

# WILENTZ

—ATTORNEYS AT LAW—

WILENTZ, GOLDMAN & SPITZER, P.A.

## Robert Beckelman

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### Practices

Redevelopment  
Land Use  
Real Estate  
Environmental

### Education

J.D., Rutgers School of Law-  
Newark, 2000  
B.A., Rutgers University, 1997,  
*High Honors*

### Admissions

New Jersey, 2000  
Supreme Court of New Jersey,  
2000  
U.S. District Court for the District of  
New Jersey, 2000  
United States Supreme Court, 2017

### Memberships

New Jersey State Bar Association,  
Land Use Section  
Mercer County Bar Association,  
Real Estate Section  
New Jersey Builders Association  
Redevelopment Committee  
NAIOP New Jersey Chapter

Robert Beckelman is a shareholder at Wilentz, Goldman & Spitzer, P.A. concentrating his practice in redevelopment, land use and zoning, affordable housing and related litigation.

Mr. Beckelman represents real estate developers and property owners in connection with land use and zoning matters and disputes as well as municipalities as special redevelopment, housing or litigation counsel.

On the transactional side of his practice, Mr. Beckelman negotiates and drafts contracts, developer and tax abatement agreements, and advises on legal issues related to the preparation of redevelopment reports, plans and public documents. He advises clients on statutory and regulatory compliance aspects of redevelopment projects, eminent domain, municipal governance, state agency reviews and approvals, and affordable housing requirements.

On the litigation side, Mr. Beckelman appears in New Jersey Superior Court in land use, zoning, condemnation, commercial and civil litigation matters. He represents clients in appearances before local boards and agencies, governing bodies and state agencies. His experience also encompasses code enforcement issues, local government laws, procurement, public bidding and contracts, elections and lobbying laws, Tidelands and CAFRA issues, and municipal court matters.

Mr. Beckelman has handled redevelopment projects and litigation on behalf of developers, property owners or municipalities throughout New Jersey, including significant projects in Asbury Park, Carteret, Emerson, Long Branch, Maplewood, Metuchen, Millville, Morristown, Netcong, Newark, South Bound Brook, Stanhope, Trenton, West Orange, Wildwood, Woodbridge and Wood-Ridge. He has provided counsel or litigation services to special improvement districts in Atlantic City, Bergenfield, East Hanover, Flemington, Keyport, Livingston, Morristown, Perth Amboy, Red Bank, Seaside Heights, Springfield, Teaneck, Toms River and Wildwood.

Mr. Beckelman is a prolific writer on a variety of topics related to real estate and redevelopment law and presents on a variety of redevelopment topics at professional conferences and seminars sponsored by the New Jersey Institute of Continuing Legal Education, the New Jersey Builders Association, the New Jersey Redevelopment Authority and the New Jersey Future Redevelopment Forum, among others. He is an active member of the New Jersey Builders Association, which honored him with its Chairman's Award for his exemplary service on the Redevelopment Committee for his work in the drafting an important piece of legislation that was signed into law in September 2013. The new law amended certain provisions of New Jersey's Local Redevelopment and Housing Law in an effort to boost economic growth and jumpstart building initiatives by addressing issues brought to light by recent case law relating to the use of eminent domain and due process and notice issues. Mr. Beckelman, serving as lead author of the law, worked with his fellow Committee members to produce a straight-forward and balanced piece of legislation that successfully garnered support both within and outside of the development community.

Mr. Beckelman has been distinguished with a Martindale-Hubbell AV Preeminent Peer Review Rating. He has been selected for inclusion to the *Best Lawyers in America* list in Real Estate Law since 2013 and Land Use and Zoning Law since 2022.

Martindale-Hubbell® (<https://www.martindale.com/ratings-and-reviews/>) is published by Internet Brands, Inc.

Best Lawyers in America® (<https://www.bestlawyers.com/methodology>) is published by Best Lawyers.

Super Lawyers® ([http://www.superlawyers.com/about/selection\\_process\\_detail.html](http://www.superlawyers.com/about/selection_process_detail.html)) is published by Thomson Reuters.

A description of the selection processes may be accessed via the above links. The aforementioned organizations are private peer review organizations, not court-specific, public certification vehicles. No aspect of this advertisement has been submitted to or approved by the Supreme Court of New Jersey.

While attending Rutgers School of Law, Mr. Beckelman served as judicial intern to The Honorable John J. Hughes, U.S. Magistrate Judge, District of New Jersey. He also served as Chair of the Moot Court Board and contributed to the *Rutgers Law Record*.

## **Publications**

- The Emerge Tax Credit Program: New Caps, More Benefit to State and Enhanced Regulatory Oversight, June 9, 2021
- New Jersey's Innovation Evergreen Fund – Harnessing Venture Capital Firms to Serve as Catalysts for Development of High Growth Businesses In Targeted Industries Located In Planning Area 1 and NJOZs, May 7, 2021
- Development Gap-Financing Under The Aspire Program, April 22,

- 2021
- Anchor Institutions Will Bring Investment to NJOZs and Attract Targeted Industries, April 19, 2021
- Deciphering the New Jersey Economic Recovery Act of 2020: Part I, March 1, 2021

### **Speaking Engagements**

- Anne S. Babineau, Steven J. Tripp and Robert Beckelman to Present at NJICLE 2022 Redevelopment Law Institute, February 18, 2022
- Anne S. Babineau and Robert Beckelman to Present at NJICLE Webinar on Eminent Domain and Redevelopment During COVID-19, November 5, 2020
- Robert Beckelman to Present on Long Branch Oceanfront Redevelopment at New Jersey Future Redevelopment Forum 2020, March 6, 2020

### **Selected Matters**

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

- As special redevelopment counsel for the Borough of Flemington, counseled the Borough through a novel application of a redevelopment area designation, then successfully defended a legal challenge to such redevelopment designation before the trial court, which was affirmed by the Appellate Division.
- On behalf of a national commercial real estate developer, Mr. Beckelman successfully defended in trial court (affirmed on appeal) a challenge to site plan approval for the construction of a retail establishment to be used as a Starbucks coffee shop in Rio Grande, New Jersey brought by a neighboring commercial property owner whose tenants included another Starbucks operation. At the hearings, the objector argued, among other things, that once the Middle Township Planning Board denied a parking variance, the entire application was automatically denied as a matter of law and that therefore, the Board had no authority to continue the hearing and change its interpretation of the zoning ordinance. The objector filed a complaint with the Superior Court challenging the approval. After a prerogative writ hearing, the trial court affirmed the Board's decision and the client's site plan approval.
- Represented the owner of a 236 unit, senior and disabled affordable housing complex in the City of Orange, negotiating the extension of a tax exemption and payment in lieu of tax (PILOT) agreement. A local resident filed a lawsuit against the City and the owner, one of over a dozen lawsuits by this plaintiff against the City, arguing that the PILOT extension was not authorized under the applicable statutes and that the City violated various municipal procedures in its approval of the PILOT. Mr. Beckelman successfully defended the case before the trial court in Essex County, which ruled in favor of the City and the owner and upheld the legality and the City's approval of the PILOT agreement. The plaintiff appealed the trial court decision, which Mr. Beckelman

- defended and argued on February 7, 2018. By *per curiam* decision on August 2, 2018, the Appellate Division affirmed the Essex trial court decision, upholding the legality of the PILOT agreement and providing assurance to the owner and the residents that the complex will continue to operate as a project-based affordable complex.
- Serves as redevelopment counsel and special litigation counsel to the City of North Wildwood in connection with complex, multi-party litigation with proceedings before the Chancery Division, the Law Division, and the Appellate Division. In a case of first impression, in connection with the bond foreclosure proceeding of Marina Bay Towers, a project financed with low income housing tax credits, the Appellate Division reversed the trial court ruling that a State affordability deed restriction was extinguished under federal regulations. The Appellate Division further affirmed the trial court ruling the deed restriction court could be extinguished or modified under the County Improvement Authorities Law, under which law the bonds were issued. Following the Appellate Division decision, engaged in extensive multi-party mediation over several months, successfully negotiating a complex, multi-party global settlement of two cases before the Appellate Division, one before the Chancery Division and one in the Law Division.
  - Served as special redevelopment, housing and litigation counsel to the City of Long Branch, the Borough of Flemington and the Township of Robbinsville. Has also served as special litigation counsel to the City of New Brunswick and the Borough of Belmar.
  - As special redevelopment counsel to the City of Long Branch, concluded negotiations for the final phase of the Pier Village project. The first two phases of the project included a mixed-use residential and retail development on Long Branch's shore front, and the development rights for the third phase were sold by Applied Development Companies to Kushner Companies in 2014 for \$200 million. Since that time, Kushner substantially amended the approved phase 3 plans and the City negotiated the details of this complex project, including substantial boardwalk and public improvements and a \$20 million redevelopment area bond. Kushner partnered with Extell Development to develop the phase 3 project.
  - As special redevelopment counsel for the City of Long Branch, concluded negotiations for four separate residential redevelopment projects in the Beachfront South redevelopment sector, for an estimated total of \$200 million of new development for that sector.
  - Appeared before the Supreme Court of New Jersey, writing and filing an *amicus* brief in *Gallenthin v. Paulsboro* on behalf of the New Jersey League of Municipalities, the New Jersey Chapter of the American Planning Association, and Downtown New Jersey.
  - Represented the New Jersey Association of Realtors in connection with the development of its new headquarters in Trenton, a transformative project at the site of a former industrial property. His role included establishing and negotiating the City of Trenton's first "Garden State Growth Zone" tax exemption under the Economic Stimulus Act of 2013.

- Represented the Camden Redevelopment Agency in its negotiations with the Salvation Army for the remediation, acquisition and redevelopment of a former 85-acre landfill in Camden. The location is now the site of the 120,000 square foot Ray and Joan Kroc Corps Community Center, which has brought employment opportunities, a broad range of recreational facilities and numerous additional benefits to the predominantly low-income local community since opening in October of 2014.