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January 12, 2023

Via Certified Mail RRR & Email kdickert@neptunetownship.org

Township of Neptune Planning Board
Attn: Kristie Dickert, Board Secretary
2201 Heck Avenue
Neptune, New Jersey 07753

RE: OG North End Development, LLC/Site Plan Application
PQ: Block 101, Lots 3 & 4; Parts of Lots 2 & 5 and End of Beach Avenue
Our File No. 68031-2

Dear Ms. Dickert,

As you are aware, the above-referenced application was granted Preliminary and Final Site Plan approval by the Planning Board by Resolution adopted on February 26, 2020 ("Approval"). Then, by Resolution adopted on March 23, 2022 the Planning Board extended the Approval through February 26, 2023. Despite proceeding diligently, we have not yet obtained all necessary outside agency approvals, particularly a Certificate of Appropriateness from the Historic Preservation ("HPC"). We have a pending appeal of the HPC decision with the Zoning Board of Adjustment and are engaged in litigation relative to the project.

Pursuant to the MLUL and Section 809.H.1 of the Township's Land Development Ordinance ("LDO"), the zoning requirements applied to the project and rights conferred to the Applicant shall not be changed for a period of two (2) years after the date of final approval. Additionally, Section 709.B states that final site plan approval shall expire two (2) years from the date of the memorialization of the approving resolution. Section 809.H.2 provides that the Board may extend such period of protection of rights for extensions of one (1) year but not to exceed three (3) such extensions and Section 709.J permits the Board to grant up to three (3) one (1) year extensions.

In light of the delays outlined above, Applicant respectfully requests an additional one (1) year extension of the Approval as permitted under the MLUL and both Sections 709.B and 809.H of the LDO.

Please advise if my appearance is necessary at the next Planning Board hearing in order to process this request.

Very truly yours,



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