

Memorandum

To: Kathy Lenahan, Board Administrator
From: Nicholas Dickerson, PP, AICP, CFM, Board Planning Expert
Date: February 14, 2023
Subject: 201 Walnut Questions
Project No.: CDP-0017

There were several questions raised at the February 1, 2023 meeting of the Planning Board that required additional review and clarification. Based on my notes, members of the Board raised the following questions, which I have sought to provide some clarification.

Floodplain Elevations

One of the questions raised at the hearing concerned the elevation requirements for floodplain construction. While I will ultimately defer to the Township's Floodplain Administrator for any questions relating to these requirements or any permitting requirements by NJDEP, I will provide a few points of reference from the ordinance and the Redevelopment Plan for the Board's information.

- The Board may recall that in October 2021, the Township Committee introduced Ordinance 2021-17, which we reviewed for consistency with the Master Plan relating to floodplain development. This ordinance was subsequently adopted on November 23, 2021. As part of this amendment, the Township amended how it measures building heights. The code defines height as "The vertical distance from the grade plane to the highest point of the roof surface of a building." The Township also defines Grade Plane, with different definitions based on whether or not the building (or portion thereof) is located within the flood hazard area. Previously, for buildings in the floodplain, the "Grade Plane" was measured as the base flood elevation, plus 1 foot. Ordinance 2021-17 revised this section to permit the grade plane to be measured from the base flood elevation, plus 4 feet. Presumably, this would help to protect those property owners who wish to elevate further out of the floodplain, without penalty to the height of their structures. It should be noted, that the Redevelopment Plan for this site measures building heights in the flood zone to the same standard.
- Chapter 225 (Flood Damage Prevention) of the code establishes requirements for development in the floodplain. Without getting into too much detail, new construction or substantial improvements of residential and nonresidential are generally required to be elevated to or above the base flood elevation. These regulations are generally superseded by NJDEP's flood hazard rules, which require a minimum 1 foot of freeboard above the base flood elevation.

- Mr. Pistol brought up a public notice that he found on the Township’s website, relating to the elevation of 14 repetitively flooded residential structures above the base flood elevation, plus 4 feet of freeboard to the lowest structural member for habitable space and mechanical equipment. These projects are being elevated with funding assistance from the Department of Homeland Security-Federal Emergency Management Agency through the Flood Mitigation Assistance grant program. Per the notice, “The purpose of the FMA grant program is to proactively invest in hazard mitigation projects, reducing the risks that communities face from flooding disasters.” It is my understanding that these grants typically require a certain freeboard elevation requirement.

Sidewalk Requirements

One of the questions raised at the hearing related to the sidewalk width requirements in the Redevelopment Plan. As I had indicated at the hearing, the answer was a bit more complicated, as sidewalk widths are subject to several requirements throughout the Redevelopment Plan:

Section 4.4 Building Placement Standards

Requires the front yard (Chestnut Street) to be set back 10 feet from the curb line, including 5 feet of sidewalk clearance and intermittent 4 feet planted areas adjacent to the building façade.

Requires the side yards (Walnut Avenue and High Street) to be setback 9 feet from the curb line and include at least 5 feet of sidewalk clearance and intermittent 4 feet planted areas along the building facades.

Section 4.6 Parking

Under subsection 3c, requirements for outdoor bicycle parking, it requires that the placement of bicycles be located so as not to block the pedestrian path on a sidewalk or within a site, specifying that 6 feet of unobstructed passage when parking is in use is required on public sidewalks.

Section 4.11 General Site Design Standards

Subsection E (Streetscape), requires a dedicated pedestrian zone along the sidewalk be provided and have a minimum unobstructed width of 8 feet at all points, “except where a currently existing sidewalk conflicts with the recommended sidewalk width, the design standards should supersede this requirement and adhere to the current streetscape and site conditions. In such circumstances, the sidewalk shall taper over no more than 4’ from this Plan’s required sidewalk clearance and the adjacent existing sidewalks.” (Pages 29-30)

Subsection H (Street Furniture), encourages the use of street furniture in interstitial spaces, including benches, trash receptacles, and tables. This subsection specifies, however, that any furniture provided be located so that a minimum of six feet of unobstructed sidewalk remains for the safe passage of pedestrians. It is worth noting that while Subsection 1 of this subsection encourages the use of street furniture, Subsection 3 then specifies trash receptacles be provided along pedestrian walkways a minimum of 100 feet.

cc: Jacqueline Dirmann, Board Engineer (via email)
Jonathan Drill, Board Attorney (via email)
Jason Tuvel, Applicant's Attorney (via email)

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