

**RECOMMENDATION ON THE
VARIANCE AND SPECIAL EXCEPTION APPLICATION OF
Int'l Longshoremen/T-Mobile Northeast LLC - Comm. Tower
(Special Exception & Variances)**

FILE # 17-394

I. INTRODUCTION

An application for one special exception and two bulk variances has been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Allyson M. Kasetta, Esq., of the firm, Price, Meese, Shulman & D'Arminio, P.C., on behalf of T-Mobile Northeast, 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. As per 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 properties are considered a single Zoning Lot of Record pursuant to N.J.A.C. 19:4-3.22. The subject premises is located within the Hackensack Meadowlands District's (District) Intermodal A zone. The special exception is sought in connection with the applicant's proposal to install a 100-foot-high communications transmission tower on Lot 17. The two bulk variances are sought in connection with the applicant's proposal to install wireless communications equipment on Lots 16.01 and 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 wireless communications equipment with a minimum setback of 8.9 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 wireless communications equipment with a minimum setback of 21.1 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, October 16, 2018. 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 both West Side Avenue to the west, and is bordered by the New York Susquehanna and Western Railroad to the east. A paper street known as the 50th Street right of way abuts the site to the south, which consists of a drainage ditch, vegetation, bituminous pavement and curb. An intermodal facility is located to the north of the site. An 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 discharge 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.

A temporary wireless communications facility operated by the applicant is currently located on the southerly portion of the property. 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 erect a telecommunications transmission tower and associated wireless communications equipment directly adjacent to an existing temporary wireless communications facility, which will be removed upon activation of the new facility. A total of six wireless antennas are proposed to be installed on the 100-foot-high transmission tower. The proposed wireless communications equipment will be set back 8.9 feet from the southerly front property line and 21.1 feet from the easterly rear property line, 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 (October 16, 2018)

A public hearing was held on Tuesday, October 16, 2018. 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., 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	"T-Mobile Northeast, LLC, a Delaware Limited Liability Company, Telecommunications Facility, NJ06828C, 5000 West Side Avenue, North Bergen, NJ 07047, Hudson County, Block 452.06, Lots 16.01 & 17," nine sheets, prepared by French & Parrello Associates on June 12, 2017, last revised on February 16, 2018.
A-2	"Exhibit A - NJ06828C, Detailed Site Map, Existing & Proposed Sites," prepared by PierCon Solutions, LLC on October 24, 2017.
A-3	LTE 700 and 2100 capacity charts, prepared by PierCon Solutions, LLC on October 25, 2017.
A-4	"Visual Analysis for T-Mobile Northeast, LLC, NJ06828C, North Bergen, NJ," prepared by TK Design Associates on September 27, 2017.
A-5	"Aerial Photograph, NJ 6828 C, 5000 West Side Avenue, North Bergen, NJ 07047," prepared by TK Design Associates, undated.

B. Testimony

Allyson M. Kasetta, 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. Frances Boschulte, PierCon Solutions;
3. David Collins, Pinnacle Telecom Group; and
4. David Karlebach, 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 communications transmission tower is required to help address the current demand in wireless user traffic and lack of capacity within the general vicinity of the subject site. The proposed 100-foot-high monopole communications transmission tower will allow for the installation of six panel-type antennas at a sufficient height to close the existing coverage gap in T-Mobile's wireless telecommunication service. The closing of the coverage gap will ensure that wireless users within the corridor bounded by the New Jersey Turnpike, NJ Route 3, NJ Route 495 and US Highway 1 have enhanced cellular and emergency 911 services. Additionally, the

structure has been designed to allow for future co-location by other carriers, as required by the District zoning regulations. The proposed improvements to upgrade the telecommunications coverage in the vicinity of the subject site will promote 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 construction of the proposed 100-foot-high monopole communications transmission tower will not cause substantial injury to other properties in the surrounding neighborhood. The tower, as part of a proposed wireless communications facility, is a benign commercial use that will be 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 proposed monopole's location towards the rear of the property, behind the existing building. In addition, the proposed eight-foot-high chain link fence with privacy slats will screen the ground-level electrical equipment at the base of the pole and the proposed color of the antennas and monopole, which shall be white/beige, will blend in with the sky.

The public will benefit 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 proposed tower and facility. The applicant has noted 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 proposed 100-foot-high monopole telecommunications transmission tower 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 will be installed in the rear of the property adjacent to the unimproved 50th Street right of way. As such, the monopole will not be particularly noticeable from the surrounding area, and it will be designed to mitigate any visual impact that it may create.

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

The proposed monopole and associated telecommunications facility will be unmanned, requiring only monthly visits for maintenance purposes. Sufficient parking areas will be available on site for the visiting technician. This low intensity use will have 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 by the installation of the monopole and associated unmanned wireless telecommunications facility will not burden or create a dominating effect on the surrounding area. Neighboring properties will not be impeded in their ability to function in accordance with the applicable zoning regulations, as little activity or traffic will result from the 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 structures and fence on the site will not dominate the surrounding area. The telecommunications equipment at the base of the monopole will not be visible from most points since it will be screened by a chain link fence with privacy slats and located behind the existing three-story office building. The monopole will be the most visible component of the facility, however, the structure has been designed to mitigate any visual impact that the monopole may create, specifically, the color of the proposed monopole and antennas will be white/beige to blend with the sky.

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

Adequate screening and fencing will be provided at the base of the monopole and telecommunications facility. As the proposed installation location is set back 240 feet from the improved West Side Avenue right of way, visibility from the roadway will be limited. Additionally, the existing three-story contractor's office building and the unimproved 50th Street right of way screen the equipment 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 proposed monopole and telecommunications facility shall not require any water or sewer utility service. A backup emergency generator will be powered by a 120-gallon aboveground propane storage tank. The electric and telephone services required by the facility are available in the vicinity. Proposed connections to the existing infrastructure are designed to prevent potential negative impacts to existing utility services. The proposed 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 proposed monopole and associated telecommunications facility is provided within the existing parking/vehicular use on the site. The impact to traffic in the surrounding area will be insignificant. Traffic generated by the unmanned facility would be 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 proposed use.

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

The proposed communications transmission tower monopole and telecommunications facility will not cause any adverse environmental impacts. District environmental performance standards will not be exceeded as there will be no noise, vibration, glare, air emissions, hazardous or radioactive materials generated by the proposed 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 equipment with a minimum setback of 8.9 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 current locations of the existing temporary monopole and telecommunications facility, which will eventually be removed after construction of the permanent wireless communications facility, limit the placement of the proposed wireless communications equipment at the proposed location, for the purpose of providing uninterrupted telecommunications service and utilizing the 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 proposed wireless communications

equipment requires infrequent maintenance by personnel, and the existing vegetation within the 50th Street right of way will screen the proposed wireless communications equipment from Lot 15.01.

The proposed wireless communications equipment 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 proposed telecommunications equipment 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 will be rerouted from this existing utility pole located within the 50th Street right of way to a new utility pole to be installed by PSE&G on the subject property adjacent to the proposed wireless communications equipment. Consequently, the placement of the wireless communications

equipment is limited by the location of the new utility pole, which is determined by PSE&G. Locating the wireless communications equipment at this site will allow T-Mobile Northeast LLC to provide the required coverage to its customers in this vicinity. The premises cannot function as a wireless permanent communications facility without the installation of the wireless communications equipment 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 wireless communications equipment at the proposed 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 equipment. The wireless communications equipment is part of an unmanned facility, is essentially inconspicuous, and will 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 equipment within the front yard setback from the 50th Street right of way will not have any adverse environmental impacts. No environmentally sensitive areas will be disturbed. The proposed wireless communications equipment 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 proposed wireless communications equipment 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 an 8.9-foot front yard setback from the 50th Street right of way, whereas a minimum of 30 feet 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 equipment needs to be in close proximity to the existing electric utility pole and the proposed monopole on which the panel antennas will be located. Potential locations for the placement of wireless communications equipment are limited due to existing site layout and the placement of a new utility pole by PSE&G. Compliance with the minimum required setback would result in the installation of the proposed

wireless communications equipment 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 equipment 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 proposed wireless communications equipment will be separated from the automobile storage facility on Lot 15.01 by the 50th Street right of way. Locating the proposed wireless communications equipment in the vicinity of T-Mobile's existing temporary telecommunications facility that will be removed is unobtrusive, and eliminates the need for T-Mobile Northeast LLC to construct a telecommunications facility with monopole elsewhere in District. The appearance of the surrounding area will not be compromised, as the 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 21.1 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 21.1-foot rear yard setback is measured from the wireless communication equipment 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 locations of the existing temporary monopole and telecommunications facility, which will eventually be removed after construction of the permanent wireless communications facility, limit the placement of the proposed wireless communications equipment to the proposed location for the purpose of providing uninterrupted telecommunications service and utilizing the existing electric utility lines. The permanent monopole to be constructed at the location proposed will provide an antenna pattern clear of any obstructions and 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 wireless communications equipment with a minimum rear yard setback of 21.1 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 proposed wireless communications equipment requires infrequent maintenance by personnel, and the proposed chain link fence with privacy slats will screen the proposed wireless communications equipment from Lot 3.

The proposed wireless communications equipment 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 wireless communications equipment with a minimum rear yard setback of 21.1 feet will result in peculiar and exceptional practical difficulties, and exceptional and undue hardship upon the property owner. The site is constrained by an existing drainage retention basin located at the southwestern corner of the property that eventually discharges to the wetlands located west of West Side Avenue. Locating the wireless communications equipment adjacent to the existing temporary monopole and telecommunications facility, which is currently located within the required rear yard and will eventually be removed after construction of the permanent wireless communications facility, will allow T-Mobile Northeast LLC to

provide the required coverage to its customers in this vicinity. The premises cannot function as a cell site without this wireless communications equipment.

- 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 provide wireless communications equipment with a minimum rear yard setback of 21.1 feet. The placement of the wireless communications equipment at the proposed 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 equipment. The wireless communications equipment is part of 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 wireless communications equipment with a minimum rear yard setback of 21.1 feet will not have any adverse environmental impacts. No environmentally sensitive areas will be disturbed. The proposed wireless communications equipment 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 proposed wireless communications equipment 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 21.1-foot rear yard setback, whereas a minimum of 50 feet 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 negatively impact site circulation and efficiency. The location of the wireless communications equipment needs to be in close proximity to the proposed monopole on which the panel antennas will be installed, the location of which was determined by the applicant to provide an antenna pattern that is clear of obstructions. Potential locations for the placement of wireless communications equipment are limited due to existing site layout. The current location of the existing temporary monopole and telecommunications facility, which will eventually be removed after construction of the permanent wireless communications facility, limit the placement of the proposed wireless communications equipment to the proposed location for the purposes of providing uninterrupted telecommunications service and utilizing the existing electric utility lines. Installation of the proposed wireless communications equipment at the minimum

setback required would require the adjacent existing paved vehicular use area to be reconfigured.

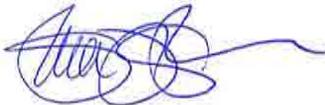
vii. Granting the variance will not substantially impair the intent and purpose of these regulations.

The granting of the bulk variance to locate the wireless communications equipment 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 proposed wireless communications equipment will be screened from the adjacent railroad transfer facility on Lot 3 by the proposed chain link fence with privacy slats. Locating the wireless communications equipment in the vicinity of T-Mobile's existing temporary telecommunications facility that will be removed is unobtrusive, and eliminates the need for T-Mobile Northeast LLC to construct a new monopole elsewhere in District. The appearance of the surrounding area will not be compromised, as the telecommunications facility 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 proposed telecommunications facility on the subject premises is hereby recommended for APPROVAL.

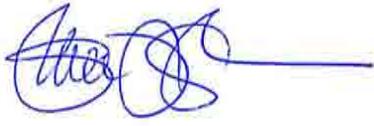
<u>APPROVAL</u> Recommendation on Special Exception Request	<u>12/3/2018</u> Date	 Sara J. Sundell, P.E., P.P. Director of Land Use Management
<u>APPROVAL</u> Recommendation on Special Exception Request	<u>12/3/18</u> Date	 Frank Leanza, Esq. Senior Vice President Chief of Legal & Regulatory Affairs

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 wireless communications equipment with a minimum setback of 8.9 feet from the unimproved 50th Street right of way.

Based on the record in this matter, the bulk variance application to install wireless communications equipment with a minimum front yard setback of 8.9 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.

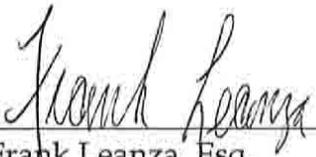
APPROVAL
Recommendation on
Variance Request

12/3/2018
Date


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

APPROVAL
Recommendation on
Variance Request

12/3/18
Date


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

