

The following comments have been partially summarized for the purpose of providing responses. Complete comments can be found in the Appendix Document.

Comment 1: A commenter submitted an article on a warehouse development application in Salem County.

Response: The Highlands Council appreciates the comment and article.

Comment 2: The commenter appreciates the warehousing guidance given to townships but criticizes its voluntary nature. They argue that stronger enforcement is needed to ensure water protection becomes a mandatory aspect of regional development, as some developers prioritize revenue over environmental concerns. The commenter expresses frustration over the continuous targeting of the Highlands/Skylands region for warehouse development. They ask what actions the Highlands Council can take to address this issue, stating exhaustion from trying to preserve farmland amidst ongoing warehouse development.

Response: The Highlands Act makes conformance with the Regional Master Plan voluntary in the Planning Area and up to the local municipality. The Highlands Council cannot change the Highlands Act.

Comment 3: The commenter, expresses strong support for proposed amendments to the Highlands Regional Master Plan. They believe these amendments would enhance existing maps with updated information on land, water, and climate issues in New Jersey, offering communities protection against the adverse effects of large warehouse projects.

Response: The Highlands Council appreciates the comment.

Comment 4: The commenter states that warehouses are an environmental disaster, and the roads cannot handle the traffic.

Response: The Warehouse Amendment seeks to provide standards for the proper location of warehouses to limit environmental and traffic impacts.

Comment 5: The commenter strongly opposes the construction of warehouses on virgin land in the Highlands region, advocating instead for the use of already developed land. They express concern about the environmental and ecological impacts of warehouses, including noise, pollution, and habitat destruction. The commenter emphasizes the need to protect all remaining virgin land and wildlife habitats, rejecting the notion of conservation that allows for future development. They call for stricter regulations to prevent further destruction of nature by profit-driven interests and suggest renaming wildlife management zones to wildlife protection zones to reflect this priority.

Response: The Warehouse Amendment seeks to provide standards for the proper location of warehouses to limit environmental and traffic impacts.

Comment 6: Five commenters expressed strong support for the proposed amendments to the Regional Master Plan and urged their prompt adoption. They particularly applaud the Highlands Warehouse Policy Amendment, emphasizing the need for guidance and enforcement in warehouse development to protect agricultural land and sensitive environments. The commenters highlight the importance of balancing economic needs with environmental preservation and express concern that the mission of the Master Plan is at risk without the adoption of these amendments. They believe all sections of the Warehouse Policy Amendment are crucial for conserving clean water, which aligns with the core mission of the Highlands Act. Additionally, they note the significance of topics such as impervious surface allowances, water and sewage extensions, infrastructure, and zoning ordinances in the Amendment.

Response: The Highlands Council appreciates the comments. The Warehouse Amendment seeks to provide standards for the proper location of warehouses to limit environmental and traffic impacts.

Comment 7: The issue of warehouse siting standards revolves around the conflict between preserving farmland and the risk posed by warehouse development. In areas with abundant unprotected farmland like White and Franklin, there's a significant risk associated with warehouse construction. The recommendation is to prohibit warehouses on farmland within designated Agriculture Development Areas, effectively restricting warehouse construction in unsuitable locations. This proposal aims to prevent the proliferation of warehouses in areas where they are inappropriate.

Response: The Warehouse standards direct warehousing away from agricultural lands in the Conservation Zone to areas with existing infrastructure and development.

Comment 8: The commenter submitted the following questions and comments related to the Warehouse Standards:

Is warehousing prohibited in all protection and conservation zones regardless of whether a municipality is in conformance for the Planning Area?

Response: The policies apply to all Planning Areas, however the implementation of the policies can only be effective through the adoption of local regulations in conforming municipalities. These policies also do not supersede existing local zoning controls.

Is warehousing permitted in an Existing Community Zone regardless of whether a municipality is in conformance for the Planning Area?

Response: The implementation of the policies can only be effective through the adoption of local regulations in conforming municipalities. These policies also do not supersede local zoning controls, so municipalities may still prohibit warehouses within the Existing Community Zone.

Using the “proximity corridor” criteria for siting warehousing as we understand it, the County Planning Department mapped the potential candidate areas for warehousing. We found that all but four of the locations in the Highlands region where warehousing has been built or proposed would meet the proximity corridor criteria. Is our interpretation of the proximity criteria correct?

Response: The Highlands Council has not mapped the corridors, but the County’s analysis is likely correct. The Highlands Council will continue to work with the County and the Office of Planning Advocacy to refine the proximity corridors.

How was the three mile and one mile distance threshold determined to be the standard?

Response: The proximity locations were based upon preliminary discussions with the Office of Planning Advocacy. Additional refinement of the distance and locations is recognized as necessary. The Amendment states that the “section provides a recommended methodology which may be amended based on transportation network studies currently underway involving OPA and other entities.” In addition, the amendment states that “the Highlands Council recommends that municipalities and/or counties map out the existing transportation network and develop “proximity corridors. The Highlands Council will provide funding assistance for development of such mapping and recommends coordination with county/state transportation planning departments/agencies to achieve broader-scale and potentially more effective planning. A municipality or county may identify areas on local and county roadways where warehousing may be appropriate.”

It is noted that in the Guidance Document it states that roadways that are designated or under formal consideration for Scenic Byway designation “shall not be used in support of warehouse facilities, whether for direct facility siting or for truck routing associated with facilities located elsewhere”. In Warren County, the Warren-Heritage Scenic Byway includes most of NJ 57 from Hackettstown to CR 519 in Lopatcong Twp. then to Rt. 122 in Pohatcong Twp. and then into Phillipsburg to Union Square. This policy conflicts with our Truck Route map where Route 57 is a State Highway designated to carry truck traffic through the county and would by default likely carry warehouse related truck traffic.

Response: The standards do not regulate the use of the roadways by trucks but instead guide new warehouse development away from these roadways that have a Scenic Byway designation.

As stated in the guidance document it is agreed that the Highlands Council should make funding available to municipalities and counties to conduct these analyses.

Response: The Highlands Council looks forward to working with Warren County in developing additional transportation plans for the region.

Comment 9: A resident of southern Warren County expresses concerns about the proposed Highlands Council's guidelines for warehouse siting. He highlights the negative impacts of overdevelopment, such as air pollution and road congestion, particularly in his area. The commenter

urges caution in passing guidelines that may not effectively protect townships and the environment, citing examples of warehouses already built in his community that seemingly meet proposed standards but still have adverse effects. He questions the effectiveness of the guidelines in preventing truck traffic on local roads and suggests the need for stricter regulations, such as requiring appropriate resting and staging areas for truckers. The commenter provides specific examples and photos illustrating the current negative impacts of warehouses in his area and concludes by urging the Highlands Council to implement guidelines that truly protect residents and the environment.

Response: The Warehouse Amendment seeks to provide standards for the proper location of warehouses to limit environmental and traffic impacts. The Highlands Act makes conformance with the Regional Master Plan voluntary in the Planning Area making implementation of the Warehouse Amendment subject to municipal conformance with the Regional Master Plan. In addition, warehouses cannot be prohibited in the region, but must be directed to areas appropriate for development.

Comment 10: The commenter provided several comments summarized below.

The commenter suggests that Warehouse classifications provide distinctions between use classifications of types of warehouses such as distribution centers, fulfillment centers, and micro-warehouse facilities, but smaller distribution centers are not included as a distinct category. The commentor notes that the State Office of Planning Advocacy (OPA) cautions that the guidance [on warehouses] is highly variable and that there can be substantive variability within a single warehousing development.

Response: We acknowledge that warehouse uses can be highly variable and it is not possible to define all types of warehouses within a single set of policies. The warehousing guidance policies are intended to provide a framework for municipalities to amend local zoning regulations in a manner that is consistent with the Goals, Policies, and Objectives of the Highlands Regional Master Plan while providing a detailed standards for development that meet the local vision consistent with the municipal master plan.

The commenter states that prohibiting warehouse development in the Protection Zone of the Land Use Capability Zone map creates a “one size fits all” approach and that some lots in these areas may have characteristics that support development and that the Highlands Council should consider site specific review for Protection Zone sites.

Response: The Protection Zone of the Highlands Land Use Capability Zone Map is based on a number of Highlands resources being present. The protection of those resources is tantamount to the environmental quality of the Region. However, if an area is incorrectly identified as Protection Zone based on the standards in the Technical Report it may be reclassified through an RMP Update.

The commenter states that the Warehouse Guidance should account for properties that can provide on-site water and sewer to address intended uses and that implementation of on-site wastewater treatment which replenishes the aquifer.

Response: The Highlands Council permits the implementation of on-site wastewater treatment facilities provided they are within the appropriate Land Use Capability Zone.

The commenter provides several comments regarding municipal regulations relating to definitions, permitted uses, floor area ratio, high restrictions, and parking.

Response: The Warehousing Guidelines are intended to provide a framework for municipalities to make informed decisions regarding local zoning regulations and siting requirements.

The Commenter provided several site-specific comments.

Response: The Highlands Council cannot comment on any site-specific impacts of the warehousing guidelines. Municipalities are responsible for adopting and implementing local zoning regulations. Any factual changes to the Highlands Land Use Capability Zone Map can be brought to the Highlands Council via the RMP Update process.

Comment 11 (Inter-agency from NJDEP): Questioned if warehouses are allowed in Highlands Redevelopment Areas only if the project qualifies for an HPAA with waiver from the NJDEP.

Response: Yes, in the Preservation Area an HPAA w/waiver is required from the NJDEP when a warehouse is proposed in a Highlands Redevelopment Area. A sentence has been added to the document to this effect.