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September 9, 2019

Via Overnight Delivery & Email (planzone@gtnj.org)

Heather Butler, Administrator
Galloway Township Planning & Zoning Board
300 E. Jimmie Leeds Road
Galloway, NJ 08205

**Re: Application of Ole Hansen & Sons, Inc. to Rescind and/or Abandon Land
Development Approvals Regarding the Properties Located at:
Block 453, Part of Lots 2 and 11; Block 455, Part of Lots 1, 2 and 11;
Block 456, Part of Lots 1, 2, 3, 4, 5, 6, 7 and 8; and Block 457, Lot 3.04
in the Township of Galloway, Atlantic County
Our File No. 5486-11V**

Dear Ms. Butler:

This office represents Ole Hansen & Sons, Inc. ("Hansen"), owner of the above-referenced property. As explained more fully in the enclosed documents, Hansen previously obtained conditional use approval and preliminary major subdivision approval from this Board on June 8, 2006 to permit the construction of 944 residential units to be constructed in seven phases (the "Project"). On February 8, 2007, Hansen received final major subdivision approval for the single-family portion of Phase 1A and on February 22, 2007, Hansen received final major site plan approval for the multi-family portion of Phase 1A. On August 6, 2009, Galloway Township granted a 15-year extension of zoning protection pursuant to N.J.S.A. 40:55D-52B, as well as amended subdivision and site plan approval. The Galloway Township approval period of protection relating to the above approvals will expire on August 5, 2024.

As a result of the Great Recession of 2008, which affected Atlantic County especially hard, the proposed project almost immediately became no longer viable. Since that time, Hansen hoped the market would rebound enough to make the Project financially worthwhile again, however, the housing market never quite returned to its pre-recession status and the local market has since changed to the point that large scale housing is not reasonably sustainable and therefore not a viable development option. For these reasons, Hansen seeks to abandon the Project approvals granted by the Planning Board as well as the approvals granted by the Pinelands Commission and Atlantic County.

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In furtherance of that effort, Hansen hereby requests that the Planning Board adopt a Resolution accepting Hansen's abandonment of the project and officially rescinding all land use approvals granted by the Planning Board with respect thereto.

In support of this request, enclosed please find a copy of Hansen's May 21, 2019 submission to the New Jersey Department of Environmental Protection ("DEP") wherein Hansen requested approval to release, in part, certain conservation restrictions which were established in 2007 to satisfy conditions of the Project approvals. We specifically direct your attention to the May 2, 2019 Project Report prepared by Daniel J. Galletta, P.P. submitted therewith, which provides further background and detail regarding the land use approvals issued for the project and addresses the statutory requirements necessary to obtain DEP's approval to release a portion of the existing conservation restrictions. Since the submission of the May 21, 2019 letter to DEP, the Department has requested evidence that Hansen has taken official action to abandon the Project approvals. It is for this reason that Hansen seeks a formal Resolution from the Planning Board acknowledging that the Project approvals for the above referenced properties have been formally rescinded.

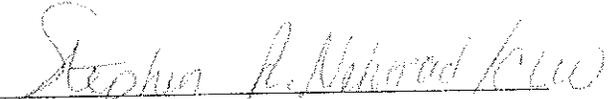
Please note Hansen is simultaneously asking Mayor and Township Council to adopt a resolution indicating the Township's consent to, and/or no objection to, release of these restrictions by NJDEP. Hansen also has asked the Township to include in the same resolution a formal release of any and all interests it may have in and/or to the restrictions established in the Declaration (excepting only the wetlands area and wetlands buffer area restrictions). A copy of that request also is enclosed herewith. As you will see, we have asked the Governing Body to consider that request at its next meeting on September 24, 2019.

Accordingly, kindly place the within request on the Planning Board's agenda for consideration at its next meeting which I understand is scheduled for September 19, 2019. This office and representatives of Hansen, including Mr. Galletta, will be available to attend the September 19, 2019 Planning Board meeting to answer any questions the Board may have before taking official action.

Please confirm this matter will be considered by the Planning Board on September 19, 2019.
Kindly feel free to contact me at this office should you have any questions in advance thereof.

Very truly yours,

NEHMAD PERILLO DAVIS & GOLDSTEIN, P.C.

BY: 
STEPHEN R. NEHMAD

SRN:cj
Enclosures

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cc: John A. Ridgway, Esquire (Via Email: JRidgway@RidgwayLegal.com) (w/ encl.)
Kelli Danieli, RMC, Township Clerk (Via UPS Overnight Delivery &
Email: kdanieli@gtnj.org) (w/ encl.)
Michael Fitzgerald, Esquire (Via Email: mfitzgerald@finlawnj.com) (w/ encl.)
Judeth Yeany, DEP-Green Acres Program (Via Email: Judeth.Yeany@dep.nj.gov) (w/ encl.)
Melissa Abatamarco, Esquire, DEP-Green Acres Program
(Via Email: Melissa.abatamarco@dep.nj.gov) (w/ encl.)
Robert Guzek, DEP (Via Email: Robert.Guzek@dep.nj.gov) (w/ encl.)
Charles Horner, P.E. - Director of the Pinelands Commission (w/ encl.)
Daniel J. Galletta, P.P. (Via Email) (w/encl.)
David Goddard (Via Email) (w/encl.)
CherylLynn Walters, Esquire (Via Email: cwalters@npdlaw.com) (w/ encl.)

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