

STOP THE WAREHOUSE

The Issue

A developer, Michael Perrucci, and his company Peron Construction, want to build a warehouse in downtown Phillipsburg on 32 acres of land along the Delaware River. This proposed warehouse is commonly known as the Peron Howard Street Warehouse.

Why should you care?

A 360,000 square foot warehouse on Howard Street, along the Delaware River and nearby neighborhoods, will bring many more trucks downtown and many negative consequences to the Town of Phillipsburg.

The comments you will see listed are not just the opinion of the residents of Phillipsburg, but are actually mentioned in the New Jersey Planning Commission's Warehouse Siting Guidelines, written September 7, 2022.

Do not put a warehouse in residential areas

The area of town where the warehouse is proposed to be built is known as the Flats. With the exception of a small strip of light industrial, the area is largely residential. As the stated guidelines state, "Do not put warehouses in residential areas". A warehouse will lower the quality of life for residents near the warehouse. A warehouse will hurt property values in the surrounding area.

Truck traffic

Initially eighty trucks are expected to enter and exit the warehouse every day. If you stand at the entrance to the warehouse, and watch all the trucks go in and out, you will see 160 trucks pass you. If you have two people, one sitting on their front porch at their house on Center Street, and one sitting on the front porch of their house on New Brunswick Avenue, between the two of them they will see 160 tractor trailers pass their houses every day.

The reason Center Street in Phillipsburg and New Brunswick Avenue in Pohatcong are mentioned, is because the Council has submitted a plan to the New Jersey Department of Transportation (NJDOT) to eliminate all traffic from South Main Street, between McKeen Street and Union Square, in downtown Phillipsburg. Although currently the Town Council members have publicly stated they do not intend to make Center Street a new truck bypass route, they have specifically told the Department of Transportation that they are agreeable to NJDOT specifying Center Street could be designated as an acceptable truck route. And yes, we understand if you find that confusing since we also find it confusing. We are working to get the town to tell NJDOT to not designate Center Street as an acceptable truck route. We are also working to convince the State that the residents of Phillipsburg do not want Center Street to be a designated truck route.

The developer has indicated the warehouse will use rail transport, and once the train connection is established the number of trucks will drop to 20 per day. Even if this turns out to be true, there would still be 20 trucks entering and exiting the warehouse every day, and you would still experience the negative effects associated with trucks.

Many believe the developer's estimate of truck traffic dropping from 80 to 20 trucks does not make sense. The warehouse will be a cold storage warehouse, and rail is not an efficient or reasonable way to transport cold storage items through the entire distribution chain. Items may be shipped into the warehouse by train, but it would not make sense, as a rule, to ship items in by train, unload the train cars, and then repack another train car to ship somewhere else. We are not sure of the exact number, but we believe if a rail connection is completed to the warehouse will be significantly higher than the 20 trucks a day the developer claims.

Do not put large warehouses in overburdened communities

Only warehouses that are 150,000 square feet and under should be considered for overburdened communities and urban cores. The Flats of Phillipsburg meet the definition of both an overburdened community and an urban core. This is a totally inappropriate area for a 360,000 square foot warehouse.

Locate warehouses near major highways and arteries

From the NJ Planning Commission Warehouse Siting Guidelines:

“Truck traffic can present substantial safety issues. Collisions with heavy-duty trucks are especially dangerous for passenger cars, motorcycles, bicycles, and pedestrians. These concerns can be even greater if truck traffic passes through residential areas, school zones, or other places where pedestrians are common and extra caution is warranted.”

The Flats of Phillipsburg and South Main Street in downtown Phillipsburg are not near any major highways or major arteries, and this is another reason the Flats of Phillipsburg is an inappropriate place for a warehouse.

Noise and Air Pollution will lower quality of life

Tractor trailers are noisy and have diesel fumes. The increase in tractor trailers will significantly increase the noise and air pollution of the downtown Phillipsburg area, particularly in the Flats of Phillipsburg and in the various neighborhoods the tractor trailers will have to navigate to get to a highway.

Do not put warehouses next to active parks

The warehouse siting guidelines also say you do not put a warehouse next to an active park. The proposed warehouse on the Peron Howard Street property will partially encircle Delaware River Park, which is an active Green Acres encumbered park. Delaware River Park provides open space for the Town of Phillipsburg. Over a two hour period from approximately 11 am to 1 pm on Monday, October 24, 2022, approximately twenty separate cars came in to use the park. Most of the drivers came in with their pets. Some of the park visitors used the dog run, and others leashed their pets and walked into the park, down the length of the football field area, and enjoyed the view of the river while stretching their dog's legs.

Delaware River Park is an active park, and is exactly the type of park the State warehouse guidelines indicate you should not have a warehouse built next to.

A warehouse will hurt the town's goal of becoming a Riverfront Destination

The town has long planned to become a riverfront destination and revitalize the downtown. The proposed 65 foot tall cold storage facility along the Delaware River, along with the additional truck traffic and other negative impacts this proposed warehouse will bring is putting the concept of the town becoming a riverside destination into cold storage.

So these are just some of the reasons why we believe the proposed warehouse is a very bad idea, and we hope you join us in opposing this proposed warehouse in downtown Phillipsburg along the Delaware River.

Goals and Call to Action

What are the Goals?

- The primary goal is to stop a warehouse from being built in downtown Phillipsburg along the Delaware River.
- Another goal is to convince the members of Town Council to **NOT** vote for a new ordinance. We do not want Council to do an end run around the current lawsuit which we expect will vacate the latest warehouse creation ordinance.

The only way this can be accomplished is if members of the public communicate this message to the members of Council by speaking at Town Council meetings, writing emails to members of Council, write letters to the editor at Tapinto Phillipsburg and the Express Times (Lehigh Valley Live)

Call to Action

What actions can you take?

- Volunteer with the Stop The Phillipsburg Warehouse On The River Campaign
- Sign the petition at change.org, join our Facebook group
- Come and speak out at Council Meetings and let Phillipsburg Town Council members know your opinion
- Write Letters to the Editor
- Sign written petitions
- Donate to help cover legal expenses

Questions?: contact David Morrisette, info@pburgpew.org

Please Sign Our change.org Online Petition

Please sign our online petition and show your support for stopping the warehouse in downtown Phillipsburg along the Delaware River. Please sign if you are a current Phillipsburg resident, a former Phillipsburg resident, a resident of Warren County, a resident of the Lehigh Valley, or if you just think it is a bad idea to build a 360,000 square foot, 65 foot high, warehouse in downtown Phillipsburg along the Delaware River.

Link to [change.org](https://chnng.it/NPVYNk mrb6) page: <https://chnng.it/NPVYNk mrb6>

QR Code



About The Lawsuits

There seems to be a lack of information, and often misinformation, regarding lawsuits against the ordinances that enable the developer to build a warehouse in downtown Phillipsburg along the Delaware River. We will provide current information as to where the lawsuits stand. The warehouse will be stopped if the lawsuits are successful, and we have every reason to be confident that both currently filed lawsuits will be successful.

The Ordinances

There are currently two “warehouse” ordinances that have been passed by the Town Council of Phillipsburg. Each of these ordinances rezoned the same 32 acres of land along the Delaware River from Riverside Residential to Heavy Industrial. We will refer to these 32 acres as the Peron Howard Street property. Rezoning the Peron Howard Street Property to heavy industrial opens the door for a 360,000 square foot, 65 foot tall warehouse to be built on this property.

The Ordinances and the Lawsuits

The first ordinance, Ordinance 2021-14, was passed on May 5, 2021. We filed a lawsuit in June 2021 against this ordinance. We had many grounds of complaint against this ordinance, but our primary complaint was our belief that multiple members of Town Council had serious conflicts of interest with Michael Perrucci, who is the owner and developer of the Peron Howard Street Property as well as a named founding partner in the law firm Florio, Perrucci.... If the court finds that there existed a conflict of interest, and Council members voted with a conflict of interest on an ordinance, then the ordinance will be vacated. In this case, the ordinance would be vacated and the land would return to the zoning of Riverside Residential, and a warehouse could not be built on that property.

On November 1, 2022, Council passed a new ordinance, Ordinance 2022-30, with the intent of replacing Ordinance 2021-14. By replacing Ordinance 2021-14 with the new Ordinance 2022-30, the town and the

developer had the intention of “killing” the lawsuit against Ordinance 2021-14. Because Ordinance 2022-30 replaced Ordinance 2021-14, Ordinance 2021-14 was no longer a “law” and the lawsuit against Ordinance 2021-14 was potentially considered moot. If the court found the case regarding Ordinance 2021-14 moot, then the court would dismiss the case.

However, we discovered that one of the Council members has a conflict of interest in voting on the latest ordinance, Ordinance 2022-30. The Councilman’s parents live within 200 feet of the site plan application. Another Council member, Council President Harry Wyant, responsibly recused himself from the vote on Ordinance 2022-30 due to his ownership of property that is also within 200 feet of property that is on the site plan application. We believe we have a very strong case. We believe Ordinance 2022-30 will be vacated by the courts because of the conflict of interest described, or one of the other issues we have in our complaint.

Once Ordinance 2022-30 is vacated, Ordinance 2021-14 would come back into effect. At that point, the court would then issue a decision on Ordinance 2021-14. We are confident that Ordinance 2021-14 will be vacated due to conflicts of interest with multiple Council members.

Once Ordinance 2021-14 is vacated, the property would return to Riverside Residential zoning and a warehouse could not be built on this property, unless the Town Council passes yet another ordinance allowing a warehouse.

We Need Your Support!

Speak Out!

There are two members of Council, Councilman Lee Clark and Councilman Keith Kennedy, who ran for office on the campaign platform “No Warehouse In Downtown Phillipsburg” and “No Warehouses Blocking The View Of The Delaware River”.

The reason I remind you of these Council members’ campaign promises is that I expect they will be pressured to see if they can break the promise they made to the people.

Our expectation is that some members of Council and the developer will try to introduce a new ordinance for Council to vote on. The new ordinance that may be presented could remove the conflict of interest that currently exists with the one Council member, Randy Piazza Jr.. We expect the developer to get some Council members to try and bring this revised ordinance to a vote for the purposes of doing and end run around the current lawsuit against Ordinance 2022-30.

If the Council members who promised the voters hold true to their campaign promises, they will not vote for this new ordinance we expect to appear before Council.

We need YOU, all who do not want a warehouse, and the members of the community that voted for Councilmen Lee Clark and Keith Kennedy because you believed their campaign promise that they would not vote for a warehouse, to let these Councilmen know you want them to hold fast to their campaign promises and not vote for any ordinance that allows for a warehouse to be built in downtown Phillipsburg along the Delaware River.

In the last election, the people spoke and elected two members of Council who promised to not approve any legislation allowing warehouses to be built that “blocked a view of the Delaware River”. The people of

Phillipsburg spoke. Tell the members of Council and Mayor Tersigni to listen to the will and voice of the people, rather than a rich and powerful developer.

You can let Councilmen Lee Clark and Keith Kennedy know you are counting on them to do the right thing is by :

- Signing petitions that will be distributed
- Coming to Town Council Meetings and let them know what you think
- Participating in other activities mentioned in the previous Call To Action

Join Us

We are standing up for your right to have a town that will be a desirable place to live and continue to provide a good quality of life for all the residents of Phillipsburg. We encourage you to become a member of our parent organization, the New Jersey Highlands Coalition, and specify “PEW” when you make your donation.

Your donation will:

- allow us to continue to work on your behalf to stop this warehouse and the negative effects that will result from the warehouse
- Our legal representation costs money. Your contribution will help cover legal costs that are being incurred

How to Donate

Phillipsburg Environmental Watch: instructions can be found at the link below:



<https://www.phillipsburgenvironmentalwatch.org/index.php/donate>

Phillipsburg Environmental Watch

Phillipsburg Environmental Watch (PEW) is a grassroots organization under the umbrella of the New Jersey Highlands Coalition (NJHC). PEW was established January of 2022. PEW’s mission is to support the environment and the community of Phillipsburg, NJ. PEW’s goal is to provide information, guidance and support to the residents of Phillipsburg when it becomes aware of anything that may be detrimental to the community. Current projects that PEW is currently involved with the fight against the warehouse in downtown Phillipsburg along the Delaware River, the Town of Phillipsburg’s plan to have the NJ Department of Transportation approve a truck route that will allow trucks to drive through Center Street, monitoring the situation with the property on Fleming Drive next to the Firth Youth Center, and pushing for this property to be open space.

Contact for PEW: David Morrisette
email address: info@pburgpew.org
website: <https://phillipsburgenvironmentalwatch.org>
parent website: <https://njhighlandscoalition.org>

Donations:
<https://www.phillipsburgenvironmentalwatch.org/index.php/donate>

(with a membership or donation to PEW/NJHC of \$20 or more, you will receive a gift of a “NO TRUCKS ON CENTER STREET” yard sign and/or a “NO WAREHOUSE” yard sign)



More Information Resources		
Description	Web Link	QRC
No Downtown Warehouse In Phillipsburg Website	https://phillipsburg.nowarehouse.org/	
All Court Documents relating to the case against Ordinance 2021-14. Documents for case 2022-30 will be posted shortly	https://phillipsburg.nowarehouse.org/index.php/court-documents	
Miscellaneous documents, such as ordinances, resolutons, NJ Warehouse Siting Guidelines, Land Use Board documentation	https://phillipsburg.nowarehouse.org/index.php/documents-of-interest	

Phillipsburg Environmental Watch Executive Committee

President: David Morrisette	Secretary: Janice Hosbach
Vice President: Stuart Ridley	Elizabeth Ridley: Founding Member
Treasurer: Sandra Morrisette	Stephen Ellis: Project Specialist