



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
OFFICE OF SMART GROWTH
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Governor

SUSAN BASS LEVIN
Commissioner

CHRISTIANA FOGLIO
Chair

EILEEN SWAN
Executive Director & Secretary

**New Jersey State Planning Commission
Plan Implementation Committee
Minutes of the Meeting Held October 19, 2005
Department of Community Affairs
Conference Room 129
101 South Broad Street
Trenton, New Jersey**

CALL TO ORDER

Chair Eskilson called the meeting to order at 9:30AM.

Committee Members Present

John Eskilson, Chair

Michele Byers, Public Member

Marge DellaVecchia, Designee for Acting Commissioner Charles Richman, Department of Community Affairs

Joanna Dunn Samson, Designee for Commissioner Bradley Campbell, New Jersey Department of Environmental Protection

Susan Weber, Representative of Commissioner John Lettiere, Department of Transportation

Roberta Lang, Representative of Secretary Charles Kuperus, Department of Agriculture

Committee Members Not Present

Tom Michnewicz, Public Member

Marilyn Lennon, Public Member

Patrick Gillespie, Governor's Office, Smart Growth Ombudsman

Others Present

Christiana Foglio, Public Member and Chair of the State Planning Commission

Maura McManimon, Executive Director, Office of Smart Growth

Joseph Donald, Deputy Executive Director, Office of Smart Growth

Jung Kim, Office of Smart Growth

Dan Reynolds, DAG, Department of Law & Public Safety

Bill Purdie, Department of Environmental Protection
Bill Harrison, Chief Council, Office of Smart Growth
Ann Waters, Office of Smart Growth
Khara Ford, Office of Smart Growth
Curt Lavalla, Office of Smart Growth
Others-See Attachment A

CHAIR'S COMMENTS, John Eskilson, Chair

Chair Eskilson explained that Office of Smart growth staff would be giving a presentation and making a recommendation with regard to Ocean Township's petition for initial plan endorsement. He further explained that the Committee would be asked to make a recommendation on this petition at the next full State planning Commission meeting in December.

PRESENTATIONS

Ocean Township Plan Endorsement Petition, by Office of Smart Growth

Jung Kim, Area Planner, gave a presentation on Ocean Township's petition for initial plan endorsement. The presentation summarized the staff report and provided reasons for the recommendation that the Committee and State Planning Commission endorse the petition. Mr. Kim a brief overview of the Township, including its history, past growth trends and current situation. The presentation then focused on how the petition was consistent with State Plan goals, policies and mapping delineation criteria. He explained that mixed-use development in the Town Center provided for more accessible municipal and commercial services overall, while helping to relieve development pressure in the environs. The presentation also highlighted related planning activities, such as actions in the Pinelands area, the Township's land acquisitions and discussions of the Volunteer Way extension.

Discussion and questions from the Committee followed regarding the size and densities of the proposed Center. Stan Slachetka, planner for Ocean Township, explained that there was a differential between gross and net densities due to pre-existing development, but that the new development is in line with the State Plan at about 15-18 units per acre. There was also discussion about the need for the Volunteer Way extension as an emergency route in the case of a problem at Oyster Creek or a weather-related disaster such as a hurricane or flooding.

The Committee also expressed a desire to look at petitions in a larger regional context, to which Jung Kim agreed and explained that the litany of petitions in the Coastal region in response to the CAFRA rule provided a real opportunity to do so.

At the request of the Chair, staff summarized changes to the Plan Implementation Agreement. Discussion followed regarding the timing of the natural resource inventory and DEP's role in assisting the Township in its completion. DEP further explained their expectations of the Township for both prior to the December State Planning Commission meeting in which the petition is to be heard, and immediately following endorsement.

There were no further comments from the Committee at this point. Chair Eskilson opened the floor to public comments.

Public Comment on the Ocean Township Petition for Plan Endorsement

Ron Shimanowitz, attorney with the law firm of Hutt & Shimanowitz, spoke on behalf of Shoreline Management and Development Realty Company Inc., owners of two properties totaling 128 acres in Ocean Township. Mr. Shimanowitz stated that he was present at the August Plan Implementation Committee meeting, at which time he presented objections to the petition... He reiterated his concerns about the lack of direct notification to Shoreline as a stakeholder. Mr. Shimanowitz explained that he had concerns with the analysis and justification put forth for the planning area change to a PA5, particularly with regard to Shoreline's property. Mr. Shimanowitz brought two professionals to testify on behalf of Shoreline--Dave Sherek, a wetlands scientist and Creigh Rahenkamp, a licensed professional planner.

Mr. Sherek gave a presentation on the Oyster Creek Pinelands study. He believed that the sampling of water quality and other resources in the study were insufficient justification to determine that the area that includes Shoreline's property should be in PA5.

Mr. Rahenkamp commented on the State Plan policies and center designation criteria. He noted that Ocean Township's residential build-out projections were short of the MPO projections, and that this should promote consideration for a larger center or PA2 to accommodate more growth.

Teresa Littman, Pinelands Preservation Alliance, stated that there were other environmental documents that should have been considered in the review of the petition. She stated that she had sent these studies to the Office of Smart Growth during the Cross Acceptance process.

Chris Sturm, NJ Future, commended the Office of Smart Growth, DEP and other agencies for their efforts to assist Ocean Township move forward in the Plan Endorsement process.

Henry Kent Smith, from the law firm of Saul Ewing, urged the Committee to support the Township's petition.

Michael Cerra, State League of Municipalities, stated that the League supported the petition.

Leann Foster, American Littoral Society, expressed concern about the petition and stressed the need for more capacity-based planning.

David McKeon, Ocean County Planning Department, relayed the County's support for the Ocean Township petition and Plan Implementation Agreement.

Don Kirchoffer, NJ Conservation Foundation, expressed concern with the number of planning tasks relegated to the Plan Implementation Agreement rather than being addressed prior to endorsement.

Mayor Van Pelt of Ocean Township relayed his gratitude to everyone involved in the process and his hope that the Committee would recommend endorsement to the full State Planning Commission.

With no further comments from the public, Chair Eskilson closed public comment on Ocean Township's petition for plan endorsement.

Christiana Foglio reiterated her concerns about the public process for property owners, and the need to consider growth projections. Maura McManimon stated that everything that is submitted to the Office of Smart Growth for a Plan Endorsement Petition is posted on the Smart Growth website, including several letters received from public. She stated that the County Cross Acceptance reports are on the website as well.

With no further comments from the Committee, a motion was made and approved by consensus to recommend approval of the Ocean Township Plan Endorsement Petition to the full State Planning Commission at the December 7th meeting.

With no further comments from the Committee or the public, the meeting was adjourned by consensus.

Respectfully Submitted,

Eileen Swan
Secretary and Executive Director

Dated: June 28, 2006