BACH Associates, P C
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October 29, 2026

Elk Township Planning/Zoning Board
680 Whig Lane
Monroeville, NJ 08343

Attn: Ann Marie Weitzel, Board Secretary

Re: Aura Towns Urban Renewal, LLC
Major Site Plan and Preliminary and Final Major Subdivision Approval (Aura III)
Block 31, Lots 2.02, 5.02, 7 and 22; Block 32, Lots 1 and 2;Block 58, Lot 1
Richwood Aura Road (CR 667)
C2 – Highway Commercial Zoning District
Request for Extension of Approvals
Bach Associates No. ETPB2026-14

Dear Chairman and Members of the Board:

Our office has received the request for an extension of the age restricted portion of the development comprised of the Willows and Carriages within the Aura III Major Site Plan and Preliminary and Final Major Subdivision Approval for four (4) years, pursuant to N.J.S.A. 40:55D-52(e) Final approval of site plan or major subdivision; extension, which states the following:

> *a. The zoning requirements applicable to the preliminary approval first granted and all other rights conferred upon the developer pursuant to section 37 of P.L.1975, c.291 (C.40:55D-49), whether conditionally or otherwise, shall not be changed for a period of two years after the date on which the resolution of final approval is adopted; provided that in the case of a major subdivision the rights conferred by this section shall expire if the plat has not been duly recorded within the time period provided in section 42 of P.L.1975, c.291 (C.40:55D-54). If the developer has followed the standards prescribed for final approval, and, in the case of a subdivision, has duly recorded the plat as required in section 42 of P.L.1975, c.291 (C.40:55D-54), the planning board may extend such period of protection for extensions of one year but not to exceed three extensions. Notwithstanding any other provisions of this act, the granting of final approval terminates the time period of preliminary approval pursuant to section 37 of P.L.1975, c.291 (C.40:55D-49) for the section granted final approval.*
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> *b. In the case of a subdivision or site plan for a planned development of 50 acres or more, conventional subdivision or site plan for 150 acres or more, or site plan for development of a nonresidential floor area of 200,000 square feet or more, the planning board may grant the rights referred to in subsection a. of this section for such period of time, longer than two years, as shall be determined by the planning board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under final approval, (2) economic conditions and (3) the comprehensiveness of the development. The developer may apply for thereafter, and the planning board may thereafter grant, an extension of final approval for such additional period of time as shall be determined by the planning board to be reasonable taking into consideration (1) the*

number of dwelling units and nonresidential floor area permissible under final approval, (2) the number of dwelling units and nonresidential floor area remaining to be developed, (3) economic conditions and (4) the comprehensiveness of the development.

c. Whenever the planning board grants an extension of final approval pursuant to subsection a., b., or e. of this section and final approval has expired before the date on which the extension is granted, the extension shall begin on what would otherwise be the expiration date. The developer may apply for the extension either before or after what would otherwise be the expiration date.

d. The planning board shall grant an extension of final 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 these approvals. A developer shall apply for the extension before (1) what would otherwise be the expiration date of final approval or (2) the 91st day after the developer receives the last legally required approval from other governmental entities, whichever occurs later. An extension granted pursuant to this subsection shall not preclude the planning board from granting an extension pursuant to subsection a., b., or e. of this section.

e. In the case of a site plan for a development consisting of not less than 150,000 square feet of nonresidential floor area or not less than 100 residential dwelling units, or consisting of a combination of square feet of nonresidential floor area and residential dwelling units, which when proportionately aggregated at a rate of 1,500 square feet of nonresidential floor area to one residential dwelling unit, are equivalent to at least 150,000 square feet of nonresidential floor area or 100 residential dwelling units, the planning board may grant the rights referred to in subsection a. of this section for such period of time beyond two years, as shall be determined by the planning board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under final approval, (2) economic conditions, and (3) the comprehensiveness of the development. The developer may apply for thereafter, and the planning board may thereafter grant, an extension of final approval for such additional period of time as shall be determined by the planning board to be reasonable taking into consideration (1) the number of dwelling units and nonresidential floor area permissible under final approval, (2) the number of dwelling units and nonresidential floor area remaining to be developed, (3) economic conditions, and (4) the comprehensiveness of the development.

In accordance with N.J.S.A. 40:55D-52(e) as referenced above, the Board may grant an extension for a reasonable amount of time as the subject development consists of more than 100 units. The application has been granted approvals at the public hearing on December 17, 2024 pursuant to Resolution No. 2024-17, memorialized on January 15, 2025. The approval is protected through January 15, 2027. The request is to extend the protection from zoning changes for four (4) years, through January 15, 2031.

Our office has reviewed this request and has no objection to the Board granting a four (4) year extension of Major Site Plan and Preliminary and Final Major Subdivision approvals.

Should there be any questions or if additional information is required, please contact the undersigned at (856) 546-8611.

Very truly yours,
BACH ASSOCIATES, PC

Steven M. Bach, PE, RA, PP, PLS, CME
President

Candace Kanaplue, PP, AICP
Associate

Cc: Brandon E. DeJesus, Esq., Board Solicitor
Michael Lario, Jr., Esq, Applicant's Attorney
Aura Towns Urban Renewal, LLC, Applicant
Jason Regan, PE, Applicant's Professional

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