

RECOMMENDATION ON THE VARIANCE APPLICATION OF

Vineland/220 Harrison Ave - Subdivision/Variances

File #14-447

I. INTRODUCTION

An application for three (3) bulk variances has been filed with the New Jersey Meadowlands Commission (NJMC) by John S. Krauser of Vineland Construction Company, for the premises identified as 220 Harrison Avenue, Block 284, Lot 4.02, in the Town of Kearny, New Jersey. Said premises are located in the Harrison Avenue Retail Center of the Commission's Kearny Area Redevelopment Plan, last amended on June 25, 2014. The variances are sought in connection with the application for a proposed technical major subdivision in accordance with N.J.A.C. 19:5-5.3(a), which results in the creation of two lots (proposed Lots 4.021 and 4.022), whereby the creation of the proposed lots requires variance relief from the following:

1. N.J.A.C. 19:5-7.4(a), which requires that all lots in any subdivision shall have direct access to an improved public or private street, whereas proposed Block 284, Lot 4.022 does not have such access.
2. Section IV.C, Table 1, Bulk Requirements of the Harrison Avenue Retail Center within the Commission's Kearny Area Redevelopment Plan, which requires a minimum lot area of three acres, whereas proposed Block 284, Lot 4.021 would be 1.052 acres.
3. Section IV.C, Table 1, Bulk Requirements of the Harrison Avenue Retail Center within the Commission's Kearny Area Redevelopment Plan, which requires a minimum lot area of three acres, whereas proposed Block 284, Lot 4.022 would be 2.241 acres.

Notice was given to the public and all interested parties as required by law. Public notices were published in The Jersey Journal newspaper. No written comments or objections were submitted. 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 subject property consists of approximately 3.29 acres. The property has an irregular configuration with side lot lines significantly longer than the front and rear lot lines. The subject property has 182.72 feet of frontage on Harrison Avenue and extends approximately 1,200 feet to the south. The applicant proposes to subdivide existing Lot 4.02 into proposed Block 284, Lot 4.021, consisting of 1.052 acres, and proposed Block 284, Lot 4.022, consisting of 2.241 acres. A 5-foot-wide gas utility easement crosses into the subject property at approximately the division line between the two proposed lots.

The subject property is currently developed with a strip retail building within the area designated as proposed Lot 4.022. A proposed Taco Bell restaurant has received zoning approval for the area designated as proposed Lot 4.021, which is located adjacent to Harrison Avenue. The purpose of the proposed subdivision is to create specific lots for these two development pads within the retail center.

The subject property is part of a Zoning Lot of Record (ZLOR), pursuant to N.J.A.C. 19:4-3.22, comprised of Block 284, Lots 2.02, 3.02 and 4.02, which encompasses approximately 27.126 acres in total. Other properties within the ZLOR are developed with retail uses, including a Wal-Mart retail store and Wawa convenience store and fuel service station. The proposed lots will remain a part of the ZLOR, so that all lots within the center will continue to function as one zoning lot. These properties share an access driveway leading to a signalized

intersection along Harrison Avenue on Lot 2.02, with a second unsignalized right-turn-in/right-turn-out driveway further to the west along Harrison Avenue. Proposed Block 284, Lot 4.022, will not have direct access to a public street, however access is proposed to be provided to Harrison Avenue by the shared driveway on Lot 2.02.

The subject property is located within the Harrison Avenue Retail Center of the Commission's Kearny Avenue Redevelopment Plan. It is bordered by a variety of industrial uses, including the Campbell Foundry Company to the east, and is located proximate to Route 280 right-of-way (ROW) to the south and the Hackensack Meadowlands jurisdictional boundary to the west.

B. Response to the Public Notice

No written comments or objections were submitted to this Office regarding this application prior to the public hearing.

III. PUBLIC HEARING (January 20, 2015)

A public hearing was held on Tuesday, January 20, 2015. NJMC staff in attendance were Sara J. Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon Mascaró, P.E., Deputy Director of Land Use Management; Mia Petrou, P.P., AICP, Senior Planner; and Elizabeth Kenyon, P.E., Senior 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	"Technical Major Subdivision," Drawing No. 1 of 1, prepared by Control Point Associates, Inc., dated July 24, 2014, last revised December 9, 2014.

A-2 "Subdivision Variance Application," Report prepared by Mianecki Consulting Engineers, dated January 20, 2015.

B. Testimony

The applicant was represented at the hearing by William Sullivan, Esq., of the firm Scarinci Hollenbeck, LLC. The following two witnesses testified in support of the application:

1. John Lynch, N.J.P.L.S., Control Point Associates;
2. John S. Krauser, Vineland Construction Company; and
3. Monica R. Mianecki, P.E., P.P., Mianecki Consulting Engineers.

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

IV. RECOMMENDATION

A. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:5-7.4(a), which requires that all lots in any subdivision shall have direct access to an improved public or private street whereas proposed Block 284, Lot 4.022, does not have such access.

The NJMC Zoning Regulations at N.J.A.C. Section 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 property in question consists of approximately 3.29 acres. The property has an irregular configuration having side lot lines more than six times longer than the front lot line and 32 times longer than the rear lot lines. The subject property has 182.72 feet of frontage on Harrison Avenue and extends approximately 1,200 feet to the south. The width of the existing lot also varies significantly, having approximately 35 feet in width toward its rear lot line. The widest portion of the lot is approximately 217 feet wide in the vicinity of the existing strip retail building on the site.

The subject property, together with Block 284, Lots 2.02 and 3.02, comprise a ZLOR. The three lots share an access driveway located on Block 284, Lot 2.02, which extends from a signalized intersection at Harrison Avenue toward the south along the western property line of the subject property.

The application for subdivision proposes to create Block 284, Lot 4.022, with no direct access to Harrison Avenue. However, access to and from Harrison Avenue for the proposed subdivided lot will be maintained via the existing retail center driveway on Lot 2.02.

The significantly deep lot width is a unique pre-existing lot condition that affects the ability of the property owner to provide direct access to Harrison Avenue.

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

Neighboring property owners will not be adversely affected by the granting of the requested variance. There are no residents located proximate to the property in question. The subject property is part of a ZLOR with properties developed with commercial usage, including a Wal-Mart retail store and a Wawa convenience store and fuel service station. The other uses in the vicinity of the subject property are industrial in nature. Proposed Lot 4.022 will continue to access Harrison Avenue via an existing common driveway within the ZLOR on Block 284, Lot 2.02. Additionally, the ZLOR will be updated with the new lot designations to ensure that all properties within the retail center will continue to function as one unified development. Therefore, there will not be any impact on any portion of neighboring properties for ingress or egress.

- 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.*

The subject property is irregularly-shaped and exceptionally deep in relation to its frontage on Harrison Avenue, which measures approximately 182 feet in width. These particular property characteristics affect the ability of the property owner to create functional lot configurations within a subdivision that contains frontage on Harrison Avenue from both proposed lots.

A compliant subdivision could be achieved by providing a small strip of frontage on Harrison Avenue for proposed Lot 4.022. However, this configuration would result in an inefficient land development pattern by creating either an essentially useless portion of land to achieve frontage, or the creation of another driveway approximately 150 feet from the existing signalized intersection, which could pose public safety concerns. Use of the existing common signalized driveway along the east side of Lot 4.02 will maintain a safe and functional means of ingress and egress, while avoiding multiple curb cuts onto Harrison Avenue.

The proposed subdivision has the further benefit of creating lots more regular in shape, instead of two very long and narrow lots that would create practical difficulties in the development of a functional building and site configuration that would comply with required setbacks. For example, the application of the required side yard setback of 40 feet in the Harrison Avenue Retail Center zone of the Kearny Area Redevelopment Plan would leave very little space, approximately 11 feet, to accommodate a building footprint if the property's existing frontage were to be evenly divided to create two conforming lots.

Therefore, the strict application of the regulations would result in exceptional practical difficulties upon the property owner.

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 effects to the public health, safety, morals, order, convenience, prosperity or general welfare by the granting of the requested variance. The existing strip retail building on the property is proposed to be located within the boundaries of proposed Lot 4.022, and is currently accessed by the shared signalized driveway on Lot 2.02. The proposed conditions will continue the existing circulation pattern and means of access to this portion of the retail center. The location of the common signalized driveway on Lot 2.02 allows for access between Harrison Avenue and the retail center, thereby fulfilling the intent of the regulation and not resulting in a substantial detriment to public safety.

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

There will be no adverse environmental impacts created by the granting of the requested variance. The proposed lot without direct access to a public or private street will not require the installation of additional paved surfaces, as such, no environmentally sensitive areas will be disturbed. The proposed subdivision will not cause the applicant to exceed the Category B performance standards in regard to noise, vibrations, glare, air emissions, hazardous or radioactive materials, wastewater or traffic.

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

NJMC zoning regulations require that all lots located in any subdivision shall have direct access to an improved public or private street. The long and narrow configuration of existing Lot 4.02 does not allow for the creation of a functional subdivision with two lots containing frontage on Harrison Avenue, as described herein. Proposed Lot 4.022 will continue to be accessed from the common signalized driveway on Lot 2.02, and the intent to provide safe and efficient access to a site is preserved in this application. Thus, the requested variance represents the minimum deviation from the regulations that will afford relief.

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

The granting of the requested variance will not substantially impair the intent and purpose of these regulations. The approval of the technical major subdivision and variance will accommodate future development of the subdivided property in an efficient and practicable manner. The purpose of the redevelopment plan is to encourage retail and commercial uses within the area. A strip retail building was constructed toward the rear of existing Lot 4.02 in 2014. In addition, a proposed Taco Bell restaurant has received zoning approval for the portion of existing Lot 4.02 that is adjacent to Harrison Avenue. These two developments both fulfill the intent of the redevelopment plan. The purpose of the proposed subdivision is to create specific lots for these two development pads within the

retail center. Access to an improved public street, Harrison Avenue, will continue to be provided along an existing common signalized driveway located on Lot 2.02.

Therefore, the proposed subdivision is consistent with sound planning principles and will promote the intent and purposes of the NJMC regulations by allowing for the property to be utilized in a safe and orderly manner, by providing for the orderly development of properties in the Hackensack Meadowlands District, and by providing for sufficient space in appropriate locations for a variety of uses, including retail development.

B. Standards for the Granting of a Bulk Variance from the Provisions of Section IV.C, Table 1, Bulk Requirements of the Harrison Avenue Retail Center within the Commission's Kearny Area Redevelopment Plan, which requires a minimum lot area of three acres, whereas proposed Block 284, Lot 4.021 is 1.052 acres.

The NJMC Zoning Regulations at N.J.A.C. Section 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 property in question consists of approximately 3.29 acres. The property has an irregular configuration, with side lot lines more than six times longer than the front lot line and 32 times longer

than the rear lot lines. The subject property has 182.72 feet of frontage on Harrison Avenue and extends approximately 1,200 feet to the south. The width of the existing lot also varies significantly. The widest portion of the lot is approximately 217 feet wide in the vicinity of the existing strip retail building on the site which narrows to approximately 35 feet in width toward the existing rear lot line.

The subject property, together with Block 284, Lots 2.02 and 3.02, comprise a ZLOR totaling approximately 27 acres. The three lots share an access driveway located on Block 284, Lot 2.02, which extends from the signalized intersection at Harrison Avenue toward the south along the western property line of the subject property.

The significantly deep lot width is a unique pre-existing lot condition that affects the ability of the property owner to successfully develop the property.

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

Neighboring property owners will not be adversely affected by the granting of the requested variance. There are no residents located proximate to the property in question. The proposed lot will be developed in accordance with the commercial uses permitted in the Harrison Avenue Retail Center zone of the Kearny Area Redevelopment Plan. The proposed lot size of 1.052 acres is sufficient to accommodate its intended use as a Taco Bell

restaurant. In addition, the subject property is also part of a ZLOR wherein the properties are part of a comprehensive shopping center development which is located on approximately 27 acres of land. The proposed lot size will not affect the ability of the property or the overall shopping center site to be developed and utilized as intended.

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.

The strict application of the regulations would result in exceptional practical difficulties and hardship in the application of the minimum three-acre lot requirement in the Harrison Avenue Retail Center zone of the Kearny Area Redevelopment Plan.

The existing lot measures 3.29 acres in size and can be characterized as excessively deep and irregular in shape. The lot is currently improved with an existing strip retail building, on the portion of the lot proposed to be designated Lot 4.022, to the south of proposed Lot 4.021. The subject lot (proposed Lot 4.021) contains direct frontage on Harrison Avenue.

A proposed Taco Bell restaurant has received zoning approval for the area designated as proposed Block 284, Lot 4.021. The property owner would not be able to efficiently develop the property in accordance with the redevelopment plan if the proposed variance was not approved. The proposed subdivision will enable the further development of the overall retail center within the ZLOR,

consistent with the goals of the redevelopment plan in effect at this site.

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 by the granting of the requested variance. Existing Block 284, Lots 2.02, 3.02 and 4.02 comprise a ZLOR and currently share an access driveway on Lot 2.02, which intersects Harrison Avenue at a traffic signal. Testimony was provided that the ZLOR will be updated to reflect the proposed subdivision of existing Block 284, Lot 4.02 to the proposed designations of Block 284, Lots 4.021 and 4.022, if approved. Although the proposed lot size is smaller than required, the property is of sufficient size and configuration to be developed as intended, without crowding or excessive land coverage. The proposed Taco Bell restaurant building footprint of 2,029 square feet represents only 4.4 percent lot coverage of the proposed lot area. Therefore, the requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. Rather, the granting of the requested variance will enable the subdivision of the subject property in a manner that will promote the redevelopment of the site.

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

There will be no adverse environmental impacts created by the granting of the requested variance. There will not be additional

noise, vibrations, glare, airborne emissions or hazardous materials generated as a result of the proposed subdivision. The proposed lot with an area of 1.052 acres can be developed without excessive land coverage or lack of open space that may be associated with development on a lot that is undersized in relation to the zoning criteria, particularly since the parcel is a component of a larger retail center within a ZLOR.

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

The proposed subdivision line has been placed in an optimal location representing the most regular layout available given the existing site conditions, existing lot configuration, and existing building positioning. The proposed lot line allows for the development of both lots in compliance with the uses specified in the redevelopment plan. The proposed size of Block 284, Lot 4.021, at 1.052 acres, does not restrict the property from being developed according to proposed plan. The proposed lot size is sufficient to accommodate its intended use as a Taco Bell restaurant. Therefore, the requested variance represents the minimum deviation from NJMC regulations that will afford relief.

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

The granting of the requested variance will not substantially impair the intent and purpose of these regulations. Existing Block 284, Lots 2.02, 3.02 and 4.02 comprise a ZLOR and share two access

driveways on Lot 2.02, one of which is a signalized intersection with Harrison Avenue. Testimony was provided that the ZLOR will be revised to reflect the subdivision, if approved, of existing Block 284, Lot 4.02 with the updated lot designations of proposed Block 284, Lots 4.021 and 4.022. The granting of the requested variance will accommodate future development of the subdivided properties in an orderly manner.

The minimum lot area requirement of three acres is intended to accommodate sufficient area for the development of a suitably-sized building and required site improvements, such as parking and loading areas, open space, and landscaping. In this instance, the subject property is part of a ZLOR, wherein the properties are part of a comprehensive shopping center development on approximately 27 acres of land. The proposed lot size of 1.052 acres will not affect the ability of the property to be developed and utilized as intended. In reviewing other commercial zones within the Hackensack Meadowlands District where such development could be accommodated, the Highway Commercial zone provides for a minimum lot area of 20,000 square feet, which is significantly smaller than the proposed lot size of 1.052 acres in this application.

The proposed subdivision is consistent with sound planning principles and the granting of the requested variance will promote the intent and purposes of the NJMC regulations by allowing for the site to be utilized in a safe and orderly manner, by providing for the orderly development of properties in the Hackensack Meadowlands District, and by providing for sufficient space in appropriate locations for a retail development.

C. Standards for the Granting of a Bulk Variance from the Provisions of Section IV.C, Table 1, Bulk Requirements of the Harrison Avenue Retail Center within the Commission's Kearny Area Redevelopment Plan, which requires a minimum lot area of three acres, whereas proposed Block 284, Lot 4.022 is 2.241 acres.

The NJMC Zoning Regulations at N.J.A.C. Section 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 property in question consists of approximately 3.29 acres. The property has an irregular configuration, with side lot lines more than six times longer than the front lot line and 32 times longer than the rear lot lines. The subject property has 182.72 feet of frontage on Harrison Avenue and extends approximately 1,200 feet to the south. The width of the existing lot also varies significantly. The widest portion of the lot is approximately 217 feet wide in the vicinity of the existing strip retail building on the site, which narrows to approximately 35 feet in width toward the existing rear lot line.

The subject property, together with Block 284, Lots 2.02 and 3.02, comprise a ZLOR totaling approximately 27 acres. The three lots

share an access driveway located on Block 284, Lot 2.02, which extends from the signalized intersection with Harrison Avenue toward the south along the western property line of the subject property.

The significantly deep lot width is a unique pre-existing lot condition that affects the ability of the property owner to successfully develop the property.

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

Neighboring property owners will not be adversely affected by the granting of the requested variance. There are no residents located proximate to the property in question. The proposed lot will be developed in accordance with the Harrison Avenue Retail Center zone of the Kearny Area Redevelopment Plan. The proposed lot area of 2.241 acres is sufficient to accommodate the footprint of the existing site development on the property, consisting of a 14,400-square-foot retail building and associated parking areas and site improvements. In addition, the properties within the retail center (existing Block 284, Lots 2.02, 3.02 and 4.02) comprise a ZLOR, and the proposed lot is a component of the overall retail center development of 27 acres. Access to the subdivided property will be maintained from an existing driveway along Harrison Avenue via Lot 2.02. Testimony was provided that the ZLOR will be revised to reflect the proposed subdivision, if approved, thereby ensuring that development on the lot will continue to function efficiently. The proposed lot size will not affect the ability of the property or the

overall shopping center site to be developed and utilized as intended.

- 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.*

The strict application of the regulations would result in exceptional practical difficulties and hardship in the application of the minimum three-acre lot requirement in the Harrison Avenue Retail Center zone of the Kearny Area Redevelopment Plan.

The existing lot measures 3.29 acres in size and can be characterized as excessively deep and irregular in shape. The lot is currently improved with an existing 14,400-square-foot retail building, with a setback of approximately 300 feet from Harrison Avenue. An application has been received to construct a Taco Bell restaurant on the portion of the lot proposed as Block 284, Lot 4.021.

The property owner would not be able to efficiently develop the property in accordance with the redevelopment plan if the proposed variance was not approved. The proposed subdivision will enable the further development of the overall retail center within the ZLOR, consistent with the goals of the redevelopment plan in effect at this site.

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 by the granting of the requested variance. Existing Block 284, Lots 2.02, 3.02 and 4.02 comprise a ZLOR and currently share an access driveway on Lot 2.02, which intersects Harrison Avenue at a traffic signal. Testimony was provided that the ZLOR will be updated to reflect the proposed subdivision of existing Block 284, Lot 4.02 to the proposed designations of Block 284, Lots 4.021 and 4.022, if approved. Although the proposed lot size is smaller than required, the property is of sufficient size and configuration to be developed as intended, without crowding or excessive land coverage. The existing retail building's footprint of 14,400 square feet represents only 14.8 percent lot coverage of the proposed lot area. Therefore, the requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. Rather, the granting of the requested variance will enable the subdivision of the subject property in a manner that will promote the redevelopment of the site.

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

There will be no adverse environmental impacts created by the granting of the requested variance. There will not be additional noise, vibrations, glare, airborne emissions or hazardous materials generated as a result of the proposed subdivision. The proposed lot with an area of 2.241 acres can be developed without excessive

land coverage or lack of open space that may be associated with development on a lot that is undersized in relation to the zoning criteria, particularly since the parcel is a component of a larger retail center within a ZLOR.

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

The proposed subdivision line has been placed in an optimal location representing the most regular layout available given the existing site conditions, existing lot configuration and existing building positioning. The proposed lot line allows for the development of both lots in compliance with the uses specified in the redevelopment plan. The proposed lot size of Block 284, Lot 4.022, at 2.241 acres, is sufficient to accommodate the existing retail development on the site, and will not limit the use or function of this site. Therefore, the requested variance represents the minimum deviation from NJMC regulations that will afford relief.

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

The granting of the requested variance will not substantially impair the intent and purpose of these regulations. Existing Block 284, Lots 2.02, 3.02, and 4.02 comprise a ZLOR and share two access driveways on Lot 2.02, one of which is a signalized intersection with Harrison Avenue. Testimony was provided that the ZLOR will be revised to reflect the subdivision, if approved, of existing Block 284, Lot 4.02, with the updated lot designations of proposed

Block 284, Lots 4.021 and 4.022. The granting of the requested variance will accommodate future development of the subdivided properties in an orderly manner.

The minimum lot area requirement of three acres is intended to accommodate sufficient area for the development of a suitably-sized building and required site improvements, such as parking and loading areas, open space, and landscaping. In this instance, the subject property is part of a ZLOR wherein the properties are part of a comprehensive shopping center development on approximately 27 acres of land. The proposed lot size of 2.241 acres will not affect the ability of the property to be utilized as intended.

The proposed subdivision is consistent with sound planning principles and the granting of the requested variance will promote the intent and purposes of the NJMC regulations by allowing for the site to be utilized in a safe and orderly manner, by providing for the orderly development of properties in the Hackensack Meadowlands District, and by providing for sufficient space in appropriate locations for a retail development.

IV. SUMMARY OF CONCLUSIONS

A. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:5-7.4(a), which requires that all lots located in any subdivision shall have direct access to an improved public or private street, whereas proposed Block 284, Lot 4.022 does not have such access.

Based on the record in this matter, the bulk variance application to provide a subdivision resulting in the creation of a lot (proposed Block 284, Lot 4.022), which will not have direct access to an improved street, is hereby recommended for APPROVAL.

APPROVAL
RECOMMENDATION ON
VARIANCE REQUEST

4.2.15
Date


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

Approval
RECOMMENDATION ON
VARIANCE REQUEST

4/2/15
Date


Marcia A. Karrow
Executive Director

B. Standards for the Granting of a Bulk Variance from the Provisions of Section IV.C, Table 1, Bulk Requirements of the Harrison Avenue Retail Center within the Commission's Kearny Area Redevelopment Plan, which requires a minimum lot area of three acres, whereas proposed Block 284, Lot 4.021 is 1.052 acres.

Based on the record in this matter, the bulk variance application to provide a subdivision resulting in the creation of a lot (proposed Block 284, Lot 4.021) which is 1.052 acres in area, is hereby recommended for APPROVAL.

APPROVAL
RECOMMENDATION ON
VARIANCE REQUEST

4-2-15
Date


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

approval
RECOMMENDATION ON
VARIANCE REQUEST

4/2/15
Date


Marcia A. Karrow
Executive Director

C. Standards for the Granting of a Bulk Variance from the Provisions of Section IV.C, Table 1, Bulk Requirements of the Harrison Avenue Retail Center within the Commission's Kearny Area Redevelopment Plan, which requires a minimum lot area of three acres, whereas proposed Block 284, Lot 4.022 is 2.241 acres.

Based on the record in this matter, the bulk variance application to provide a subdivision resulting in the creation of a lot (proposed Block 284, Lot 4.022) which is 2.241 acres in area, is hereby recommended for APPROVAL.

APPROVAL
RECOMMENDATION ON
VARIANCE REQUEST

4-2-15
Date


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

Approval
RECOMMENDATION ON
VARIANCE REQUEST

4/2/15
Date


Marcia A. Karrow
Executive Director