



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
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PHILIP D. MURPHY
Governor
SHEILA Y. OLIVER
Lt. Governor

TAHESHA WAY
Secretary of State

**New Jersey State Planning Commission
Minutes of the Meeting Held on January 30, 2019
State House Annex
Committee Room 10, 3rd Floor
125 West State Street, Trenton, New Jersey**

CALL TO ORDER

Chair McKenna called the January 30, 2019 meeting 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

Danielle Esser, Deputy Chief of Staff, NJ Economic Development Authority
Joseph Fiordaliso, President, Board of Public Utilities
Shing-Fu Hsueh, Public Member
Catherine McCabe, Commissioner, Department of Environmental Protection
Sean Thompson, Designee for Lt. Governor Sheila Oliver, Department of Community Affairs
Chigozie Onyema, Deputy Commissioner, Department of Community Affairs
Andy Swords, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation
Jay Boone, Designee for Tahesha Way, Secretary of State, Department of State
Edward McKenna, Chairman, Public Member

Others Present

See Attachment A

PLEDGE OF ALLEGIANCE

Chair McKenna asked everyone to stand for the Pledge of Allegiance.

APPROVAL OF MINUTES

Chair McKenna asked for a motion to approve the Minutes of the January 16, 2019 meeting. Commissioner Fiordaliso made the motion and it was seconded by Commissioner Hsueh. With no further discussion or questions, Chair McKenna asked for a roll call vote: Ayes: (9) Danielle Esser, Joe Fiordaliso, Shing-Fu Hsueh, Catherine McCabe, Sean Thompson, Chigozie Onyema, Andy Swords, Jay Boone, Ed McKenna. Nays: (0). Abstains: (0). The January 16, 2019 minutes were approved.

CHAIR'S COMMENTS

Chair McKenna had no comments at this time.

ACTING EXECUTIVE DIRECTOR'S REPORT

Acting Executive Director Melanie Willoughby commented that she was excited to have the SPC up and running and moving forward. She expressed that the Office of Planning Advocacy is looking forward to working with everyone on the continuation of the planned centers for the 96 municipalities expiring and that the office is ready to work.

NEW BUSINESS

Resolution No. 2019-02 Proposing for Public Comment a Regulation Amending N.J.A.C. 5:85-7.21 and Extending the Period of Certain Plan Endorsements and Center Designations

Chair McKenna asked for a motion on Resolution No. 2019-02, Commissioner Fiordaliso made the motion and it was seconded by Commissioner Swords. Chair McKenna asked for comments or questions from the Commission members.

Commissioner McCabe commented that from DEP's point of view the most important issues for the state planning process is that it needs to be real and helpful to municipalities, especially along the coastal and flood prone areas that need to plan for resiliency. She further noted that the amendment only applies to those endorsements and center designations that are set to expire in 2019. She noted that the department is not trying to kick the can down the road, but very much need to be engaged with the discussion and planning for how the Plan Endorsement process moves forward. It was further noted that the extension will allow municipalities that wish to alter their designations or move forward with an existing plan to engage with the State Planning Commission, a step that the department welcomes. The department also recognizes that the state planning process has not been as robust perhaps as it could have been over the last years, which is no fault to the municipalities. Commissioner McCabe thanked the Chair and the acting executive director for moving the process forward with the State Planning Commission reviewing the Plan Endorsement process and to making the necessary changes that are needed to encourage the municipalities to come forward and participate in the Plan Endorsement process.

She reiterated that DEP will be working with the Commission to include resiliency measures in the current endorsement process, as well as in future revisions to the Plan Endorsement process. Commissioner McCabe further noted that there is a need for a new Plan Endorsement process. She understands that very few municipalities currently participate in Plan Endorsement and the department would like to change that situation. Commissioner McCabe recognized that in order to encourage municipalities to come forward and participate in the process it needs to be more efficient. For those municipalities that take the time to do the necessary planning, there needs to be consistent and predictable standards and a process that also provides value to the municipalities. She further explained that from the DEP's perspective that DEP is looking for a consistent method on how municipalities address resiliency.

Commissioner McCabe noted that the department would like to work with the municipalities, as well as, the Commission and the executive staff of OPA to help municipalities assess their vulnerabilities to climate change and the hazards that have been seen from increased flooding, sea level rise and storms. She noted that these are all real impacts being seen in communities already and many municipalities are taking an active role in planning for resiliency and adaptation, but many are not. Once a municipality has identified their vulnerabilities we need to work together to address the municipal actions that can be undertaken to mitigate or adapt to the standards. She explained that state law gives much of the authority/power and responsibility to the municipalities. One of the ways to get a consistent state approach is working through the state planning process with the municipality. She feels this can be done together and pledges DEP's support by providing the scientific information about sea level rise, other impacts of climate change that department sees now and what can be expected in the future to help make more important decisions about how to make the coastal areas and areas that are vulnerable to floods more resilient for the future and for future generations.

Chair McKenna commended Commissioner McCabe on her remarks. He also noted that he felt there is a need to give municipalities more incentives to participate in the process since it is time consuming and costly for municipalities. Chair McKenna noted that there had been significant success in the past, but an issue that will need to be confronted is the ability to handle the work from a staffing stand point. He thanked Steve Karp and Barry Ableman for the tremendous job of holding down the fort, but expressed the need to add staff to be able to assist the municipalities participating in the process.

Chair McKenna also pointed out that in several legal matters the fact that a municipality participated in and received Plan Endorsement was actually cited by the courts in finding in favor of the municipalities; giving some muscle to receiving Plan Endorsement or center designation. He further noted that there are some incentives already, but Plan Endorsement needs to be made even more valuable for municipalities to participate in the process. He explained that the Commission should work to eliminate as many roadblocks as it can for the municipalities that are actively participating in the process and who show their enthusiasm.

Commissioner Fiordaliso commented that he agreed with Commissioner McCabe as far as consistency was concerned and noted that there should not be any confusion in the process, particularly when talking about the very important issue of climate change. He feels that everybody has to participate in mitigating the traumatic effects that climate change will eventually have and is starting to have on the state. Lastly, he noted that climate change has to be on the forefront of whatever the Commission does.

Acting Executive Director Willoughby thanked Commissioner McCabe for her comments. She explained that OPA has made the commitment to start the process immediately and will be reaching out to those municipalities affected while the proposed rule is going through the register process. She further noted that OPA will start working with the municipalities immediately and setting the standards for resiliency, which is provided for through the climate change language in the Plan Endorsement process. She stressed that the standards need to be clear to ensure that municipalities know how they are going to be judged. She noted that it will require the hard work of many of the Commission members as well as members of their team to help with the process, because of the fact that the office at this time is small. She noted that she was hopeful that additions to the team would be made using some creative avenues.

With no further comments from the Commission, Chair McKenna opened the floor to comments from the public on Resolution 2019-02.

Tim Dillingham, Executive Director, American Littoral Society welcomed the Commission back and noted that he was glad to see that the Commission has new life breathed into it as it plays an important role. Mr. Dillingham commented that he has been involved in the Commission's work, Plan Endorsement, the State Plan and its adoption for many years. He agreed that the Plan Endorsement process, in particular, plays a tremendously important role in the State. He noted that his parochial

interest is in the environment and the coastal environment, but also divided between policy making at the State level, the DEP regulatory authorities, the decisions made by economic development authorities and the more basic land use decisions of the towns. The idea that Plan Endorsement would integrate those goals to get everyone on the same page and to hopefully effectuate standards, regulations and policies would give life to those decision and agreements. He appreciates that the Commission is looking to revise the Plan Endorsement process and he would like to be involved in that process. He noted that his organization does a lot of work with towns along the Delaware Bayshore and Spring Lake to help address some of the issues associated with climate change and resiliency along the coast. Mr. Dillingham expressed his concern with the resolution, noting that it suffers from the same faults of the Permit Extension Act. He explained that in extending Plan Endorsement and centers people can take action under current policies that do not necessarily address some very important issues that need to be addressed. It is extending standards and permits that were approved on the basis of outdated regulations and outdated policies, which is bad policy. He noted that in terms of motivation for the towns there needs to be incentives provided particularly direct funding, which the Commission may be able to get the limited public resources in terms of infrastructure development targeted to where we want growth. There also needs to be a stick—development that does not conform and/or meet the state's policy goals should not be allowed. He stressed that extending the centers gives another year for development to come in under vested rights, under old outdated standards that add to the problems that are trying to be corrected, particularly the vulnerability created by climate change. Last, he noted that he looks forward to working with the Commission and hopes there are not many problems created by the extension that leave yet a bigger legacy of issues to deal with in terms of climate change vulnerability of both the environment and communities.

Chair McKenna, commented that he felt that the State of New Jersey shoulders a lot of the responsibility. He explained that in the prior administration there was a total abdication of any interest in state planning. As a result, the municipalities themselves responded that they had nowhere to go. He noted that he will accept the issue as far as the extensions are concerned, but also indicated that even though he remained a member of the Commission, he could not say how many times he raised his voice quietly to the prior administration to totally deaf ears. They had no interest in even adopting a State Plan, let alone dealing with the issues that the Commission will be addressing now. Chair McKenna commented that it was refreshing, enlightening in many ways and was hopeful that the Commission will resume the role it should have been doing for many years and that he looks forward to working with Mr. Dillingham.

Chair McKenna acknowledged that the Commission shared Mr. Dillingham's concerns and that was why the extensions were only until mid-2020. He further noted that as a state we must exhume our responsibility for a total lack of in activity that was not promulgated by people such as the ones on the Commission today, but by people that just didn't have any interest in state planning.

Mr. Dillingham commented that he agreed with Chair McKenna's assessment and that he shared his optimism about a new day and he looks forward to working with the Commission.

Chuck Latini, President, American Planning Association – New Jersey Chapter commented that it was wonderful to see the Commission in action. He echoed the remarks about being the quiet voice in the wilderness trying to figure out how to get the Commission back up and running. Mr. Latini also echoed the remarks of Mr. Dillingham about where we are and where we need to go. He also noted that the comments from the Commission members were welcomed and that he agreed with Ms. Willoughby about being proactive now in working things through with the towns. Mr. Latini commented that the regulations that we know are a bit antiquated; so we need to figure out how to take some of the models that the municipalities have provided on their own over the last couple of years and figure out how to bring those to communities who might not be as far ahead and bring them forward over the next year. Plan Endorsement needs to be revised to make it work better, more efficiently and to identify where the carrots are, where are the stick and bring an equal dose of both. Lastly, Mr. Latini noted that the APA NJ Chapter is in support of the Commission, hopes that the rest of the seats on the Commission are

filled and speaking for the planners they are here and ready to work.

Acting Executive Director Willoughby responded that the Governor's office is in the process of proposing individuals to fill the remaining seats on the Commission. However, those appointments need the advice and consent of the Senate and may take some time.

Walter Lane, Director of Planning, Somerset County, commended the Commission for moving forward and revitalizing the state planning process. He noted that Somerset County has been a longtime supporter of the State Development and Redevelopment Plan and the draft State Strategic Plan. A lot of the county's planning work over the years has been based on the State Plan. The County has one of the first Tri-Municipal Regional Centers that were designated back in 1996. On a personal note he commented that in 1997, as an intern for the county, one of his projects was working on something for the State Plan and that it is gratifying to see it moving forward. He explained that the county has done a lot working with the towns to advance the concepts of the State Plan and the draft State Strategic Plan. In the county's planning work it adopted the County Investment Framework, which the Commission endorsed in 2013. The county worked with the towns to take the principles of the State Development and Redevelopment Plan and apply it at a municipal level; working with the towns to clearly designate where growth and preservation should occur. Over the years, the county has worked with the towns to implement land use policies, zoning ordinances as well as infrastructure investments based on the principles of the State Plan. He noted that Somerset County feels that the counties can play a great role in the process, and they are here willing to help. Mr. Lane commented that he would be more than happy to come back at a future date to highlight what Somerset County has done by incorporating the principles of the State Plan into its master plan, preservation plans, land use element, using the investment framework; to shape the hazard mitigation plan, because resiliency and sustainability were key issues for Somerset County. The county is on the same page and supportive of where the Commission is going.

Chair McKenna thanked Mr. Lane for his comments. He also noted Somerset is an extraordinary county and applauded the county for all their work, the Commission has recognized what the county has done and its willingness to assist in the process. Lastly, Chair McKenna noted that the county will serve as a role model to many other counties, who perhaps haven't been as engaged and haven't see the value.

Mr. Lane indicated that the county is a willing partner and to let him know how they can be of assistance.

Acting Executive Director Willoughby commented that she has seen Mr. Lane's presentation on the County's work and was very impressed. She asked if there were materials that she could share with the Commission. Chair McKenna suggested that Mr. Lane do a workshop for the Commission.

Mr. Lane commented that as member of the New Jersey County Planner's Association's Executive Committee, the County Planner's Association is very excited to see the state planning process move forward. He noted that the Association sent a letter to the Governor some time last year offering assistance. He stressed that the County Planners Association is another partner that is stepping forward to help move the process forward.

Missy Rebovich, Director of Government and Public Affairs for New Jersey Future, a non-partisan, non-profit group that believes New Jersey can be a great place to live for everyone that can foster a prosperous economy, thriving communities and protected open spaces. She commented that NJ Future is incredibly excited that the Commission is meeting again and they look forward to future meetings being held in a larger room with additional Commission members. She commented that NJ Future thinks that the one year extension is an appropriate timeframe and appreciates the heavy lift that it is to go through Plan Endorsement for all the centers that will be needing it, but also appreciates the fact that there are important environmental considerations, especially around resiliency. She explained that NJ Future has done a great deal of resiliency work and worked with municipalities in implementing some important ways to protect against sea level rise. NJ Future is grateful to see everyone here and looks

forward to working with the Commission in the future. Ms. Rebovich further noted that NJ Future has coordinated a letter supporting the repopulation of the Commission and updating of State Plan. There are 20 groups that have signed on, with wide support from environmental groups, transit groups, all different planning groups as well as mayors who really want to see the State Plan updated to support what they can do to revitalize their towns.

Grant Lucking, Vice President of Environmental Affairs, New Jersey Builders Association commented that the NJBA supports the resolution in light of the relative inaction from the Commission, not putting it on the current members, over the last few years. He noted that it is important to give municipalities the chance to reevaluate and plan for the future. He recognized the important and difficult task moving forward in balancing revitalization with resiliency. He looks forward to being part of the process and helping the Commission make those important and difficult decisions.

Tom Dallessio, licensed professional planner, commented that for 10 years he had the privilege of serving on the staff of the Office of State Planning and for two years as a member of the State Planning Commission, appointed by Governor Whitman. He also had the privilege of working with a number of the communities that are designated centers. He explained that he lives in one of those communities and it is the best of NJ and it is the reason why we live here. He encouraged the Commission to move forward and in doing so emphasize the importance of infrastructure. He explained that the State Plan was, in fact, infrastructure based from the outset. He believes that in communicating the need for state planning and planning on the local level is to emphasize the cost savings and the fact that quality of life matters.

Mr. Dallessio noted that at the APA-NJ conference there was a panel on opportunity zones and a panel on the Amazon H2Q process in New Jersey. He was reminded of the first draft of the State Plan which was intentionally titled Communities of Place. The discussion of the two sessions was about the quality of life and how quality of life matters which was the basis for the first draft the State Plan through the idea of designated centers. He commented that as the Commission moves forward with communicating with mayors, community representatives and others the Commission should emphasize the need to focus on infrastructure, the fact that we need to ensure that our communities have clean water, have safe drinking water, have places where people can live, work, raise a family. That there are roads and transit systems that work for people and that we are not only thinking about yesterday and today but are truly thinking about tomorrow. He further explained that the first plan had end date of 2010. He noted that there is a video that talks about the year of 2010 and what New Jersey would be like. He encouraged the Commission to go back and take look at that video noting that some of it was achieved, much of it not. We need to think about where will be in 2030, 2040 and 2050. Because the time to start planning for that is today and the investments will take that long. In conclusion, he again encouraged the Commission that as it starts working with communities going forward to recognize that it won't be easy. There were battles before and not to get stuck in some of the previous language. This is a new day and a new opportunity. There are centers that deserve to continue to move forward and number of them that require review and think about where we need to be in the future especially with respect to resiliency and how to design resilience into the communities. He emphasized that it does need to be a cooperative process. A process that encourages everyone to participate and that with new technologies it so much easier. Lastly, he shared that when Chairman McKenna, was mayor of Red Bank and the town was a designated center, Red Bank was the first community that talked about how there was an electronic system to expedite the permit approval process. He noted that those types of technology and innovations are critical to moving forward. The Commission should think about how the designation of centers can be expedited through technology and through engagement.

Chair McKenna commented that that the value of cost savings is short sighted. He explained that when he became mayor, a group was formed called the Two River Council of Mayors. This council of mayors worked together to save on municipal costs. Within a matter of years, it saved millions of taxpayers' dollars. He noted that it was not difficult to do. He feels this is a matter that the Commission should also be looking at as part of the infrastructure rehabilitation. Chair McKenna thanked Mr. Dallessio for his

comments.

Tom Dallessio, explained that the infrastructure needs assessments that were tied to the first and second adopted State Plan provided ground breaking research and information. He hopes that the Commission has the opportunity to review that information, to update it and share it with the communities. He believes the State Plan has a critical role in the efforts of the governor and legislature in making New Jersey more cost effective and more affordable.

Commissioner Swords thanked Mr. Dallessio for his comments related to infrastructure. He pointed out that the Municipal Aid Program, available through the DOT Local Aid Program, is sometimes overlooked as a valuable resource. He noted that there is a tendency for municipalities to see the program as primarily for resurfacing local roads, which it is, but it can be used for many other purpose. Many of which are consistent with the goals of the State Plan. He encouraged municipalities to keep that in mind because he feels it will be helpful as well in moving forward.

With no further discussion or questions on Resolution 2019-02, Chair McKenna asked for a roll call vote: Ayes: (9) Danielle Esser, Joe Fiordaliso, Shing-Fu Hsueh, Catherine McCabe, Sean Thompson, Chigozie Onyema, Andy Swords, Jay Boone, Ed McKenna. Nays: (0). Abstains: (0). Resolution 2019-02 was approved.

Resolution No. 2019-03 Approval of Amended Annual Meeting Schedule of the State Planning Commission for 2019

Chair McKenna asked for a motion to approve Resolution No. 2019-03, Commissioner Esser made the motion and it was seconded by Commissioner Fiordaliso. With no further discussions or questions, Chair McKenna asked for a roll call vote: Ayes: (9) Danielle Esser, Joe Fiordaliso, Shing-Fu Hsueh, Catherine McCabe, Sean Thompson, Chigozie Onyema, Andy Swords, Jay Boone, Ed McKenna. Nays: (0). Abstains: (0). Resolution No. 2019-03 was approved.

PUBLIC COMMENT

There were no public comments at this time.

ADJOURNMENT

With no further comments from the Commission or the public, Chair McKenna asked for a motion to adjourn. The motion was made by Commissioner Fiordaliso and seconded by Commissioner McCabe. All were in favor. The meeting was adjourned at 10:14 a.m.

Respectfully submitted,



Melanie Willoughby, Acting Secretary
State Planning Commission

Dated: February 4, 2019

NEW JERSEY STATE PLANNING COMMISSION

DATE: JANUARY 30, 2019TIME: 9:30 AMLOCATION: STATE HOUSE ANNEX, COMMITTEE RM 10, 3RD FLR

NAME	AFFILIATION
Walter Lane	Somerset County Planning
Rhyan Grech	Pinelands Preservation Alliance
Donna Rendeiro	NJHIFA
Tim Dillingham	American Historical Society
Susan Webb	NJSPOT
Grant Ludwig	NJBA
Tom D'Allesio	PLANNING CONSULTANTS
Devel Hall	UTDAP
Missy Rebouch	New Jersey Future
Dave Hojsak	
Chuck Latini	NJ-APA