

**RECOMMENDATION ON THE
VARIANCE AND SPECIAL EXCEPTION APPLICATION OF
Int'l Longshoremen/T-Mobile & SectorSite - Comm. Tower
(Special Exception & Variance)
FILE # 19-436**

I. INTRODUCTION

An application for one special exception use and two bulk variances has been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Gregory D. Meese, Esq., of the firm, Price, Meese, Shulman & D'Arminio, P.C., on behalf of T-Mobile Northeast, LLC and SectorSite, LLC, for the premises located at 5000 West Side Avenue and identified as Block 452.06, Lots 16.01 and 17, in the Township of North Bergen, New Jersey. The subject properties are considered a single Zoning Lot of Record pursuant to N.J.A.C. 19:4-3.22, according to the Declaration of Zoning Restriction recorded with the Hudson County Register of Deeds on Page 515 of Book 9085 on December 10, 2015. The subject premises is located within the Hackensack Meadowlands District's (District) Intermodal A zone. The special exception and two bulk variances are sought in connection with the applicant's proposal to establish as permanent an existing temporary telecommunications facility that is located on Lot 17.

Specifically, the applicant is requesting special exception approval pursuant to:

1. N.J.A.C. 19:4-5.88(a)3, in which communications transmission towers are listed as a special exception use in the Intermodal A zone.

In addition, the applicant is requesting bulk variance relief from the following:

1. N.J.A.C. 19:4-5.91(a)3i, which requires a minimum front yard setback of 30 feet, whereas the applicant is proposing a wireless communications compound with a minimum setback of 17 feet from the unimproved 50th Street right of way.
2. N.J.A.C. 19:4-5.91(a)3iii, which requires a minimum rear yard setback of 50 feet, whereas the applicant is proposing a wireless communications compound with a minimum setback of 18.1 feet from the easterly rear yard property line.

Notice was given to the public and all interested parties as required by law. The public notice was published in The Jersey Journal newspaper. No written objections were received. A public hearing was held in the Office of the Commission on Tuesday, January 14, 2020. All information submitted to the Division of Land Use Management relative to this application is made part of the record of this recommendation.

II. GENERAL INFORMATION

A. Existing and Proposed Use

The property in question has an area of approximately 2.34 acres. It contains frontage on West Side Avenue to the west, and is bordered by the New York Susquehanna and Western Railroad to the east. A paper street right of way known as 50th Street abuts the site to the south and consists of a drainage ditch, vegetation, bituminous pavement and curb. An intermodal facility is located to the north of the site. The existing drainage ditch located within the 50th Street right-of-way leads into a drainage retention basin located at the southwestern corner of the subject property, which eventually discharges to the wetlands located west of West Side Avenue.

The site is currently improved with a three-story contractor's office building and an associated parking area, which occupy a majority of the lot area.

Direct access to the site is provided from West Side Avenue by two driveways located to the north and south of the existing building.

The applicant is proposing to establish as permanent an existing temporary telecommunications facility operated by T-Mobile & SectorSite that is located on the southeasterly portion of Lot 17. The existing temporary telecommunications compound was constructed by T-Mobile Northeast LLC. Prior to construction, T-Mobile Northeast LLC operated a wireless communications facility located on a nearby electric transmission tower owned by Public Service Electric & Gas (PSE&G). Upgrades to the electric transmission tower mandated by PSE&G's North Central Reliability Project necessitated the temporary relocation of the wireless communications facility to the subject property. The existing fenced temporary telecommunications compound, inclusive of a 100-foot tall transmission tower, is set back 17 feet from the property line along the southerly front yard and 18.1 feet from the property line along the easterly rear yard, whereas the minimum front and rear yard setbacks in the Intermodal A zone are 30 feet and 50 feet, respectively.

B. Response to the Public Notice

No written objections were received prior to the public hearing.

III. PUBLIC HEARING (January 14, 2020)

A public hearing was held on Tuesday, January 14, 2020. NJSEA staff in attendance were Sara J. Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Mia Petrou, P.P., AICP, Principal Planner and Ronald Seelogy, P.E., P.P., Principal Engineer.

A. Exhibits

The following is a list of the exhibits submitted by the applicant at the public hearing and marked for identification as follows:

<u>Number</u>	<u>Description</u>
A-1	"Site Map and Notes," Sheet #SP-1, prepared by French & Parrello Associates on July 15, 2019, last revised on December 19, 2019.
A-2	"Enlarged Area Plan," Sheet #SP-2, prepared by French & Parrello Associates on July 15, 2019, last revised on December 19, 2019.
A-3	"Compound Plan and Elevation," Sheet #SP-3, prepared by French & Parrello Associates on July 15, 2019, last revised on December 19, 2019.
A-4	"Details (1 of 2)," Sheet #SP-4, prepared by French & Parrello Associates on July 15, 2019, last revised on December 19, 2019.
A-5	"Details (2 of 2)," Sheet #SP-5, prepared by French & Parrello Associates on July 15, 2019, last revised on December 19, 2019.
A-6	"Property Owners," Sheet #SP-6, prepared by French & Parrello Associates on July 15, 2019, last revised on December 19, 2019.
A-7	"Cover Sheet," Sheet #C-01, prepared by French & Parrello Associates on July 15, 2019, last revised on December 19, 2019.
A-8	"Monopole Setback Exhibit," Sheet #EXH-1, prepared by French & Parrello Associates on May 21, 2019, last revised on January 13, 2020.
A-9	"Independent Radio Frequency Report Regarding a Proposed Wireless Communications Facility for T-Mobile

Northeast, LLC,” prepared by PierCon Solutions, LLC on December 8, 2017.

- A-10 Updated capacity charts, six sheets, prepared by PierCon Solutions, LLC on January 13, 2020.
- A-11 “Antenna Site FCC RF Compliance Assessment and Report Prepared for T-Mobile Northeast LLC,” prepared by the Pinnacle Telecom Group on November 6, 2019.

B. Testimony

Gregory D. Meese, Esq., of the firm Price, Meese, Shulman & D'Arminio, P.C., represented the applicant at the hearing. The following witnesses testified in support of the application:

- 1. Joshua Cottrell, P.E., French & Parrello Associates;
- 2. Ed Yorke, PierCon Solutions, LLC;
- 3. Daniel J. Collins, Pinnacle Telecom Group, LLC; and
- 4. David Karleback, P.P.

Staff findings and recommendations are based on the entire record. A transcript of the public hearing was prepared and transcribed by Beth Calderone, Certified Shorthand Reporter.

C. Public Comment

No members of the public were present at the public hearing.

IV. RECOMMENDATION(S)

A. Standards for the Granting of a Special Exception to permit a communications transmission tower in the Intermodal A zone as per N.J.A.C. 19:4-5.88(a)3.

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 19:4-4.13(e) state in part that, *a special exception use shall not be granted unless specific written findings of fact are made based upon the evidence presented that supports the following conclusions:*

1. *The proposed special exception use at the specified location will contribute to and promote the welfare or convenience of the public.*

The applicant provided testimony explaining that the 100-foot-high communications transmission tower is required to help address the current demand on the wireless telecommunication network in order to support reliable in-vehicle and in-building communications and the potential lack of capacity within the general vicinity of the subject site without the existing temporary tower. The permanent telecommunications facility will continue to ensure that the pre-existing coverage gap in T-Mobile's wireless telecommunication service is closed and will provide seamless, ubiquitous, and reliable wireless service to users, in accordance with the Wireless Communications and Public Safety Act of 1999. The closing of the coverage gap ensures that wireless users within the corridor bounded by the New Jersey Turnpike, NJ Route 3, NJ Route 495 and US Highway 1 continue to have enhanced cellular and emergency 911 services. Additionally, the 100-foot-tall communications transmission tower has been designed to allow for future co-location by other carriers, as required to be accommodated by the District zoning regulations. The upgraded telecommunications

coverage in the vicinity of the subject site promotes the welfare and convenience of the public.

2. *The proposed special exception use will not cause substantial injury to the value of other property in the neighborhood.*

The permanent 100-foot-high communications transmission tower will not cause substantial injury to other properties in the surrounding neighborhood. The tower, as part of a permanent wireless communications facility, is a benign commercial use that is located in the rear of the subject property behind the existing three-story contractor's office building. A potential negative impact created by the installation of the tower would be its visibility to surrounding properties. However, this effect is mitigated by the monopole's location towards the rear of the property, behind the existing building. In addition, existing vegetation and the proposed eight-foot-high chain link fence with privacy slats will screen the ground-level electrical equipment at the base of the pole.

The public benefits by the closure of a gap in wireless telecommunications service, particularly in cases where the subject carrier is utilized for emergency services. Additionally, there will be no noise, glare, odor, vibration or noxious characteristics associated with the permanent 100-foot-high communications transmission tower. The applicant provided testimony that an FCC license has been issued for the subject facility.

3. *The special exception use will not dominate the immediate neighborhood in a manner that could prevent development and use of neighboring properties in accordance with the applicable regulations, in consideration of the following:*

i. The location and size of the special exception use;

The location and size of the permanent monopole will not dominate the immediate area or neighborhood as to prevent development in accordance with District zoning regulations. To screen the equipment and provide as much distance as possible from the improved West Side Avenue right of way, the monopole, the top of which is approximately 100 feet above the ground level, has been installed in the rear of the property adjacent to the unimproved 50th Street right of way. As such, the monopole is not particularly noticeable from the surrounding area, and it has been designed to mitigate any visual impact that it may create.

ii. The nature and intensity of the operation of the special exception use;

The permanent 100-foot-high monopole and associated telecommunications facility will be unmanned, requiring only monthly visits for maintenance purposes. Sufficient parking areas are available on site for the visiting technician. This low intensity use has no detrimental effects on the surrounding properties.

iii. The location of the site with respect to access and circulation;

The subject property is fully developed with a contractor's office building and contains sufficient access and vehicle circulation for the existing use. The minor increase in intensity on the subject premises created by the permanent installation of the 100-foot-high monopole and associated unmanned wireless telecommunications facility does not burden or create a dominating effect on the surrounding area. Neighboring properties are not impeded in their ability to function in accordance with the applicable zoning regulations, as little activity or traffic results from the permanent installation of the monopole and facility.

iv. The location, nature, and height of structures, walls and fences on the site; and

The location, nature and height of the permanent 100-foot tall communications transmission tower and fence on the site will not dominate the surrounding area. The height of the monopole is required to be the minimum height necessary to effectively transmit and receive radio signals, and at this location was based on its ability for its signal to clear the blockage resulting from trees bordering the Meadowlands Exposition Center located 2,500 feet to the west. The telecommunications equipment at the base of the monopole will not be visible from most points since it is located behind the existing three-story office building and will be screened by a chain link fence with privacy slats. The monopole is the most visible component of the facility, however, the structure has been designed to mitigate any visual impact that the monopole may

create, specifically, and the color of the monopole blends with the surroundings.

v. The nature and extent of landscaping and screening on the site.

Adequate screening and fencing will be provided at the base of the permanent monopole and telecommunications facility. As the telecommunications facility is set back approximately 230 feet from the improved West Side Avenue right of way, visibility from the roadway is limited. Additionally, the existing three-story contractor's office building and the vegetation in the unimproved 50th Street right of way screen the compound from nearby properties, and the equipment located at the base of the monopole will be surrounded by an eight-foot-high chain link fence with privacy slats.

4. Adequate utilities, drainage and other necessary facilities have been or will be provided.

The permanent monopole and telecommunications facility will not require any water or sewer utility service. The electric and telephone services required by the facility are available in the vicinity. Connections to the existing infrastructure have been designed to prevent potential negative impacts to existing utility services. The permanent monopole and equipment will not impact the existing stormwater drainage infrastructure or conditions.

5. *Adequate access roads and drive aisles have been or will be provided and shall be designed to prevent traffic hazards and minimize traffic congestion.*

Adequate site access and circulation for the permanent monopole and associated telecommunications facility is provided within the existing parking/vehicular use on the site. The impact to traffic in the surrounding area is insignificant. Traffic generated by the unmanned facility is comprised of one site visit for facility maintenance purposes every four to six weeks. The surrounding roadways are capable of handling the minimal traffic generated by the use.

6. *The special exception use will not have a substantial adverse environmental impact.*

The permanent communications transmission tower monopole and telecommunications facility will not cause any adverse environmental impacts. District environmental performance standards will not be exceeded as there is no noise, vibration, glare, air emissions, hazardous or radioactive materials generated by the existing facility. No wetlands or environmentally sensitive areas will be disturbed, and all required buffers will be maintained.

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.91(a)3i, which requires a minimum front yard setback of 30 feet, whereas the applicant is proposing wireless communications compound with a minimum setback of 17 feet from the unimproved 50th Street right of way.

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 19:4-4.14(e) state in part that, *a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...*

1. *Concerning bulk variances:*

- i. The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.*

The subject property contains two front yards and is irregularly-shaped, with an approximate 144-foot by 85-foot flag portion on Lot 16.01 that extends in a northerly direction towards adjacent Lot 18. This results in a lot width of approximately 449 feet along West Side Avenue, compared to a lot width of only 331 feet at the rear of the property. In addition, the front yard from which the setback variance is sought is along the 50th Street right of way, which contains a drainage ditch, vegetation, bituminous surface and curb, is not likely to become a paved public thoroughfare.

The subject property is currently improved with a three-story contractor's office building, which represents an existing lot coverage of 9.81 percent. Existing open space on the site, which includes a drainage retention basin on Lot 16.01, totals 40.23 percent, whereas a minimum of 15 percent is required. The

remainder of the site consists of paved parking area. It is an unusual circumstance, given the available lot coverage and degree of excess open space on the subject property, that the applicant would need to seek a front yard setback variance. However, the location of the permanent monopole and telecommunications facility within the required front yard facing the 50th Street right of way is dependent upon the utilization of nearby existing electric utility lines.

These are unique circumstances that are not ordinarily found on properties in the Intermodal A zone. The requested variance to permit a reduced southerly front yard setback to the 50th Street right of way arises from these conditions.

- ii. The granting of the variance will not adversely affect the rights of neighboring property owners or residents.*

The neighborhood in which the subject property is located is primarily industrial in nature and no residences or commercial uses that would be frequented by the general public are located nearby. The neighboring parcel to the south located along West Side Avenue on the opposite side of the 50th Street right of way, which is identified as Block 452.04, Lot 15.01, is the property that would be most impacted by the proposed front yard setback variance. Lot 15.01 contains an automobile storage facility with no immediately adjacent structures. The wireless communications compound requires infrequent maintenance by personnel, and the existing vegetation within the 50th Street right of way screens the compound from Lot 15.01.

The permanent wireless communications compound will not create any negative visual impacts to the neighboring properties or impede their ability to function as intended. Therefore, the granting of the requested variance to provide a reduced southerly front yard setback to the 50th Street right of way will not adversely affect the rights of neighboring property owners or residents.

iii. The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.

A denial of the requested variance will result in peculiar and exceptional practical difficulties, and exceptional and undue hardship upon the property owner. The site is constrained by a drainage retention basin located at the southwestern corner of the property that eventually discharges off-site to the wetlands located west of West Side Avenue. The location of the telecommunications compound is further constrained by its need for electrical power, which necessitates its location within close proximity of an existing utility pole within the 50th Street right of way. An existing overhead electric wire has been rerouted from this existing utility pole located within the 50th Street right of way to a utility pole on the subject property adjacent to the wireless communications compound. Consequently, the placement of the wireless communications compound is limited by the location of the utility pole, which was determined by PSE&G. Locating the wireless communications compound at this site allows T-Mobile and SectorSite to provide the required coverage to its customers in this

vicinity. The premises cannot function as a wireless communications facility without the installation of the wireless communications compound in a location that is accessible to the required utilities.

iv. The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

There will be no substantial detriment to the public good and no adverse impact to the public health, safety, morals, order, convenience, prosperity or general welfare by granting the requested variance. The placement of the permanent wireless communications compound at the current location on site does not have a detrimental effect on the quality of life in the District, as there will be no increase in traffic, pollution, odor, glare or vibrations associated with the equipment. The wireless communications compound is part of an unmanned facility, is essentially inconspicuous, and does not create any negative visual impact. The general welfare of the population is also served by advancing telecommunications service in the area.

v. The variance will not have a substantial adverse environmental impact.

The granting of the requested variance to install wireless communications compound within the front yard setback from the 50th Street right of way does not have any adverse environmental impacts. No environmentally sensitive areas will be disturbed. The permanent wireless communications compound will not exceed the District's category B performance standards in regard to noise, vibrations, glare, airborne emissions, hazardous or radioactive materials, wastewater and traffic. Additionally, the permanent wireless communications compound will not involve the storage of any hazardous materials, liquids or chemicals.

vi. The variance represents the minimum deviation from the regulations that will afford relief.

The requested variance to provide a 17-foot front yard setback from the fenced wireless communications compound to the 50th Street right of way, whereas a minimum 30 foot setback is required, represents the minimum deviation that will afford relief at this location. Increasing the southerly front yard setback to the minimum 30 feet required would negatively impact site efficiency. The location of the wireless communications compound needs to be in close proximity to an existing electric utility pole, which is the nearest power source. Potential locations for the placement of a wireless communications compound are limited due to existing site layout and the placement of the utility pole by PSE&G. Compliance with the minimum required setback would result in the installation of the wireless communications compound and

underground electric conduit within an existing paved parking area.

vii. Granting the variance will not substantially impair the intent and purpose of these regulations.

The granting of the bulk variance to locate the wireless communications compound within the required front yard setback from the 50th Street right of way will not impair the intent and purpose of the regulations. One purpose of a setback is provide a buffer between uses, or with respect to a front yard setback, between a use and a public right of way; however, the permanent wireless communications compound is separated from the automobile storage facility on Lot 15.01 by the 50th Street right of way. The appearance of the surrounding area will not be compromised, as the permanent telecommunications facility will have minimal visual impacts on the surrounding industrial properties.

C. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.91(a)3iii, which requires a minimum rear yard setback of 50 feet, whereas the applicant is proposing wireless communications equipment with a minimum setback of 18.1 feet from the easterly rear yard property line.

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 19:4-4.14(e) state in part that, *a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...*

1. Concerning bulk variances:

- i. The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.*

The subject property contains two front yards and is irregularly-shaped, with an approximate 144-foot by 85-foot flag portion on Lot 16.01 that extends in a northerly direction towards adjacent Lot 18. This results in a lot width of approximately 449 feet along West Side Avenue, compared to a lot width of only 331 feet at the rear of the property. The proposed 18.1-foot rear yard setback is measured from the fenced wireless communication compound to the adjacent New York Susquehanna and Western Railroad right of way.

The property is currently improved with a three-story contractor's office building, which represents an existing lot coverage of 9.81 percent. Existing open space on the site, which includes a drainage retention basin, totals 40.23 percent, whereas a minimum of 15 percent is required. The remainder of the site consists of paved parking area. It is an unusual circumstance, given the available lot coverage and degree of excess open space on the subject property, that the applicant would need to seek a rear yard setback variance. However, the current location of the monopole and telecommunications facility is dependent upon the utilization of nearby existing electric utility lines. The permanent 100-foot-tall monopole will provide an antenna pattern clear of any obstructions and will continue to provide adequate coverage to the area.

These are unique conditions that are not ordinarily found on properties in the Intermodal A zone. The requested variance to

permit a reduced easterly rear yard setback arises from these conditions.

- ii. The granting of the variance will not adversely affect the rights of neighboring property owners or residents.*

The neighborhood in which the subject property is located is primarily industrial in nature and no residences or commercial uses that would be frequented by the general public are located nearby. The neighboring parcel to the east, identified as Block 485, Lot 3, is the property most impacted by the proposed variance to provide a fenced wireless communications compound with a minimum rear yard setback of 18.1 feet. Lot 3 is owned by the New York Susquehanna and Western Railroad and contains a railroad transfer facility with no immediately adjacent structures. The permanent wireless communications compound requires infrequent maintenance by personnel, and the proposed chain link fence with privacy slats will screen the permanent wireless communications compound equipment from Lot 3.

The permanent wireless communications compound will not create any negative visual impacts to the neighboring properties or impede their ability to function as intended. Therefore, the granting of the requested variance to provide a reduced easterly rear yard setback will not adversely affect the rights of neighboring property owners or residents.

iii. The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.

A denial of the requested variance to provide a fenced wireless communications compound with a minimum rear yard setback of 18.1 feet will result in peculiar and exceptional practical difficulties, and exceptional and undue hardship upon the property owner. Increasing the easterly rear yard setback to the minimum 50 feet required would negatively impact existing site circulation and efficiency within the parking lot for the contractor's office. Locating the wireless communications compound within the required rear yard will allow T-Mobile and SectorSite to continue to serve the regions by providing the required coverage and capacity to its customers.

iv. The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

There will be no substantial detriment to the public good and no adverse impact to the public health, safety, morals, order, convenience, prosperity or general welfare by granting the requested variance to maintain a fenced wireless communications compound with a minimum rear yard setback of 18.1 feet. The placement of the wireless communications compound at the current location on site will not have a detrimental effect on the quality of life in the District, as there will be no increase in traffic, pollution, odor, glare or vibrations associated with the compound.

The wireless communications compound is an unmanned facility, is essentially inconspicuous, and will not create any negative visual impacts. The general welfare of the population is also served by advancing telecommunications service in the area.

v. The variance will not have a substantial adverse environmental impact.

The granting of the requested variance to provide a fenced wireless communications compound with a minimum rear yard setback of 18.1 feet will not have any adverse environmental impacts. No environmentally sensitive areas will be disturbed. The permanent wireless communications compound will not exceed the District's category B performance standards in regard to noise, vibrations, glare, airborne emissions, hazardous or radioactive materials, wastewater and traffic. Additionally, the permanent wireless communications compound will not involve the storage of any hazardous materials, liquids or chemicals.

vi. The variance represents the minimum deviation from the regulations that will afford relief.

The requested variance to provide a fenced wireless communications compound with an 18.1-foot rear yard setback, whereas a minimum 50 foot setback is required, does represent the minimum deviation that will afford relief at this location. Increasing the easterly rear yard setback to the minimum 50 feet required would require the wireless communications compound to be relocated within the existing parking lot for the contractor's office, which would negatively impact site circulation and

efficiency. The placement of the monopole and telecommunications facility was determined by the applicant to provide an antenna transmission pattern that is clear of obstructions. Potential locations for the placement of wireless communications compound are limited due to the existing site layout. The current location of the monopole and telecommunications facility was also selected due to its close proximity to existing electric utility lines.

vii. Granting the variance will not substantially impair the intent and purpose of these regulations.

The granting of the bulk variance to locate the fenced wireless communications compound within the required rear yard setback will not impair the intent and purpose of the regulations. One purpose of a setback is provide a buffer between uses; however, the permanent wireless communications equipment will be screened from the adjacent railroad transfer facility on Lot 3 by the proposed chain link fence with privacy slats. The appearance of the surrounding area will not be compromised, as the telecommunications compound will have minimal visual impacts on the surrounding industrial properties.

V. SUMMARY OF CONCLUSIONS

A. Standards for the Granting of a Special Exception to permit a communications transmission tower in the Intermodal A zone as per N.J.A.C. 19:4-5.88(a)3.

Based on the record in this matter, the special exception application to install a 100-foot-high communications transmission tower as part of a permanent telecommunications compound on the subject premises is hereby recommended for APPROVAL.

APPROVAL

Recommendation on
Special Exception Request

2/27/2020

Date



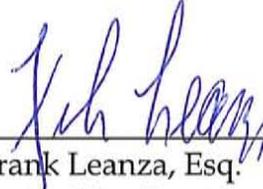
Sara J. Sundell, P.E., P.P.
Director of Land Use Management

APPROVAL

Recommendation on
Special Exception Request

2/27/20

Date

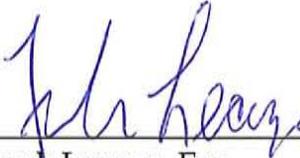


Frank Leanza, Esq.
Senior Vice President
Chief of Legal & Regulatory Affairs

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.91(a)3i, which requires a minimum front yard setback of 30 feet, whereas the applicant is proposing a wireless communications compound with a minimum setback of 17 feet from the unimproved 50th Street right of way.

Based on the record in this matter, the bulk variance application to install a wireless communications compound with a minimum front yard setback of 17 feet from the 50th Street right of way along the southerly property line, whereas a minimum front yard setback of 30 feet is required, is hereby recommended for APPROVAL.

<u>APPROVAL</u>	<u>2/27/2020</u>	
Recommendation on Variance Request	Date	Sara J. Sundell, P.E., P.P. Director of Land Use Management

<u>APPROVAL</u>	<u>2/27/20</u>	
Recommendation on Variance Request	Date	Frank Leanza, Esq. Senior Vice President Chief of Legal & Regulatory Affairs

C. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.91(a)3iii, which requires a minimum rear yard setback of 50 feet, whereas the applicant is proposing a wireless communications compound with a minimum setback of 18.1 feet from the easterly rear yard property line.

Based on the record in this matter, the bulk variance application to install a wireless communications compound with a minimum rear yard setback of 18.1 feet from the easterly rear yard property line, whereas a minimum rear yard setback of 50 feet is required, is hereby recommended for APPROVAL.

APPROVAL 2/27/2020 
Recommendation on Date Sara J. Sundell, P.E., P.P.
Variance Request Director of Land Use Management

APPROVAL 2/27/20 
Recommendation on Date Frank Leanza, Esq.
Variance Request Senior Vice President
Chief of Legal & Regulatory Affairs