



TOWNSHIP OF NORTH BRUNSWICK

710 HERMANN ROAD
NORTH BRUNSWICK, NJ 08902

Tel.: (732) 247-0922 x440

Fax: (732) 289-3822

Website: WWW.NORTHBRUNSWICKNJ.GOV

DEPARTMENT OF COMMUNITY DEVELOPMENT

May 10, 2021

James E. Stahl, Esq.
Borrus, Goldin, Foley, Vignuolo, Hyman & Stahl, P.C.
2875 Route 1
North Brunswick, NJ 08902

RE: *Hitesh R. Patel Family Trust - File No. 2609*
Finnegan's Lane
Block: 1 Lot(s): 14.01

Dear Mr. Stahl:

The Department of Community Development received your request to extend the 190-day period for filing a minor subdivision plat or deed pursuant to N.J.S.A. 40:55d-47(d).

Upon review of your request, the following findings were made:

- a. Pursuant to N.J.S.A. 40:55d-47(d), approval of a minor subdivision expires 190 days from the date on which the resolution of municipal approval is adopted unless within such period a plat in conformity with such approval and the provisions of the "Map Filing Law," P.L.1960, c.141 (C.46:23-9.9 et seq.), or a deed clearly describing the approved minor subdivision is filed by the developer with the county recording officer, the municipal engineer and the municipal tax assessor.

The minor subdivision resolution of approval for the property in question was adopted on August 18, 2020.

- b. Pursuant to N.J.S.A. 40:55d-47(f), the Board may extend the 190-day period for filing a minor subdivision plat or deed pursuant to subsection d. if the developer proves to the reasonable satisfaction of the Board (1) that

the developer was barred or prevented, directly or indirectly, from filing because of delays in obtaining legally required approvals from other governmental or quasi-governmental entities and (2) that the developer applied promptly for and diligently pursued the required approvals. The length of the extension shall be equal to the period of delay caused by the wait for the required approvals, as determined by the Board. The developer may apply for the extension either before or after what would otherwise be the expiration date.

The applicant should provide testimony satisfactory to the Board regarding compliance with statutory requirements.

- c. Pursuant to N.J.S.A. 40:55d-47(g), the Board shall grant an extension of minor subdivision approval for a period determined by the board but not exceeding one year from what would otherwise be the expiration date, if the developer proves to the reasonable satisfaction of the board that the developer was barred or prevented, directly or indirectly, from proceeding with the development because of delays in obtaining legally required approvals from other governmental entities and that the developer applied promptly for and diligently pursued the required approvals. A developer shall apply for the extension before (1) what would otherwise be the expiration date of minor subdivision approval or (2) the 91st day after the developer receives the last legally required approval from other governmental entities, whichever occurs later.

The applicant should provide testimony satisfactory to the Board regarding compliance with statutory requirements.

Therefore, you will be notified regarding the status of your request with respect to a Board hearing. If you have any questions, you may contact Kristen Olcsvay, Secretary to the Zoning Board, at 732-247-0922, extension 440.

Sincerely,



Andrei Alexeev
Zoning Officer