ASSEMBLY COMMERCE, ECONOMIC DEVELOPMENT AND AGRICULTURE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5241

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 15, 2025

The Assembly Commerce, Economic Development and Agriculture Committee reports favorably and with committee amendments, Assembly Bill No. 5241.

As amended, this bill prohibits an approving authority under the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.), from approving a site plan submitted after the date of enactment of the bill for the construction of a large warehouse on a lot of land within 1,000 feet of a historic district. The bill defines the terms "large warehouse" and "historic district." Additionally, the bill prohibits State and local entities responsible for the approval of any other permit from approving a project-related permit for the construction of a large warehouse development on a lot of land within 1,000 feet of a historic district after the date of the bill's enactment. These prohibitions do not apply to an application for development or redevelopment submitted pursuant to section 13 of P.L.1992, c.79 (C.40A:12A-13), a provision of the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.).

The bill authorizes a planning board with jurisdiction over a historic district to waive certain prohibitions if a developer petitions the planning board for a waiver in a form and manner acceptable to the planning board, and the planning board grants the waiver request.

The bill is to take effect immediately and is to be applicable to proposals to develop a large warehouse for which a construction permit has not been declared complete by the enforcing agency as of the date of enactment.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- specify that the bill's definition of the term "Historic district" means an area listed as a historic district under New Jersey and federal law, which historic district: consists of at least 100 contributing or not-assessed resources, according to the State Historic Preservation Office; and is located along a roadway designated for inclusion in the New Jersey Scenic and Historic

Highways Program, established by section 3 of P.L.2009, c.245 (C.27:5K-3);

- prohibit State and local entities responsible for the approval of any other permit from approving a project-related permit for the construction of a large warehouse development on a lot of land within 1,000 feet of a historic district after the date of the bill's enactment unless the planning board with jurisdiction over the historic district has waived the prohibition;
- specify that the bill's prohibitions do not apply to an application for development or redevelopment submitted pursuant to section 13 of P.L.1992, c.79 (C.40A:12A-13); and
- provide that a planning board with jurisdiction over a historic district may waive certain provisions that prohibit a State or local entity from approving a project-related permit if a developer petitions the planning board for a waiver in a form and manner acceptable to the planning board, and the planning board grants the waiver request.