

NEW JERSEY SITE IMPROVEMENT ADVISORY BOARD

Meeting Minutes of March 17, 2022

Online Virtual Teams Meeting
Department of Community Affairs
101 South Broad Street
Trenton, New Jersey

ATTENDANCE

Board Members:

Valerie Hrabal, Chair
Janice Talley, Vice Chair
Ed Smith
Timothy Kernan
Thomas Olenik
Thomas O'Shea
Jason Kasler
Suzanne Walters

DCA Staff:

Maria Connolly
Marie Daniels
John Donadio
Gina Fischetti
Keith Henderson
John Lago
Sean Thompson

Guests:

Alex Ambrose	ANJEC
Lori Buckelew	NJLM
Kelley Curran	NJ Highlands Council
Michele Donato	NJPO
Amy Goldsmith	NJ Clean Water Action
Jeff Kolakowski	NJ Builders
Stuart Lieberman	Princeton Flood and Stormwater Commission
Grant Lucking	NJ Builders
Gabe Mahon	NJDEP
Vincent Mazzei	NJDEP
Jack McCausland	Pinelands Alliance
Swarna Mathukrishnan	NJ Clean Ocean Action
Mike Pisauro	Watershed Institute
Susan Weber	NJ DOT

CALL TO ORDER

Ms. Valerie Hrabal, chair of the Site Improvement Advisory Board, called the meeting to order at 10:00 a.m.

OPEN PUBLIC MEETINGS ACT

In accordance with the Open Public Meetings Act (P.L. 1975, chapter 231), notice of the time, date, and place of this meeting was given to the Secretary of State of New Jersey, The Star-Ledger of Newark, The Asbury Park Press, The Press of Atlantic City, and The Courier-Post of Camden.

ROLL CALL

The roll was called and attendance noted for the record.

APPROVAL OF MINUTES

Chairwoman Hrabal asked for corrections to the minutes of the September 16th, 2021 and December 16th, 2021 meeting. There were none. The minutes were approved.

OLD BUSINESS

Parking Standards / Electric Vehicle Supply Equipment (EVSE) / Spaces

Ms. Janice Talley, chair of the Streets and Parking Committee, briefed board members on proposed parking and EV charging stations standards. The proposal was combined with another DCA rule proposal dealing with the Uniform Construction Code. It is under review by the Lt. Governor / Commissioner. Upon approval, it will go to the Governor's office for review and comment. After that review, it will be published in the *New Jersey Register* as a rule proposal for public comment. Ms. Talley asked about new language added dealing with the UCC proposal. She recommended replacing the term "land-use" board, with "planning" board. Ms. Marie Daniels agreed to the recommendation and said the change would be made.

Stormwater

Chairwoman Hrabal said the board's stormwater committee agreed to a proposal that would reference stormwater rules adopted by the New Jersey Department of Environmental Protection (DEP) as maximum requirements. The proposal would allow

municipalities to adopt stricter stormwater standards, but only by going through the variation processes in chapter 3 of the Residential Site Improvement Standards (RSIS).

Mayor Walters raised concerns about recent flooding. She said localities need more flexibility to deal with stormwater. What works in one area, doesn't always work in another.

Chairwomen Hrabal opened discussion to the public.

Ms. Lori Buckelew agreed with Mayor Walters. The New Jersey Department of Environmental Protection (DEP) rule sets minimum standards for stormwater management and allows municipalities to exceed them.

Grant Lucking agreed climate change and flooding are real. He added, however, allowing municipalities to adopt different standards will raise housing costs. The Residential Site Improvements Standards (RSIS) are intended to promote uniformity and predictability in the residential development process.

Michele Donato, general counsel to New Jersey Planning Officials questioned if the scope of the RSIS extended to stormwater. She pointed to a conflict between the 1993 law requiring DCA to adopt predictable standards and DEP stormwater rules that specify statewide standards but treats them as minimum requirements municipalities can exceed with little regulatory oversight.

Attorney Stuart Liberman argued stormwater is outside of DCA's authority and should not be regulated by the RSIS.

Mike Pisauro, an attorney with Watershed Institute, said many local officials are concerned the DCA proposal will prevent towns from adequately dealing with flooding. Outdated rainfall data and climate change adds to their concern. He recommended the RSIS proposal be consistent with DEP stormwater rule and allow municipalities to adopt stricter stormwater ordinances

Alex Ambrose with ANJEC agreed and said the DCA proposal should help local officials make good environmental decisions, not limit them. Every municipality is different.

Amy Goldsmith said a lot of local concern focuses on mitigation, fixing the problems caused by earlier development decision.

Board member Professor Olenik asked questions to identify the fairness of putting the costs of past development decisions on future development.

The stormwater committee agreed to re-examine the draft proposal.

PUBLIC COMMENTS

Chairwomen Hrabal asked for additional public comments and there were none.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:50 a.m.

Respectfully submitted,

John Lago
Secretary to the Board