



State of New Jersey  
DEPARTMENT OF STATE  
NEW JERSEY STATE PLANNING COMMISSION  
P.O. BOX 820  
TRENTON, NEW JERSEY 08625-0820

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 April 7, 2021  
Zoom Video Conference**

**CALL TO ORDER**

Chairman Wright called the April 7, 2021 video conference of the New Jersey State Planning Commission (SPC) to order at 9:31 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**

Bruce Harris, Public Member  
Danielle Esser, Director of Governance, NJ Economic Development Authority  
Douglas Fisher, Secretary, Department of Agriculture  
Edward J. McKenna, Vice Chair, Public Member  
Elizabeth Terenik, Public Member  
Andrew Swords, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation  
Melanie Willoughby, Designee for Tahesha Way, Secretary of State, Department of State (arrived at 9:36)  
Nick Angarone, Designee for Shawn LaTourette, Acting Commissioner, Department of Environmental Protection  
Sam Kaplan, Designee for President, Board of Public Utilities  
Shanel Robinson, County Commissioner Director, County Member  
Sean Thompson, Designee for Lt. Governor Sheila Oliver, Department of Community Affairs  
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 with corrections of the March 3, 2021 meeting. Vice Chair McKenna made the motion, and it was seconded by Commissioner Robinson. With no further discussion or questions, Chairman Wright asked for a roll call vote: Ayes: (12) Danielle Esser, Sam Kaplan, Secretary Fisher, Andy Swords, Bruce Harris, Nick Angarone, Edward McKenna, Sean Thompson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Thomas Wright. Nays: (0). Abstains: (0). The March 3, 2021 minutes were approved.

## **CHAIR'S COMMENTS**

Chairman Wright commented that he's looking forward to the Somerset County presentation. He also expressed his excitement about the Millstone Plan Endorsement which represents a turning point to bring back the endorsement of these plans. This is a great plan to start with because of the terrific partnership with the State, SPC, OPA, the County and the community.

Chairman Wright commented that as we're turning the corner on COVID, he hopes that everyone is making their efforts on getting their shots and that he's looking forward in the near future to be able to have the SPC meetings in person.

Chairman Wright also expressed his excitement about the recent Federal Government proposal for a major infrastructure investment bill. He is looking forward to the Commission having discussions and presentations from some of the agency partners in future meetings to talk about what can be done to increase infrastructure investment and to help explain to the citizens of New Jersey what the needs and opportunities are. One of the great benefits of the SPC is to be a distributor of information and to think about the future not only as a New Jerseyans but also as an Americans.

## **EXECUTIVE DIRECTOR'S REPORT**

Director Rendeiro spoke. The Office will be presenting our first proposal for endorsement of the Borough of Millstone from Somerset County today.

Since the February 3rd SPC meeting two Consistency Reviews are in process (Vernon, Morristown), four Opportunities and Constraint Reports are in process (Manchester, Stafford, Upper, Plumsted), and one Municipal Self-Assessment was completed (Allentown).

Staff attended a meeting with the 3 of the 4 Wildwoods on April 1<sup>st</sup> (Wildwood Crest, North Wildwood, West Wildwood, and the City of Wildwood) to assist in their regional work toward Plan Endorsement and resiliency measures. They are working well together and are attempting to approach resiliency at the regional level. The initial effort in the regional approach is enacting a consistent ordinance among all municipalities regarding bulkhead height. Additionally, we are hoping to bring all four municipalities in for endorsement together to offer, not only individual endorsement, but a regional endorsement. Since all four Wildwoods are at different stages of the endorsement process, this may be challenging, but we are hopeful.

Settlement discussions in the Holmdel matter continue. It is anticipated that agreement will be reached and that the challenge to the State Planning Commission's decision will be dismissed, but no agreement has been reached so far.

The Township of Brick has requested a waiver to hold one visioning session and one public hearing as it relates to their Plan Endorsement process. Given their rich history of ensuring public participation in their land use planning and their commitment to ensure that the public has input into the municipal plans, it is my intent to approve that waiver in the coming weeks.

We will be presenting later in this meeting the proposed map amendment for Lakewood's requested Industrial Node. After numerous discussions with the Townships of Lakewood and Brick and Ocean County, a path forward has been identified. While a solution is still in discussion, all parties agree that enough progress has been made that the proposed map amendment can go forward. The PIC met on March 17<sup>th</sup> and unanimously agreed to move the matter to the SPC.

The Office held one status call with the Mayor of Woolwich and his TDR Counsel as we analyze the State concerns with the Township's request to unwind their TDR program. The Office has received comments back from State agency partners regarding the matter and those comments are being incorporated into a draft proposal that will be presented to the PIC for discussion. Prior to the presentation to the PIC, a second discussion will be held with the Township so that they can respond to the findings of State agencies. Major issues still remain.

The Office has received the Petition for the map update for Lower Alloway's Creek in connection with the NJ wind port project. It is anticipated that the subject site will be used for future manufacturing of wind turbine parts. There does not appear, at least initially, to be any obstacles in granting the map amendment. We stand ready to response quickly.

Planning for the FEMA resiliency bootcamp is underway. A steering committee has been identified and will begin meeting this week to determine content. It is anticipated that the program can be presented to municipalities in the fourth quarter of this year. It is hopeful that some of the curriculum can be held in person.

The Rutgers Climate Change and Resiliency Center (CCRC) program set up continues. Municipalities and participating students have been identified and introductions are underway. Gloucester and Stafford have completed introductions and scheduling for the Wildwoods is underway. This program anticipates local support through at least August. The next step after introductions is the development of a workplan for review and approval.

The draft PIA template was presented to the PIC on March 17<sup>th</sup>. After discussing some changes to the template, the PIC voted to move the document to the SPC. It is anticipated that the PIA template will be presented to the SPC in May.

Staff reviewed and commented on Hunterdon County's Petition for Plan Conformance with the Highlands Master Plan and the State Development and Redevelopment Plan. The Office submitted a letter of support for the Petition to the Highlands Council.

As a member of DEP's Interagency Council on Climate Change, we received the proposed draft of the Climate Resiliency Strategy for review prior to issuance to the public on or about Earth Day (April 22<sup>nd</sup>). Review is underway.

A technical correction memo was sent to EDA regarding the Economic Recovery Act Incentive program. The memo only addressed technical concerns that may impact criteria once the programs are active. Additionally, the Office has had discussions with EDA in how OPA can assist in training EDA staff on mapping protocols related to the ERA.

A meeting was held with DEP to begin discussions regarding what resiliency guidance should look like. It is anticipated that the draft of the guidance document will be published by DEP on Earth Day, and specific guidance will be developed to assist municipalities in developing their resiliency strategy per EO 89 and the recent legislation requiring the strategy to be included in any municipality's updated land use element of their master plan. The goal here is to have some kind of consistent, measurable, and actionable items that will address statewide vulnerabilities that will be within a municipality's ability and resources.

A3352/S3504 – Requires all newly constructed warehouses to be solar-ready buildings. Reported out of Assembly Committee/In Senate Committee – The Office supports this bill.

Director Rendeiro participated in a call on March 24<sup>th</sup> with Columbia University to discuss their pending proposal to a National Science Foundation call on “Coastlines and People”. They are thinking in terms of a shared vision strategic planning exercise for the region (definitely NY and NJ but possibly from Delaware and Connecticut as well). The Columbia professor spoke with NJDEP staff and they suggested that OPA be involved in the discussion.

The Executive Director was quoted in an article by NJ Spotlight on the topic of warehouse sprawl. The article can be found at <https://www.njspotlight.com/2021/03/warehouse-sprawl-fears-truck-traffic-contaminated-stormwater-runoff-e-commerce-covid-19-fuel-boom-municipal-power-home-rule-urging-regional-approach/>

Chairman Wright asked for comments or questions from the commission members.

Commissioner Harris asked about warehouse sprawl. Director Rendeiro explained that there is increasing pressure to put distribution sites and warehouse facilities on vast areas of land that have environmental constraints. For example, the Highlands and South Jersey are getting a lot of pressure from Pennsylvania from the west and from NY from the east in areas that typically can't support the infrastructure that goes with the additional truck traffic. The concern is that the roads in the Highlands can handle all of the truck traffic that may come from a large amount of warehousing and distribution sites. Additionally, this type of development is very land consumptive.

Secretary Fisher commented that warehouse sprawl also relates to agriculture where cleared, prime farmland that is proposed for warehouse use. This basically destroys the profile of the land. He commented that the need for infrastructure and logistics are a big part of our economy, but it is also a threat to agriculture if it's unchecked.

Chairman Wright commented that this is a growing issue that will be looked at because it's a classic case where each community is seeing their own economic opportunities without considering the best outcome related to sprawl on a regional or statewide basis. This is something that the SPC will start to look at.

Chairman Wright referred to Walter Lane from the Somerset County Planning Board for a presentation on Advancing Regional Planning at the County Level and Somerset County's Collaborative Planning Efforts. Unfortunately, due to technical difficulties Mr. Lane was not able to do the presentation. This presentation will be scheduled for a later date.

## **NEW BUSINESS**

### **Approval of Resolution 2021-08 - Proposed Lakewood Map Amendment**

Director Rendeiro commented that as part of Lakewood's biennial review, the Township requested an additional Industrial Node between the Garden State Parkway and the border with the Township of Brick. The Township of Brick expressed concern over ingress and egress. While no definitive solution has been identified to date, all governmental parties recognize that progress has been made, believe that a solution can be identified and, therefore, agree that the designation of the Industrial Node can move forward. Director Rendeiro referred to Barry Ableman for the presentation. This presentation can be found in the following link:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/lakewood-materials-4-7-2021.zip>

Director Rendeiro commented that there were numerous discussions with the County as well as the two Townships, Brick and Lakewood regarding the traffic impact of the proposed node on the shared borders. The Office believes that there is an answer through the adjacent property owner that is in Brick and through Brick's permitting requirements and that a solution can be achieved.

Steve Reinman from Lakewood spoke. "Thank you, Donna, Barry and the staff. We continue to work with the contract purchaser of the property on the Brick side that has an interest in working something out so those discussions are ongoing. The County is in support, we're in good shape and this will help. We really appreciate it".

With no further comments from the Commission or the public, Chairman Wright asked for a motion to approve Resolution 2021-08, Vice Chair McKenna made the motion, and it was seconded by Bruce Harris. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (12) Danielle Esser, Sam Kaplan, Secretary Fisher, Andy Swords, Bruce Harris, Nick Angarone, Edward McKenna, Sean Thompson, Shanel Robinson, Melanie Willoughby, Elizabeth Terenik, Tom Wright. Nays: (0). Abstains: (0). The Resolution 2021-08 was approved.

#### Approval of Resolution 2021-09 - Proposed Millstone Endorsement

Director Rendeiro commented that for the record, the Office checked with the Ethics Commission about Commissioner Robinson's ability to vote since she is the Commissioner Director of Somerset County. The response from the Ethics Commission confirmed that Commissioner Robinson is able to vote since "The Commission considers a person with a County position to have an interest in the County but not necessarily each town within the County as long as the person is not participating in any way at the Borough level or the County level which does not appear to be the case from these emails...". Director Rendeiro referred to Barry Ableman for the presentation.

This presentation can be found in the following link:

<https://nj.gov/state/planning/assets/docs/meeting-materials/pic/materials/millstone-materials-3-17-21.pdf>

Director Rendeiro commented that she would like to give Nick Angarone from DEP an opportunity to express his concerns about the one lot that is in question. The office felt that is important to include that one lot because it is part of their historic district. The Office believes that there are other NJDEP regulations that will protect this lot from development that is outside of the character of what is already in place. Finally, the Office thinks that there are good planning reasons to have it in the center mostly because it is an attraction that will bring people to the Center. The office is very conscious of resiliency and the need for making sure that each area is protected. Director Rendeiro commented that she sent to the Commission a letter of support from the County. The County Planning Board supports to move forward. The Director thanked Barry and Walter Lane for providing their support to the Borough of Millstone.

Nick Angarone from DEP spoke. "Thank you. The Borough, the County and OPA for the good work that led to this point. We have a very strong disagreement on a very small portion of this site which should not take away from all the good work that is going on in Millstone. I do want to talk about what the floodway is only because it's an issue that's going to come up again. The floodway is mapped and identified by FEMA and regulated by the department. A floodway is an area that the department would have to look at regardless climate change.

FEMA's manual describes the floodway as the central portion of the river flow that carries the deeper, faster moving water. Buildings, structures, and other development activities placed on the floodway are more likely to obstruct flood flows causing the water to slow down and back up resulting in higher flood elevations.

FEMA also notes that flood waters are generally deepest in the floodway and anything in this area is in the greatest danger during a flood. In other words, when you build in a floodway you are in danger and you are placing your neighbors in greater danger.

Both FEMA and the State disallow this from happening. Without going into any details, the flood hazard control act rules do place significant constraints on activities that can occur in this area. There are no new developments in this case, but I wanted to have this description for you to understand why the floodway is particularly inappropriate. Another important thing to remind us here is why we designate Centers in the first place. A Center indicates that this is an area where the State of New Jersey supports growth and investment, and we provide incentives to support that position. Incentivizing growth and investment in the floodway, we feel is inappropriate, it's contrary to the spirit of the Governor's Executive Orders 89 and 100, it's inconsistent with DEP's current regulations as well as the ongoing

NJ PACT process to update the rules to incorporate climate change and it's inconsistent with the direction of the forthcoming climate change resilience strategy.

As development on the water increases and as precipitation increases in amount and intensity which is projected due to climate change, flooding is only getting worse. This is a single small structure on the edge of the proposed Center and should not be part of the Center. This is not an easy decision for the Department. We're going to face harder choices going forward as climate change impacts upon us. The Department does not believe that the inclusion of this site into the Center is appropriate.

Director expressed her understanding of Mr. Angarone's concern. Also, that the building in question is an historic building and there is not going to be any expansion or redevelopment because of the historic nature of the site. Inclusion in the Center can help facilitate any grants that may become available for historic preservation.

Director Rendeiro referred to Mr. Carter van Dyke from the Carter van Dyke Associates representing Millstone.

Mr. Carter van Dyke spoke. "The building in question was actually the gateway to where the old bridge used to be and it's a very historic site that used to be called Somerset Court House and predates the revolutionary war. We believe the building is an important asset to the future of redevelopment. These areas were in a map found in an attic in Germany after War World II. Part of the Borough's redevelopment plan is to create economic development within the downtown so anything we can do to foster investment and reinvestment in this building is very important. This building is less than a thousand square feet in terms of its footprint blocking the floodway. I understand the sensitivity and appreciate the comments from DEP, but it is also facing the direction of the flood; it's actually footprint against the floodway is relatively very small, may be only 12 or 14 feet wide against the flood rise. We don't see it as having a great impact. We want to make sure to encourage reinvestment in the Borough"

Mr. Walter Lane from Somerset County commented that on behalf of the County, they fully support Millstone application for Plan Endorsement. Mr. Lane commented that the County fully understands NJDEP's concerns and feels that the environmentally sensitive features can be in Centers and not be developed, but restored and enhanced. Moving forward, there are going to be other Centers throughout the State that are going to have environmentally sensitive features within their Center boundaries, and I think protecting them with the CES (Critical Environmental Site) overlays and things like that should be considered as we move forward.

Commissioner Esser expressed her support and understanding of DEP's concerns.

Secretary Fisher commented that he understands that they want to preserve, but also heard that they want to develop as part of the gateway to the city. He asked for a clarification on what is the main purpose.

Director Rendeiro answered that they are looking to renovate the existing building, but not to change the footprint or the size of the building and to perhaps use it as an office to bring it back to a productive use.

Commissioner Terenik commented that between the CES and other DEP regulations they are very limited on what they are able to do.

Vice Chair McKenna commented that from reading the summary there are new CESs and advised that they are reducing the Center by 130 acres. With great respect for Nick and the Commission, Vice Chair McKenna moved the Resolution.

Chairman Wright thanked Barry and Steven for a terrific presentation. Also thanked and appreciated Nick for the comments and to know that the Commission appreciates DEP's concerns. He agreed in particular that this issue is going to keep coming up so developing a better understanding of it is going to be important for the Commission.

The State Plan talks about promoting growth in Centers, but that doesn't mean that the intent is to promote growth in all parts of Centers. Promoting growth means creating diverse communities. It may be that there are environmentally sensitive areas within a Center which is part of how that community achieves those goals and the things like the CES designations overlays are entirely appropriate.

With this community moving toward implementation with the sewer connection, inclusion of housing and other things, they demonstrate working in partnership with OPA and the State Agencies and this is the way it's supposed to work out. Recognizing the concerns that DEP is raising, we need to continue conversations around this. What this is about is to understand what a Center designation means and what it doesn't mean and how we can designate Centers that are complete communities with the diversity of activities and development and preservation within the Cente4r boundaries. Chairman Wright expressed that is the intent of the State Plan and where we want to go.

Chairman Wright asked for a motion to approve Resolution 2021-09, Vice Chair McKenna made the motion, and it was seconded by Bruce Harris. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (11) Danielle Esser, Sam Kaplan, Secretary Fisher, Andy Swords, Bruce Harris, Edward McKenna, Sean Thompson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Tom Wright. Nays: (1) Nick Angarone. Abstains: (0). The Resolution 2021-09 was approved.

### **PUBLIC COMMENTS**

Lawrence Tarantino, resident and business owner from Millstone spoke. Millstone is a national Historic District which is supposed to be protected from development and interference with historic properties by federal regulations. My experience in the 35 years living in Millstone, DEP has failed to implement the preservation of this community the way it should. There are many examples of it, including the stream which increased the flood height and duration. The bridge that was added onto instead of removed and improved, they simply added up 3 feet of mass at a critical flood level which impacts the community more than any environmental changes that are occurring.

There are numerous water issues and approvals that have been granted to developments and developers which are just around our own area alone, and throughout the State that are greatly impacted. These impacted communities are built along the rivers. Finally, I just wanted to make this statement because we have been overlooked for a very long time.

Matthew Denne from Millstone Planning Board thanked Barry Ableman and Walter Lane for their hard work.

Mr. Raymond Heck, Mayor of Millstone thanked everyone for their hard work.

### **ADJOURNMENT**

With no further comments from the Commission or the public, Chairman Wright asked for a motion to adjourn. Edward McKenna made the motion, and it was seconded by Elizabeth Terenik. The meeting was adjourned at 10:55 a.m.

**ATTACHMENT A**  
**NEW JERSEY STATE PLANNING COMMISSION ATTENDEES**  
**DATE: APRIL 7, 2021      TIME: 9:31 AM**

Steven Gleeson - DAG  
Susan Weber - NJDOT  
Meg Cavanagh – NJDEP  
Jason Kasler - NJPO  
Jonathan Sternesky - HMFA  
Matt Baumgardner - NJDEP  
Dave DuMont - NJDEP  
Walter Lane - Somerset County Planning Board  
Anthony Soriano - Morris County  
Theresa Ziegler - Gloucester Co.  
Steve Reinman - Lakewood  
Matthew Denne` - Millstone Borough  
Raymond Heck - Mayor, Millstone  
Mark Villinger - Ocean Co.  
Brian Leckie - NJDOT  
Carter van Dyke - Millstone - Carter van Dyke Assoc., ASLA, RLA, PP.  
Marty Bierbaum -  
Lawrence Tarantino - Millstone, Architect  
Andrew Gold -