

A regional approach

If impacts are regional, planning should be as well. Given the undeniable importance of the warehousing and goods movement industries to the economy of New Jersey, its unique land use and transportation needs, significant growth projections, and potential for serious adverse impacts across municipal and state boundaries, transportation networks, and resources of statewide importance, a regional approach can help municipalities more comprehensively address and plan for the locating, review, and accommodation of larger projects. This includes finding solutions to problems at existing sites that pose regional impacts in a manner that adequately assesses, avoids, and mitigates negative impacts while increasing benefits for affected communities, and the region in which a project is proposed.

County Planning Boards can play a vital role in these regional planning efforts and provide technical expertise and assistance to municipalities during the planning process. They can assist municipalities with warehouse siting/traffic issues and may be well suited to addressing the issue on a wider scale. [Somerset County's County Investment Framework](#) and the [Supporting Priority Investment in Somerset County Initiative](#), are examples of how a County can support inclusive, comprehensive, and consensus-based planning efforts by working with multiple planning partners. In addition, the Highlands Council funded a [Light Industrial Site Assessment Study](#) completed by Warren County, for example, that examines the potential impacts of warehouse development in the county and identifies possible traffic mitigation measures.

County subdivision and site plan review

As part of any regional approach, it is important to recognize that counties have an extremely important, albeit limited, role to play in the review and approval of proposed warehouses and other development projects within their jurisdiction. The New Jersey County Planning Act N.J.S.A. 40: 27-1 et seq, provides

As part of both the planning and development review process, municipalities, counties, regional and state agencies (including metropolitan planning agencies) should, to the extent feasible, coordinate and collaborate on local and regional planning. By doing so, these planning entities can avoid and mitigate the potential for negative impacts of a regional nature, particularly to adjacent and nearby communities, especially overburdened communities, so that impacts are not unfairly placed on other municipalities, and their residents, and associated transportation networks and facilities.

State Planning Commission Policy

County Planning Boards, or their county planning director and designated development review committee, with authority to review all local development proposals (i.e. subdivision and site plan applications), affecting any county roads/property and/or drainage facilities for which it is responsible that would be adversely affected. This includes any proposed land development along county roads or development which will cause stormwater to drain either directly or indirectly to a County road or through any drainage way, structure, pipe, culvert, or facility for which the County is responsible.

40:27-6.2. REVIEW AND APPROVAL OF ALL SUBDIVISIONS OF LAND; PROCEDURES; ENGINEERING AND PLANNING STANDARDS

- Section a. of the statute provides the requirement of adequate drainage facilities and easements when, as determined by the county engineer in accordance with county-wide standards, the proposed subdivision will cause stormwater to drain either directly or indirectly to a county road, or through any drainageway, structure, pipe, culvert, or facility for which the county is responsible for the construction, maintenance, or proper functioning; and
- Section b. provides the requirement of dedicating rights-of-way for any roads or drainageways shown on a duly adopted county master plan or official county map; and
- Section c. addresses where a proposed subdivision abuts a county road, or where additional rights-of-way and physical improvements are required by the county planning board, such improvements shall be subject to recommendations of the county engineer relating to the safety and convenience of the traveling public and may include additional pavement widths, marginal access streets, reverse frontage and other county highway and traffic design features necessitated by an increase in traffic volumes, potential safety hazards or impediments to traffic flows caused by the subdivision

The purpose of county land development review is to provide rules, regulations, and standards to guide land development that affects or involves County facilities. Land development review regulations ensure that land development within a county is in accordance with the goals and objectives of the County Master Plan and other adopted County plans, regulations, and standards. In addition, the Official County Map serves as a master plan for county highway systems and establishes rights-of-way, roadway widths, and specific functional classifications for all county highways.

The statute further empowers County Planning Boards to adopt subdivision and site plan standards and procedures, including the authority to assess land development projects for their proportionate share (i.e. developer contributions, including performance guarantees and maintenance bonds for improvements) if necessary, related infrastructure improvements to county roads and drainage facilities which are the direct result of, or bear, a rational nexus to the development, to reduce hazards to the general public caused by unsafe traffic conditions and/or flooding. While a county planning board has the power to approve or disapprove applications for subdivisions of land that “affect county roads and drainage

facilities,” it has jurisdiction only over site plans that “are along county roads or affect county drainage facilities.”

Counties can require developers to improve shoulders, add turn lanes, and improve driveways for properties that front on county roads. In instances where a proposed project does not impact a county roadway or drainage facility, the County Planning Board or its designated development review committee has the discretion to provide non-binding reviews and comments. The statute further allows “aggrieved persons” to appeal a planning decision made at the county level.

Finally, in all cases, interpretation of the County Planning Act should be made in consultation with the County land use attorney.

Establish Regional Technical Advisory Committees

Under a regional approach, a county, or regional planning agencies could, with the assistance and support of their constituent municipalities, establish and administer Technical Advisory Committees (TACs). Appropriate State agencies are encouraged to participate. The TAC could be most advantageous during the master planning process and for large-scale projects that have the potential for significant regional impacts. The role of a county or regional TAC would be advisory. Its purpose would be to provide interested and affected municipalities with the means and technical staff support, necessary to meaningfully participate in the wider review and analysis of warehouse projects that meet certain established threshold criteria and to provide reports and comments for consideration by local reviewing boards when evaluating their Master Plan updates and hearing proposed projects.

Ideally, a county or regional TAC would be comprised of pre-selected representatives from relevant State agencies, the respective Metropolitan Planning Organization (MPO), the county (and adjoining county, if appropriate), the hosting municipality (perhaps serving as TAC chair), and a representative from each adjacent, as well as nearby municipalities within a certain distance where there exists the potential for significant impacts, particularly to overburdened communities, and/or transportation networks.

Proactively promote, coordinate, and collaborate on local and regional planning efforts, programs, and policies to identify and accommodate large warehouse development and redevelopment in appropriate locations, including regional logistics facility nodes, proximate to ports, rail lines/yards, regional highway networks and other key intermodal transportation facilities.

State Planning Commission Policy

Depending on how the TAC is organized and assigned membership, roles and tasks, it could evaluate proposed Master Plan and ordinance changes, concept plans, and/or preliminary and final site plans; recommend and review impact studies, provide reviewing boards with comments; propose design modifications and measures to address environmental justice, greenhouse gas emissions reduction, energy efficiency, improvements both on and off-site to the road network; as well as provide recommendations for planning and zoning changes, among other assigned roles and tasks.

The county, or regional planning agency, and appropriate state agency representatives and staff, could also support the TAC and constituent municipalities, by undertaking long-range regional planning studies and providing technical assistance in the development of local plans and ordinances. For example, the regional entity could, with the input and support of its constituent municipalities and TAC, develop and maintain an inventory of regionally pre-screened sites/locations determined to be appropriate for warehouse development, supporting infrastructure and transportation improvements (e.g., widening or construction of new highway interchange access), thereby reducing the need for a myriad of local assessments, saving time and money for municipalities and developers.

In addition to State agency partners, the field of potential regional partners can include County Planning Boards, State Special Resource Area Agencies such as the [New Jersey Highlands Water Protection and Planning Council](#), the [New Jersey Pinelands Commission](#), and the [New Jersey Sports and Exposition Authority](#). Important to the conversation are New Jersey's three Metropolitan Planning Organizations, which include the [North Jersey Transportation Planning Authority \(NJTPA\)](#), the [Delaware Valley Regional Planning Commission \(DVRPC\)](#), and the [South Jersey Transportation Planning Organization \(SJTPO\)](#).

Three Authorities include [the Port Authority of New York and New Jersey \(PANYNJ\)](#), the [Delaware River Port Authority](#), and the [New Jersey Turnpike Authority](#). All are mentioned here because each represents an important planning partner and regional planning resource, with their own plans and guidance that may provide further insight and information about the growing logistics industry (e.g., forecasts on future growth and identifying plans within their jurisdictions to address them) that would be very helpful to municipalities in understanding what is likely going to happen in the future, and what these entities are doing to positively work with their partners and constituents to more smartly accommodate the movements of goods while enhancing levels of service and a more healthy environment.