



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
P.O. Box 820
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PHILIP D. MURPHY
Governor

THOMAS K. WRIGHT
Chairman

SHEILA Y. OLIVER
LT. GOVERNOR

DONNA A. RENDEIRO
Executive Director/Secretary

**New Jersey State Planning Commission
Minutes of the Meeting Held on October 7, 2020
Zoom Video Conference**

CALL TO ORDER

Chairman Wright called the October 7, 2020 video conference of the New Jersey State Planning Commission (SPC) to order at 9:36 a.m.

OPEN PUBLIC MEETINGS ACT

It was announced that notice of the date, time and place of the meeting had been given in accordance with the Open Public Meetings Act.

ROLL CALL

Members Present

Andrew Swords, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation
Catherine McCabe, Commissioner, Department of Environmental Protection
Danielle Esser, Deputy Chief of Staff, NJ Economic Development Authority
Douglas Fisher, Secretary, Department of Agriculture
Edward J. McKenna, Vice Chair, Public Member
Elizabeth Terenik, Public Member
Gina Fischetti, Designee for Lt. Governor Sheila Oliver, Department of Community Affairs
Melanie Willoughby, Designee for Tahesha Way, Secretary of State, Department of State
Shanel Robinson, Freeholder Director, County Member
Thomas Wright, Chairman

Others Present

See Attachment A

PLEDGE OF ALLEGIANCE

Chairman Wright asked everyone to stand for the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Wright asked for a motion to approve the Minutes of the August 5, 2020 meeting. Edward McKenna made the motion and it was seconded by Freeholder Director Shanel Robinson. With no further discussion or questions, Chairman Wright asked for a roll call vote: Ayes: (9) Danielle Esser, Douglas Fisher, Andrew Swords, Catherine McCabe, Edward McKenna, Melanie Willoughby, Shanel Robinson, Elizabeth Terenik, Thomas Wright. Nays: (0). Abstains: (1) Gina Fischetti. The August 5, 2020 minutes were approved.

CHAIR'S COMMENTS

Chairman Wright commented that the Commission is working on coordinating with other state agencies to incorporate resiliency into our world and with a better appreciation of social justice issues, including land use and planning in the State to create a fair and more equitable New Jersey which is the primary goal.

Chairman Wright said that the Commission needs to take a look at the implementation of the State Plan, to figure out ways to provide more benefits to communities that get endorsed and create more strength to the partnership between the State, the counties and the municipalities.

Chairman Wright referred to Commissioner McCabe for introduction of a new change to DEP's representation to the State Planning Commission.

Commissioner McCabe introduced Nick Angarone as the new representative to the Commission replacing Elizabeth Semple due to a new reorganization within the Department of Environmental Protection.

Chairman Wright welcomed Nick Angarone and referred to Director Rendeiro for a report.

EXECUTIVE DIRECTOR'S REPORT

Director Rendeiro thanked Liz Semple, for been part of this team for a number of years and noted Liz's dedication to state planning and wished her well on her new assignment. The Director also welcomed Nick Angarone to the team.

Director Rendeiro commented that the office received a petition for a map amendment from a developer of an affordable housing project for Holmdel Township. The completion review has been done and sent back to the petitioner. The office is working on the internal review and discussion with DEP. We will be bringing the proposed amendment to the PIC and to the SPC in the near future.

In terms of expiring centers. Director Rendeiro commented that since the last SPC meeting, Vineland submitted their MSA and Vernon is going into the opportunities and constraints stage. There is a prepetition meeting with Salem and, unfortunately, Branchville has temporarily decided to opt out due to budget constraint related to COVID.

Director Rendeiro commented that they are actively working with 39 municipalities that are in the MSA stage or later in the process. Nineteen out of 95 municipalities have decided not to pursue plan endorsement.

Morristown Opportunities and Constraints Report is completed and will be send out this week. Manville, has submitted prepetition documents which will be send out to the state agencies and the prepetition meeting will be set up. Upper Township, will pass their MSA on October 13th and the consultant from Galloway Township has been re-engaged and will be submitting their MSA in a few weeks. The State has made progress with mapping proposals for Vineland, Sparta, Upper and Manchester. Also, reinstated discussions with the 12 municipalities along with the 130 corridor in Burlington County have begun.

Director Rendeiro commented that the office participated in a call with DEP regarding a potential manufacturing site related to the proposed wind farm in Lower Alloways Creek. The project will require a map amendment.

In terms of biannual reviews, staff is currently working with Lakewood and Woolwich Township. We are working with Lakewood, which was discussed at the last PIC meeting, to address some concerns from Brick Township, a neighboring town regarding circulation related to ingress into and egress out of the site. The Director said there will be a call with all the interested parties to try to resolve any concerns and to come to an agreement before bringing it back in to the PIC.

Director Rendeiro commented that Woolwich was one of the first towns in New Jersey that implemented the TDR program but they did not see the results that they were looking for. As part of their annual review the office is working with them regarding alternatives to the TDR program in conjunction with SADC.

Director Rendeiro commented that the office is currently working on two programs. The CHARM Workshop which stands for Community Health and Resource Management with 5 communities in 3 counties including Maurice River and Commercial Township in Cumberland County; Brick in Ocean County; and, Burlington City and Burlington Township in Burlington County. The technical assistance is provided by Texas A&M and funded by FEMA with a mapping tool that can predict what future sea level rise will look like and what impact development will have on both their communities as well as their neighbors.

Director Rendeiro commented that the office is working with Rutgers on a studio class that will assist two communities in Monmouth County, Atlantic Highlands and Keansburg. There are two teams, Team Keansburg that focus on socially vulnerable populations and Team Atlantic Highlands that focus on natural infrastructure and water dependent economies. Students will provide Plan Endorsement materials to the towns in furtherance of their endorsement goals. Also, if there is time, they will be recommending to the SPC potential rule updates based on their studies.

Director Rendeiro commented that there are monthly meetings with FEMA, OEM and DEP to make sure the technical assistance and funding availability and support that can be given to the municipalities on resiliency planning is been coordinated.

The director also participated in six calls held by DEP on climate change focused on recommendations for each strategy.

Director Rendeiro participated in a call held by DEP on NJ PACT review. We will be to a following up with a meeting with DEP to ensure that the DEP rule update related to the PACT initiative is coordinated with the SPC rule update.

Director Rendeiro commented that in terms of opening the rules, she and Chairman Wright had two informal phone calls from stakeholders -- one with NJ Future and the other one with The American Littoral Society. We will also invite the League of Municipalities for a call to get their input as well as representatives from the business community.

The Director commented that the Commission approved an MOU early this year. As part of that MOU one requirement was that the SPC consider endorsing the Highlands Master Plan. The Office received documents submitted by the Highlands Council toward that end and those documents are currently under review. An initial review indicates that the Highlands Master Plan is consistent except for a couple of items that the Highlands Council agreed to update.

Director Rendeiro is working with the County Planners Association to develop a guiding principles document to assist municipalities in recovering in a resilient and sustainable manner.

The Director provided input to DEP regarding recommendations on local permitting issues on EV charging stations.

Director Rendeiro commented that she was invited to participate on a new interagency work group that will assist the developing of affordable housing strategy and policy development to implement affordable housing in equitable manner.

The Director thanked Meghan Wren from the office and commented that after looking into all the requirements and guidelines from Sustainable Jersey. It was determined that about 80% of the requirements are consistent with each other's programs. The office is now looking into the remaining that are inconsistent and will come back to make a full recommendation to bring it to the PIC and to the SPC. The objective is to avoid duplicity.

The Director commented that the office continue to participate in a numerous other organizations and different planning organizations including the DVRPC.

Chairman Wright asked for questions from members.

Danielle Esser asked if there is a projected timeline for the state planning rule update to come to the State Planning Commission. Director Rendeiro responded that it will probably be toward the end of the year or, more likely, the beginning of next year.

Commissioner McCabe thanked Director Rendeiro for all the work done.

NEW BUSINESS

Approval of Plan Endorsement Guidelines

- Chairman Wright asked Director Rendeiro to introduce the presentation.

Director Rendeiro commented that she received comments from Commissioner Harris expressing concerns about the increased requirements for municipalities. He also had several questions in reference to the existing laws. Director Rendeiro committed to meet with Commissioner Harris for discussion upon his return.

Director Rendeiro commented that many of the added items are anticipated to be included in the Plan Implementation Agreement, giving the municipalities time to complete the items after Endorsement. That will give the municipalities a couple of years to accomplish what is needed. Another way to help reduce the burden is the Plan Endorsement Renewal Process which is under development. When the municipalities/centers expire, we will look at more of an update from previous efforts rather than starting from scratch.

Director Rendeiro referred the presentation to Matt Blake.

Matt started the presentation -

Step 3: Municipal Self-Assessment Report. DOT proposes requiring coastal communities to also provide an inventory, including an assessment of waterways, dredging needs and dredged material management opportunities, upland and beneficial uses related to coastal resiliency. Matt commented that this is a new DOT recommended requirement. Matt commented this may not be necessary for every coastal town, but can be provided as applicable and based on identified need. In terms of the level of complexity, it depends on the extent of need and level of detail to be required and provided. Minimal-Moderate: Administrative/professional (PE only).

Step 5: Community Visioning – Initiated by OPA. It is a question whether to continue to require three facilitated public meetings, or reduce it to two. Note: Waivers are already permitted under rules for Steps 2, 3 and 5 (Step 5 within 3-years), if a petitioner has met the requirements. Matt commented that towns find requirement for 3

visioning workshops excessive - particularly for smaller towns or where the public can be engaged through a variety of interactive technologies and media, including online means, posting or live feed posting, etc.

Vice Chair McKenna commented that he feels very comfortable with two especially knowing that there are so many other ways to communicate with the public.

Secretary Fisher commented that agrees with Vice Chair McKenna.

Climate Resilience Planning: The proposed new section involves a 3-step process, including a vulnerability assessment, development of strategy, and periodic actions to comply with EO-89. DEP is still working on additional guidance.

Commissioner McCabe commented that she supports the change recognizing that the circumstances vary considerably from one community to another.

Energy: Proposed new section. We would require a Greenhouse Gas Reduction Action Plan that largely mirrors the Sustainable Jersey program's Gold Star Standard in Energy action. This section was a collaboration between OPA, DEP, BPU & Sustainable Jersey which calls for implementation of 11 different actions of varying complexity. Much of which would be phased over 2-5 years emphasizes renewables, efficiency, and phased conversion to electric vehicles in compliance with EO-89. The Proposed new section within the PE Guidelines includes renewable energy and efficiency actions, greening the municipal fleet, local government energy audit, energy tracking and management, building/facility decarbonization, and measures to make your town electric vehicle friendly.

Hazard Planning: Recommended by DEP and was previously conditional but now proposed as a required action to comply with EO-89 to provide an inventory of potential hazards and how to mitigate them. This will include the submission of the municipal annex to the County Hazard Mitigation plan or a local hazard mitigation plan.

Chairman Wright commented that this is important to be part of the Plan Implementation Agreement.

Environmental Justice and Social Equity: Municipal EJ Action Plan includes an assessment, new guidelines, policy adoption, training/resources to staff, elected officials and boards and requires a designation of an EJ liaison. This is a DEP new recommended requirement to comply with EO-23 and new legislation. DEP still working to develop an EJ guidance document.

Conservation: This is an OPA new recommendation; Contiguous and Non-Contiguous Clustering is proposed as conditional requirements. This update recognizes recent amendments to the MLUL allowing for the expansion of non-contiguous clustering as a planning tool. Both Contiguous and Non-Contiguous Clustering represent powerful and important growth management and preservation tools that have potential where TDR has proven less successful.

Transportation: Adoption of a Complete Streets Implementation Strategy. Mirrors an action advocated by Sustainable Jersey program. This is a conditional requirement if a town as already adopted a resolution. OPA, with DOT support, recommends this as new conditional requirement.

Andrew Swords from DOT – commented that there are a large number of municipalities that adopted policies and that DEP will be happy to work with them to assist with various resources.

Community Facilities: A Public Access Plan is proposed as a conditional requirement. DEP-recommended the new conditional requirement to comply with the Public Trust Doctrine and EO-23 and is applicable to municipalities within the CAFRA Zone.

Agriculture: In addition to adopting a Farmland Preservation Plan for towns with at least 1,000 acres in production, the top 50 agricultural communities in the State will also be required to have a dedicated funding source in place. DAG and SADC recommended as new requirement for top 50 agricultural towns.

Proposed new agency actions:

- Assessment of climate change vulnerability and mitigation
- Vulnerability assessment of state and regional assets
- Conservation
- Contaminated Sites & Other Hazards Inventory (DEP will provide petitioners with an inventory of sites known to emit pollution or be contaminated)
- Assessment of community preparedness
- Assessment of Environmental Justice and Social Equity

Director Rendeiro commented that the only two changes from what was proposed are in terms of the assessment of vulnerability and if there are going to 2 public meeting as the guidelines versus 3?

Chairman Wright and Vice Chair McKenna confirmed on having 2 public meetings.

Chairman Wright opened the discussion for public comments.

Walter Lane from NJ County Planner Association thanked the SPC and staff for doing a great job on updating the guidelines. There are some concerns about increasing the work load for municipalities but if it's included in the PIA, it will keep the towns engaged and to move forward.

Kelly Pfickle from FEMA commented that in reference to hazard mitigation plan, most municipalities are covered in the county Hazard Mitigation Plan. FEMA may provide funding to communities to go through that process. She also wanted to ensure that there are incentives, that participation is important for locals for participation on county plans. Ms Pfickle also asked to add on page 20 under Consistency Standards, the State Hazard Mitigation Plan.

Chair Wright asked for a motion to adopt the new guidelines, Vice Chair McKenna made the motion and it was seconded by Freeholder Director Robinson. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (10) Danielle Esser, Secretary Fisher, Edward McKenna, Andrew Swords, Catherine McCabe, Gina Fischetti, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Thomas Wright. Nays: (0). Abstains: (0). The new guidelines were approved.

Resolution 2020-11 Designating Official Newspapers SPC

Director Rendeiro – commented on the need to update the list of official newspapers that receive notification of public meetings. The recommended newspapers are The Star Ledger, The Asbury Park Press, The South Jersey Times, and The Press of Atlantic City as its official newspapers for notification of public meetings.

Barry Ableman suggested to add The Bergen Record.

Chairman Wright and Director Rendeiro agreed to add The Bergen Record to the list.

Chair Wright asked for a motion to approve Resolution No. 2020-11, Secretary Fisher made the motion and it was seconded by Vice Chair McKenna. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (10) Danielle Esser, Secretary Fisher, Andrew Swords, Catherine McCabe, Edward McKenna, Gina Fischetti, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Tom Wright. Nays: (0). Abstains: (0). Resolution No. 2020-11 was approved.

ADJOURNMENT

With no further comments from the Commission or the public, Chairman Wright asked for a motion to adjourn. All were in favor. The meeting was adjourned at 10:50 a.m.

DRAFT

ATTACHMENT A
NEW JERSEY STATE PLANNING COMMISSION ATTENDEES
DATE: OCTOBER 7, 2020 TIME: 9:36 AM

Susan Weber – NJDOT
Steven Gleeson - DAG
Nick Angarone - NJDEP
Walter Lane - NJ County Planners Association
Meg Cavanagh – NJDEP
Kelly Pfickle – FEMA
Jason Kasler - NJPO
Frank Marshall -
Anthony Soriano -
Judy Thorton - New Jersey Highlands Council
Janine Barr -
Viergela Loudior – Brand & Marketing Assoc. ANMP, LLC