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Brownfields Redevelopment

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

The State of New Jersey defines a brownfield as "any former or current commercial or industrial site that is currently vacant or underutilized and on which there has been, or there is suspected to have been, a discharge of a contaminant." With a long history of widespread industrial activities across the State, New Jersey has an abundant inventory of brownfields waiting to be put back into productive use. Local, state, and federal authorities have numerous programs specifically designed to promote brownfield development.

In a state where clean, developable land is usually priced at a premium, brownfield sites are viewed as tempting purchases. However, brownfield sites can present significant pitfalls to unwary buyers. Taking over a known contaminated site is challenging. Unexpected remediation expenses and liability exposure can render the greatest bargain into a financial quagmire. We can help our clients assess the risks of buying, cleaning up, developing, and selling brownfield sites (including Superfund sites). We can help our clients navigate through the variety of governmental programs that are available to promote brownfield development with financial incentives, liability protections, and expanded opportunities for redevelopment. Additionally, we work with clients and their environmental teams to manage the brownfield risks throughout the transaction and development cycles.