

**RECOMMENDATION ON THE VARIANCE APPLICATION OF  
BCC/New Ambulance Parking/Training - Variance  
FILE # 15-346**

**I. INTRODUCTION**

Pursuant to Public Law 2015, Chapter 19, The New Jersey Meadowlands Commission (NJMC) has become part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015.

An application for one use variance has been filed with the NJSEA by William Corcoran of Bergen Community College for the premises located at 1280 Wall Street West, identified as Block 230, Lot 10.02, in the Township of Lyndhurst, New Jersey. Said premises is located within the District's Light Industrial A zone. The use variance is sought in connection with the applicant's proposal to install an outdoor ambulance parking/training area on the subject premises.

Specifically, the applicant is requesting variance relief from the following:

1. N.J.A.C. 19:4-5.3(a)2, which requires that all operations, activities, and storage shall be conducted within completely enclosed buildings. An outdoor ambulance parking/training area is proposed on the subject premises.

Notice was given to the public and all interested parties as required by law. The public notice was published in The Record newspaper. No written objections were received. A public hearing was held in the NJSEA Offices on Tuesday, October 20, 2015. 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 is a 6.09-acre parcel with frontage on Wall Street West to the north and Clay Avenue to the west. The site is currently improved with a five-story, 118,850-square-foot institutional use building with associated parking and is currently housing the Lyndhurst campus of Bergen Community College. There are no known easements on the subject property. Access to the site from Wall Street West and Clay Avenue will be maintained.

The proposed project involves construction of an outdoor ambulance parking/training area to be used by students of Bergen Community College's Paramedic Science Program. A concrete pad measuring approximately 36 feet by 49 feet will be installed for an ambulance parking/training area along the west side of the portion of the building that houses classrooms and an emergency simulation lab for the paramedic training program. A curb cut and driveway apron will be constructed to allow for vehicular access from the existing parking lot to the proposed ambulance parking/training area. The ambulance parking/training area will be located adjacent to the pedestrian entrance on the west side of the building. Electric and data cables hook-ups for the ambulance will provide heat during colder weather and protect the equipment located inside the vehicle. Lighting is proposed for the new ambulance parking/training area, which will be heavily screened from the adjacent right of ways by landscaping. The use variance is required in this instance as the District Zoning Regulations require that all operations and activities be conducted within completely enclosed buildings.

### B. Response to the Public Notice

No written comments were submitted to this Office prior to the public hearing.

### III. PUBLIC HEARING (October 20, 2015)

A public hearing was held on Tuesday, October 20, 2015. NJSEA 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 and Deputy Chief Engineer; and Ronald Seelogy, P.E., P.P., 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	"Partial Site Plan with Proposed Work and Partial Enlarged Plan," Drawing No. EX-1, prepared by RSC Architects, dated October 20, 2015.
A-2	"Interior and Exterior Existing Training Facility Photos," Drawing No. EX-2, prepared by RSC Architects, dated October 20, 2015.
A-3	"Existing Proposed Area and Proposed Area with Landscape Screening," Drawing No. EX-3, prepared by RSC Architects, dated October 20, 2015.
A-4	"Bergen Community College Additional Supporting Documents for Use Variance Request Before the New Jersey Sports & Exposition Authority," prepared by Robert P. Coane, R.A., NCARB, AIA, dated October, 2015.

#### B. Testimony

Ronald Gordon, Esq., of the firm, DeCotiis, Fitzpatrick & Cole, represented Bergen Community College at the hearing. The following witnesses testified in support of the application:

1. John Capazzi, R.A., P.P., RSC Architects;
2. Professor Jennifer McCarthy, Bergen Community College; and
3. Robert P. Coane, R.A., NCARB, AIA, Bergen Community College.

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

### A. Standards for the Granting of a Use Variance from the Provisions of N.J.A.C. 19:4-5.3(a)2, which requires that all operations, activities, and storage shall be conducted within completely enclosed buildings. The applicant is requesting a use variance to allow an outdoor ambulance parking/training area on the subject premises.

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 use variances:*

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

The strict application of these regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue