

**RECOMMENDATION ON THE VARIANCE APPLICATION OF  
PSE&G/Penhorn Substation Upgrades & Variance (Phase II)  
FILE #15-085**

**I. INTRODUCTION**

An application for three bulk variances has been filed with the New Jersey Sports and Exposition Authority (NJSEA) by Raymond A. Tripodi, P.E., P.P., P.M.P. of Public Service Electric & Gas (PSE&G), for the premises located on Secaucus Road and identified as Block 101, Lots 2 and 5, in the City of Jersey City, Hudson County, New Jersey. The subject premises are located within the Hackensack Meadowlands District's (District) Intermodal B zone. The bulk variances are sought in connection with the applicant's proposal to install electrical equipment to upgrade the existing PSE&G Penhorn Substation on the subject property.

Specifically, the applicant is requesting relief as follows:

1. N.J.A.C. 19:4-5.98(a)3ii, which requires a minimum side yard setback of 30 feet. The applicant is proposing concrete structures and footings for electric transmission structures with a minimum setback of 21.5 feet from the westerly side property line.
2. N.J.A.C. 19:4-5.98(a)3ii, which requires a minimum side yard setback of 30 feet. The applicant is proposing concrete structures and footings for electric transmission structures with a minimum setback of 21.5 feet from the easterly side property line.
3. N.J.A.C. 19:4-5.98(a)3iii, which requires a minimum rear yard setback of 75 feet. The applicant is proposing concrete structures and footings for electric transmission structures with a minimum setback of 47.2 feet from the rear 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. No written objections were received. A public hearing was held in the Office of the NJSEA on Tuesday, May 19, 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 property in question, Block 101, Lots 2 and 5, contains approximately 2.045 acres and is located within Hackensack Meadowlands District's Intermodal B zone. The site is currently developed and contains a PSE&G electrical substation that was originally constructed in 1972.

The site contains frontage on Secaucus Road to the northeast. Surrounding properties are improved with industrial development. An intermodal yard is located to the west of the property in question, and properties to the south and east are owned by the United States Postal Service (USPS) and accommodate a regional mail distribution facility. The portion of the USPS property at Block 101, Lot 6, also contains transmission towers that are part of the Hudson-Bergen Transmission Line.

The proposed project involves utility improvements required by PJM Interconnection LLC (PJM), the regional transmission authority for the northeastern United States that evaluates systems to ensure that the power demands and power capacity within the transmission system are sufficient. The applicant proposes to install additional electrical equipment to upgrade the existing facility from 230kV to 345kV. The proposed substation upgrade project is part of an overall transmission corridor improvement extending between the PSE&G Bergen Switching Station in Ridgefield and the PSE&G Linden Switching Station in Linden, New Jersey. The

Penhorn Substation upgrades will improve the efficiency and reliability of the delivery of electrical power to approximately 16,500 customers. All proposed buildings and equipment will be constructed a minimum of one foot above the base flood elevation, as determined by FEMA Flood Insurance Rate Maps.

**B. Response to the Public Notice**

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

**III. PUBLIC HEARING (May 19, 2015)**

A public hearing was held on Tuesday, May 19, 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; Mia Petrou, P.P., AICP, Senior Planner; and Brandon Alviano, Senior Planner.

**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 Plan," prepared by Bradley M. Johnson, P.E., and Shehzad C. Khan, P.L.S., dated 12/04/2014, last revised 05/06/2015.
A-2	"Penhorn Substation Ultimate Key Plan," prepared by Richard N. Crowdis, P.E., dated 03/02/2015.
A-3	"Penhorn Substation Key Plan Elevations," prepared by Richard N. Crowdis, P.E., dated 11/26/2014, last revised 02/26/2015.

## **B. Testimony**

James Rhatican, Esq., of the firm Chiesa, Shahinian & Giantomasi, represented PSE&G at the hearing. The following witness testified in support of the application:

1. Michael Percarpio, P.E., PSE&G
2. Bradley Johnson, P.E., Black and Veatch
3. Raymond Tripodi, P.E., P.P., P.M.P., PSE&G

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 Bulk Variance from the Provisions of N.J.A.C. 19:4-5.98(a)3ii, which requires a minimum side yard setback of 30 feet. The applicant is proposing concrete structures and footings for electric transmission structures with a minimum setback of 21.5 feet from the westerly side property line.**

The 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 requested variance to install concrete structures and footings for electric transmission structures as part of an equipment upgrade, with a minimum setback of 21.5 feet from the westerly side property line, arises from conditions that are unique to the site. The subject property is comprised of two lots within the Intermodal B zone, totaling 2.045 acres. The site, owned by PSE&G, is currently developed with an electrical substation including transmission towers and electrical equipment. According to testimony by the applicant, the site was originally developed in 1972.

The property in question is long and narrow, having a pre-existing, non-conforming lot width of approximately 155 feet, which is less than the required lot width of 200 feet for the Intermodal B zone, and a lot depth ranging from 544 to 643 feet. The location and configuration of the existing improvements on the property include a pre-existing nonconforming setback of 21.5 feet along the westerly side yard to an existing transmission tower, whereas a minimum side yard setback of 30 feet is required.

The upgrade project is required as part of a regional resiliency initiative to upgrade existing energy infrastructure. As part of the upgrade, the applicant proposes a concrete containment structure and equipment footings at a minimum setback of 21.5 feet from the westerly side property line. The concrete containment structure is

a secondary containment measure for oil that may leak from the transformer and will prevent contamination on the site, which is located within a floodplain. The placement and configuration of the proposed equipment on the site is dictated by the location of the existing equipment and regulatory requirements to maintain certain clearances between equipment structures. Therefore, the variance requested arises from conditions that are unique to the property in question and are not ordinarily found in the same zone.

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

The granting of the requested side yard setback variance to install new electrical equipment and concrete containment structures will not adversely affect the rights of neighboring property owners. No adverse visual impacts are anticipated for the portion of the adjoining property to the west immediately adjacent to the substation, which is utilized as an intermodal facility whose operations include heavy trucking activities. Existing site and maintenance operations will be maintained at their present levels. The site is an unmanned electric substation that requires only occasional visits by PSE&G personnel.

The proposed variance will not impact the ability of neighboring properties to function as intended. Rather, the proposed improvements will promote energy resiliency, which will benefit area energy customers. In addition, there are no residences in the general vicinity of the site.

*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 will result in peculiar and exceptional practical difficulties and undue hardship to PSE&G. The installation of the new equipment and structures is necessary in order to help facilitate the adequate provision of reliable electric service to PSE&G customers in the area. The narrow 150-foot width of the lot and the placement of existing improvements on the site result in practical difficulties in the ability of the property owner to implement the required upgrades to the regional electric system while complying with the required setbacks. The proposed placement of the equipment and concrete containment structure is dictated by the location and configuration of the existing improvements on the site and regulatory requirements to maintain certain clearances between equipment structures. Without the ability to install the new equipment within the designated westerly side yard setback, PSE&G would be hindered in its effort to provide safe, adequate, and reliable energy from this site to the region it serves.

*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.*

Approval of the variance to permit a 21.5-foot westerly side yard setback, whereas a minimum side yard setback of 30 feet is required, 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. The proposed substation upgrades will promote the general welfare through the improvement of power capacity to the customers of PSE&G that are served by the Penhorn Substation.

The existing and proposed substation is unmanned and requires only occasional visits from PSE&G personnel for maintenance purposes. Therefore, traffic to the site is not excessive and will remain unchanged in the proposed condition.

The upgrade project proposes footings for electric transmission structures and equipment, as well as a concrete containment area around the transformers. The containment structure is a secondary containment measure for oil that may potentially leak from the transformer and will prevent contamination on the site, thereby promoting the public health and safety, of particular importance on a site within a floodplain. The positioning of the concrete footings for the electrical structures is based on the proposed layout of the substation, which is set by regulatory requirements and clearances for the equipment.

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

The granting of the requested side yard setback variance will not have any adverse environmental impacts. There will be no vibrations, glare, airborne emissions, hazardous or radioactive materials, or traffic generated by the proposed equipment and structures that would have a substantial adverse environmental impact. No environmentally sensitive areas will be affected by the installation of the new electrical equipment and structures. The installation of concrete containment structures around the proposed transformers will act as a secondary measure to capture any potential oil leakage, which will prevent contamination on a site that is located within a floodplain.

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

The requested side yard setback variance represents the minimum deviation from the regulations that will afford relief. Potential locations on the site to install the concrete structures and footings for electrical equipment are restricted due to the narrow configuration of the property and the location of the existing equipment on the site. The new equipment and structures have been consolidated to the extent possible, as the substation must remain in operation as the upgrade project is implemented. The narrow 150-foot lot width of the site and the layout of the existing equipment limit potential locations for the proposed structures and equipment. The proposed project involves the replacement and reconstruction of existing electric transmission equipment as part of

a regional energy infrastructure initiative. Adequate light, air and open space will continue to be provided in the proposed condition.

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

Granting the requested side yard setback variance will not substantially impair the intent and purpose of the regulations. The existing and proposed use complies with the District's zoning regulations and is consistent with the Master Plan, as a heavy public utility use is permitted in the Intermodal B zone.

The District Zoning Regulations are intended to provide for infrastructure and utility improvements and to promote the efficient use of the land, and the requested variance will not substantially impair these purposes. The proposed equipment upgrades are required to be located within the side yard setback as proposed due to the existing configuration of the property and the location of the existing improvements on site. The equipment upgrades will increase the reliability in the supply of electricity in the area, thus promoting the orderly development of the District.

**B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.98(a)3ii, which requires a minimum side yard setback of 30 feet. The applicant is proposing concrete structures and footings for electric transmission structures with a minimum setback of 21.5 feet from the easterly side property line.**

The 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 requested variance to install concrete structures and footings for electric transmission structures, as part of an equipment upgrade, with a minimum setback of 21.5 feet from the easterly side property line arises from conditions that are unique to the site. The subject property is comprised of two lots, totaling 2.045 acres within the Intermodal B zone. The site, owned by PSE&G, is currently developed with an electrical substation, including transmission towers and electrical equipment. According to testimony by the applicant, the site was originally developed in 1972.

The property in question is long and narrow, having a pre-existing, nonconforming lot width of approximately 155 feet, which is less than the required lot width of 200 feet for the Intermodal B zone, and a lot depth ranging from 544 to 643 feet.

The location and configuration of the existing improvements on the property include a pre-existing nonconforming setback of 11.1 feet along the easterly side yard to an existing structure and transmission tower, whereas a minimum side yard setback of 30 feet is required.

The upgrade project is required as part of a regional resiliency initiative to upgrade existing energy infrastructure. As part of the upgrade, the applicant proposes a concrete containment structure and equipment footings at a minimum setback of 21.5 feet measured from the easterly side property line. The concrete containment structure is a secondary containment measure for oil may leak from the transformer and will prevent contamination on the site, which is located within a floodplain. The placement and configuration of the proposed equipment on the site is dictated by the location of the existing equipment and regulatory requirements to maintain certain clearances between equipment structures. Therefore, the variance requested arises from conditions that are unique to the property in question and are not ordinarily found in the same zone.

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

The granting of the requested variance to permit the installation of new electrical equipment and structures within the required easterly side yard setback will not adversely affect the rights of neighboring property owners. No adverse visual impacts are anticipated for the portion of the adjoining property to the east

immediately adjacent to the substation, which is a generally vacant portion of the USPS distribution facility containing the site's access driveway from Secaucus Road. Existing site and maintenance operations will be maintained at their present levels. The site is an unmanned electric substation that requires only occasional visits by PSE&G personnel.

The proposed variance will not impact the ability of neighboring properties to function as intended. Rather, the proposed improvements will promote energy resiliency, which will benefit area energy customers. In addition, there are no residences in the general vicinity of the site.

*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 easterly side yard setback requirement of 30 feet on the subject property will result in particular and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner. The subject property has a pre-existing, nonconforming lot width of approximately 155 feet, whereas 200 feet is required in the zone. The width of the lot reduces the buildable area in which PSE&G can locate new infrastructure in conjunction with the existing substation layout. The proposed placement of the improvements is dictated by the location and configuration of the existing improvements on the site, and regulatory requirements to maintain certain clearances

between equipment structures. Without the ability to install the new infrastructure and equipment within the designated side yard setback, PSE&G would be hindered in its effort to provide safe, adequate, and reliable energy from this site to the region it serves.

- 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.*

Approval of the variance to permit a 21.5-foot side yard setback, whereas a minimum side yard setback of 30 feet is required, 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. The proposed substation upgrades will promote the general welfare through the improvement of power capacity to the public that are served by this PSE&G substation. The existing facility is unmanned and will continue to be so after the installation of the new infrastructure, requiring only occasional visits from PSE&G personnel for maintenance purposes. Therefore, traffic to the site is not excessive, and will remain unchanged in the proposed condition. The proposed reduction in the side yard setback for the placement of new structures and equipment will not have a substantial negative impact on any of the surrounding properties.

Proposed structures within the required side yard setback include the installation of concrete containment pits around the transformers. The containment structures are a secondary containment measure for oil that may potentially leak from the

transformer and will prevent contamination on the site, thereby promoting the public health and safety, of particular importance on a site within a floodplain.

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

The granting of the requested side yard setback variance will not have any adverse environmental impacts. There will be no vibrations, glare, airborne emissions, hazardous or radioactive materials, or traffic generated by the proposed equipment and structures that would have a substantial adverse environmental impact. No environmentally sensitive areas will be affected by the installation of the new electrical equipment and structures. The installation of the concrete containment structures around the transformers will act as a secondary measure to capture any potential oil leakage, which will prevent contamination on a site that is located within a floodplain.

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

The requested side yard setback variance represents the minimum deviation from the regulations that will afford relief. Potential locations on the site to install the concrete structures and footings for electrical equipment are restricted due to the narrow configuration of the property and the location of the existing equipment and overhead lines on the site. The new equipment and structures have been consolidated to the extent possible, as the substation must remain in operation as the upgrade project is

implemented. The narrow 155-foot lot width and layout of the existing equipment limit potential locations for the proposed structures and equipment. The proposed project involves the replacement and reconstruction of existing electrical transmission equipment as part of a regional energy infrastructure initiative. Adequate light, air and open space will continue to be provided in the proposed condition.

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

Granting the requested side yard setback variance will not substantially impair the intent and purpose of the regulations. The existing and proposed use complies with the District's zoning regulations and is consistent with the Master Plan, as heavy public utility uses are permitted in the zone.

The District Zoning Regulations are intended to provide for infrastructure and utility improvements and to promote the efficient use of the land, and the requested variance will not substantially impair these purposes. The proposed equipment upgrades are required to be located within the side yard setback as proposed due to the existing configuration of the property and the location of the existing improvements on the site. The equipment upgrades will increase the reliability in the supply of electricity in the area, thus promoting the orderly development of the District.

**C. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.98(a)3iii, which requires a minimum rear yard setback of 75 feet. The applicant is proposing concrete structures and footings for electric transmission structures with a minimum setback of 47.2 feet from the rear property line.**

The 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 requested variance to install concrete structures and footings for electric transmission structures as part of an equipment upgrade, with a minimum setback of 47.2 feet from the southerly rear property line, arises from conditions that are unique to the site. The subject property is comprised of two lots within the Intermodal B zone. The site, owned by PSE&G, is currently developed with a PSE&G electrical substation with transmission towers and electrical equipment. According to testimony by the applicant, the site was originally developed in 1972.

The property in question is long and narrow, having a pre-existing nonconforming lot width of approximately 155 feet, which is less than the required lot width of 200 feet in the Intermodal B zone. The property also has a pre-existing, nonconforming lot area of approximately 2.045 acres, which is less than the required area of 3 acres for the Intermodal B zone.

The upgrade project is required as part of a regional resiliency initiative to upgrade existing energy infrastructure. As part of the upgrade, the applicant proposes a concrete containment structure and equipment footings at a minimum setback of 47.2 feet from the southerly rear property line. The concrete containment structure is a secondary containment measure for oil that may leak from the transformer and will prevent contamination on the site, which is located within a floodplain. The placement and configuration of the proposed equipment on the site is dictated by the location of the existing equipment and regulatory requirements to maintain certain clearances between equipment structures. Therefore, the variance requested arises from conditions that are unique to the property in question and are not ordinarily found in the same zone.

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

The granting of the requested rear yard setback variance to install new electrical equipment and concrete containment structures will not adversely affect the rights of neighboring property owners or residents. No adverse visual impacts are anticipated to the adjoining property to the south, which is the portion of the USPS site containing existing PSE&G electrical transmission towers. Existing site and maintenance operations will be maintained at their present levels. The site is an unmanned electrical substation that requires only occasional visits by PSE&G personnel. The proposed variance will not impact the ability of neighboring properties to function as intended. Rather, the proposed

improvements will promote energy resiliency, which will benefit area energy customers. In addition, there are no residential properties within the general vicinity of the property.

*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 will result in peculiar and exceptional practical difficulties and undue hardship to PSE&G. The installation of the new electrical infrastructure is necessary in order to help facilitate the adequate provision of reliable electrical service to PSE&G customers in the area. The narrow 150-foot width of the lot and the placement of existing improvements on the site result in practical difficulties in the ability of the property owner to implement the required upgrades to the regional electric system while complying with the required rear yard setback. The proposed placement of the equipment and concrete containment structure is dictated by the location and configuration of the existing improvements on the site and regulatory requirements to maintain certain clearances between equipment structures. Without the ability to install the new electric infrastructure and equipment within the designated rear yard setback, PSE&G would be hindered in its effort to provide safe, adequate, and reliable energy from this site to the region it serves.

- 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.*

The granting of the rear yard setback 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. The new equipment is similar to the existing electrical equipment already located on the site. The proposed infrastructure and equipment improvements will allow PSE&G to provide safe, reliable, and adequate energy to its customers, benefiting the welfare and convenience of the public.

The proposed substation upgrades will also promote the general welfare through the improvement of power capacity to the public that are served by this PSE&G substation. The existing facility is unmanned and will continue to be so after the installation of the new infrastructure, requiring only occasional visits from PSE&G personnel for maintenance purposes. Therefore traffic to the site is not excessive, and will remain unchanged in the proposed condition. The proposed reduction in the rear yard setback for the placement of new structures and equipment will not have negative impact on any of the surrounding properties.

Proposed structures within the required rear yard setback include electrical equipment and concrete containment pits. The containment structures are a secondary containment measure for oil that may potentially leak from the transformer and will prevent

contamination on the site, thereby promoting the public health and safety, of particular importance on a site within a floodplain.

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

The granting of the requested rear yard setback variance will not have any adverse environmental impacts. There will be no vibrations, glare, airborne emissions, hazardous or radioactive materials, or traffic generated by the structures or equipment that would have a substantial adverse environmental impact. No environmentally sensitive areas will be affected by the installation of the new structures or equipment. The installation of concrete containment structures around the proposed transformers will act as a secondary measure to capture any potential oil leakage, which will prevent contamination on a site that is located within a floodplain.

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

The requested rear yard setback variance represents the minimum deviation from regulations that will afford relief. Due to the existing configuration of the substation, potential locations on the site to install new equipment and infrastructure are limited due to the narrow configuration of the property and the location of existing equipment on the site. The placement of equipment is based on standards dictated by the National Electric Code, which provide for required clearances and distance between structures.

PSE&G has consolidated the equipment and structures to the extent possible, while still meeting the requirements of the National Electric Code. The site configuration in the proposed condition is further constrained in that the substation and existing equipment must remain in operation as the upgrade project is implemented. Adequate light, air and open space will continue to be provided.

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

The granting of the variance to permit structures and equipment with a minimum rear yard setback of 47.2 feet, whereas 75 feet is required, will not substantially impair the intent and purpose of these regulations. The existing and proposed heavy public utility use is a permitted use in the Intermodal B zone. The site will continue to function as designed with an upgrade to the electrical equipment, as well as spill containment structures that promote the general welfare.

The District Zoning Regulations are intended to provide for infrastructure and utility improvements and to promote the efficient use of the land, and the requested variance will not substantially impair these purposes. The proposed equipment upgrades are required to be located within the rear yard setback as proposed due to the existing configuration of the property and the location of the existing improvements on the site. The equipment upgrades will increase the power supply and reliability of electricity in the surrounding area in a safe and efficient manner, thus promoting the orderly development of the District.

IV. SUMMARY OF CONCLUSIONS

A. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.98(a)3ii, which requires a minimum side yard setback of 30 feet. The applicant is proposing concrete structures and footings for electric transmission structures with a minimum setback of 21.5 feet from the westerly side property line.

Based on the record in this matter, the bulk variance application to construct concrete structures and footings for electric transmission structures with a minimum setback of 21.5 feet from the westerly side property line, whereas a minimum side yard setback of 30 feet is required, is hereby recommended for APPROVAL.

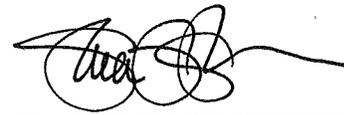
<u>APPROVAL</u>	<u>6/22/15</u>	
Recommendation on Variance Request	Date	Sara J. Sundell, P.E., P.P. Director of Land Use Management
<u>APPROVAL</u>	<u>6/22/15</u>	
Recommendation on Variance Request	Date	Ralph J. Marra, Jr. Senior Vice President Legal & Regulatory Affairs

**B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.98(a)3ii, which requires a minimum side yard setback of 30 feet. The applicant is proposing concrete structures and footings for electric transmission structures with a minimum setback of 21.5 feet from the easterly side property line.**

Based on the record in this matter, the bulk variance application to construct concrete structures and footings for electric transmission structures with a minimum setback of 21.5 feet from the easterly side property line, whereas a minimum side yard setback of 30 feet is required, is hereby recommended for APPROVAL.

APPROVAL  
Recommendation on  
Variance Request

6/22/15  
Date



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

APPROVAL  
Recommendation on  
Variance Request

6/22/15  
Date

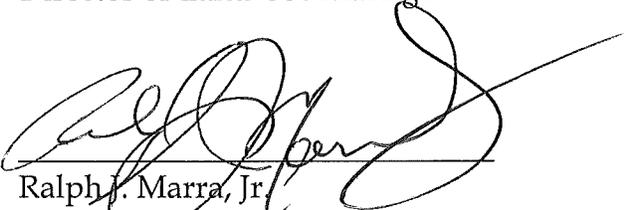


Ralph J. Marra, Jr.  
Senior Vice President  
Legal & Regulatory Affairs

- C. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.98(a)3iii, which requires a minimum rear yard setback of 75 feet. The applicant is proposing concrete structures and footings for electric transmission structures with minimum setback of 47.2 feet from the rear property line.

Based on the record in this matter, the bulk variance application to construct concrete structures and footings for electric transmission structures with a minimum setback of 47.2 feet from the rear property line, whereas a minimum rear yard setback of 75 feet is required, is hereby recommended for APPROVAL.

APPROVAL                      6/22/15                        
Recommendation on              Date                      Sara J. Sundell, P.E., P.P.  
Variance Request                      Director of Land Use Management

APPROVAL                      6/22/15                        
Recommendation on              Date                      Ralph J. Marra, Jr.  
Variance Request                      Senior Vice President  
Legal & Regulatory Affairs