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March 3, 2022

VIA EMAIL ONLY aneale@veronanj.org

VIA REGULAR/CERTIFIED MAIL RRR

Planning Board
Township of Verona
Verona Town Hall
600 Bloomfield Avenue
Verona, NJ 07044

Re: Request for Extension

Applicant: DMH2, LLC

Property: 176-200 Bloomfield Avenue, Verona, NJ
Block 8, Lots 1 and 23

Resolution No: 5-2015

Dear Sir/Madam:

I am the managing member of the applicant DMH2, LLC and I submit this request for extension with regard to the above captioned matter. Please accept this as a request for an extension of final approval pursuant to N.J.S.A 40-55D-52, *et seq.* of the above captioned Resolution. Under this statute without an extension the Approval might expire within a period of two (2) years from the date that Appellate Review was finalized (April 2, 2020).

Pursuant to N.J.S.A. 40-55D-52 the Board may grant extensions of this Approval, for a period of one year from each extension, but not to exceed three extensions. Please be advised that the Applicant respectfully requests that the Board kindly consider and grant a statutory extension of the Approval for a period of one year, through April 1, 2023. It is respectfully submitted that the Board has the authority to grant the Extension.

It is requested that the Board consider that, among other, the Applicant has made a good faith and diligent effort to comply with the numerous terms and conditions of the Resolution including, but not limited to the following: compliance with applicable Town, County, State and Federal laws, ordinances, regulations and directives. Applicant is currently in Resolution compliance review with the Township Engineers and has made a

formal submission of the Final Plans. Further, the Board should be aware that the Building Department of the township has condemned the house on the property and we are working on the demolition of the house, but have been delayed because of the inability of PSE & G to complete its preliminary work which is necessary to obtain the demolition permit.

In addition to other circumstances beyond the Applicant's reasonable control, the Applicant has been substantially delayed as a result of the COVID-19 impacts on the State of New Jersey, which included various and extensive statewide closures and restrictions occasioned by the Executive Orders issued by the Governor of the State of New Jersey and other actions of other governmental entities and agencies in conjunction with the health crisis.

It is respectfully submitted that the substantial good faith and diligent efforts undertaken by the Applicant have involved the expenditure of substantial sums of money in reliance upon and in conjunction with the Approval and such efforts and expenditures constitute "good cause". Accordingly, in consideration of the attendant circumstances and with the further evident understanding that the requested Extension is not detrimental to the public good, it is again respectfully submitted that the Board approve the requested Extension.

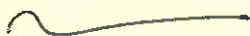
The Applicant requests that the Board also consider that the Permit Extension Act of 2020 (referred to as the "PEA") that was signed into law by Governor Murphy on June 30, 2020, tolls governmental approvals, including the tolling of approvals granted pursuant to the Municipal Land Use Law, N.J.S.A. 40-55 D-1 *et seq* for the COVID-19 Extension Period. Please consider that the COVID-19 Extension Period extends approvals for so long as the public health emergency remains in New Jersey, plus six months thereafter.

Accordingly, although the Applicant makes this request for the approval of the requested Extension, the Applicant does so without waiving or relinquishing any of the Applicant rights, claims, remedies and/or defenses with regard to or in conjunction with the aforementioned COVID -19 Extension Period. Moreover, without limiting or qualifying the foregoing, the Applicant reserves the Applicant's right to submit an extension request pursuant to N.J.S.A. 40:55D-52, *et seq*, upon the expiration of the automatic COVID-19 Extension Period.

It is also requested that the Board kindly place this request on the Board's agenda and that it consider and approve the Extension at the Board's next meeting.

Further, it is my understanding that public notice of the request for Extension is not required. If you should require anything further in the way of documentation please advise. Thank you for your consideration.

Very truly yours,



Michael Harrison

MH:ss