

# *Francis J. DeVito, P.A.*

*A Professional Corporation*

*Counsellors at Law*

*250 Moonachie Road, Suite 305*

*Moonachie, N.J. 07074*

*(201) 487-7575*

*Fax (201) 487-1646*

FRANCIS J. DEVITO\*

FRANK RIVELLINI

\* N.J. & N.Y. BARS

July 7, 2020

Nylema Nabbie, Esq.  
Cleary Giacobbe Alfieri Jacobs LLC  
169 Ramapo Valley Road, UL 105  
Oakland, New Jersey 07436

Brian M. Chewcaskie, Esq.  
Cleary Giacobbe Alfieri Jacobs LLC  
169 Ramapo Valley Road, UL 105  
Oakland, New Jersey 07436

Secretary of the Planning Board  
Borough of River Edge  
705 Kinderkamack Road  
River Edge, NJ 07661

**Re: ILBJ, LLC  
335 Johnson Avenue  
Block 1405 – Lot 3**

Members of the River Edge Planning Board

Please be advised that the undersigned represents the applicant ILBJ LLC, the owner of property located at 335 Johnson Ave., River Edge, NJ. It is the intention of this correspondence to obtain, on behalf of my client a 1-year extension of approvals to construct an office building received from the River Edge Land Use Board. By way of background, the following is a timeline of events relevant to this application:

1. The Borough of River Edge Land Use Board voted to approve the application if ILBJ on February 7, 2018. The approval was for the construction of a two-story, 14,867 SF building for mixed use retail and office uses.
2. The approval was memorialized by a "Resolution Granting Preliminary and Final Site Plan Approval, Bulk Variances and Major Soil Movement Approval" dated August 13, 2018, a copy attached hereto as **Exhibit A**.

3. A Developers Agreement was executed by the Applicant, the Borough of River Edge and the Planning Board on October 10, 2018. See **Exhibit B**

4. On or about September 5, 2018 a Bond was filed with the municipality.

5. Architectural and engineering plans were submitted to the municipality for review on or about February 19, 2020. Comments to those plans were received by the Applicant from the Borough's professionals on or about April 10, 2020. Those comments were then transformed into the plans submitted as changes.

6. The Applicant is awaiting the issuance of a Building Permit.

This application for extension is necessary in order to have sufficient time once the permits are issued to obtain the necessary financing for this project which is estimated to cost in excess of \$5,000,000. In addition, the permitting process was slowed during the recent Covid -19 pandemic, which has affected all of us.

The Developers Agreement at Paragraph 3 states that all of the Developers obligations must be completed within 2 years of the date of the Developers agreement. It also provides for an extension that may be granted to the Developer.

In addition, Section 350-17 of the River Edge Land Use ordinance entitled "Effects of final site plan approval" provides that "The site plan approval shall expire two years after the same was issued if no site plan construction was performed during said period".

Therefore, the Applicant requests the 1year extension to permit this project to move forward.

Very truly yours,

*Francis J. DeVito*

Francis J. DeVito

FDV/rdc

Enc.

cc: Kevin Barr  
Steve Ianuzzi