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July 7, 2023

VIA EFILING AND EMAIL

Francisco Espinoza, Zoning Board Secretary
Jersey City Division of Planning
360 MLK Drive aka One Jackson Square
Jersey City, NJ 07305

**Re: Howell Complex Investments, LLC
18 Orchard Street (f/k/a 18 Orchard Street and 227 Summit Avenue)
Block 15104, Lot 2.01 (f/k/a Block 15104, Lots 2 and 3)
Extension of Final Major Site Plan Approval with “c” and “d” variances for
application approved under Case No. Z18-113**

Dear Mr. Espinoza:

Please be advised, this office represents Howell Complex Investments, LLC (“Applicant”) the owner of the above-referenced property. Please allow this letter to serve as a formal request to extend the land use approvals obtained under Case No. Z18-113 (the “Approval”) for the period of three (3) years pursuant to N.J.S.A. 40:55D-52(a) and Section 345-24(E)(1) of the Jersey City Land Development Ordinance.

The Approval, in summary, consisted of the construction of a new five (5) story building fronting on Orchard Street and stepping down to four (4) stories on Summit Avenue containing nineteen (19) dwelling units and nine (9) parking spaces. The variances related to use and the compact spaces and curb cut size for the garage. Please see the attached Resolution of Approval.

The Approval was obtained for the above-referenced property on September 26, 2019 and memorialized by way of resolution on October 10, 2019.

The applicant now requests a three (3) year extension of these approvals in order to develop the property in accordance with the Final Major Site Plan with the “c” and “d” variances as submitted and approved by the Jersey City Zoning Board. The extensions of the approvals and the corresponding protections can be requested of the Jersey City Zoning Board pursuant to N.J.S.A. 40:55D-52(a) and Section 345-24(E)(1) of the Jersey City Land Development Ordinance. Pursuant to N.J.S.A. 40:55D-52(c) an application may be made for extension after the initial two-year period has ended, but in that event the date from which the extensions shall be the date on which the initial two-year period expired. See Friends of Peapack Gladstone v.

Borough, 407 N.J. Super. 404, 427 (App. Div. 2009). Accordingly, if the extension were to be provided, the approval would receive statutory protection until October 10, 2024.

In support of this extension I offer the following: a lien on the Property prevent full acquisition of the development Parcel from the owners under the original contract. Additionally, Applicant sought to relocate the existing tenants in order to allow for demolition of the Property. The delays have prevented the Applicant with proceeding the permitting post demolition. As such, the Applicant will require a three (3) year extension to complete the project as approved and requests the same from the Zoning Board.

Applicant will provide the \$300.00 payment on the City's Portal once a Case Number has been provided.

Please advise as to when this request can be presented to the Planning Board.

Very truly yours,

Thomas P. Leane

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TPL