



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
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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 September 7, 2022
Zoom Video Conference**

CALL TO ORDER

Chairman Wright called the September 7, 2022 video conference of the New Jersey State Planning Commission (SPC) to order at 9:32 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

Nick Angarone, Designee for Shawn LaTourette, Commissioner, Department of Environmental Protection
Danielle Esser, Director of Governance, NJ Economic Development Authority
Douglas Fisher, Secretary, Department of Agriculture (arrived at 9:37 a.m.)
Henry Gajda, Designee for President Fiordaliso, Board of Public Utilities
Bruce Harris, Municipal member
Edward J. McKenna, Vice Chair, Public Member (arrived at 9:37 a.m.)
County Commissioner Director Shanel Robinson, Chair, County Member
Stephen Santola, Public Member
Andy Swords, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation
Elizabeth Terenik, Public Member
Sean Thompson, Designee for Lt. Governor Sheila Oliver, Commissioner, Department of Community Affairs
Melanie Willoughby, Designee for Tahesha Way, Secretary of State, Department of State
Thomas Wright, Chairman

Others Present through Video conference

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 of August 3, 2022. Danielle Esser made the motion, and Shanel Robinson seconded it. With no further discussion or questions, Chairman Wright asked for a roll call vote: Ayes: (9) Danielle Esser, Andy Swords, Bruce Harris, Sean Thompson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Stephen Santola, Thomas Wright. Nays: (0). Abstains: (2) Henry Gajda, Nick Angarone. The August 3, 2022 minutes were approved.

CHAIR'S COMMENTS

Chairman Wright said that today we are planning to approve the amended warehouse guidelines document. He wanted to thank the OPA staff for their terrific work on it. Thanks to the Commissioners who provided very thoughtful input that has improved the document and members of the public. I have received other comments in the interim and have been reviewing them myself. I know that there are some folks who are concerned that what the State Planning Commission is doing here is new regulations. Other people have said they are concerned that it is not new regulations and they would like to see us do that. I want to reiterate to everyone that the State Planning Commission by itself does not have the mandate or authority to create new regulations. What we do is shine a light on these complex decisions and issues that are interconnected across transportation, land use, environmental, and economic considerations. Shining that sunlight on these issues is incredibly important to improving public policy across the State of New Jersey. I am very proud of these guidelines and what they do and how they have benefited the public discussion about this important issue for the State of New Jersey.

We are also going to be recommending a map amendment for Toms River, and I am excited to see us moving forward, as always with the implementation of the State Plan, then during the old business, Donna will give a summary of the changes that have been made to the document.

Chairman Wright referred to the Director for a report.

The Director acknowledged the arrival of Secretary Fisher and Vice-Chair McKenna.

EXECUTIVE DIRECTOR'S REPORT

Since the August 3 SPC meeting:

- Stafford Township, Palmyra, and Delran passed their resolutions accepting the PIA, satisfying the conditions of the SPC Endorsements.
- The prepetition meeting for Barnegat was held on August 9.
- The Office received the prepetition materials from Long Branch City; the prepetition meeting is currently scheduled for September 13.

- Later on today's agenda is a proposed map amendment for Toms River, requested as part of their biennial review.

We are now at 11 endorsed municipalities, we have five that are kind of on the precipice of being presented to the PIC, and probably at least two of them will go this month. In addition, we have 13 municipalities whose opportunities and constraints reports are in process. As well as 19 MSAs are in the process and we await at least several of them in the next month or so.

In Burlington County, we are working with four municipalities for the next go-round of the Burlington County Regional Endorsements. Delanco, Willingboro, Florence, and Beverly are next and probably two of them might be ready for the PIC meeting.

While we are continuing with the north of the Rancocas municipalities, the next steps for the towns in Burlington County that we have already endorsed will involve meetings with the Green Teams so that we can start implementing those PIAs. Those meetings are under discussion now and we will be scheduling them shortly. Additionally, the Office is working on engaging DOT regarding Burlington Township's request for their assistance and is working on DEP requests regarding a Florence Superfund site and Edgewater Park's local visioning.

The Office provided letters of support for Stafford Township in its effort to receive NOAA and RGGI grants.

The Office has been notified that the Governor's Office has begun the review process for the proposed Rule changes.

A FEMA Resilience Accelerator Steering Committee meeting was held to go over the next Coastal Cohort. The Committee determined that it is best to combine the next two cohorts. Since many of the initially identified communities have received assistance through other programs, it was determined it was best to limit the program to those that had not received other assistance.

Follow-up on the Riverine Cohort continues. FEMA held a Funding Resilience Panel to discuss federal funding opportunities with municipalities from the first cohort of the Resilience Accelerator. Federal agencies represented included EPA and HUD. Each state agency will be assigned a community to follow up with to ensure continued assistance. OPA will be reaching out to Bound Brook and maybe Millburn. Additionally, Somerset County was very impressed with the Accelerator that they are hosting a 3-hour workshop called Regional Stormwater Management Roundtable on 9/21/22 for Somerset County municipalities.

Office staff will be meeting with Rutgers today to discuss this semester's class and how they can assist municipalities. This effort is similar to the last Climate Corps that assisted municipalities in developing their vulnerability assessments.

Our co-workers at AmeriCorps approached the Office to develop a program whereby AmeriCorps volunteers can assist municipalities in developing resilience plans. Since we are working with Rutgers on a similar program, we proposed combining forces to expand our reach. Rutgers is very well versed in DEP requirements and if we can collaborate Rutgers students with AmeriCorps volunteers, we can increase the capacity of the program.

Staff will present later in today's agenda a recommendation for approval for the Warehouse Guidance. While we continue to get comments regarding the guidance, we believe that we are at the point where the document is ready. The matter continues to garner significant public interest; a press release is in the approval process in anticipation of the SPC's approval.

A call was held with a policy advisor from the Senate Democratic Office. Referred by the Governor's Legislative Liaison Office and the Secretary's office, the call was to discuss the warehouse guidance. A positive conversation was held; it was focused on what the guidance can and cannot do.

A request from Bordentown to host a meeting with neighboring municipalities to present the guidance and answer questions was received and the meeting is being scheduled. This is in line with a suggestion from a Commissioner to "take the show on the road" to provide technical assistance in interpreting the guidance.

We have been asked to hold a public meeting, but that decision has not yet been made. I am asking if that happens that we get the request through the municipality, we just do not have the resources to entertain just general public meetings.

Work continues on several follow-up actions that are under discussion such as developing a model ordinance and creating a framework for the proposed technical advisory committee.

On October 17, the Executive Director will present at the NJTPO Freight Initiatives Committee meeting on warehousing siting.

The second meeting of the Climate Change IAC funding workgroup that OPA leads was held. An agreement on the goal statement of the group was reached, more structure was developed on the statewide funding criteria, and a direction was hatched related to agency funding decisions and communications among state agencies. The Office will write up a summary of ideas and challenges with responses requested from the group prior to the next meeting is currently scheduled for September 20.

The Office participated in meetings related to Rutgers MACH CSAP effort, DOH's age-friendly council, NJ 2030 DEP/DOH Healthy Communities, Rutgers Environmental Justice Action Planning Guide, and NJ Future's effort to coordinate and advance local climate planning.

The Empire Wind project is scheduling a consultation meeting in mid-September.

The Office has been asked to participate in Somerset County's Circulation Element Technical Advisory Committee. The first meeting is scheduled for September 15.

The Executive Director will be speaking at the Governor's Conference on Housing and Economic Development at a session entitled Housing as an Economic Driver at the end of September. A meeting was held with the Outreach Communications Coordinator for Assemblywoman Murphy. The purpose of the meeting was to inform him about the Plan Endorsement process in general, and more specifically, the Burlington County process. He was clearly interested and asked to be kept informed.

The Office sent out an alert to its mailing list that highlighted several funding and technical assistance opportunities.

Chairman Wright thanked the Director for a comprehensive report and asked the Commission for comments or questions.

Andy Swords, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation said that heard you mention that Bordentown is interested in meeting with neighboring municipalities on the guidance. What are the next steps on that? The Director Responded that we are identifying which municipalities want to participate, it will not be a public meeting, and it will be open only to representatives of the municipalities that choose to participate. We just do not have a date for that yet. If you are interested when we have a date, I will let you know.

Sean Thompson, Designee for Lt. Governor Sheila Oliver, Commissioner, Department of Community Affairs asked if the meeting would be recorded. The Director Responded that we had not actually thought that far ahead. We certainly could consider it. I have to make sure that the municipal representatives are okay with that.

NEW BUSINESS

Chairman Wright referred to Director Rendeiro to start with the Toms River Map Amendment presentation.

Director Rendeiro said that what we are doing here is aligning the center boundaries with the redevelopment area. There are some exciting opportunities that Toms River has in terms of what they are doing, both with the County and as part of their veteran support. This was a request from Toms River as part of their biennial review.

Lisa Avichal proceeded to present the Township of Toms River.

This presentation can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/materials/2022-0907/spc-materials-2022-0907-toms-river-presentation-9-7-22.pdf>

Chairman Wright said that before I turn it over to Commissioners for any comments or questions they have, I would like to invite Mayor Hill or other representatives from Toms River if you have comments you would like to make.

Mayor Hill from Toms River said that I think the preceding presentation pretty much captured what our goal is. The VA selected us for the site of their new community-based outpatient clinic. They started construction back in July of 2021. The developer has been in talks about moving the post office from downtown, which is actually the southernmost part of our township and located next to the water and subject to some flooding out to this area, which would bring it more centrally located for their operations. In addition, we have partnered with the County on the circulation for the roadway improvements. They're building their 130,000 square-foot community social service building back there which will house the Ocean County Veterans Service Bureau and also all the social services. We are excited because our veterans that service by New Jersey Transit bus service on Hooper, will be able to get to this site for medical needs and any social service needs they have for the county, such as housing or anything else, and any veteran problems they have the bureau will be right there. I would like to point out that Dave Roberts, our Township Planner did a very heavy lift on this working very hard to get this project before the VA as a site selection. Now to get the post office to come out there. We really need this extension to the map so that we can get 80% impervious coverage to complete the project. Thank you.

Dave Roberts, Toms River Township Planner said that Lisa did a great job of summarizing and expressing everything that the township is working on. The only other point I would make to supplement what she has already presented given consideration to the Commission's time is that the master plan objective for the Hooper Avenue quarter was to, at the time that the master plan was being done, we had no idea that we would be in a pandemic three years later. The sensitivity was the impact on brick-and-mortar retail with the Ocean County Mall right on the other side of this Redevelopment Area. We knew that we needed to try to find ways to buoy up the retail because the Ocean County Mall was one of the township's biggest ratables. We think that bringing employment closer to retail is an overall broad land-use strategy to provide a number of employees every day that will be patronizing those businesses. There is a multifamily development under construction. It is immediately adjacent to our redevelopment area, which will include affordable housing and provide opportunities for veterans as well. It is really more of a mixing of uses in close proximity linked by a common circulation pattern, which this redevelopment area makes possible because it was effectively the hole in the donut between all those different land uses. I think from a land use planning standpoint, it made a lot of sense, the planning board agreed and that brought us to where we are today. We appreciate all of the cooperation from the Commission staff and the OPA. It has been a long process, but we are glad we are where we are today. Thank you.

Mark Villinger, Planner from Ocean County, said that the VA clinic choosing this site is a testament to the town's work that they put into this area together. The county does have our facility that Lisa had mentioned under construction. It is actually our Board of Social Services, Human Services, and Veteran Services. We have many of our services in that location. Our building footprint will be reduced in that area to one larger building. I think that it is just good planning. I appreciate being a part of it. Thank you.

With no further comments from the members, Chairman Wright asked Director Rendeiro to read the resolution.

The Resolution can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/resolutions/certified-resolution-2022-12.pdf>

With no further discussion or questions, Chairman Wright asked for a motion to approve Resolution 2022-12. The motion was made by Vice Chairman McKenna and seconded by Andy Swords. Chairman Wright asked for a roll call vote: Ayes: (12) Danielle Esser, Henry Gajda, Secretary Fisher, Andy Swords, Bruce Harris, Nick Angarone, Vice Chair McKenna, Sean Thompson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Chairman Wright. Nays: (0). Abstains: (0). The Resolution 2022-12 was approved. (Commissioner Santola was having technical difficulties).

Chairman Wright expressed congratulations to Toms River.

Mayor Hill said that on behalf of the residents of Toms River and the veterans of Ocean, Monmouth, and Burlington County thank you. We are looking forward to the opening in 2024.

OLD Business

Chairman Wright referred to Director Rendeiro to introduce the recommendation for approval of the Warehouse Guidance.

Director Rendeiro introduced the presentation by saying that Matt will present to the Commission a summary of the changes that are reflected in the document that was forwarded to the Commission members on August 19 and was published last week on our website. These changes were the result of the discussions held at the August 3 SPC meeting. Additionally, he is going to update you on a few minor recommendations from the Commission members since the document was published, along with OPAs recommendations for those last items. We will ask if everybody is okay with those recommendations, and we will incorporate them into the final document. I urge the public and all interested parties to understand that this document is guidance; it is not law or regulation. The Commission has gone as far as its statutory authority will allow. The Commission does not have the authority to regulate or legislate, nor tell a local jurisdiction how to develop their community. Rather this is guidance; it is there for those communities who are looking for that guidance and technical assistance. That is the role of the State Planning Commission and the Office of Planning Advocacy. The document we are proposing to be approved today is a good document; it is not a perfect document. Just like any good compromise, everybody got something; no one got everything they asked for. There are no hard and fast rules here since each situation can be vastly different with its own set of circumstances and needs to be approached uniquely. This was a very challenging effort. The logistics industry is a huge part of the State's economy and job base. We need to respect that. At the same time, it is important to ensure that appropriate planning, right-sizing, and location decisions are made with long-term implications, both positive and negative are kept in mind while also ensuring that the goals of the state are accommodated. We hope that local and regional communities will utilize this document while they are developing and updating their land use ordinances and master plans, we will make ourselves available for technical assistance to those communities that are looking for that assistance. I want to thank Matt Blake for his hard work on this.

Matthew Blake proceeded to present a summary of changes to the Warehouse Guidance.

This presentation can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/materials/2022-0907/spc-materials-2022-0907-warehouse-documents.zip>

Chairman Wright thanked Matt for the presentation and asked for questions or comments from members of the commission.

Vice Chair McKenna thanked Matt for a great job.

Steven Santola thanked Matt for a great job; I had submitted a number of comments and, Matt, I think you did an excellent job in addressing them. I went back and looked at the original enabling legislation. It speaks "To conserving New Jersey's Natural Resources, revitalizing its urban centers, protecting the quality of its environment, providing needed housing and adequate public services while promoting beneficial economic growth and development". I think we all recognize there are three legs to the stool here. When we look at what is happening we see 30% rent growth over the last two years in each year of the industrial warehouse space. What is that telling us? The market is dying for more of this space. Why is that? Well, the New York/New Jersey port is either the first or the second largest port in America depending on how you measure the Los Angeles port and whether you include some of the neighboring ports. To not have adequate space to relieve, particularly the imports, you're providing an artificial choke point at an important point of entry and that's helping to trigger the supply chain problems when we go to the department store or when we want to buy a sofa and they tell us it is five months to get it delivered. Part of the problem is we are not able to onboard and nearshore these products the way that we need to and that is being seen by two things. First, the 30% rent increases that we just talked about and the vacancy rates across the State are plummeting. Single digits used to be a big deal, but now they are in the 1 and 2% areas. I think that in the document somewhere, there is a suggestion that New Jersey is a logistic state.

There was a push in the last 20 years to encourage towns to create more development near the train station. There has been a push to encourage towns to provide affordable housing until the point where the courts have gotten involved over the last 30 years. If we are speaking for the greater good, there should also be some suggestion that this is what is needed today. Indoor malls are failing; highway retail is struggling, suburban office is on its deathbed in many areas of the State. We need to encourage these alternate land uses that are out there and are looking to thrive.

I certainly recognize and I love the whole concept of the receptors Matt; I think that really nails a very complicated concept right on the nose. Receptors are suburban neighborhoods, residential neighborhoods, urban neighborhoods, schools, and places of social congregation where truck traffic should not necessarily be encouraged but there are plenty of locations along 287 and the turnpike, and polluted and environmentally challenged urban areas. Those areas are ripe for this type of use and we should be looking at ways to encourage that and not create more barriers. I think in large part the State Planning Commission has that obligation to grow the economy to make sure everyone has a job to make sure that we're moving towards what the market is looking for, and not encouraging development that the market is not looking for, which is going to further erode our tax base and provide fewer jobs. There is no easy way to say that everybody wants their Amazon package delivered tomorrow morning, but nobody wants any trucks on the road or an Amazon facility anywhere near. I want to make a point because I intend to vote in favor of the guidelines, even though I still have some concerns about them. The reason for that is I have sat on the sidelines for the past however many years before I was fortunate enough to be a Commissioner. I hope that the State Planning Commission would be able to get involved in these types of issues and that it would be used as a resource as local planning boards are used as a resource for town councils and mayors across the state. Wading into this issue and creating conversation and providing a source of information for municipalities who are starving for it is tremendous. I am not going to be the one to vote no and make it seem like I do not think this is part of our calling or what I would like to see more of the commission do in the future. So I do intend to vote yes. I very much thank Matt and Donna and the whole team for taking my and others' comments to try and balance the document a little to hopefully get to the point where we can see the commercial and the

warehouse industrial distribution growth being permitted, but in responsible ways. I know it is what Matt is really shooting for here. I hate for this document to be used as a sword for people who just do not want it in their backyard. I am very hopeful that it does not take on that direction.

Chairman Wright thanked Commissioner Santola and said that he thinks that the goal here is to try to create the best logistics in the warehouse industry and in the nation. We know that technology and the economy are evolving. The goal is to figure out how we address these issues and ways to both create jobs and support communities by moving goods as efficiently and sustainably as possible, reducing the carbon footprint, reducing the negative externalities, and in particular making sure that these do not create negative impacts on local communities. Nobody else has figured out this one yet. I do think that this is of particular importance in New Jersey, as you have mentioned. We are a logistic state, and we are a growing state. I think it is incumbent on all of us to work very hard to try to solve this issue and figure out the state-of-the-art and how we achieve it.

Commissioner Esser thanked Director Rendeiro and the team for the work done. Commissioner Esser said that she would echo the Chairman's point at the front of the meeting. This is guidance and we are trying to do what the Commission is meant to do which is to provide guidance for Land Use and Planning for the State of New Jersey and municipalities around the State and to provide resources for those municipalities. Ultimately, municipalities will have the final say in terms of their local land use decisions. This is an asset or resource that towns can turn to for some guidance.

Commissioner Harris said that he had provided many comments because some of his biggest concern was at some of the best practices that might not be supported by the MLUL and then others may not be easily enforceable by municipalities. Behind all of that was my experience having been on the planning board for many years in my town and just knowing that you have many volunteers who are not planning experts. Some of the stuff was going to be over their heads in terms when it came to taking the steps to adopt a zoning ordinance and all of that. The various iterations of the guidance have gotten much better. I think that we have a document that will be very helpful to municipalities. I think the next step of developing a model ordinance will resolve some of the many remaining issues and concerns that I have. Congratulations!

Commissioner Terenik congratulated the team and said that her comments do not relate to warehouse siting. She congratulated the team. In Atlantic City, we have many vacant and abandoned, and blighted warehouses with no opportunities for repurposing in the immediate future. We are trying to think about what happens with those. Obviously, we are not on any major transportation routes so we cannot expect them to be used as warehouse space but maybe food production and other areas. I know, it is a little bit off the topic, but I just wanted to plant the seed for maybe further discussions for us to hear in Atlantic City about what to do with these. We probably have about 40 of them throughout the city some in residential neighborhoods with barbed wire around them. It is a negative impact on us.

Director Rendeiro said that she did not think it is off-topic, we can certainly have further discussions on how best to utilize even if it is some of them.

Chairman Wright agreed with the Director and said that the legislators named the State Plan, the State Development and Redevelopment Plan. I think one of the successes over the last generation with our work has been understanding how residential development could be done through redevelopment rather than development. This is an area where what we are talking about is a new type of rapidly growing and evolving industry with different types of land use needs. Not surprisingly, much of the focus has been on new development. Perhaps one of the benefits we can bring to the table is figuring out how redevelopment becomes more a part of the long-term equation because those vacant warehouses do not benefit the communities, they do not benefit the environment, and they do not benefit the economy. I think that is a major part of the goal of this entire effort and why the State Planning Commission was established.

Chairman Wright asked for questions or comments from the public. Please keep your comments to three minutes.

Julia Somers, Executive Director of the NJ Highlands Coalition said that we are certainly experiencing a real push in the New Jersey Highlands for warehouses, particularly in the western Highlands. Often in remarkably inappropriate places. However, I salute the Commission for the work that you have put into this. I also recognize the great frustration that people would love this to be something that could be incorporated as regulation in their communities. I have a couple of suggestions. I actually slightly disagree that you are powerless to affect things and would like to suggest that this is not just about local control. There are many state policy issues at issue here. For instance, protecting our best farmland soils. We should not be building covering our best farmland soils, which is the cheapest place to put some of these warehouses with impervious cover. The state has a great possibility, and so does the State Planning Commission by working with your fellow state agencies, you have lots of sticks and carrots available to you. You can reward communities that do the right thing. You can reward developers who do the right thing. You can also support as is possible in the Highlands when a town is sued. When a town has conformed to the Highlands Regional Master Plan and is sued by a developer, the State will protect them. It is not just that there is a higher bar for whoever is suing to get over that the State will actually protect and defend a community that has conformed to the original master plan. You might consider if, when if and when you have your model ordinance, you might consider that if a town uses your model ordinance and is in the future sued, that town will be defended by the State. That will be a tremendous resource for communities to not be bullied, which is what happens quite often when well-heeled developers intimidate towns. Certainly, the logistics industry is doing pretty well these days. We just look at what is happening in White Township where 12 miles from route 80 and 10 miles from route 78 a two-lane County Road on 600 acres of our best farmland soils. A developer wants to build the 12th largest warehouse in the world in the world. Do not think that you are powerless. There is a lot that you can do; I believe you can support these communities when they do the right thing. I urge you to do that. Congrats. It is a great document for what you are allowed to do. It is a great beginning but you can do more. Thanks.

Tirza Wahrman, a resident of West Windsor said thank you so much. Shout out to Donna Rendeiro who has been so responsive over the last few months and to Matt Blake for the excellent work that has been done in this document. I speak on behalf of many residents of West Windsor where we still have pending a 5.5 million square foot warehouse project called Bridge Point Eight and that brings many of us to the meeting today and last month. We are still awaiting the memorialization of the final approval from the Township. Mercer County has expressed serious concerns about the project, which would sit on 64 acres of wetlands and 100 flood-prone acres. This is sensitive land picking up on what Julia said. It does contain many acres of very usable farmland. It was a small area of agricultural testing that went on from American Cyanamid. I feel that West Windsor is in the crosshairs and that this community and surrounding communities will be affected. We feel a sense of urgency for this excellent guidance to be put into law and we are wondering if there are allies in the State Senate that we can be reaching out to. Donna referred to a meeting perhaps that had occurred with the Senate Democrats. How can we help? Because this guidance is a pioneering document. The Municipal Land Use Law I think is outdated. If you look at Bloomberg.com this week, the demand for warehouses may be peaking. I myself go to the Quaker Bridge Mall. I am an old shopper. I do not have many boxes coming to my home. I really wondered are we abandoning brick and mortar too quickly. What is our vision for our State? Most importantly, what the document does say is do not site on wetlands near residences, near shoppers. I want to thank the State Planning Commission for being out there and making us all think about how to make our state better. Thank you.

Stacy Fox, a resident of West Windsor said thank you all for this amazing work. In West Windsor, I lead a group of opposition residents to this particular project that Tirza was just speaking about. It is a perfect example of what Julia was talking about. My township did the very thing that she spoke of, and the mayor was very outspoken about it, saying he did not want a lawsuit. He would let the County worry about it. This particular project is so flawed for so many reasons, the most obvious being that it's built on wetlands, but it also has hundreds of trucks per hour on a two-lane road right past an elementary school and a high school with brand new drivers. It is right through a neighborhood that it on a county road. Legally, they cannot restrict trucks. Meanwhile, it has to go by little kids and

new drivers to get to the turnpike. Even though many people at the planning board had many questions, it was approved with 82 conditions of approval, which goes to show you how bad a plan it was. The bottom line is it came down to them not wanting to deal with a huge lawsuit.

I have to tell you when the guidance first came out, that was not yet voted on. My group was very excited feeling like this is going to save us, but my Township disregarded it. They did not adhere to literally any of it. The entire project disregards the fundamentals of your guidance. It was extraordinarily disappointing and that is why so many people are on this call from my Township who are hoping that this can become legislation. Maybe the Plan B or failsafe to that is what Julia suggested if we do end up in a legal battle with some uber-powerful developer. The small townships that do not have that in the budget do not have to fear that they are going to be bowled over with their taxpayer dollars to try to protect themselves from something like this. I just will encourage everybody here today, to reach out please to all of your legislators to encourage that this becomes legislation because of these COVID-inspired packages to your door. I think we need to step back. Even Amazon is closing up many of its warehouses; people are trying to get back to brick and mortar. It is nice to get packages to our front door but there needs to be a balanced mixed-use. Enough of this, everything on my doorstep stuff. We need to get back to appreciating what is green. Furthermore, I would like to remind everybody that when we were stuck indoors during COVID, it was wonderful to get outdoors and more open space is actually essential to public health. Thank you.

Lisa O'Shea, a resident of West Windsor said that she lives on Clarksville Road, which is a major road and it is very residential. It has an elementary school and a high school. She is a former teacher, who just retired a year ago. I understand the impact that these warehouses would have. I have lived in this community for a long time. West Windsor/Plainsboro is an area that is so welcoming to people, because of its beautiful location, because of its parks, and because of the school district. It is one of those things where you never imagined that you would have to worry about the health of your community on so many levels, as well as the health of the environment. And here we are in a time period where we're trying to be more eco-aware of what we do to the environment and the developers are coming in and our own Mayor is coming in and as well as the council and disregarding this. I just wanted to show my support for Stacy and Tirza and to all those of you who are working so hard to create some type of document that is going to further support future developers from doing terrible things. The reason we moved to certain communities is to have a wonderful quality of life and tractor-trailers and warehouses are not creating good quality of life. Thank you so much for all you are doing.

Monika Pawlowska, a resident of West Windsor said that she would like to address the State Planning Commission and voice her concerns about the future of New Jersey and warehouses in our state. In addition, Tirzah and Stacey mentioned the Bridgepoint Industrial Complex in West Windsor. As a West Windsor resident, I am very concerned about this development. First, due to the enormous size of this project, which is 5.5 million square feet, I am alarmed at the number of tractor-trailers, routinely using the same roads as small children use to walk to elementary school. According to the traffic study, Clarksville Road, which is where the Bridge Point Eight is proposed, we will see as many as 50 tractor-trailers an hour. Elementary and high school children to walk to school also use that same road. Again, that is 50 trucks an hour every hour being shared with children as small as six years old. Currently, there are about 10,000 children enrolled in West Windsor Plainsboro school district. In my opinion, their safety and well-being should be the priority over the economic growth of the state. Thank you.

Marilyn Chatlin, a resident of Sparta said that she lives in Sparta, where they are fighting a warehouse developer who has no concern about the safety of our community. We have a lawsuit against the town council and the zoning board. She is disappointed that there is not going to be a law about this and it is not going to be expanded to include the concerns voiced by a woman named Kim Cherry from the Sierra Club. Those concerns regard the surrounding communities who will also be affected and she wishes that there would be a law requiring townships who are considering approving a warehouse to give notice open to the public well in advance so that the whole community at large has a chance to give input. I like the speakers who spoke before. I would like to know who our allies could be in the Senate. I am disappointed that Mr. Sweeney's bill did not pass in the past and I regret that he

is no longer in the Senate. I am also wondering if, in fact, the Commission would give technical assistance to communities. What sort of technical assistance you might be able and willing to offer?

Director Rendeiro said that as we have stated before, we really do not have authority over approval at the local level. We can offer guidance if a municipality asks for it. For municipalities that request it, we can certainly assist them in interpreting these guidelines; but understand that the municipal government needs to invite us in to do. I would say to you to contact your legislators and make your opinions known to them as well because as we have stated in the past, we have gone as far as our authority will allow us. This is a great conversation that we are having. I think this is the start of many good conversations. We will continue to support putting development in the right place, but we also have to acknowledge the fact that we are a logistic state. Commissioner Santola and the Chairman have said it correctly, we need to balance all of these priorities and hopefully, we will be able to do so. We will continue to work with whatever municipality is requested our assistance.

John Vidulich, a resident of West Windsor said that I am an 80-year-old resident of West Windsor for the last 36 years. I do not live on Clarksville road but I do live in some proximity to it. I echo everything that was said before by the various speakers from West Windsor. I commiserate with the woman that spoke from Sparta and the issues you have. I got a couple of I have a couple of questions for the OPA. Do you ever get involved with recommending what the composition of a planning committee or planning board in a municipality should look like? Because if you look at the one in West Windsor, it is sorrowfully people very near my age are a majority of that group. That is not what comprises this, the township of West Windsor. I would like to suggest if it is not already in the report that you look at recommending or advocating a mixed demographic composition when you do put together a planning board in a township. I have not been able to research what our Mayor has done in appointing these planning board members, but I have a suspicion the majority of them were appointed by him. I would like to speak up about that. I would also like to say we are not the logistics state, which people have said three, four, or five times in this session. We are the Garden State. I think you all know that. I am shocked to hear that even from you Donna who has been an advocate and help to us, how we are the logistics state. You have to get that out of your vocabulary because we are not that. That is about all I had to say; I had plenty of others. I wrote a long note to Donna last night about the same sort of issues that were already raised. I want to go back and say, Do your job and speak to your advocates outside of the planning commission advocacy, and get them to be aware of what is going on here and speed up this legislation because it is a crying need for it. Thank you.

Amy Hansen, Policy Manager for the NJ Conservation Foundation, we really appreciate the work that the state planning office has been doing. We are very concerned about this issue of overdevelopment and the development of warehouses on our prime farmland. We support the guidance documents as a good step forward. However, we suggest that the 13 guidance sections be compiled into one master document to make it easier to access and read for municipalities and the general public. Additional measures are needed to tackle warehouse development that is overwhelming so many communities around the state we keep getting calls, what can be done when we have this proposed warehouse or 4 warehouses or 10 warehouses? What can you do to help us make sure this is not going to cause horrible traffic etc.? Voluntary guidance to municipalities' will not prevent the loss of prime farmlands and forests that protect us from the climate emergency. I understand that legislation will probably be needed to make some changes to better guide warehouses. We are also concerned that just guidance will not stop additional pollution in already overburdened communities. We can no longer allow our brothers and sisters in overburdened communities to die early from asthma created by truck and other pollution. Warehouse developers should not be allowed to add to these communities' problems. Obviously, carrots and sticks are needed to align warehouse development with the guidelines and ultimately, the state plan itself needs to be updated and strengthened to deal with these enormous challenges and other pressing challenges such as climate change. We hope this action today will be the beginning of the State Planning Commission's efforts to address this issue and not the end. We should not let the Garden State turn into the warehouse state. Again, I thank you very much for your hard work on this. We look forward to continuing to work with you to keep New Jersey a healthy and safe place to live.

Sarah Hare, resident of Hope Twp. She thanks the Commission for an excellent document. She said that I am on the environmental commission and I am part of a group that has been following for the last three years the White Township warehouse applications that as Julia said is going to be one of the biggest warehouse developments in the country. I would just like to say following that application process to the other planning board meetings and going to Commissioner meetings and township meetings. The whole idea that township officials will automatically just look at this guidance and decide to follow it is kind of laughable to me because we've tried we've had the Commissioner try to bring township officials together to engage in regional discussion and regional planning with only very partial success. Hope is a 1700s Village on the National Historic Registry and we have no shoulders, we have trucks that would be coming from that White Township development but also they are already coming from Southern Warren County to get to Route 80. We have had two truck accidents recently with deaths. Julie is right in saying that incentives need to be made to townships to get them to look at these guidelines. The state does need to do more, legislation does need to happen. I commend all of you for putting this together; I do not have a lot of hope that townships are actually going to use it. What more can be done to maybe take a more active education role in getting out to townships, don't just wait for them to come to you and say we'd like you to come and visit and talk about this. Publicity, get out there educate and put some incentives out there that will encourage townships to take a serious look at this. Thank you.

Chairman Wright said that I want to first thank everybody for participating in offering their comments, we have had many very constructive and helpful thoughts. I will say, and Donna has mentioned this already, but I do not think that the adoption of this guidance is by any means the end of the process or the discussion. In fact, again, what I mentioned at the beginning of this Commission meeting is that this is part of an iterative process, one that involves state agencies, counties, municipal government, and the legislature in many ways. Having Julia here from the Highlands Council, I am old enough to remember when the last state plan was updated, there was concern about what was happening in the Highlands, and advocates and others were coming to the Commission asking for it to adopt guidelines for development. What the Commission did was in the 2001 State Development and Redevelopment Plan, include a section on the Highlands and pointing out the concerns that were being raised, which I do think then played a very important role in eventually getting legislation and moving into an entirely different kind of planning construct there. I think that is illustrative and a precedent that we should be thinking about in terms of what happens here. I am not trying to say where I think this will end. The point is that we are still in this process. I think that is really the important role of the New Jersey State Development Redevelopment Plan, the Office of Planning Advocacy, and the State Planning Commission (which includes both members of the public and the public agencies) is to provide a forum for considering these important policy issues, how to address them and really provide for improving the regulations and the policies that we have in the State. I hear passionately the concerns of communities that are finding themselves kind of grappling with these issues immediately and understand the sense of urgency that they have. I guess what I want to say is I don't think there is only one venue or one avenue for pursuing these issues. Trying to improve this and I do think that what we're doing here today is really going to improve the way we plan site work with this industry, work with the communities that are being impacted, and try to find much better outcomes than we have today as things evolve.

With no further comments from the members, Chairman Wright asked Director Rendeiro to read the resolution.

The Resolution can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/resolutions/certified-resolution-2022-13.pdf>

With no further discussion or questions, Chairman Wright asked for a motion to approve Resolution 2022-13. The motion was made by Vice Chairman McKenna and seconded by Commissioner Harris. Chairman Wright asked for a roll call vote: Ayes: (13) Danielle Esser, Henry Gajda, Secretary Fisher, Andy Swords, Bruce Harris, Nick Angarone, Vice Chair McKenna, Sean Thompson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Steven Santola, Chairman Wright. Nays: (0). Abstains: (0). The Resolution 2022-13 was approved.

Chairman Wright congratulated the staff and thanked the members of the Commission and the public.

Julia Somers, Executive Director of the NJ Highlands Coalition said that I wanted to bring to everybody's attention that on September 17, the New Jersey Highlands Coalition and our partners at the Delaware River Watershed initiative are conducting a conference about tourism and recreation in Northwest New Jersey. It is being held in the Lackland Center at Centenary University. We have fabulous speakers, the Secretary of State is coming to be our keynote and we would welcome everybody to come.

Nick Angarone, Designee for Shawn LaTourette, Commissioner, Department of Environmental Protection said that back on August 17 DCA opened a 30-day public comment period on the hurricane Ida recovery action plan. That action plan lays out how the state proposes to utilize about \$228 million in federal community development block grant disaster recovery funds. The public comment period is open for about another week or so until the 16th. There are two public hearings that are coming up one Thursday evening in Manville at the high school and then one on Monday the 12 at NJIT in Newark. If folks are interested in seeing the actual plan or providing written comment. You can go to DCA's main page nj.gov/DCA and you will see a link there. But I didn't I just want to remind folks that public comment period is ending as quickly approaching and the two public hearings are in the next week.

ADJOURNMENT

With no further comments from the Committee or the public, Chairman Wright asked for a motion to adjourn. The motion was made by Ed McKenna and seconded by Danielle Esser. All were in favor. The meeting was adjourned at 11:12 p.m.

Respectfully submitted,



Donna Rendeiro, Secretary
State Planning Commission
Dated: November 2, 2022

ATTACHMENT A
NEW JERSEY STATE PLANNING COMMISSION ATTENDEES
DATE: SEPTEMBER 7, 2022 TIME: 9:32 AM

Levi Klinger-Christiansen - DAG
Mark Villinger – Planner, Ocean County
David DuMont – NJDEP
Susan Weber – NJDOT
Ruth Foster - NJDEP
Jason Kasler – AICP, PP., NJPO
Julia Somers – ED, NJ Highlands Coalition
Dave Roberts – Planner, Toms River
Mo Hill – Mayor, Toms River
Tirza Wahrman – Resident, West Windsor
Fred Stine – Delaware River Keeper
Amy Hansen, Policy Manager for the NJ Conservation Foundation
David Smith – SMO
Lisa O’Shea – Resident, West Windsor
Sarah Hare – Resident, Hope Twp.
John Vidulich – Resident, West Windsor Resident
Monika Pawlowska – Resident, West Windsor
Marilyn Chatlin – Resident, Sparta
Stephen Madsen
Jamie Ding
Stephanie Farrell
Stacey Fox
Michael Symons
Keith Henderson
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