

Adopt a Good Neighbor Policy

In addition to the Public Notice requirements pursuant to P.L. 1975, c. 291 (C. 40:55D-12), municipalities considering a large-scale warehouse or other intensive use siting are encouraged to adopt a “good neighbor policy” to notify and seek non-binding informal comments from adjacent and affected nearby municipalities, overburdened communities, county, and other relevant stakeholders both at the Master Planning and at the pre-application stages. For pre-applications, this is especially important for large projects that meet certain pre-established criteria (e.g., proposed impervious footprint above 200,000 square feet, or more than three stories in height). The policy could be incorporated into the subdivision and land development ordinance, a resolution, or as a memorandum of understanding between two or more municipalities and counties.

In any case, when a municipality receives either a concept plan or preliminary and/or major site plan meeting certain established criteria, representatives from adjacent or nearby municipalities, affected counties, and relevant state agencies should be noticed and invited to provide comments through the duration of the application approval process. In addition, and as part of any good neighbor policy, municipalities are strongly encouraged to establish expanded public notice requirements to adjacent and nearby municipalities, particularly those sharing a proposed freight route, to increase transparency and provide meaningful opportunities for inter-municipal dialogue and public comments.

Concept Plan Review

Incorporating a conceptual plan submittal and review requirement into the subdivision and land development ordinance (perhaps for projects that meet certain size requirements) can help facilitate public and private collaboration between the community, the applicant, and appropriate county and state agencies. Appropriate County and State agencies (e.g., DEP, DOT, etc.) should be encouraged to participate in the concept plan review to ensure that large warehouse projects will comply with state regulations earlier in the approval process to avoid unnecessary design costs. This enables interested parties the opportunity to discuss and understand local and neighboring needs as well as industrial sector needs and county and state regulations, affording the chance to identify and potentially resolve certain issues of concern early in the process, and to refine and adjust plans before extensive design costs.

Early and consistent community engagement and involvement is central to establishing good relationships between communities, lead agencies, developers, and tenants. Robust community engagement can give lead agencies access to community residents’ on-the-ground knowledge and information about their concerns, build community support for projects, and develop and creative solutions to ensure new logistics facilities are mutually beneficial.

State Planning Commission Policy

By requiring a concept plan submittal and review for major developments, municipalities can establish a process for facilitating preliminary discussion among affected residents, stakeholders, appointed officials, elected representatives, developers, and end-users in a manner that is both transparent and inclusive, with potential for better outcomes for all involved before a formal process. Even if not required, an optional pre-application meeting should be strongly encouraged as an important opportunity for the applicant, the site designer, the Planning Board, and the municipal planner, to introduce the applicant to the municipality's zoning and subdivision regulations and procedures. In this way, the parties can discuss the applicant's conceptual plans, existing resources, project merits, and concerns, scheduling, plan submissions, and any variances or design waivers that may be required. In addition, counties, regional planning agencies, and state agencies should be part of these meetings as appropriate.

Technical Advisory Committee

Towns facing increased warehouse pressure or impacts are encouraged to work with their respective county or regional planning agency if one exists, to establish a Technical Advisory Committee (TAC). The TAC can be comprised of representatives from municipal and county government, their appointed staff, professionals, one or more representatives from an Environmental Commission or Green Team, an overburdened community representative, and relevant State agency representatives. The TAC would be advisory. This is particularly important as a municipality is considering changes to its Master Plan and zoning ordinances. Depending on how the TAC is organized and assigned roles and tasks, it could also assist in the evaluation of conceptual and/or preliminary and major site plans; recommend and review impact studies, and proposed design measures; and provide recommendation reports for local consideration of proposed projects against review criteria as appropriate.

A TAC would be especially useful to communities and counties where warehousing and goods movement is already an issue, including:

- In municipalities with overburdened communities, particularly where air quality, flooding, noise, traffic, and other environmental stressors are already a major issue.
- Where important resources like farmland, forested areas, and threatened and endangered species habitat are threatened.
- Where anticipated freight routes and associated infrastructure is undersized and lacks capacity.
- Where routes would bisect or negatively affect sensitive receptors (e.g., schools, daycares, churches, places where pedestrians or people congregate, etc.), neighborhoods, downtowns, historic districts, rural areas, and scenic byways.

Develop and review plans and applications in collaboration with appropriate communities, groups, organizations and agencies, including engaging those not traditionally involved in planning processes, making a special effort to seek out and include participation and involvement of those who are affected, particularly overburdened communities.

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Community Engagement

Early and consistent community engagement is central to establishing good relationships between communities, lead agencies, warehouse developers, and tenants. Robust community engagement can give lead agencies access to community residents' on-the-ground knowledge and information about their concerns, build community support for projects, and develop creative solutions to ensure new logistics facilities are mutually beneficial. Examples of best practices for community engagement include:

- Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.
- Posting information in hard copy in public gathering spaces and on a website about the Project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The information should be in a format that is easy to navigate and understand for members of the affected community.
- Providing notice by mail to residents and schools within a certain radius of the project and along transportation corridors to be used by vehicles visiting the project, and by posting a prominent sign on the project site. The notice should include a brief project description and directions for accessing complete information about the project and for providing input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.
- For public meetings broadcast online or otherwise held remotely, providing access and public comment by telephone, and supplying instructions for access and public comment with ample lead-time before the meeting.
- Collaborating with local community-based organizations to solicit feedback, leverage local networks, co-host meetings, and build support.
- Considering the adoption of a community benefits agreement, negotiated with input from affected residents and businesses, by which the developer provides benefits to the community.
- Creating a community advisory board made up of residents to review and provide feedback on project proposals in the early planning stages.
- Designating several seats on a TAC or community advisory board set aside for community members from the affected communities, particularly overburdened communities, that is proportional to the overall group.
- Creating binding enforceable Community Benefits Agreements (CBAs) with impacted communities and residents involved, not just the host community or just local officials.
- Warehousing facilities and municipalities should look to the NJ Environmental Justice Law for guidance and heavily consider EJ concerns when proposing expansion or siting.

- Warehouses should determine whether their proposed facilities would cause or contribute to disproportionate adverse impacts on the surrounding communities relative to other New Jersey communities.
- Warehouses that already exist in these communities should work with the municipality and the local community in adopting measures to avoid contributing to adverse environmental and public health stressors that would further worsen public health within the community.
- Notices, signage, and any public engagement meetings must provide translation and interpretation when a significant percentage of residents require such services.
- Identifying a person to act as a community liaison concerning on-site construction activity and operations and providing contact information for the community relations officer to the surrounding community.

(Source: State of CA, Dept. of Justice. Warehouse Projects: Best Practices)