

To: Borough of Madison TCC and Frances Boardman, Land Use Administrator

From: Susan G. Blickstein, AICP/PP, PhD

Re: 100% Affordable Housing Preliminary & Final Site Plan with Variances
RPM Development LLC
28 Walnut Street and Community Place
Block 1601 Lots 42 and 1.01
P21-007

Date: December 6th, 2021; **revised January 18th 2022**

Summary and Background: This memo addresses completeness and initial planning review for proposed 100% affordable housing development at 28 Walnut Street and on Community Place. The former site is the Borough's Civic Center and the latter was subdivided by the Board of Education and transferred to the Borough for provision of affordable housing per an agreement between the parties stemming from the redevelopment of the former Green Village Road school property. Both sites are regulated via adopted Redevelopment Plans, though additional standards in Chapter 195 related to lighting, retaining walls, stormwater, and affordable housing are applicable. Importantly, both sites are identified in the Borough's Housing Element & Fair Share Plan for construction of 100% affordable housing, which is consistent with the Borough's Settlement Agreement with Fair Share Housing Center. The Borough Council designated RPM Development LLC as the Redeveloper of both sites.

The Applicant is seeking preliminary and final site approval for both sites concurrently as they will be applying for tax credit financing for both sites jointly. Together the sites comprise just over two (2.1) acres with 44 proposed housing units - 30 units at Walnut Street and 14 at Community Place.

It should be noted that in addition to meeting the Borough's new affordable housing construction requirement, the proposed construction is being designed with the aim of meeting Passive House (increasingly referred to as Passive Building since its applicability extends well beyond single-family homes) construction standards and certification. Passive Building comprises a set of design principles used to attain a quantifiable and rigorous level of energy efficiency within a specific quantifiable comfort level. Key building principles generally include:

- Continuous insulation throughout building envelopes without thermal bridging.
- Extremely airtight building envelopes, preventing infiltration of outside air and loss of conditioned air.
- High-performance windows (double or triple-paned windows depending on climate and building type) and doors with solar gain managed to take advantage of the sun's energy for heating purposes in the heating season and to minimize overheating during the cooling season.
- Balanced heat- and moisture-recovery ventilation.
- Small footprint space conditioning systems.

Passive design strategy requires extensive modeling to balance a comprehensive set of factors

including heat emissions from appliances and occupants to keep the building at comfortable and consistent indoor temperatures throughout the heating and cooling seasons. As a result, passive buildings offer tremendous long-term benefits in addition to energy efficiency and resiliency, including low utility costs for residents.

As the plans may not fully reflect the green building standards being pursued by the Applicant, testimony should be provided on the proposed building standards relative to passive house design, solar/solar ready provision, electric ready/electric systems, provision of EV charging/conduit consistent with NJ law and Madison's ordinance, and other green building and sustainable design techniques under consideration.

Information Submitted/Reviewed: We have received and reviewed the following information provided by the applicant:

1. Borough of Madison Application for Development with Attachments.
2. Checklists A, C and D.
3. Borough of Madison Technical Escrow Review Agreement dated 10/25/2021.
4. Zoning Requirements & Identifications of Variances Form.
5. Draft public notice.
6. Existing conditions photographs.
7. 200' lists dated 9/15/2021.
8. Environmental Checklist dated 10/12/2021.
9. Environmental Impact Statement prepared by Shore Point Engineering, LLC dated 9/10/2021 **and most recently revised 12/21/21.**
10. ALTA Commitment for Title Insurance.
11. Prior resolutions of approval for 28 Walnut Street.
12. Traffic Impact Study prepared by McDonough & Rea Associates, Inc. dated 9/14/2021.
13. Stormwater Management Report prepared by Shore Point Engineering, LLC dated 9/10/2021.
14. Boundary and Topographic Survey for 28 Walnut Street prepared by J. Peter Borbas dated 6/1/2015, consisting of one sheet.
15. Boundary and Topographic Survey for Block 1601, Lot 1.01 (Community Place) prepared by DPK Consulting dated 8/20/2021.
16. Site Plan Drawing set prepared Shore Point Engineering, LLC dated 9/12/2021 consisting of 22 sheets, **most recently revised 12/21/21.**
17. Architectural Drawing set prepared by Ingelse Architecture + Engineering dated 10/12/2021 consisting of **fifteen (15) sheets, most recently revised 12/21/21.**
18. **Response to Comment letters from Kevin Shelly, PE of Shore Point Engineering, LLC dated 12/27/21, one addressing Dennis Harrington's letter of 12/8/21 and one addressing Susan Blickstein's memo of 12/6/21.**
19. **Supplemental Traffic Impact letter prepared by Jay S. Troutman, Jr, PE of McDonough & Rea Associates, Inc. dated 12/22/21.**

Completeness: The application as received by this office **is complete based on the revised materials.**

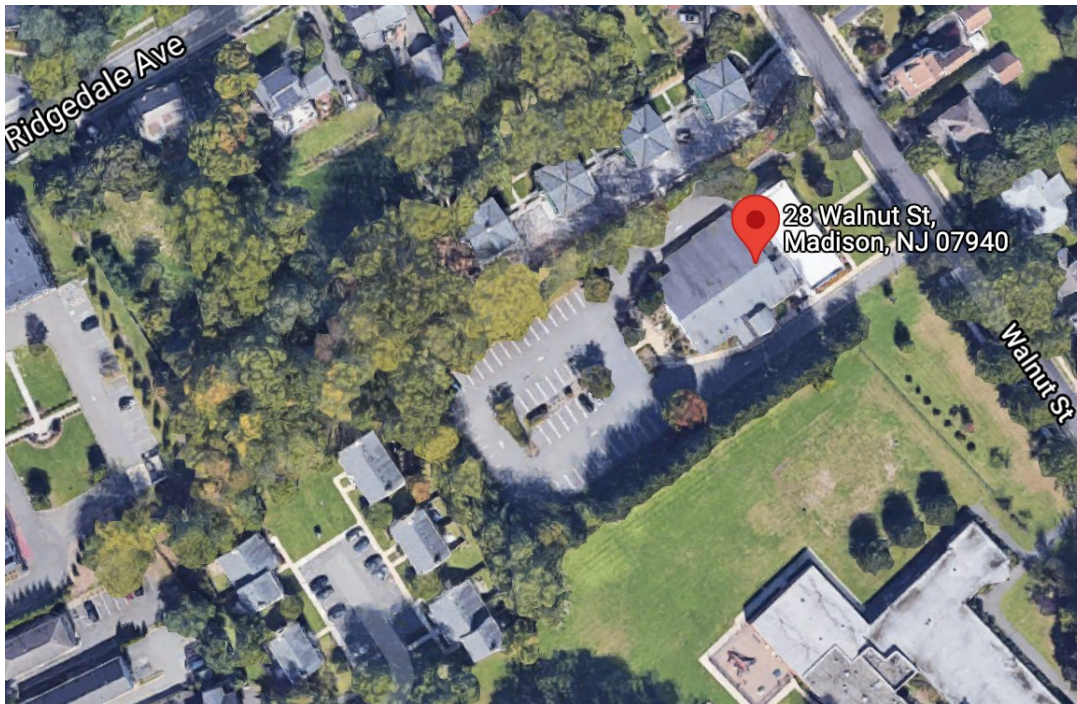
Checklist C:

Item 30: Provisions for energy conservation is noted as not applicable, yet the Environmental Checklist refers to a number of energy conservation measures, including Passive House construction standard, solar ready installation, and LED light fixtures with photocells. This conflicts with the EIS which mentions only meeting or exceeding Energy Star requirements.

Addressed.

Item 35: The Borough's requirements for TIS contents in section 195-20G include traffic crash data and analysis for the most recent three-year period, including all crashes involving pedestrians and bicyclists. **Addressed.**

Additionally, the Redevelopment Plans for both sites require color renderings be submitted at the time of site plan application. **Addressed.**



Existing Walnut Street property. Source: Google Earth (2021).



Existing Community Place property.

Master Plan

The Borough’s 2021 Housing Element & Fair Share Plan commits the Borough to addressing its third round affordable housing obligation using existing units, overlay zoning and the construction of Borough-sponsored 100% affordable housing at 28 Walnut Street and Community Place.

28 Walnut Street Redevelopment Plan

The Civic Center property is governed by a redevelopment plan that permits 100% affordable multi-family development. A total of 30 units are proposed in four buildings at 28 Walnut Street, along with 45 off-street parking spaces, stormwater, lighting and landscaping improvements. A central green space is proposed in the site’s interior. A 992 square foot community room is proposed in the two-story building fronting Walnut Street.

Landscaping is proposed along the Walnut Street frontage, between Buildings C and D in the site’s interior, along the building foundations and integrated into a vegetated swale behind Building D at the rear of the site. Importantly the site plan exceeds the minimum required landscaped area of 20%, though an impervious coverage variance is required. A total of 34 trees and 179 shrubs are proposed along with various grasses, groundcovers and perennials.

According to the Redevelopment Plan, lighting intensities shall be the minimum required to adequately light the site; freestanding lights in parking areas (base plus pole) shall not exceed 16 feet tall and pedestrian lights are capped at 10 feet. Proposed light fixture mounting heights comply with these standards and range from 42” high bollards, 10’ high pole mounted lights and 8’ high mounted building sconces. The fixtures closest to Walnut Street are 42” tall bollards.

Key standards in the plan are noted in the table below.

Standard	Required	Proposed
Height	3 stories/36.5’	2 stories-3 stories/22-32.5’
Setbacks	45’ Walnut; 20’side; 30’rear	21.3’ Walnut; 20’side; 30’rear
Impervious Coverage	70%	72.6%

Building Coverage	55%	32.7%
Maximum Units	30-40	30
Off-street Parking	60 spaces (54 w/ EVSE/MR)	45 spaces
Minimum Landscaped Area	20%	27.4%
Bicycle parking	0.50 per unit	Applicant to provide

In addition to the above standards, half the parking is required to be within or under principal structures.

Testimony should be provided for the following relief:

- Setback on Walnut Street: 21.3 feet to the front property line and 30 feet to Walnut Street. It should be noted that the building proposed along Walnut Street is two-stories in height rather than three stories.
- Impervious coverage: 72.6 proposed. The Applicant should explore the use of porous paving options on pedestrian walkways to off-set this relief.
- Off-street parking is governed by the NJ RSIS. It should be noted that the Redevelopment Plan supports a waiver request due to “the site’s proximity to the downtown, community services and transit.” Provision of EVSE/Make-Ready electric charging spaces **reduces the extent of the waiver being sought from a delta of 15 spaces to 9 spaces.**
- Side yard landscaped buffer requirements are not met though the existing dense buffer on the Board of Education property will remain and a fence proposed atop the retaining wall on the opposite side yard will provide some visual screening.
- The Redevelopment Plan initially envisioned a much larger building with elevator service; as a result, elevator service is included in the Redevelopment Plan.
- A community room with at least 1,200 square feet of floor area is required; a 992 square foot community room is shown, which appears reasonable given that the site plan calls for 30 units rather than the maximum of 40 units.
- **Landscaping within parking lot is less than 10%.**
- **To exceed light spillage (over .1 fc) at property lines.**

Community Place Redevelopment Plan

A total of 14 units are proposed at Community Place along with 21 parking spaces and associated grading, landscaping, stormwater and lighting improvements.

Standard	Required	Proposed
Height	35' maximum	30'
Setbacks	35' front, 6' rear, 4' side	50', 6.1', 4.1'
Impervious Coverage	80%	79.3%
Building Coverage	40%	34.9%
Maximum Units	14	14
Off-street Parking	21 spaces (19 w/EVSE/MR)	21 spaces
Minimum Landscaped Area	15%	20.7%
Bicycle parking	0.50 per unit	Applicant to provide

Testimony should be provided for the following relief:

- **Parking lot screening.** The location of the parking in front of the building (facing Community Place) makes screening it from public view infeasible.
- **Landscaping within parking (10% required).**
- **To exceed light spillage (over .1fc) at property lines.**
- **Landscaping within interior side yards between buildings.**

Comments:

1. It would be helpful to have a building key map on the cover of the architectural plan set. **Addressed.**
2. Testimony should be provided on proposed method of hauling solid waste and recycling. **Applicant indicates a private hauler will be used.**
3. Bicycling parking should be addressed. **Applicant indicates they will comply with this requirement.**
4. Average unit sizes are as follows: at least 600 square feet for one-bedroom units, 850 square feet for two-bedroom units and 1,150 square feet for three-bedroom units. The Applicant should provide average unit size documentation. **Addressed.**
5. The site layout plan for 28 Walnut Street notes that a three story building is proposed along the site's frontage; the architectural plans and elevations clearly show two stories. The civil and architectural plans should be verified for consistency and corrected as needed. **Addressed.**
6. State and local ordinances require minimum provision of EVSE/Make-Ready Parking Space as a condition of preliminary site plan approval, as follows:
 - a. At least 15% of required off-street parking spaces shall be Make-Ready and EVSE shall be installed in at least one-third of the 15 percent of Make-Ready parking spaces;
 - b. Within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
 - c. Within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
 - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.

In addition, a parking space prepared with EVSE or Make-Ready equipment counts as two parking spaces for the purpose of complying with minimum parking requirement with a maximum reduction of 10 percent of the total required parking. The Applicant should update the parking calculation accordingly based on meeting the EVSE/Make-Ready requirements. **Addressed.**

7. Roof plans are required that show dimensions and heights of all appurtenances and any proposed screening. Sections should also be provided showing sight lines to mechanicals from various vantage points. **Addressed.**
8. The Redevelopment Plans require parking areas, solid waste storage, sheds and other accessory structures to be screened from view with landscaping, fencing or a

combination to create a buffer of at least 5' in height. **With the exception of parking on Lot 1.01 (Community Place), screening standards are met.**

9. The Redevelopment Plans allow fencing along rear and side yards not to exceed six (6) feet in height. No chain link or vinyl fencing are permitted. Of particular interest is proposed fencing along the retaining wall at the northerly property line. **The fence atop the retaining wall along the northern boundary of Lot 42 (Walnut Street) is 4' in height; a black aluminum fence is proposed.**
10. The Applicant should confirm that all lighting fixtures are dimmable and that heat ratings are reviewed to minimize glare. The Redevelopment Plans permit only downward facing lights, with the exception of decorative fixtures at building entrances and along driveways and walkways provided they are no taller than 8 feet. As currently designed, waivers are required from Chapter 195 to exceed spillage of more than 0.1 fc at the property line.
11. The Applicant should provide a Materials Board and provide detailed testimony on proposed materials and architectural detailing for all proposed buildings.
12. The Redevelopment Plans require all trees to have a minimum of 3.5" caliper at time of planting. **Addressed.**
13. Trees and landscaping should be added along the western side of Building G at Community Place. Similar treatment should be provided in the public right-of-way in the area where the trash enclosure is proposed to be expanded and as an entrance treatment on the opposite side of the site driveway to comply with the requirement for trees along Community Place in the Redevelopment Plan. It should also be noted that the Redevelopment Plan requires some plantings in the interior side yards between the buildings and an irrigation system. **The Applicant has indicated that an easement makes planting along the western side of Building G infeasible and that the tight space between buildings makes interior plantings problematic. The Applicant has agreed to provide plantings around the trash enclosure and entrance along Community Place.**
14. A Streetscape Plan should be provided for Walnut Street that shows all existing and proposed improvements from the edge of the curb to the building face, including street trees, paving materials and dimensions, benches and any projections from the building.
15. The architectural and civil engineering drawings should be combined into one site plan set with the required signature block. **Addressed.**
16. Any revised submission should include a summary of all proposed changes and a response to comment letter.
17. Testimony should be provided on traffic impacts, especially as they relate to school drop-off and pick-up periods.
18. Planning testimony addressing the variance criteria should be provided.
19. The Applicant shall comply with all affordable housing requirements of Chapter 195, including but not limited to affirmative marketing, monitoring and administration of units.
20. **Documentation should be provided to confirm that the proposed heights of Buildings B and C at Walnut Street comply with the Redevelopment Plan.**

cc: Frances Boardman, Board Secretary to distribute to TCC members, Applicant, and Applicant's Attorney.