

Thomas J. Malman

Partner

Parsippany, NJ | (973) 966-8179

tmalman@daypitney.com

Overview

Thomas "Tom" Malman represents developers, purchasers, and sellers in connection with the acquisition, sale, development and re-development of residential and commercial real property. He regularly appears before municipal, county and state authorities to secure regulatory approvals, including:

- Site plan and subdivision approvals
- Bulk and use variances
- Stream encroachment permits
- Wetlands disturbance permits
- Other related land development permits

As a result of his extensive experience with real estate development, Tom regularly works with professionals that support real estate industry, including, architects, brokers, civil and structural engineers, landscape architects, traffic consultants, acoustical engineers, appraisers, and construction managers. Tom has been listed in *Chambers USA: America's Leading Lawyers for Business** (Chambers & Partners) as a recognized practitioner real estate: zoning/land use in New Jersey since 2014. Tom served as a law clerk to The Honorable William T. McElroy, Superior Court of New Jersey, Appellate Division. * No aspect of these advertisements have been approved by the highest court in any state. See *Awards Methodology*.

Experience

No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome.

Represents Fortune 100 companies in connection with the acquisition, sale, development and re-development of corporate campuses

Represents a large retail pharmacy chain in connection with the acquisition and development of sites throughout New Jersey

Represents private country clubs in connection with the development and re-development of recreational and clubhouse facilities

Represents providers of senior living facilities in connection with the acquisition, development and expansion of such facilities, including nursing

Practices & Industries

Commercial Real Estate

Corporate & Business Law

New Jersey Land Use & Zoning

facilities, assisted living facilities, independent living units and continuing care retirement communities

Represents landowners in connection with open space preservation transactions with local, county and state entities, including transactions involving Green Acres funding

Represents private educational institutions involving the development and re-development of their campuses

Represents industrial landowners and developers in connection with the acquisition, development and re-development of industrial campuses and facilities

Represents residential homebuilders in connection with both large and small scale projects involving the development of single family homes, multi-family housing, age-restricted housing, affordable housing, and condominiums

Represents large scale developers in connection with the development and re-development of mixed use projects involving a multitude of uses, including hospitality, residential, retail, and office

Represents non-profit institutions in connection with the acquisition, expansion and development of their campuses

Represents companies and individuals in connection with securing permits and approvals for the operation of private use helistops

Represents real estate investment companies in connection with the development and re-development of commercial sites within their portfolio

Represents individual landowners in connection with the development of real property for residential and commercial uses, including applications for use and bulk variances

Education and Credentials

Education

Rutgers Law School, J.D., 1984

Rutgers College, B.A., 1981

Admissions

State of New Jersey

Affiliations

Morris County Bar Association

New Jersey State Bar Association, Land Use Law Section

Recognition and Community

No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome. See Awards Methodology.

Recognitions

Chosen for inclusion in *The Best Lawyers in America* (Woodward/White, Inc.) for Real Estate Law, 2023-2027

Chosen for inclusion in the *Chambers USA Legal Directory* (Chambers & Partners) of recognized practitioners for Real Estate: Zoning/Land Use attorney in New Jersey, 2014-2026

Chosen for inclusion in American Lawyer's *Top AV Rated Lawyers Guide to Land Use & Zoning Law*, 2012, 2013

Recognized as a New Jersey *Super Lawyers*®, Land Use/Zoning, 2009

AV Preeminent rated by Martindale-Hubbell (LexisNexis)

Community Involvement

Morris County Economic Development Corporation, Board of Directors

Rutgers University Alumni Association

Mendham Golf and Tennis Club, Board of Directors; Greens Committee, Chairman

Insights

Appellate Division Affirms Broad Municipal Authority Under LRHL To Negotiate Redeveloper Payments
Day Pitney Alert, April 2, 2025

New Jersey Appellate Division Invalidates Municipal Ordinance Regulating Ownership of Age-Restricted Residences
August 5, 2024

New Jersey Appellate Division Upholds Decision on Electric Vehicle Parking Credits During Concept Review Phase
February 23, 2024

Time for a Rain Check: New Jersey's Stricter Flood Notification Obligations
July, 21, 2023

Reaffirming Deference Owed to Municipal Planning Boards, Appellate Division Rejects Challenge to Liquor Store Approval
July 6, 2023

NJ Highlands Council Announces New Policy Restricting Warehouse Developments
May 25, 2023

NJ Senate Passes Bill Expanding Flood Notice Obligations for Landlords and Sellers
April 11, 2023

Another Win for Dogs: Court Allows Emotional Support Dog Violating Association Pet Policy
March 29, 2023

NJ Supreme Court Issues Important Guidance on 'Area in Need of Redevelopment' Designations
March 24, 2023

"Real Estate Round Table," Day Pitney
February 8, 2023

New Jersey Creates $305 Million Fund to Complete Affordable Housing Projects
October 12, 2022

NJ Economic Development Authority to Offer $300 Million in Tax Credits for Brownfields Redevelopment
September 20, 2022

Tax Court Clarifies Exemption from Non-Residential Development Fee
August 3, 2022

Supreme Court Clarifies Constitutional Analysis Regarding Municipal Commercial Sign Restrictions
May 9, 2022

Tax Court Holds That CAFRA Permit Is Not a Prima Facie Bar to Application of the Freeze Act
May 9, 2022

New Jersey Extension of Time for Certain Claims Against Real Estate Developers
May 2, 2022

Appellate Division Says Denial of a Land Use Application Must Rest on Competent Evidence in the Record Rather Than on Unproven Concerns of Residents and Board Members
March 14, 2022

Paving the Way: New Jersey New Concrete Mandate and Tax Incentives
November 19, 2021

New Jersey Protections for Virtual Land Use Approvals
October 4, 2021

NJEDA Releases Draft Rules for NJ Aspire Program
September 16, 2021

New Jersey Permit Extension Act Registration for Permits Open Until October 8, 2020
September 11, 2020

New Jersey Extends Liquor License Renewal to September 30 Due to COVID-19 Pandemic
April 30, 2020

New Jersey Governor Announces Residential Mortgage Relief Amid COVID-19 Pandemic
March 30, 2020

New Jersey Issues Guidance on Municipal Building Code Departments' Operations During COVID-19 State of Emergency
March 26, 2020

New Jersey Law Expands Eligibility Criteria for Designating Redevelopment Areas
August 15, 2019

Hoboken May Not Require Developer 'Givebacks' as a Condition to Ordinance Approval
April 15, 2019

When It Rains, It Pours: New Jersey's Proposed 'Rain Tax'
February 28, 2019

New Jersey Appellate Division Holds Variance Condition Requiring Owner Occupancy of Unit in Two-Family Dwelling Is Discriminatory Against Renters and Unenforceable
February 22, 2019

New Jersey Appellate Division Rules Public Notices in Land Use Cases Need Clear Description of All Uses Proposed
February 11, 2019

Nonprofit Permitted to Bring LAD Claim Against Objectors to Land Purchase
December 18, 2018

New Tools for Financing Redevelopment Projects
November 19, 2018

Governor Murphy Announces New and Revamped Tax Incentive Programs
October 8, 2018

New Jersey Governor Signs Bill Modifying Sewer and Water Connection Fee Calculations Into Law
August 14, 2018

New Jersey Supreme Court Upholds Appellate Division Decision on "Time of Application" Rule
June 25, 2018

Long-Awaited Decision Sets New Jersey Methodology for Municipal Affordable Housing Obligations
March 13, 2018

New Jersey Legislature Passes Bill Modifying Sewer and Water Connection Fee Calculations
January 10, 2018

Appellate Division Clarifies State University's Qualified Immunity From Local Land Use Regulation
August 28, 2017

Appellate Division Allows Sham Land Use Litigation Claim to Proceed
July 27, 2017

NJ Appellate Division Reverses Trial Court in Interpretation of MLUL Notice Requirements
July 7, 2017

News

Chambers Recognizes Day Pitney with Elevated Rankings Across Practices and Attorneys
June 6, 2024

Chambers USA 2023 Ranks 35 Day Pitney Attorneys and 13 Practices
June 1, 2023

Day Pitney Real Estate and Environmental Team Represents Merck in Sale of Kenilworth Headquarters
March 2, 2023

Chambers USA 2022 Ranks 34 Day Pitney Attorneys and 13 Practices
June 1, 2022

Chambers USA 2021 Ranks 31 Day Pitney Attorneys and 13 Practices
May 21, 2021

Chambers USA 2020 Ranks 34 Day Pitney Attorneys and 12 Practices
April 30, 2020

Chambers USA 2019 Ranks 38 Day Pitney Attorneys and 12 Practices
May 8, 2019

Chambers USA 2018 Ranks 39 Day Pitney Attorneys and 11 Practices
May 25, 2018

Chambers USA 2017 Ranks 41 Day Pitney Attorneys
May 26, 2017

Chambers USA 2016 Ranks 47 Day Pitney Attorneys
May 27, 2016

Chambers USA 2015 Ranks 51 Day Pitney Attorneys
May 21, 2015

Chambers USA 2014 Ranks 46 Day Pitney Attorneys
May 23, 2014

In The Media

Day Pitney Highlighted in List of Commercial Real Estate Law Firms in New Jersey
Real Estate NJ, March 25, 2025

Day Pitney Represents Kushner in Land Use Approval for Long Branch, NJ Mixed Use Development
Real Estate NJ, March 28, 2024

Property Plays: Merck, Fannie, Denver Airport
Law360, March 5, 2023

New Jersey Governor Signs Permit Extension Act for the Duration of the COVID-19 Public Health Emergency
Day Pitney Alert, July 6, 2020

Challenges When Repurposing Office Campuses
Law360, August 25, 2016

Tom Malman Quoted in *Daily Record* about Honeywell Redevelopment Project
Daily Record, December 1, 2010