

ACT 2

Land Use, Zoning, and Development Attorneys Providing Strategic Guidance in Complicated Environmental Matters

Every land use, zoning, and development attorney at Kaplin Stewart is well versed in the redevelopment and disposition of environmentally contaminated properties, frequently referred to as "Brownfields." We have counseled clients in the acquisition, disposition, development, clean-up, financing, and sale to third-party purchasers of environmentally compromised real estate. Every land use, zoning, and development attorney in our practice group has worked on projects ranging from the "simple" removal of underground storage tanks to the removal of asbestos, to soil contamination and groundwater remediation which requires pre- and post-closing monitoring.

We have also assisted New Jersey and Pennsylvania clients with agreements associated with properties that have been compromised by hazardous materials, pollutants and other contaminants. We negotiate agreements of sale, consent order and agreements, buyer/seller agreements, deed restrictions (including Uniform Environmental Covenants Acts documents) and environmental indemnification agreements. Our team also provides guidance in the preparation of Public Offering Statements for planned communities and condominiums and other disclosure documents for residential and commercial projects where such disclosure is required under the law, particularly where engineering or institutional controls are required to be maintained on a site. Additionally, we assist our clients in the procurement of environmental insurance.

Identifying, Addressing and Minimizing Risks Associated With Brownfield Sites

At Kaplin Stewart, we focus on helping our clients evaluate the risks associated with Brownfields redevelopment and strategize on how to most effectively minimize that risk. We are familiar with the various levels of remediation, from site specific to the statewide health standard. Our lawyers frequently navigate clients through the complexities of the administrative process, particularly related to the Pennsylvania Land Recycling and Environmental Remediation Standards Act, frequently referred to as "Act 2." In part, the Act 2 Program allows property owners and developers that remediate contaminated industrial and commercial sites in accordance with program standards to secure a release from future liability.

The attorneys in our practice have a solid understanding of how the Act 2 Program functions. We work closely with environmental engineers during the due diligence process to determine the level of contamination and establish a remediation plan. Our land use attorneys also represent our clients in negotiating and complying with cleanup standards and working with various state and federal agencies including the Pennsylvania Department of Environmental Protection during the approval process.

Contact a Land Use, Zoning and Development Attorney Today at Our Pennsylvania or New Jersey offices

If you have questions about our firm's Land Use, Zoning, and Development Practice or need legal representation in connection with Brownfields or another land use matter, we encourage you to schedule a consultation today.

Learn how our attorneys can help you advance your business objectives. We service businesses and other entities with offices in Philadelphia and Blue Bell, Pennsylvania as well as Cherry Hill, New Jersey. Contact us online or by phone at 610-260-6000 today to arrange a consultation.