



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
P.O. Box 820
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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 May 3, 2023
Zoom Video Conference**

CALL TO ORDER

Chairman Wright called the May 3, 2023 video conference of the New Jersey State Planning Commission (SPC) to order at 9:30 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, Department of Environmental Protection
Danielle Esser, Director of Governance, NJ Economic Development Authority (arrived 9:34)
Frank Gaffney, Designee for President Fiordaliso, Board of Public Utilities
Bruce Harris, Municipal member
Keith Henderson, Designee for Lt. Governor Sheila Oliver, Commissioner, Department of Community Affairs (left 10:03 a.m.)
Edward J. McKenna, Vice Chair, Public Member
County Commissioner Director Shanel Robinson, County Member (arrived 9:34)
Stephen Santola, Public Member
Julia Somers, Public Member
Elizabeth Terenik, Public Member
Susan Weber, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation
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 April 4, 2023. Vice Chair McKenna made the motion, and Julia Somers seconded it. With no further discussion or questions, Chairman Wright asked for a roll call vote: Ayes: (11) Frank Gaffney, Susan Weber, Bruce Harris, Vice Chair McKenna, Keith Henderson, Elizabeth Terenik, Melanie Willoughby, Stephen Santola, Julia Somers, Chairman Thomas Wright. Nays: (0). Abstains: (1) Nick Angarone. The April 4, 2023 minutes were approved.

CHAIR'S COMMENTS

Chairman Wright said that there are two items he wants to mention. First, he wanted to mention that this week, RPA Regional Plan Association is having its annual assembly. He wasn't sure if members of the Commission or the public have had a chance to participate yet. RPA holds virtual sessions Monday through Thursday. On Monday, Senator Cory Booker kicked off a conversation about federal infrastructure commitments, followed by a panel discussion in which Commissioner Gutierrez Scaccetti spoke about the opportunity of federal funding. He also stated that on Friday, they will be giving the RPA Zuccotti Award to the three governors, Governor Phil Murphy, Kathy Hochul, and Ned Lamont for their work together. He is looking forward to seeing Governor Murphy and having a conversation with him about infrastructure housing, community development, climate resilience, and many of the issues the commission talks about, and encourage everyone to participate. Also in June, he will be traveling to Ireland on a forum hosted by the Lincoln Institute of Land Policy, collaborating with growth management experts from around the world which is exciting as we enter the infrastructure needs assessment to get a sense of the state of the art in other practices both around the United States and especially in Europe.

Chairman Wright referred to the Director for a report.

Director Rendeiro noted to the Commission that County Commissioner Director Robinson and Danielle Esser joined the meeting.

EXECUTIVE DIRECTOR'S REPORT

Staffing

Director Rendeiro announced several staffing changes are taking place at the OPA. Colleen McGurk has returned to OPA as Senior Planner. Matt Blake is relocating to Arizona and will be leaving in mid-May and Colleen will be stepping in Matt's position. Meghan Wren has accepted a position with FEMA and will be leaving in mid-July. She is currently working with Human Resources on replacing staff as soon as possible. She also announces that Jackie Rivera will be joining the office as a Project Manager on May 22nd. In her role, she will handle many of our administrative and coordination efforts as we update the State Plan.

Additionally, please join me in welcoming Adam Marshall as our new DAG. We will miss Levi Klinger-Christiansen who will be supporting other areas. Thanks, Levi for your support.

Task one of the Infrastructure Needs Assessment is underway. The State Planning Commission and the Planning Interagency Workgroup were briefed on the process. The MOU for the development of Phase I was executed. A follow-up email was sent to State agency partners regarding next steps which included the Office setting up a Teams group and Rutgers providing a spreadsheet that agencies and departments can use to efficiently provide data. The structure of that Teams group has been completed (thank you, Lisa) and is ready to be populated with contacts. The Rutgers spreadsheet will be sent this week. Biweekly status meetings have been set up with the Rutgers team. The next step is to gather available data from and schedule information meetings with State agencies involved while we determine quarterly progress and financial reporting and invoicing protocols.

There is a session being prepared for the NJ Planning and Redevelopment Forum in June. All SPC members should have received an email regarding the session. The Chairman will get us started by offering why this session is important. Pete Kasabach from NJ Future and I will be moderating a panel of subject matter experts who will answer three questions in rapid fire. Members of the Commission will be in the first row as responders and, more importantly, listeners. It is not anticipated that we will be taking questions from the audience, as we are time constrained. A provision for comments will be provided shortly. This will be our first of several outreaches as we ready ourselves to update the Plan. The three (or four) questions are fairly generic and include what current planning challenges should a new State Plan address; how should the next State Plan be different from the current Plan; what should New Jersey look like in 2050 and what policies should the State Plan promote to achieve that vision?

The Office participated in the NJ County Planners Association subcommittee meeting on statewide planning. It was an inaugural meeting of the subcommittee and we discussed issues that are likely to be identified in the upcoming State Plan update. The county planners will be integral in this process so this is a very timely effort.

Since the April 4 SPC meeting:

- Middle Township will be presented for endorsement today.
- Mt. Arlington meeting is scheduled for May 9.
- Little Egg Harbor is scheduled for their second visioning session on May 4.
- Seaside Heights has a visioning session scheduled for May 5.

The Office received the final biennial report from Dennis Township. The Township expires in May of this year and the biennial report will be integral in determining whether they will be eligible for a compressed re-endorsement process or whether they will need to go for the full process.

The prepetition meeting was held with Netcong. While the borough has indicated that they want to pursue Plan Endorsement, they will also likely pursue Highland Conformance concurrently. We will work collaboratively with the Highlands so that we don't require duplicative work on the part of Netcong or State agencies.

The FEMA NJ Resilience Accelerator program won one of two nationwide FEMA Administrator's Awards for Climate Resilience! OPA has participated in this program from the early planning stages of the program through the implementation of the two cohorts of participant municipalities. While the formal part of the program is over, discussions are underway to determine how best to follow up to continue to give municipalities state support in their resilience efforts, with a particular focus on Commercial Township and Maurice River. These communities need the most technical assistance for help with communicating their risk to their constituents as well as understanding DEP permitting and new regulations. Additionally, FEMA is targeting both townships for a public outreach event as they are the perfect demographic for their goals. They want to test resilience outreach on a "skeptical" population by focusing more on potential actions rather than science.

The Highlands Council published its own warehouse guidance document. Largely driven by the SPC document, they added a Highlands addendum that addresses the unique needs of the Highlands areas. The Chair has asked me to schedule a presentation with them and I will reach out to them to do so.

The Office hosted a meeting along with Rowan University for key stakeholders (DOT, DVRPC, NJTPA, Burlington, and Somerset Counties) so that they could comment on our approach to the warehouse mapping project. It was a good meeting and we received several good comments that are in the process of getting incorporated. The project was well received.

The Office has been asked to participate in a major effort by BPU that involves providing broadband internet access statewide, focusing on underserved and sensitive populations. We will be participating in numerous ways, beginning with attending an all-day information session April 17. The project was introduced to a large group of stakeholders and many related projects were discussed. The project is timely for the Office as it starts to focus on infrastructure needs.

The Office received the Joint Base MDL Regional Compatible Land Use Study, which references the State Plan and Plan Endorsement. There was a Q&A session on April 14. Their program is consistent with the Plan and we are hoping to present the program to the Commission sometime in the late summer or fall. OPA is represented on the SJTPO Vulnerability Study TAC. Michael Baker was chosen for the Infrastructure vulnerability assessment. A proposal for scenario planning is under discussion.

The Office participated in four of the stakeholder engagement sessions as part of the State Hazard Mitigation Plan update required by FEMA. Those sessions included topics on Land Use and Economic Development, Natural and Cultural Resources, Housing and Social Services, and Transportation.

The Office participated in the annual meeting of the Conference of Mayors and will be attending the annual conference of the Association of Counties.

All warehouse siting-related bills remain in committee. There is a new bill that we will be commenting on. It's S-3664. And we're reviewing and providing comments.

Chairman Wright thanked Executive Director Rendeiro for the report and wanted to congratulate Meghan and Matt as they will be missed for their work that brings plans forward for endorsement and Matt's warehouse policy guidance memo. He also welcomed Colleen and Jackie to OPA.

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

Commissioner Somers said that she is very interested in the work that the Office is doing around broadband accessibility. There are some areas of the highlands that she thinks are remote enough to not have very good accessibility. While they may not be considered underserved communities, please don't forget them.

Director Rendeiro said that we won't and in fact, her conversations with BPU, South Jersey is important, but also Warren and up in that general area is also a target for quick implementation.

Frank Gaffney, Designee for President Fiordaliso, Board of Public Utilities said thank you also for the broadband connection and assistance. State planning has such a great connection network, and it's much appreciated by the BPU. If there are any questions, feel free to contact Donna or Mr. Gaffney as he can direct you to the appropriate people at BPU. BPU is looking to identify those areas that are unserved. It's a massive effort over the next couple of years going all the way from Washington with money from the BEAD, digital Equity Act, something that's very important to the state.

Director Rendeiro said that it looks like a really fun project to work on but agreed with Mr. Gaffney that it's massive.

NEW BUSINESS

RESOLUTION 2023-08 - Map Amendment for the Township of Toms River

Director Rendeiro introduced the presentation by saying that the Township of Toms River was endorsed a couple of years ago. They did come in for a map amendment; we are considering it a minor map amendment. It's really adding a couple of parcels to one of their cores.

Director Rendeiro referred the presentation to Lisa Avichal.

Lisa Avichal proceeded to present The Map Amendment for the Township of Toms River.

This presentation can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/materials/2023-0503/Toms-River-Twp-Presentation.pptx>

Without any questions or comments from the commission members, Chairman Wright referred to Director Rendeiro to read the resolution.

Director Rendeiro read the resolution.

The Resolution can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/resolutions/certified-resolution-2023-08.pdf>

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

Commissioner Santola said he was wondering from the perspective of getting new towns to sign on and to keep existing towns since this is non-controversial, is the process simple so that towns don't become exhausted, and don't drop out of the state plan?

Director Rendeiro said that is the goal of those two efforts that she briefly went over in her report. The first one is the customization process if you are overbuilt or if you are built out. There might be different requirements if you have development pressure. We started to look at both Allentown and Dennis to see if we can come up with recommendations on those customized PE requirements. Another piece that is currently in the rules that we're almost ready to bring back after a number of discussions with the Governor's office, we are proposing a re-endorsement process for those who have already been endorsed, to do an abridged version of an endorsement. So those are the two things that we're looking at to see if we can make this process a little bit easier. It is always easier in non-CAFRA areas versus CAFRA areas because those are sensitive places. The other piece that might complicate things is now that we are looking very seriously at climate change, the 1% flood areas also are going to be scrutinized a little bit more seriously, which can cause some delays but we work closely with the DEP and hopefully we can come up with compromises.

Chairman Wright thanked Commissioner Santola for his question.

Commissioner Somers said that because this says that we are adding lots 47 and 48 in their entirety, but we're also saying it's a critically environmental site, we're not really adding them in their entirety. It's sort of confusing to a member of the public to say you're adding this but we're not really adding more work.

Director Rendeiro responded by saying that we are adding it, but in order to develop it any proposed developer would have to do a habitat suitability site as part of their permitting. In some cases, if the data is outdated, DEP will entertain that information, but they need to see quantitative data that shows that there is no habitat and that's where the habitat suitability study comes in. While we're saying that conceptually, it makes sense to put it in the

center, they still have to go through the normal development process in order to get whatever DEP permits they might need. From that regard, if there are still habitat issues, they are going to have to develop a site plan that addresses that.

Chairman Wright said hopefully this provides better clarification of the steps that need to be taken for the development of the site and both recognize that it makes sense for it to be in the core provided this kind of analysis can be done and make sure that there isn't habitat.

Commissioner Somers said hopefully people don't get misled about this because there is no qualifier in that now, therefore, be it resolved.

Director Rendeiro said in the PIA that they have to address it as well. Chairman Wright also said that the further resolved section, essentially, in the resolution addresses that.

With no further discussion or questions, Chairman Wright asked for a motion to approve Resolution 2023-08. The motion was made by Vice Chair McKenna and seconded by Keith Henderson. Chairman Wright asked for a roll call vote. Ayes: (13) Danielle Esser, Frank Gaffney, Susan Weber, Bruce Harris, Nick Angarone, Vice Chair McKenna, Keith Henderson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Stephen Santola, Julia Somers, Chairman Wright. Nays: (0). Abstains: (0). Resolution 2023-08 was approved.

RESOLUTION 2023-09 – Plan Endorsement for Middle Township

Keith Henderson, Designee for Lt. Governor Sheila Oliver, Commissioner, Department of Community Affairs noted to the Commission that he was leaving the meeting due to another meeting conflict.

Director Rendeiro said although Middle Township was a little bit of a challenge, we were able to compromise in most situations. You are going to hear from Meghan where our proposal is. On the call is Mayor Tim Donohue, Kim Osmundsen, Business Administration, Carol Tutelian, Planning Consultant, and Vince Orlando.

Director Rendeiro referred the presentation to Meghan Wren.

Meghan said it's been very enjoyable working with the Office of Planning Advocacy and the State Planning Commission and the State Plan and she hopes to continue partnering with OPA; she extended her start date out far enough in hopes of being front of the Commission again before she leaves. She has some other towns she hopes to move forward.

Meghan proceeded to present the Plan Endorsement recommendation for Middle Township.

This presentation can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/materials/2023-0503/Middle-Twp-Presentation-5-3-23.pdf>

Chairman Wright thanked Meghan for the presentation.

Tom Donohue, Mayor of Middle Township said he wanted to thank Meghan for the thorough job that she did in representing Middle Township and all the efforts between the Office of State Planning and the Township over the last almost two years as we've been working through this process. The presentation was great as it captured the essence of Middle Township. We're a town that's interested in facilitating and promoting sensible, responsible, sustainable development, commercially and residentially but we always talk about preserving the unique rural environment that we're blessed to live in, so this plan is a balanced approach to that. There was a fair amount of back and forth and everyone acted in good faith throughout the process. We're where we need to be. We didn't get everything we wanted and the State was flexible on some issues and everyone sort of met in the middle. He is

proud of the work his team did and wanted to thank the State for all the efforts that they've put in and hope to get endorsed today.

Director Rendeiro asked for questions or comments from the Commission members.

Commissioner Santola said first wanted to thank Meghan and wish her the best. She's always had some great and thorough presentations and he appreciates how she's woven in some other facts about the town that gives them a little bit of their personality and what's going on there. He congratulated Mayor Donohue and said they did some amazing work. He is sure this process can be tricky at times, so we fully appreciate it. He asked Meghan, on the requirement for providing affordably priced housing, knowing the fair share housing plans that most towns are implementing, is that sort of the key criterion or does the staff consider other mechanisms a town may be employed to provide a cross-section of housing that isn't just necessarily COAH certified.

Meghan responded by saying that of course, we know that there's a housing need in the state at all levels. We do honor the settlement agreement as the primary milestone that we look at, but we do look at what makes up the settlement in terms of rehabs and other sources for additional housing. We look to DCA as our guideposts on where a community is and if DCA is comfortable with where the community is. It is a big issue across the whole state. We do rely on settlement agreements as the measurement primarily but we do look at other actualities on the ground.

Commissioner Somers thanked Meghan for her presentation. Who wouldn't want to visit or live in Middle Township? It sounds like a wonderful community and your affection for the community comes across loud and clear. I hope they recognize that they're clearly one of your favorite babies because you are doing a beautiful job with them. At the Plan Implementation Committee meeting, she talked about her concern about identifying environmentally sensitive sites as potential future sites for affordable housing. Donna did say that this is something that the OPA and State Planning Commission are going to be looking at in the future, which I welcome because it creates cynicism on the part of the public when they see state agencies being played off against each other around such an important issue as affordable housing. I'm certainly going to support this. I hope in the future, we can avoid those, but these are the communities where so many difficult decisions have to be made. Middle suffers from all of its wonderful benefits and it has to struggle to protect them and take advantage of them. I recognize that and it's a wonderful community and you did a great job.

Director Rendeiro thanked Commissioner Somers for her comments and said they are competing first priorities. There are so many first priorities that sometimes you can't do both and that's where the compromise comes in. The Commission is tasked with balancing those competing first priorities.

Without any questions or comments from the Commission members or the public, Chairman Wright referred to Director Rendeiro to read the resolution.

Director Rendeiro read the resolution.

The Resolution can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/resolutions/certified-resolution-2023-09.pdf>

With no further discussion or questions, Chairman Wright asked for a motion to approve Resolution 2023-09. The motion was made by Bruce Harris and seconded by Danielle Esser. Chairman Wright asked for a roll call vote. Ayes: (11) Danielle Esser, Frank Gaffney, Susan Weber, Bruce Harris, Vice Chair McKenna, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Stephen Santola, Julia Somers, Chairman Wright. Nays: (1) Nick Angarone. Abstains: (0). Resolution 2023-09 was approved.

Chairman Wright and Director Rendeiro expressed congratulations to the Mayor and the certificate will be forwarded to the municipality.

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

Vice Chair McKenna said he wanted to echo Tom's comments earlier about both Meghan and Matt. It's been such an incredible pleasure working with both of you, you are incredibly professional. He wished them all the best.

Chairman Wright thanked Vice Chair McKenna for his comments.

ADJOURNMENT

With no further comments from the Committee or the public, Chairman Wright asked for a motion to adjourn. The motion was made by Danielle Esser and seconded by Shanel Robinson. All were in favor. The meeting was adjourned at 10:35 a.m.

Respectfully submitted,



Donna Rendeiro, Secretary
State Planning Commission
Dated: June 7, 2023

ATTACHMENT A
NEW JERSEY STATE PLANNING COMMISSION ATTENDEES
DATE: MAY 3, 2023 TIME: 9:30 AM

Walter Lane - PP, AICP Director, Policy and Economic Development Somerset County
Meg Cavanagh – NJDEP
David DuMont – NJDEP
Anthony Soriano – Morris County
Levi Klinger-Christiansen – DAG
Adam Marshall – DAG
Rachel DeFlumeri – Dept. of AG
Timothy C. Donohue – Mayor, Middle Twp.
Kimberly Osmundsen – Business Administrator/Municipal Clerk – Middle Twp.
Carol Tutelian – AICP, P.P., Middle Twp.
Suzanne Schmann – Deputy Business Administrator – Middle Twp.
Vincent Orlando – Engineering Design Assoc.
Lyndsy Newcomb – Lawyer, Monzo Catanese Hillegass
Michael Gross – Counsel, NJ Builders Assoc.
Keith Davis – Nehmad Davis & Goldstein P.C.
Mark Villinger – PP, AICP, CFM - Supervising Planner, Ocean County Planning Department.
Robert Hudak - Robert Hudak, MPA, PP, AICP - Toms River
Elena Gonzalez