



State of New Jersey

Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.nj.gov/njhighlands



PHILIP D. MURPHY
Governor

CARL J. RICHKO
Chairperson

TAHESHA L. WAY
L. Governor

BENJAMIN L. SPINELLI, ESQ.
Executive Director

MEMORANDUM

TO: Plan Conformance Committee

FROM: Benjamin L. Spinelli, Esq., Executive Director

SUBJECT: Committee Meeting Minutes – October 5, 2023

DATE: October 16, 2023

A Plan Conformance Committee meeting was held on Thursday, October 5, 2023, at 3:00pm via Zoom teleconference.

Committee Members present: Council Chair Richko, Committee Chair Dressler and Committee Members Van Abs and Vohden.

Staff Members present: Ben Spinelli, Gabrielle Gallagher, Neda Hartman, James Humphries, Judy Thornton, Kelley Curran, Carole Ann Dicton, Roberta Burkhart, Linda Acker and Karen Castanhas.

Committee Chair Dressler opened the meeting at 3:00pm.

Mr. Spinelli gave a detailed background of the requested joint petition from the Townships of Lopatcong and Pohatcong, for the Highlands Council approval of an amended Highlands Center. At this time Mr. Spinelli introduced Ms. Judy Thornton, Highlands Council Principal Planner.

Ms. Thornton, updated the committee on the background of the Townships of Lopatcong and Pohatcong and the two parts of the petition:

Background

Lopatcong and Pohatcong Townships are conforming Highlands municipalities. Each township received Highlands Council approval for a Highlands Center designation in the 2011-2012 timeframe. The Townships' Highlands Centers were established before adoption of the Council's current center designation procedures, which became effective in 2019. Little center planning has taken place to date, and each of the centers have very nearly reached full build-out.

Warehouse Project

The main purpose of the joint filing is to accommodate a proposed warehouse project on a site that would span the border between both Townships. The project would occupy two currently vacant lots situated directly behind the vacant Phillipsburg Mall property: Block 102 Lot 9 in Lopatcong (58 acres) and Block 1 Lot 1 in Pohatcong (23 acres). The petition proposes a 568,500 square foot warehouse with a 48-foot height. The access to the site would be provided through the former Phillipsburg Mall site, which is itself slated for construction of an 848,000 sq. ft. warehouse, also 48 feet in height. The mall project has already received local designation as an Area in Need of Redevelopment and has been provided a local Highlands Act exemption #4 determination. The mall site is already in the Highlands Center and is not the subject of this amendment.

Affordable Housing & Historic Lock St.

The petition also proposes an expansion of Pohatcong's Highlands Center boundaries to include Block 38 Lot 1 (12.5 acres) for purposes of a 100% affordable housing project. This project would consist of 3-story apartment building(s) containing 96 attached units. There are minor environmental resources on this property and the inclusion of this property is in the Highlands Center. Lastly, the petition proposes to include a group of seven residential lots that adjoin Block 102 Lot 9 on Lock Street in Lopatcong. These lots lie fully within a Highlands Open Water buffer and contain historic sites and properties associated with the also adjoining Morris Canal Historic District.

Ms. Thornton added, the Highlands staff reviewed the petition and identified a number of significant issues with the proposed warehouse project:

1. Approx 8 million square feet of new warehousing already coming online in the area.
2. Lack of comprehensive Center planning within the communities or for the sub-regional area as a whole. (Each Township's Center is nearly at full build-out.)
3. Not a community-driven process.
4. Traffic concerns on local county roads and state highways – lack of information to demonstrate that transportation infrastructure capacity is sufficient to absorb the increase in truck traffic anticipated for the warehouse projects already approved and in the pipeline, thus impossible to conjecture whether suitable for more.
5. Impacts to nearby overburdened communities.
6. Historic resource impacts.
7. Loss of agricultural farmland soil.
8. Impervious surface levels in watershed.
9. Cannot make the findings needed under Highlands Center designation criteria: community-driven vision, sustainable development, represents smart growth, provides uses needed by the community, land use intensity and planning that make for low impact development.

Mr. Humphries shared the proposed Highlands Center boundaries overview map and there was a discussion about the mapped area.

Ms. Thornton advised the committee with Highlands Council staff recommendations:

1. Request the municipalities remove the warehouse project site from the proposed Highlands Center.
2. Proceed with center designation for the remaining sites in the petition (affordable housing in Pohatcong, properties on Lock St.).
3. Submit warehouse site as a Highlands Redevelopment Area application including the former Phillipsburg Mall site.

At this time there was a discussion of the recommendations.

Council Chair Richko requested the next steps for the Highlands Council staff to speak with both Townships, and pending the outcome, arrange for them to meet with the committee.

The meeting adjourned at 3:52pm.