



Niall J. O'Brien

Partner

Land Use



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Overview

Niall concentrates his practice in the areas of land use, planning and zoning, real estate acquisition, environmental permitting, and regulatory compliance at the local, regional and state governmental levels. Niall represents corporate, commercial, industrial, and residential clients in matters regarding the acquisition, development and use of property, and regularly appears before municipal planning boards and zoning boards of adjustment, governing bodies, county boards, and regional and state agencies in New Jersey and Pennsylvania.

Niall has extensive experience representing residential and commercial developers in all phases of development, from pre-acquisition analysis for development potential and title, environmental, and other constraints, through the negotiation of contracts of sale, and the application and development process, including through redevelopment.

A significant portion of Niall's practice is focused on the development of public utility facilities, including the location of water, sanitary sewer, and electric utility transmission and distribution infrastructure throughout the State. He also assists in obtaining the necessary Federal, State and local government approvals for electric generating facilities, and the necessary permitting and approvals for renewable energy facilities.

Niall also has significant experience in the development of local and regional healthcare facilities and hospitals, including the development of the first proton therapy cancer treatment facility in the State. He has represented clients in the acquisition and development of a multitude of industrial, commercial, office and retail facilities, corporate headquarters, and residential subdivisions and single family homes.

Niall's involvement in such diverse matters also includes a focus on the multitude of laws related to the conservation of property and the release of the restrictions on the development of property, including, among

others, the Green Acres Program, State Agricultural Development Committee, NJDEP Permit, and Pinelands Area and Highlands Area regulatory schemes, in addition to public and private easements. He is also experienced in the laws related to the conveyance and acquisition of property owned by the State, county and municipal governments.

An additional area within Niall's practice is in New Jersey liquor licensing law. Niall provides counsel in connection with the scope of liquor licenses, and has assisted clients in the acquisition and transfer of liquor licenses, as well as defending and negotiating pleas in connection with violation notices for all types of licensed establishments. Niall has also assisted non-licensed clients in obtaining special permits for the temporary sale of alcohol at charitable and other social events.

Representative Experience

- Represented national and regional water, sewer and electric public utilities in obtaining approvals for new and upgraded transmission and distribution infrastructure throughout the state, including the implementation of regional transmission and distribution planning.
- Obtained regulatory permitting and land use approvals for development of hospitals, medical offices, urgent care and other health care facilities.
- Assisted client in acquiring property and obtaining land use and regulatory approvals for now-completed Somerset County proton cancer treatment facility.
- Represented educational institution in successful Capital Projects Review application for campus and facility development and expansions.
- Represented client in challenging municipal ordinance limiting the grant of Division of Alcoholic Beverage Control Licenses and excluding firm client.
- Assisted national retailer in obtaining approvals for Gloucester County store.
- Negotiated sale of property to State of New Jersey Green Acres Program.
- Represented client in obtaining approvals for solar and other renewable energy facilities.
- Negotiated settlement of various New Jersey Division of Alcoholic Beverage Control violations.

Professional and Community Involvement

- New Jersey State Bar Association – Member, Board of Directors, Land Use Section; Local Government Section
- Camden County State Bar Association - Land Use Section; Local Government Section
- Burlington County State Bar Association - Land Use Section; Local Government Section



- American Bar Association
- New Jersey Builders Association
- Burlington County Red Cross
- Camden County Red Cross
- Burlington County Chamber of Commerce
- South Jersey Chamber of Commerce
- Businesses Committed to Burlington County

Credentials

Education

- Rutgers University, JD
- Rutgers University, BS
- Dublin City University, BA

Bar Admissions

- New Jersey
- Pennsylvania

Offices

- Voorhees, NJ

Areas of Focus

Practice

- Energy & Utilities
- Land Use
- Redevelopment Law

