



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

CHARLES A. RICHMAN
Acting Commissioner

CHRISTIANA FOGLIO
Chair

MAURA K. MCMANIMON
Executive Director

**New Jersey State Planning Commission
Plan Implementation Committee
Minutes of the Meeting Held July 26, 2006
Department of Community Affairs
Conference Room 129
101 South Broad Street
Trenton, New Jersey**

CALL TO ORDER

Chair Eskilson called the meeting of the Plan Implementation Committee Meeting to order at 10:05a.m.

Committee Members Present

John Eskilson, Chair

Marge DellaVecchia, Designee for Commissioner Susan Bass Levin, Department of Community Affairs

Susan Weber, Representative of Commissioner Kris Kolluri, Department of Transportation Elizabeth Semple, Representative of Commissioner Lisa Jackson, Department of Environmental Protection Roberta Lang, Representative of Secretary Charles Kuperus, Department of Agriculture

Committee Members Not Present

Michele Byers, Public Member

Thomas Michnewicz, Public Member

Marilyn Lennon, Public Member

Others Present

Eileen Swan, Executive Director, Office of Smart Growth

Joseph Donald, Deputy Director, Office of Smart Growth

Courtenay Mercer, Planning Director, Office of Smart Growth

Erika Webb, Planner, Office of Smart Growth

Lorissa Whitaker, Planner, Office of Smart Growth

Danielle Stevens, Policy Coordinator, Office of Smart Growth

Ann Waters, Planner, Office of Smart Growth

Jung Kim, Planner, Office of Smart Growth
Barry Ableman, Planner, Office of Smart Growth
Khara Ford, Planner, Office of Smart Growth
Sharon Maclean, Planner, Office of Smart Growth
Richard Brown, Department of Environmental Protection
Others-See Attachment A

APPROVAL OF MINUTES

Chair Eskilson asked for a motion to approve the minutes of June 28, 2006 Plan Implementation Meeting. Roberta Lang moved the motion and Elizabeth Semple seconded. All were in favor. Marge Dellavechia abstained.

CHAIR' S COMMENTS

There were no comments at this time.

EXECUTIVE DIRECTOR'S REPORT, Eileen Swan, Executive Director

Ms. Swan commented that the Cross Acceptance GIS mapping information and schedule approved by the State Planning Commission (SPC) at the July 19, 2006 meeting was sent to the County Planners and was made available on the Office of Smart Growth (OSG) website. Ms. Swan noted that Sussex and Stafford Counties will give presentations on their petitions for Initial Plan Endorsement at the August 23rd Plan Implementation Meeting. She stated that the Office of Smart Growth was still looking at ways to revise the Plan Endorsement (PE) process in order to make it more efficient, predictable and to allow sufficient public participation, as well as acknowledge agency benefits. Ms. Swan commented that the following discussion of consistency requirements for County, Regional and Municipal Plan Endorsement (PE) was primarily to provide clarification to language in the existing guidelines.

DISCUSSION

Plan Endorsement Bar for Regional Petitions as an addendum to the Plan Endorsement Guidelines

Joseph Donald, Deputy Executive Director for the Office of Smart Growth, was available to respond to questions and comments related to the discussion on Regional Consistency requirements for Plan Endorsement. Mr. Donald noted that the Office of Smart Growth received numerous comments on the guidelines, but addressed only those that fell into the framework of the existing guidelines. Mr. Donald noted there was an agreement that regional plans should set the framework for municipal petitions.

The discussion included the ability to make recommendations to change center boundaries in Regional/County plans and the need to recognize designated centers on the State Plan Policy Map because they were approved by the State Planning Commission (SPC) and have standing for ten years. Where designated centers or local plan endorsement has occurred, the local plan should have precedence. Center changes should be requested through the Plan Endorsement process, and the original applicant is the only entity that can propose changes to an existing center boundary.

The discussion also included the pending Plan Endorsement application for the Highlands Regional Master Plan (RMP), and how the SPC would deal with inconsistencies between the SDRP and RMP in the Highlands Planning Area, where implementation is voluntary. This issue was not resolved, but would be further discussed at the next PIC meeting with an open agenda.

The Committee agreed that the guidelines should use the affirmative terms “shall” and “must,” rather than “should” or “may.” Committee members went through individual comments that were proposed on the Regional/County Plan Endorsement Consistency Requirements. All Committee members agreed that the Plan Endorsement process would proceed on an application-by-application basis, and also agreed that definitions and minimum standards should be clarified throughout the guidelines, including Community Facilities Plan (CFP); Planning Coordination; Capital Improvement Program (CIP); Build-Out and Capacity Analysis; Population, Household, and Employment Data; the role of the Waste Water Management Plan (WWMP) and Water Quality Management Plan (WQMP) in the Plan Endorsement process; and adding emergency management planning. Discussion regarding the timing of WWMP and WQMP in the Plan Endorsement process was unresolved.

Public Comments on the Plan Endorsement Bar for Regional Petitions Discussion

Barbara Palmer, Association of New Jersey Environmental Commissions, recommended not to do an addendum, but to move forward with revisions of the Plan Endorsement guidelines. Ms. Palmer stated that where regional and local discrepancies exist, there needed to be more clarity on how municipalities would be treated post regional endorsement.

Jeff Tittel, New Jersey Sierra Club, stated the National Resource Inventory (NRI) should also, include historic sites and districts, that the capacity analysis needs to be clearer, and that the build-out analysis should include a fiscal analysis of needed infrastructure. Mr. Tittel also recommended that areas of growth need further analysis than currently prescribed.

Tom Borden, Highlands Council Deputy Executive Director and Chief Council, agreed with previous speakers that all clarifications to the existing guidelines should be incorporated into the guidelines, rather than added as an addendum. Mr. Borden stated that there was a distinction between the Highlands Plan Conformance and the State Planning Commission’s Plan Endorsement. He stated that Plan Endorsement does not require as much, or provide as many benefits as Highlands Plan Conformance. Mr. Borden also stated the Highlands is distinctly different than other regional/county plans in that it can make changes that effect local zoning.

There was a discussion between Committee members and Mr. Borden regarding designated centers in the Highlands, as well as the fact that there is shared jurisdiction in the Highlands Planning Area.

Mirah Becker, Middlesex County Department of Planning suggested that a definition section would be helpful in the Plan Endorsement Guidelines. Ms. Becker agreed that there was a need to clarify the methodologies for build-out analysis, and that Plan Endorsement should come before Water Quality Management Plan (WQMP), because the WQMP process is too long.

David Hojsak, Burlington County Planning Department, went over a number of issues that he will submit in writing.

Dianne Brake, Regional Planning Partnership, agreed that the guidelines should use the affirmative terms “shall” and “must,” rather than “should” or “may.” Ms. Brake commented that existing centers should have standing when reviewing regional petitions. Ms. Brake stated that while the counties do not have zoning power, they should be more proactive where they do have authority. Thus, road

access and water should be the focus. Ms. Brake also stated that there was a need for clear methodologies for build-out analysis and a need to clarify the relationship between goals and trend projections. She stated that the Office of Smart Growth needs to provide more detail on other elements, as has been done with the NRI.

Nickolas Tufaro, Middlesex County Planning Department, relayed concern about the complexity of the NRI requirements. Mr. Tufaro stated that he would provide further written comment.

With no further comments from the public, Chair Eskilson closed public comment on the Plan Endorsement Bar for Regional Petitions discussion.

Plan Endorsement Bar for Municipal Petitions as an addendum to the Plan Endorsement Guidelines

Eileen Swan noted that the consistency requirements for Municipal Plan Endorsement were approved by the state agencies and have been posted on the OSG website, and that OSG has received positive feedback.

There was a discussion regarding the timing of local ordinance adoption taking place prior to Endorsement or through the Plan Implementation Agreement (PIA).

Public Comments on the Plan Endorsement Bar for Municipal Petition Discussion

David Hojsak, Burlington County Planning Department, commented that the Housing Element should be mandatory.

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: September 6, 2006