the Borough of Madison:

\$2517.50 representing application fee for amended site plan approval and variances as per the application fee schedule as follows:

Preliminary Site Plan -	\$1467.50 (\$300.00 plus \$50.00 for every 1000 sq. ft. - 23,350.00 gross sq. ft.)
Final Site Plan Fee -	\$600.00
Variances (3)	\$450.00

\$7852.50 representing technical review escrow fee for as follows:

Site Plan	\$2718.00 (\$50.00 per 100 sq. ft. - 4670 gross sq. ft. = \$2335.00 plus \$900.00 (\$150.00 per residential unit (6) plus ½ for final site plan = \$1617.50)
Variances (3)	\$3000.00

Kindly provide copies of the aforesaid documents to the appropriate Borough professionals and agencies for review and comment and advise when this matter may be scheduled for TCC review.

September 10, 2021
66 Main LLC - Site Plan
Our File No. 2020-5816
Page 3 of 3

If you need any further information please contact me at your convenience.

Thank you.

Very truly yours,

AZZOLINI & BENEDETTI, LLC

Steven Azzolini, Esq.

SA/mec

Enc.

cc: Frank Iannarone via email
Anthony Facchino via email
Jeff Gertler via email

BOROUGH OF MADISON

Borough of Madison, 50 Kings Road, Madison, New Jersey 07940

APPLICATION FOR DEVELOPMENT

Planning Board
 Board of Adjustment
App. Number: _____

Date of First Submission: _____
Valid Application Date: _____
Completeness Date: _____

1. PROPERTY INFORMATION

Address: 66-68 Main Street and 3 Central Avenue Zone: CBD-1
Tax Map Number: 30 Block: 1802 Lot(s): 4
Present Use: Restaurant, pharmacy, office and residential

Has there been any previous application involving these premises by the applicant or any prior owner of the property? Yes No Unknown ; if unknown, provide copy of OPRA Request to Borough
If yes, nature of application, date and determination: See attached previous resolutions dated June 10,1980.
Does the applicant own adjacent property? Yes No If yes, address of property: _____

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
 Yes [attach copies] No Proposed

2. APPLICANT INFORMATION

Name: _____
Address: 66 Main, L.L.C - 66 Main Street
City/State/Zip: Madison, NJ 07940
Phone #: 908-447-4876 Fax: _____ Email: madisonpharmacy@optonline.net
Applicant is a(n): Individual Partnership Corporation

CONTACT FOR APPLICATION

Name: _____
Address: Frank Iannarone, Jr.
City/State/Zip: 9 Pinch Brook Drive, Florham Park, NJ 07932
Phone #: 908-447-4876 Fax: _____ Email: madisonpharmacy@optonline.net

3. DISCLOSURE STATEMENT

Pursuant to end. N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership application must be disclosed. In accordance with N.J.S.A. 40:55D-48.2 that disclosure agreement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up in the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attach pages as necessary to comply).

Name: <u>Frank Iannarone, Jr.</u>	Address: <u>9 Pinch Brook Drive, Florham Park, NJ 07932</u>	Interest: <u>33.33%</u>
Name: <u>Frank Iannarone, III</u>	Address: <u>17 Oxford Lane, Madison, NJ 07940</u>	Interest: <u>33.33%</u>
Name: <u>Thomas Dugan</u>	Address: <u>33 Cetic Way, Parsippany, NJ 07054</u>	Interest: <u>33.33%</u>
Name: _____	Address: _____	Interest: _____
Name: _____	Address: _____	Interest: _____

4. OWNER'S INFORMATION

If the Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name: Same as applicant

Address: _____ Telephone Number: _____

OWNER MUST SIGN ATTACHED AUTHORIZATION

5. APPLICANT'S ATTORNEY (Corporations must be represented by an attorney)

Name: _____

Address: Steven Azzolini, Esq., Azzolini & Benedetti, LLC - 134 Columbia Turnpike, Florham Park, NJ 07932

Phone #: 973-765-0700 Fax: 973-765-9694 Email: sazzolini@ablclaw.com

6. APPLICANT'S ENGINEER

Name: _____

Address: Anthony Facchino, Casey & Keller, Inc. - 258 Main Street, PO Box 191, Millburn, NJ

Phone #: 973-379-3280 Fax: 973-379-7993 Email: Anthony@caseyandkeller.com

7. APPLICANT'S ARCHITECT

Name: _____

Address: Jeffrey Gertler, Gertler & Wente Architects LLP, 145 West 30th Street, New York, NY 10001

Phone #: 212-273-9888 Fax: 212-273-9889 Email: jgertler@gwarch.com

8. NATURE OF THE APPLICATION (Check applicable items)

- | | |
|--|---|
| <input type="checkbox"/> Concept review | <input type="checkbox"/> Conditional use approval |
| <input type="checkbox"/> Minor subdivision | <input type="checkbox"/> Zone change |
| <input type="checkbox"/> Major subdivision, preliminary | <input type="checkbox"/> Site plan approval, preliminary residential |
| <input type="checkbox"/> Major subdivision, final | <input checked="" type="checkbox"/> Site plan approval, preliminary non-residential |
| <input type="checkbox"/> Use variance | <input type="checkbox"/> Site plan approval, final |
| <input type="checkbox"/> Variance, residential fence or deck | <input type="checkbox"/> Amendments to approved site plans |
| <input type="checkbox"/> Variance, other residential | <input type="checkbox"/> Change of permitted use with waiver of site plan |
| <input type="checkbox"/> Variance, other non-residential | <input type="checkbox"/> Appeal from administrative decision |
| | <input type="checkbox"/> Interpretation of zoning ordinance |

9. BRIEF DESCRIPTION OF PROJECT: Indicate type of improvement, alteration, structure, or use proposed; describe all structures, improvements, and uses now on the property. For any non-residential, business, or commercial use provide hours of operation, number of employees, number of parking spaces, intention to sell or rent, and any other information important for consideration:

The applicant proposes to remove the existing one story structure located at 3 Central Avenue and constructed a 4 story mixed use building with retail and the first level and six (6) residential apartments on the upper levels.

10. DOES THE APPLICATION COMPLY WITH ALL REQUIREMENTS OF THE ZONE: If not, state violation, article, section and variance requested and state principle points on which the variance request is made. Use a separate sheet if necessary. Attach any letter or document from the Zoning Official of the Borough of Madison which has been issued to you regarding this property.

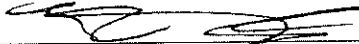
The applicant will require parking variance from Sect. 195-35 which requires 11 parking spaces and none are proposed and a variance for impervious lot coverage from Sect. 195, Schedule I, which requires 85% maximum lot coverage and 100% is existing and proposed.

Applicant also seeks a variance for number of stories where 3 is permitted and 4 is proposed. (Sec. 195-29.3)

11. LIST ANY OTHER LICENSES, PERMITS, OR OTHER APPROVALS REQUIRED BY MUNICIPAL, COUNTY, STATE, OR FEDERAL LAW AND THE STATUS OF EACH.

Morris County Planning Board and Soil Conservation

I hereby affirm that all of the above and statements contained in the papers submitted here with our true.


Signature of the Applicant:  Date: 9/10/21

IF THIS APPLICATION IS SUBMITTED BY ANYONE OTHER THAN THE OWNER, THE OWNER MUST EXECUTE THE CONSENT WHICH IS ATTACHED TO THIS APPLICATION.

OWNER'S CONSENT TO APPLICATION

I certify that I am the owner of the property which is the subject of this application, that I have authorized the applicant to make this application, and that I agree to be bound by the application, the representations made, and the decision in the same manner as if I were the applicant.

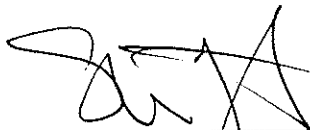
(If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner).



Owner

Sworn to and subscribed before me this

10 day of Sept, 2021.



A notary public of the state of New Jersey

Steven Azzolini
Attorney at Law of the State of New Jersey

1.8.1.2021

ADDENDUM TO APPLICATION:
3 Central Ave
Application for Preliminary and Final Site Plan Approval with Variances
Madison Planning Board
Block 1802 Lot 4
CBD-1 Zone

Expert Witnesses:

1. Engineer:
Anthony Facchino, P.E., P.L.S., P.P., C.M.E.
Casey & Kellar Inc.
258 Main Street
Millburn, NJ 07041
973-379-3280
973-379-7993 - Fax
Email: Anthony@caseyandkeller.com
2. Architect:
Jeffrey J. Gertler, AIA
Gertler & Wentz ARCHITECTS LLP
145 West 30th Street, 11th Floor
New York, NY 10001
T 212.273.9888 x204
C 917.796.0789
F 212.273.9889
jgertler@gwarch.com
3. Planner - To be provided

REASONS FOR VARIANCE:

A. Relief Sought

The following variances are sought:

Variances

1. §195-29.3 - a 4 story building is proposed where 3 stories are permitted. (Height is code compliant.)
2. §195-35- which requires 11 parking spaces and 0 spaces are proposed.
3. §195 Schedule I - Maximum impervious lot coverage which allows a maximum of 85% and 100% is existing and 100% is proposed.

Waivers:

4. 4.3 FC at the property line is proposed where .1 FC are permitted.

B. Justifications for Variance Relief

The foregoing variances are cognizable as flexible "c2" variances under N.J.S.A. 40:55d-70c(2), since the purposes of the Municipal Land Use Law will be advanced by the requested deviations from the rear setback, maximum impervious coverage and number of story requirements of the ordinance. In this regard, the benefits of promoting the removal of old non-historic structures, with the creation of a new architecturally compatible business and structure that will be appropriately sized and scale for the lot within the area in downtown Madison. It will also provide for varied housing options for the public. The parking variances relates to the existing size and situation of the lot ("c1" variance) and the lack of public access to the site. This restricts any parking on the site. The number of stories will contribute to housing availability in the area and be in line with the neighboring structure on the same lot and the surrounding structures.

In terms of the "negative" criteria, the relief sought can be granted without substantial detriment to the public good, and without substantially impairing the intent and purpose of the zone plan and ordinance. There is no discernable impact to the surrounding community or zone plan resulting from the creation of a development and setbacks that are consistent with the area. The surrounding community will benefit from the redevelopment of the property with a mixed use building adding to the appeal and pedestrian accessibility of the downtown area.

For all of the foregoing reasons, as well as those to be discussed at length before the Board, pursuant to professional testimony from the applicant's engineer, architect and planner, Applicant hereby requests approval of the variances requested above along with preliminary and final site plan.

REASONS FOR WAIVER REQUESTS:

“Checklist C” Item Waiver request:

26. As noted on the plans, there are no known, observed or mapped wetland areas, water courses, conservation areas or easements, wellheads, floodplain areas, underground tanks or other environmental areas on or proximate to the subject property.

33. Waiver is sought from the required Environmental Impact Assessment as the proposed re-development is located within an established and fully developed neighborhood. The proposed redevelopment is not considered as a 'major development' or 'major subdivision'. The Preliminary Environmental Checklist has been completed for the project.

35. Waiver is sought for this item as the proposed redevelopment is a permitted use in the zone, and the proposed retail and residential use is less intense than the previous restaurant use on the site so there is no anticipated substantial change to the trip generation or traffic characteristics of the site.

LAND DEVELOPMENT

195 Attachment 3

Borough of Madison

Schedule III: Checklist A
[Added 3-26-2018 by Ord. No. 13-2018¹]

BOROUGH OF MADISON, NEW JERSEY LAND DEVELOPMENT CHECKLIST
 AS AUTHORIZED UNDER N.J.S.A. 40:55d-10.3
 CHECKLIST A
 GENERAL REQUIREMENTS FOR ALL APPLICATIONS FOR DEVELOPMENT

This Checklist shall not be applicable to requests for interpretation,
 appeals of a Borough official or request for waiver of site plan details.
 Checklists E and F are required for these applications.

	Checklist A For all items on Checklist, 17 copies of each item must be submitted unless otherwise specified by A*, where only four copies must be submitted. All application materials must be collated.	Submitted	For Borough Use
1	Completed and signed Application for Development Form, including Owner's Consent to Application and: a) Permission to Enter Applicant's Property b) Technical Review Escrow Agreement c) Payments of Required application and escrow fees	✓	
2	Required Checklists in Addition to this Checklist and: a) Written requests for Waivers of Submission Requirements from Checklists B, C and/or D, along with justifications for each requested waiver	✓	
3	Plans, elevations and architectural details per Checklist B, C, and/or D	✓	
4	Property survey signed and sealed by land surveyor or engineer, which must be dated within six months (or a completed certification in lieu of oath for older surveys) from the date of the application and which must show all current improvements and conditions on the property	✓	
5*	Signed Report from the Borough Tax Collector that taxes for the property have been paid current	✓	
6*	Letter from Borough Water and Sewer Department that all Borough fees and charges are paid current	✓	
7*	Certified list of all property owners within 200 feet of the property from Borough Tax Assessor's office and neighboring municipalities, as relevant	✓	
8	Photographs of the property from the front, back and both sides	✓	
9*	Copies of any prior resolutions of approval for this property from either the Planning Board or the Zoning Board of Adjustment (if not applicable, proof of OPRA filed with Borough response)	✓	
10*	Copies of any letters or notices received from any Borough official, office, Board or agency	✓	

¹ Editor's Note: Former Schedule III, Application Checklist, Part 1, added 8-12-1985 by Ord. No. 36-85, was repealed 3-26-2018 by Ord. No. 13-2018.

MADISON CODE

<p style="text-align: center;">Checklist A</p> <p style="text-align: center;">For all items on Checklist, 17 copies of each item must be submitted unless otherwise specified by A*, where only four copies must be submitted. All application materials must be collated.</p>		Submitted	For Borough Use
11*	Name, address, and phone number of any witness or expert who will be presenting testimony or reports regarding this application - attach hereto copies of all such reports	✓	
12*	Copies of any and all approvals received from any other governmental agency and, if any permits have been issued, attach complete copies of any and all such submissions, notices, documents, approvals or permits	TBS	
13	Copies of any deed restrictions or easements that affect the property	N/A	
14	Draft Public Notice/Publication	✓	
15	Statement of reasons why the application is necessary and facts and information that would support an approval	✓	

LAND DEVELOPMENT

195 Attachment 5

Borough of Madison

Schedule III: Checklist C
[Added 3-26-2018 by Ord. No. 13-2018¹]

BOROUGH OF MADISON, NEW JERSEY LAND DEVELOPMENT CHECKLIST
AS AUTHORIZED UNDER N.J.S.A. 40:55d-10.3
CHECKLIST C
REQUIREMENTS FOR ALL APPLICATIONS FOR DEVELOPMENT FOR
PRELIMINARY SITE PLAN OR SUBDIVISION APPROVAL AND
ALL VARIANCES (NOT COVERED IN CHECKLIST B)

This checklist shall not be applicable to:

1. "C" variance relief only for decks and fences for single-family and two-family residences (use Checklist B)
2. Change of permitted use with request for waiver of site plan (use Checklist E)
3. Requests for interpretation, appeals of a decision of a Borough official (use Checklist F)

	Checklist C For all items on Checklist, 17 copies of each item must be submitted unless otherwise specified by A*, where only four copies must be submitted. All application materials must be collated.	Submitted	Borough Use
—	General Requirements	—	—
1	Zoning requirements, including identification of necessary variance and/or waiver relief	X	
2	Architectural drawings, including: a) Building facades (elevations) for all sides of the building or structure with building height measurements based on Borough Code definitions and spot elevations (at building corners) included b) Floor plans for each floor of the building or structure with clearly displayed dimensions and uses of all rooms	X	
3	For variances from 40:55D-70(d)(1), a Licensed Professional Planner's Report documenting the rationale addressing the required proofs for granting the requested use variance	X	
4	Plans drawn & sealed by a P.E., L.S., P.P., or R.A. as permitted by law and based on a current survey, with consecutive numbering and descriptive titles, collated and folded	X	
—	For Subdivision and Preliminary Site Plan Plan Details Required	—	—
5	Proper scale: 1" = 30' or as approved by Borough Engineer	X	
6	Current survey upon which plat or plan is based	X	
7	A grading plan showing, at two feet contour intervals, existing & proposed contours and elevations	X	

¹ Editor's Note: Former Schedule III, Application Checklist, Part 3, added 8-12-1985 by Ord. No. 36-85, was repealed 3-26-2018 by Ord. No. 13-2018.

MADISON CODE

Checklist C For all items on Checklist, 17 copies of each item must be submitted unless otherwise specified by A*, where only four copies must be submitted. All application materials must be collated.		Submitted	Borough Use
8	Standard sheet sizes: 8-1/2" x 13" 15" x 21" 24" x 36"	X	
9	Title block and basic information: a) Title b) Name, address, & license number of preparer, with dates of preparation & revision c) North arrow and reference meridian (and on each following page) d) Ratio and graphic scale e) Tax map block, lot numbers & zone f) Name and address of owner of record and applicant, if different from the owner	X	
10	The first sheet of a series of plats or plans submitted for preliminary approval shall contain, in addition to the above, the following: a) Key Map, at a scale of 1" = 500' or less showing zone boundaries b) Certified 200' list of all property owners, including adjoining municipalities, with names, addresses, lot and block numbers from Borough Tax Assessor c) Signature block with necessary signatures for the Board Chairman, Board Secretary and Borough Engineer d) Zoning analysis showing required, existing, and proposed zoning conditions, variances, and design waivers identified	X	
11	Location of Zoning District and Municipal boundaries within 200 feet of development	X	
12	All dimensions (width, depth, height) in feet and inches, area values in square feet, and ratios in percent to two decimal places	X	
13	Bearing and dimensions of boundary lines and angle between intersecting lines, in degrees, minutes, and seconds	X	
14	Existing and proposed dimensions and values for lot area, lot frontage, lot width, lot depth, front and rear yard setback, second story overhanging setbacks, total lot coverage, lot coverage ratio, total building coverage, building coverage ratio, and floor area	X	
15	Existing and proposed additional floor area for each floor, basement, attic, porch area and large area	X	
16	Location, size, materials, method of attachment, method of illumination, colors/details of any signs in accordance with the Master Signage Plan requirements of 195-34	X	
17	Location, size, and details of all exterior lighting, with illuminance levels, isolux patterns and all requirements in 195-25.6	X	
18	Location, size and description of all existing and proposed utilities, including provision for storage and disposal of solid wastes	X	

LAND DEVELOPMENT

Checklist C		Submitted	Borough Use
For all items on Checklist, 17 copies of each item must be submitted unless otherwise specified by A*, where only four copies must be submitted. All application materials must be collated.			
19	Plans of proposed potable water & sanitary sewer utility systems showing feasible connections to existing or any proposed system. If a public water supply or sanitary sewer system is available, the owner shall show appropriate connections thereto on the plat or plan. When a public sewage disposal system is not available, the developer shall pave percolation tests made & shall submit the results, approved by the Borough Board of Health, with the preliminary plat or plan	X	
20	Proposed location and size (including heights) and setbacks of all, mechanicals, including rooftop mechanicals	X	
21	Percentage of lot occupied by buildings and impervious coverage, including locations of any reference corners, location dimensions and kind of each permanent property monument	X	
22	Location of all existing and proposed buildings, with building setbacks, side and rear yard distances	X	
23	A circulation plan showing proposed vehicle, bicycle & pedestrian circulation systems including directions of travel. The plan shall include the locations, typical cross-sections, centerline profiles & type of paving for all new streets & paths, including any required bicycle parking (195-20G)	N/A	
24	Details and location of any proposed off-street parking areas with dimensions showing parking layout plan and spaces, loading docks & access drives, curbing, and sidewalks	N/A	
25	All proposed buffers, landscaping, fences, walls, hedges or similar facilities. The Landscaping plan shall show in detail the location, size and type of all plant material, including ground cover, to be used on the site. Common names of all landscaping materials shall be indicated	N/A	
26	The location of existing watercourses, including wetlands, waterbodies and floodplain, soil types and delineations based on the Morris County Soil Conservation District maps, and any other natural features, such as wooded areas and rock formations on the site and within 50 feet, including the location and species of all trees or groups of trees having a diameter in excess of six inches (DBH).	N/A	
27	A soil erosion & sediment control plan prepared in conjunction with Article VII and a stormwater management plan meeting the requirements of Article VI and showing the location, type & size of any existing and proposed bridges, culverts, drainpipes, catch basins & other storm drainage facilities	X	
28	A copy of any protective covenants or deed restrictions applying to the land being subdivided or developed & a notation on the plat or plan of any easements required by the Board, such as but not limited to sight triangle easements. Said easements may also include utility lines, public improvements and ingress and egress for emergency vehicles	N/A	
29	A copy of such guarantees, covenants, master deed or other documents which shall satisfy the requirements of the Board for the construction & maintenance of any proposed common areas, landscaping, recreational areas, public improvements & buildings	N/A	
30	Completed Borough of Madison Preliminary Environmental Checklist	X	
31	Where appropriate, the plat or plan shall indicate provisions for energy conservation	N/A	
32	A list of all licenses, permits or other approvals required by law, including proof of	X	

MADISON CODE

<p style="text-align: center;">Checklist C</p> <p style="text-align: center;">For all items on Checklist, 17 copies of each item must be submitted unless otherwise specified by A*, where only four copies must be submitted. All application materials must be collated.</p>		Submitted	Borough Use
	service		
—	Other Requirements	—	—
33*	Written Environmental Impact Assessment including all documentation (195-20F)	WAIVER	
34*	Stormwater management addressed in accordance with Article VI of Chapter 195	N/A	
35	Traffic/transportation impact study, including all required documentation (195-20G)	WAIVER	
36	Documentation showing compliance with Wellhead Protection Areas (195-30.7), Steep slopes (195-41.2), Flood control and Riparian Buffer (195-37.10)	N/A	
37	Written identification of any items in this Checklist requested to be waived with a written rationale for any waivers	X	

LAND DEVELOPMENT

195 Attachment 6

Borough of Madison

Schedule III: Checklist D
[Added 3-26-2018 by Ord. No. 13-2018¹]

BOROUGH OF MADISON, NEW JERSEY LAND DEVELOPMENT CHECKLIST
AS AUTHORIZED UNDER N.J.S.A. 40:55d-10.3
CHECKLIST D
REQUIREMENTS FOR FINAL SITE PLAN AND/OR FINAL MINOR OR MAJOR SUBDIVISION

Item	<p style="text-align: center;">Checklist D For all items on Checklist, 17 copies of each item must be submitted unless otherwise specified by A*, where only four copies must be submitted All application materials must be collated.</p>	Submitted	Borough Use
1	Completed and signed application form and Checklist D	X	
2*	List of all Application filing fees and escrows with receipt showing payment	X	
3*	Certification that taxes are current from the Tax Collector and proof that water and sewer charges are current	X	
4*	All prior resolution and approvals regarding the subject property	X	
5*	List of all government approvals and copies of all permits, approvals, and exemptions from government unit	X	
6	Statement from Borough Engineer that installation of utilities, drainage, and all improvements have been installed in compliance with all applicable laws and any executed developer's agreement. If the required improvements have been installed, the application for final approval shall be accompanied by a statement from the Borough Clerk that a satisfactory maintenance bond has been posted.	N/A	
7	Applicant's written certification regarding any unfinished or incomplete improvements, proof of payment and satisfaction of all bonding/performance guaranty requirements as required by the Borough Engineer and Ordinances.	N/A	
8	<p>Engineering plans, architectural details and drawings in compliance with preliminary approval, showing all details required in Checklist C, including:</p> <ul style="list-style-type: none"> a) Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines and other site lines, with accurate dimensions, bearings or deflection angles, radii arcs and central angles of all curves. b) The purpose of any easement or land reserved or dedicated to public use and the proposed use of sites other than residential. c) The front, side and rear building setback lines. d) Improvement plans in accordance with the Borough standards for roads and water and sewer improvements. e) Plans and profiles of storm and sanitary sewers and water mains. <p>NOTE: The final floor plans and building elevation drawings submitted to the Construction Code Official for issuance of a building permit shall conform with the preliminary plans and drawings approved by the Board.</p>	X	
10	Any document, plan, or other item as required by the Board at the time of preliminary approval	X	

¹ Editor's Note: Former Schedule III, Application Checklist, Part 4, added 8-12-1995 by Ord. No. 36-85, was repealed 3-26-2018 by Ord. No. 13-2018.

BOROUGH OF MADISON
 PRELIMINARY ENVIRONMENTAL CHECKLIST – Attachment 5A
 In support of the Borough's Master Plan sustainability goals

APPLICANT INFORMATION

Name: 66 Main, LLC
 Address: 66 Main Street, Madison NJ 07940
 Phone: 973-377-0075
 Email: madisonpharmacy@optonline.net
 Project Name: 3 Central Ave.
 Project Location: 3 Central Avenue
 Project Type: (Minor Sub)(Prelim Major Sub)(Final Major Sub)(Prelim Site Plan)(Final Site Plan)
 Zoning District(s): CBD-1
 Brief Project Description: Remove existing 1 story building to construct a 4 story building consisting of retail space and 6 Residential units

INSTRUCTIONS AND INFORMATION

1. Please identify the source of all information provided in the comments.

CHECKLIST

#	Question	Yes	No	Comments
—Project Background—				
1	Is the property currently being used? If so, describe current use.	(x)	()	
2	Will any structures on the site be demolished as part of the project?	(x)	()	
3	Are any physical improvements proposed outside of existing buildings and paved/improved areas?	(x)	()	dumpster area
4	Will the project be built in phases? If so, describe phasing schedule.	()	(x)	
5	Do you have plans for future additions, expansions or further activity related to or connected with this proposal?	()	(x)	
6	Will any part of the site will be disturbed for improvements, including construction and grading activities? If so, indicate size of proposed disturbance.	(x)	()	see site plans
7	Does the project increase the amount of impervious surfaces? If so, indicate before and after percentages.	()	(x)	
—Land Resources—				

8	Are there any existing areas of contamination on site? If so, explain.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
9	Are there slopes 15% or greater on the site? If so, please provide calculation for the areas that fall within 15-24.99% slopes and 25% or greater.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
10	Are measures are proposed to reduce or control erosion? If so, explain.	<input checked="" type="checkbox"/> <input type="checkbox"/>	
11	Does the project propose filling or cutting? If so, indicate approximate quantities.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
12	Does the site contain any Prime Aquifer Recharge Soils?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
13	Are any soil remediation measures proposed to facilitate infiltration and improve soil health, such as decompaction? If so, explain.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
14	Are there any environmental health hazards (i.e. exposure to toxic chemicals, or hazardous waste, etc.) that could occur as a result of this project? If so, explain.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
—Air Resources—			
15	Would the proposal result in emissions (i.e. dust, odors, smoke) during construction or after completion?	<input checked="" type="checkbox"/> <input type="checkbox"/>	
16	Are any measures proposed to reduce or control emissions or other impacts to air? If so, explain.	<input checked="" type="checkbox"/> <input type="checkbox"/>	Dust control notes during construction
17	Are any measures proposed to improve indoor air quality? If so, explain.	<input checked="" type="checkbox"/> <input type="checkbox"/>	Filters
—Water Resources—			
18	Will the project require work or disturbance within 200 feet of a surface water body (i.e. year-round and intermittent streams, ponds, wetlands)? If so, explain.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
19	Is the subject property within a 100-year floodplain?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
20	Will fill and dredge material be placed in or removed from surface water or wetlands? If so, explain.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
21	Does the project propose to collect and/or treat surface runoff, including roof surfaces? If so, explain.	<input type="checkbox"/> <input checked="" type="checkbox"/>	
22	Will stormwater runoff flow into other surface waters?	<input type="checkbox"/> <input checked="" type="checkbox"/>	
23	Are low impact or green stormwater infrastructure measures (i.e. rain gardens,	<input type="checkbox"/> <input checked="" type="checkbox"/>	

	bioswales, pervious pavement, etc.) proposed? If so, explain.		
24	Are there opportunities to use pervious concrete, porous pavement or similar measures for pedestrian walkways and other low use hardscape areas? If so, explain implementation.	() (x)	
25	Is the project located within a Well Head Protection Area (WHPA)?	() (x)	
26	Are any water conservation measures (i.e. water-efficient landscaping, grey water irrigation, low flow fixtures, captured rainwater, etc.) proposed? If so, explain.	() (x)	
—Wildlife and Vegetation Resources—			
27	Is a Tree Removal Permit required? (See chapter 178-7 in the Madison Borough code for requirements.)	() (x)	
28	Does the project require removal of any Borough street trees? If so, how many?	() (x)	
29	How many trees with a diameter breast height (DBH) of 6" or greater are proposed for removal?	() (x)	None
30	Does the project maximize the preservation of large trees (DBH 12"+)? If so, explain.	() ()	N/A
31	Does the landscaping plan enhance Madison's tree canopy? If so, explain.	() ()	N/A
32	Are there any threatened or endangered plant species known to be on or near the site? If so, list.	() (x)	
33	Does the landscaping plan include native plants and trees, or other measures to preserve or enhance vegetation? If so, explain.	() ()	N/A
34	Does the landscaping plan avoid invasive, non-native, and exotic plant species? (Please see www.fohvos.info/Strike Team Do Not Plant List 2020.pdf)	() ()	N/A
35	Will the landscaping management of trees, plants, lawns/groundcover or vegetated buffers on the site require fertilizer or pesticide use? (See chapter 97 in the Madison Borough code for fertilizer ordinance requirements)	() ()	N/A
36	Is a drip irrigation system proposed to ensure the health of new trees and plantings? If so, state if timers will be utilized.	() ()	N/A
37	Are there any threatened or endangered species known to be on or near the site? If so, list.	() (x)	

38	Are any conservation easements proposed? If so, explain.	() (x)	
—Green Building—			
39	Will construction involve reused or recycled materials (i.e. reused crushed gravel/asphalt, building reuse, rapidly renewable materials, etc.)? If so, indicate percentage and type for each material.	() (x)	
40	Will construction waste be recycled? If so, indicate percentage.	() (x)	
41	Does the project propose the use of solar energy or solar ready conduits, including a roof strong enough to support solar? If so, explain.	() (x)	
42	Are any high-performance building and energy efficiency systems, materials, products, or building techniques proposed to reduce or control energy impacts? If so, explain.	(x) ()	High efficiency appliances LED light fixtures
43	Are measures proposed to offset the heat island effect, such as reduced and/or light-colored paving or roofing, landscaping, or other site design methods? If so, explain.	() ()	N/A
44	Are new buildings and HVAC systems designed as all electric or configured to allow easy transition to all electric power in the future?	(x) ()	
45	Does the building/site design meet LEED, Energy Star or Zero Energy Ready criteria? If so, explain.	() (x)	
—Light and Noise—			
46	Are lighting features proposed (i.e. downward-facing lampposts, timers, photocells, dimmers, motion detectors, etc.) to reduce or control light trespass, glare impacts or energy usage? If so, explain.	(x) ()	
47	Does the light spillage at any property line exceed 0.1 fc?	(x) ()	Variance requested
48	Will the project result in a change in noise levels (i.e. traffic, construction, operation, amplified sound, etc.)? If so, indicate time of year and anticipated hours.	() (x)	
—Historic, Cultural, and Recreation Preservation—			
49	Are any historic resources/sites or evidence of historic, archaeological, scientific, or cultural importance known to be on or adjacent to the site? If so, explain.	() (x)	

50	Are any publicly accessible open space areas or landscaped public space/amenities proposed? If so, explain.	() (x)	
51	Are any measures proposed to reduce impacts on historic, cultural or recreational resources? If so, explain.	() (x)	
Transportation			
52	Is the site currently served by sidewalks? Indicate the condition of the sidewalks.	() (x)	Satisfactory condition
53	Is the site currently served by designated bike lanes or "Share the Road" lanes?	() (x)	
54	Does the project propose secure outdoor bicycle parking or a bicycle parking room? If so, describe and indicate parking capacity.	(x) ()	bike room for 6 bikes
55	Does the project include any parking demand management techniques to reduce or eliminate the need for new parking? If so, explain.	() (x)	
56	Are any EV charging stations or conduit proposed? If so, indicate number and type of charging infrastructure.	() ()	N/A
57	Are any Low Impact Development (LID) stormwater management techniques (i.e. bioswales, porous pavement, tree plantings, etc.) integrated into proposed parking lot improvements?	() (x)	
58	Are pedestrian flows accounted for in the design of any off-street parking areas?	() ()	N/A
59	Does the project propose any additional measures or incentives to reduce automobile trips? If so, explain.	() (x)	

Are any additional unique or creative approaches to green building or sustainable design incorporated into the project which haven't been described above? If so, explain.

The above answers are true and complete to the best of my knowledge.

Name: Anthony Facchino, P.E. Site Engineer

Signature: _____

Applicant: 66 Main, LLC

Date: 8/20/21

Zoning Requirements & Identification of Variances

INSTRUCTIONS: Complete all open spaces below by inserting data for the zoning district in which the property is situated. If more space is needed, attach additional copies of this table.

Zoning District (Please insert name of district)				
ZONING REQUIREMENT	REQUIRED or PERMITTED	EXISTING	PROPOSED	Check if VARIANCE Requested
Minimum lot size	10000 sq. ft.	5108 sq. ft.	No Change	E.N.C.
Minimum lot width	75'	125'	No Change	No
Minimum lot depth	100'	40'	No Change	E.N.C.
Principal Building:				
Minimum front yard setback	0' Predominant setback	0'	0'	No
Minimum side yard (r) setback	0'	0'	0'	No
Minimum side yard (l) setback	0'	0'	0'	No
Minimum rear yard setback	25'	0'	0'	E.N.C.
Maximum building height	45'	15'	44.9'	No
Maximum building stories	3	1	4	Yes
Maximum Principal building coverage	N/A	SF	SF	No
Max. proposed building coverage ratio	N/A %	%	%	
Accessory Structure:	N/A			
Minimum side setback				
Minimum rear setback				
Maximum floor area				
Maximum building height				
Impervious lot coverage (list all additional impervious surfaces, including any area not listed below)				
1. Principal building coverage (insert SF from above)		4460 SF	4670 SF	No
2. Garage		SF	SF	
3. Shed		SF	SF	
4. Driveway		SF	SF	
5. Front walk/stoop		SF	SF	
6. Rear walks/patio		648 SF	368 SF	
7. Dumpster Pad		SF	70 SF	
8.		SF	SF	
9.		SF	SF	
Total impervious lot coverage		5108 SF	5108 SF	No
Max. impervious lot coverage ratio		100 %	100 %	No
Other Requirements (if applicable)				
Parking Requirements - 195-35	11	0	0	Yes

NOTE: The zoning requirements are in Chapter 195 of the Borough of Madison Code, which is available online at www.rosenet.org/gov

**BOROUGH OF MADISON
TECHNICAL REVIEW ESCROW AGREEMENT**

The undersigned applicant hereby agrees that if the escrow amount submitted with this application is not sufficient to cover professional fees, he/she will provide additional funds as deemed necessary in accordance with Section 195-12 "Fees" of the Land Use Ordinance of the Borough of Madison.

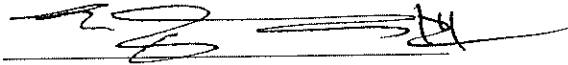
In the event it is determined that additional funds are required, the Board Secretary shall notify the applicant. The applicant agrees to pay the additional fees within fourteen (14) days of said notice.

The applicant further agrees that if the additional fees are not paid within the time specified, all processing of the application will be terminated until the payment is made in full. In any event, no Certificate of Occupancy will be issued by the Construction Code Official until the applicant has paid sufficient escrow monies to cover all professional fees.

Upon completion of the project, any unused escrow fees plus any accrued interest due the applicant in accordance with MLUL 40:55-53.1 will be returned to the applicant.

I, the applicant, have read and understand the above agreement and hereby agree to the conditions.

Date



Applicant

Tax ID#

**NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER
BOROUGH OF MADISON PLANNING BOARD**

TAKE NOTICE that on the _____ day of _____, 20 21, at 7:30pm a hearing will be held before the Planning Board of the Borough of Madison at the Borough of Madison Hartley Dodge Memorial Building, 50 Kings Road, Court Room, 1st Floor, Madison, New Jersey 07940, on the application of the undersigned for approval so as to permit: _____
the removal of the existing one story structure on the property and the construction of a _____
4 story mixed use building with retail on the first level and 6 residential apartments above.

On the premises located at 66 Main Street, (aka, 3 Central Ave) and designated as Block 1802, Lot 4 on the Borough of Madison Tax Map.

Any required variances/waivers required for the application are as follows:

Variance for required parking spaces, where 11 spaces is required and no spaces are proposed and variance for maximum impervious lot coverage where 85% is required and 100% is proposed, variance for rear yard setback where 25 is required and 0 feet is existing and proposed and 4 stories where 3 stories is permitted

All application materials, plans, and relevant documents or papers pertaining to this application are on file with the Board Administrative Secretary, 50 Kings Road, Madison, New Jersey 07940, 2nd Floor, and are available for inspection Monday through Friday during regular business hours.

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Planning Board.

(Name of Applicant)

Publication Date: _____

**NOTICE SERVED ON OWNERS WITHIN 200 FEET
BOROUGH OF MADISON PLANNING BOARD
NOTICE OF HEARING ON APPLICATION**

To: _____

Owners of Premises: _____

PLEASE TAKE NOTICE:

That the undersigned has filed an application for development with the Borough of Madison Planning Board for preliminary and final site plan approval approval so as to permit: the removal of the structures on the property and the construction of a new dental office building for the applicant's prosthodontic practice.

On the premises located at 18 Madison Avenue and designated as Block 3001 Lot 4 on the Borough of Madison Tax Map, and this notice is sent to you as an owner of property in the immediate vicinity.

Any required variances and/or waivers required for this application are as follows:

Parking spaces and impervious lot coverage variances and waivers for driveway and parking width and setback

A public hearing has been scheduled for _____, 20 21, at 7:30pm, in the Hartley Dodge Memorial Court Room, 1st Floor, 50 Kings Road, Madison, New Jersey 07940, and when the case is presented, you may appear either in person, or by agent or attorney, and participate in the case and present any comments, testimony or objections which you may have to the granting of the relief sought in the application.

All application materials, maps, reports and related materials regarding this application are on file with the Board Administrative Secretary for the Borough of Madison, 50 Kings Road, Madison, New Jersey 07940, 2nd Floor, and are available for inspection Monday through Friday during regular business hours.

This notice is sent to you by the applicant by order of the Planning Board of the Borough of Madison.

Respectfully,

(Applicant)

**BOROUGH OF MADISON
PLANNING BOARD**

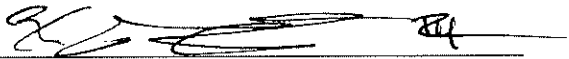
Permission for Board Members to Enter the Property

I Frank Iannarone, Jr., hereby give permission to the members of
the Planning Board of the Borough of Madison and its authorized representatives
and experts to enter onto the premises of the subject property located at:

66-68 Main Street, Madison

(address of subject property)

for the purpose of evaluation of the variance application that is presently pending before
the Planning Board.



Signature of Applicant

Signature of Owner
(if other than applicant)