



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 June 7, 2023
Zoom Video Conference**

CALL TO ORDER

Vice Chairman McKenna called the June 7, 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

Danielle Esser, Director of Governance, NJ Economic Development Authority
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 10:02)
Edward J. McKenna, Vice Chair, Public Member
County Commissioner Director Shanel Robinson, County Member
Stephen Santola, Public Member (arrived at 9:42)
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 (arrived 10:01)

Others Present through Video conference

See Attachment A

PLEDGE OF ALLEGIANCE

Vice Chair McKenna asked everyone to stand for the Pledge of Allegiance.

APPROVAL OF MINUTES

Vice Chair McKenna asked for a motion to approve the minutes of May 3, 2023. Julia Somers made the motion, and Danielle Esser seconded it. With no further discussion or questions, Vice Chair McKenna a roll call vote: Ayes: (8) Danielle Esser, Frank Gaffney, Susan Weber, Bruce Harris, Vice Chair McKenna, Commissioner Shanel Robinson, Elizabeth Terenik, Julia Somers. Nays: (0). Abstains: (1) Keith Henderson.

Director Rendeiro said we only have 8 Ayes at the moment. When other members arrive we will revisit the minutes.

VICE CHAIR'S COMMENTS

Vice Chair McKenna had no comments. Vice Chair McKenna referred to the Director for a report.

EXECUTIVE DIRECTOR'S REPORT

Director Rendeiro welcomed Jackie Rivera, Project Manager for the Office of Planning Advocacy. Barry Ableman will be retiring on August 1st. With Matt Blake gone and Meghan Wren and Barry Ableman leaving, we will only have two planners for the state. We have begun the paperwork to replace these three positions and they are all in process. This will be the last meeting for Secretary Fisher as he is retiring. Later in this meeting, we will present Secretary Fisher with a Resolution of Appreciation. The Business Action Center received the Civil Service Innovation and Efficiency Award on May 11th. This was an award that was nominated for the entire Business Action Center and we are very proud.

Staff is working on a timeline and process for the State Plan update, including a communications plan, for the upcoming State Plan update. We will be prepared to discuss in detail the proposal at the July Commission meeting. The Office provided members of the Interagency Workgroup with Excel sheets developed by the Rutgers INA Team so that input from our State agency partners could be received efficiently. Suggested documents were provided and suggested internal and external partners were identified. State agency partners are being asked to verify, edit, and/or add their recommendations so that we can begin to schedule meetings with affected departments and external stakeholders that may have important information. Additionally, the Rutgers team will begin to review the documentation and prepare their approach as we receive responses (due June 5), they will be added to the Team site. Responses are trickling in. Over 200 documents are on the initial list that will be reviewed for the INA in the three topic areas (Environment, Energy, and Transportation). The Office has bi-weekly progress meetings with Rutgers.

Additionally, staff is working on an implementation timeline and a communications plan for the update of the State Plan which will be completed by the end of this week. In addition to the listening session scheduled for the Planning and Redevelopment Conference on the State Plan update, we are exploring similar opportunities at the Governor's Conference on Housing and Economic Development and the League of Municipalities annual conference. Requests for Qualifications have been sent out for the editor and the research function.

Staff met twice with the County Planners Association Statewide Planning Subcommittee to discuss and begin planning for the State Plan update. We are hoping to get agreement on process issues early on so that Cross-Acceptance can be less complicated and cumbersome.

Director Rendeiro announced Commissioner Santola joined the meeting.

Since the May 3 SPC meeting:

- Middle Township was endorsed at the May meeting.
- Mt. Arlington's prepetition meeting was held on May 9.
- Little Egg Harbor's visioning was postponed due to a noticing issue.
- Seaside Heights held its visioning session on May 5.
- The Office received the Municipal Self-Assessment from Berkeley Township.
- The Office received Newton's application materials for PE renewal, which is likely going to apply for Plan Conformance as well, for which we will provide a letter of support.

DEP and OPA reached a consensus on the Lakewood map amendment; created PDFs to show the Township planner.

The Office was informed by FEMA that Maurice River and Commercial (along with the City of Trenton) received a BRIC Direct Technical Assistance (DTA) grant. This is really important as this can be the next step after the Resilience Accelerator program that can assist municipalities with the implementation of the resilience plans developed during the accelerator.

On today's agenda, Shannon McLachlan, who is the FEMA project manager for the Resilience Accelerator, and Jack Heide, Lead Planner, FEMA Mitigation Planning will present some details on the program.

The site visit that was scheduled for May 24 in Dover with NJ Transit, town officials, and the redeveloper to discuss the transit-oriented development was rescheduled to July 10 due to scheduling issues.

Staff met with representatives from Stafford Township and Save Barnegat Bay to discuss a Regional Back Bay Sediment Management Plan for Barnegat Bay. Nine municipalities and the Save Barnegat Bay organization support the Plan. The Plan seems like a worthy effort and we will discuss with DEP and DOT, first informally, their intention regarding whether they support the Plan and are willing to assist in funding the implementation.

A meeting was held with DVRPC to determine which climate pollution reduction grants may be available for the municipalities along the Burlington County 130 corridor that we are looking at regionally. Climate Pollution Reduction Acts are really important at a regional level. We met with Tom Stanycakas who has been instrumental in the regional effort along the 130 corridor. We are coming up with some options that we'll be able to look at from a regional perspective.

Staff will begin to work on the 85% complete draft of the Extreme Heat Action Plans for the Department of State and the State Planning Commission. While DEP is still waiting for some departments to provide the 50% complete draft, they will begin compiling the next version, the 85% complete draft, shortly. Our 85% draft is due on June 20.

Met with representatives from the North Jersey Transportation Planning Authority, the New Jersey Turnpike Authority, the Port Authority of New York and New Jersey, and the City of Perth Amboy regarding the City's Transit Oriented development plans. We are acting as part of an advisory panel.

Met with FEMA representatives to plan a community outreach event for an NJ Resilience Accelerator Community.

Today's agenda includes a recommendation regarding the Rule update proposal. There were minimal changes from the version that was previously approved by the Commission. Upon approval, we can begin the formal rulemaking process.

The South Jersey Transportation Planning Organization (SJTPO) voted to include OPA a non-voting, advisory member of their Technical Advisory Committee. This is a similar structure in place for the Delaware Valley Regional

Planning Commission (DVRPC). These two organizations are two of the three Metropolitan Planning Organizations for New Jersey that are required in order to qualify for federal transportation funding.

The final Policy Committee meeting for the Regional Compatible Use Study for Joint Base McGuire-Dix-Lakehurst was held. The study has been completed and an implementation guide has been produced with a series of recommendations. One such recommendation is that the policy committee (of which OPA is a part) be converted to the implementation committee. If that recommendation is accepted by the Base, the 2 host counties, and 10 municipalities, then OPA will participate in the implementation committee. This is an effort by the Joint Base to ensure the land use policies within the base are consistent with the surrounding municipalities. It is likely that this study will be presented to the State Planning Commission toward the end of the summer or early fall.

The second meeting facilitated by OPA between BPU and the County Vo-Tech Association to determine whether there is an opportunity for the county Vo-Techs to develop a training program to support the Internet for All effort by BPU was held on June 2. This meeting included the academic development staff to discuss further details to determine whether a program can fit into the already-offered classes if additional classes are necessary, and if a specific broadband certificate is viable.

DVRPC's New Jersey TCDI grant application deadline was April 28. The Executive Director is on the review committee for those applications. DVRPC received 10 applications totaling \$1,030,000. All four counties in the DVRPC region were represented, however, only \$600,000 is available. Review and scoring must be completed by May 26 and a meeting to review scores and determine successful applications is scheduled for May 31.

Attended the annual meeting of the Rutgers Megalopolitan Coastal Transformation Hub (MACH) as a member of the Collaborative Stakeholder Advisory Panel (CSAP) second annual meeting. This is a massive grant opportunity that Rutgers is leading. They received \$25,000,000 from the National Science Foundation and it incorporates New Jersey, New York City, and Philadelphia region to look at climate change impacts on everyone's day-to-day lives.

June 26: MOD IV Data Usage meeting with Rutgers

The Executive Director attended the Association of Counties conference. Several key contacts were made with county elected officials. This is particularly important given the upcoming update of the State Plan. The Office was invited to Sussex County to receive input before the development of the Preliminary Plan, which was well received by County Commissioner Yardley.

All warehouse siting-related bills remain in committee.

Commissioner Harris asked who would be the provider of the broadband service. Director Rendeiro said it has yet to be determined. BPU is working with the major providers. One of the challenges is going to be, the major providers may not necessarily think it's cost-effective to go into the more rural areas. The primary first targets are underserved and rural communities, so they are looking at several providers but it has not been determined yet.

NEW BUSINESS

NJ FEMA Resilience Program

Director Rendeiro introduced Shannon McLachlan, Regional Coordinator for Community Assistance, FEMA Region 2 and Jack Heide, Lead Planner, FEMA Mitigation Planning

Director Rendeiro referred the presentation to Shannon McLachlan and Jack Heide.

This presentation can be found at:

https://nj.gov/state/planning/assets/docs/meeting-materials/spc/materials/2023-0607/FEMA-NJRA_Briefing_NJSPC_060723.pptx

Jack Heide added comments, primarily related to the FEMA Direct Technical Assistance Program.

Commissioner Somers said she really appreciates the presentation. The Governor yesterday spoke about the new flood hazard rules and being in the July Register. Commissioner Somers asked if we have resilience solutions, and how we are going to pay for implementation in the long term. We do have the potential for communities and counties to create stormwater utilities going forward, but I'm curious to know whether you think it's a long-term tool that should be in every community's toolbox that has to deal with these challenges.

Director Rendeiro said it absolutely is. It's one of the things that Somerset County is looking to expand. In the Riverine communities, most of which are in Somerset County, they took that opportunity and expanded throughout all of Somerset County and one of the things they are considering is a stormwater utility but that's a much longer term. We advise the municipalities that participated in the Resilience Accelerator that they should be working on some short-term measures that don't require a lot of resources while they are trying to figure out how to pay for the larger things. We believe it's important to look at things regionally. The more they combine their resources, the more cost-effective it can be.

Commissioner Somers said we should think about how to entice regions to look at this because you can't protect one town from its upstream neighbor's consequences.

Director Rendeiro said there is some State and Federal funding but it's clearly not enough. It's a discussion that's ongoing.

Jack Heide, FEMA said in terms of FEMA and BRIC DTA initiative, if there was a regional group that met some of our criteria and wanted to specifically come to FEMA to help implement that stormwater utility that is a possibility that we can support.

Commissioner Somers asked Jack Heide for further explanation.

Jack Heide said a group of communities or a single community or county can apply to BRIC DTA. The next cycle opens up in August/September but the application is due in January 2024. If they are selected, FEMA can bring in experts to come in and help them implement a stormwater utility. The stormwater utility has a nexus with resilience and flooding. There is no guarantee but it is a possibility. It's something we can do under that initiative.

Director Rendeiro said we are having a lot of discussions if we do another cohort. Most of us on the team think it's more important, rather than having a third cohort, to continue direct assistance to those municipalities that have been through the two cohorts so we can make it a long-term relationship. At this point, we are going to periodically check in with municipalities in both cohorts to make sure they are moving forward and are implementing the things they have identified, and where they have pushback, we will try to help them through that. We will keep everyone updated.

Director Rendeiro said Secretary Fisher is unable to join us, but we will put pass the resolution and provide it to him before he leaves.

Director Rendeiro announced both Melanie Willoughby and Commissioner Santola have joined the meeting. Since we now have a quorum, we'd like to go back and approve the minutes. Melanie Willoughby and Stephen Santola have approved the minutes. Director Rendeiro said with those two approvals we can pass the minutes.

RESOLUTION 2023-10- Resolution of Appreciation for Secretary Fisher

Director Rendeiro read the resolution.

The Resolution can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/resolutions/certified-resolution-2023-10.pdf>

With no further discussion or questions, Vice Chair McKenna asked for a motion to approve Resolution 2023-10. The motion was made by Melanie Willoughby and seconded by Bruce Harris. Vice Chair McKenna asked for a roll call vote. Ayes: (10) Danielle Esser, Frank Gaffney, Susan Weber, Bruce Harris, Vice Chair McKenna, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Stephen Santola, Julia Somers, Nays: (0). Abstains: (0). Resolution 2023-10 was approved.

RESOLUTION 2023-11 – Approving Rule Proposal and Process to Begin the Rule Making

Director Rendeiro said a while ago the Commission approved the Rule update. Getting to this process took longer than we anticipated but we are ready assuming approval by this Commission for the Rules.

Director Rendeiro referred the presentation to Colleen McGurk.

Colleen McGurk proceeded to present the current rules, what was previously approved, and what changes have occurred.

This presentation can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/materials/2023-0607/spc-material-2023-0607-final-timeline-outline.pdf>

Commissioner Harris asked in section 5:85-7.8 deletion in reference to the Green Team, what was the thinking behind that.

Director Rendeiro said Sustainable New Jersey is technically not a state agency and the Green Team is just a function of Sustainable New Jersey and given it's not a formal state agency, we couldn't put it in the Rule. We would still give credence to that Green Team. We would ask the governing body to provide a resolution naming the same people to the Advisory Committee. It's not going to change anything, we just couldn't put it in the formal Rules.

Commissioner Harris asked in section 5:85-8.4 regarding mixed mode meeting, what is the thinking behind that.

Director Rendeiro said a municipality can't sponsor a meeting that should be held by the private entity or the individual. We are separating government requirements from private entity requirements. It's not so much the mixed mode, it's a private entity doing the public hearing, the municipality has to stay separate from it.

Commissioner Harris said just to make sure, it's the private entity that is holding the meeting.

Director Rendeiro said if the private entity holds the meeting, then yes, the municipality can listen, but can't be sponsored by a municipality and it's not a municipal meeting.

Commissioner Santola said it was interesting that some have meetings have to meeting in person and some virtual. How did you decide which meetings should be in-person versus virtual.

Director Rendeiro said we wanted to give opportunity for both. The differentiation between updating the State Plan versus plan endorsement, updating the State Plan should have more variety. This doesn't address the section

where we have to do 21 public hearings in 45 days for the preliminary plan as there were no changes to that. This is only after the draft final plan is done. We wanted to have a mix for the 6 public hearings to give everyone an opportunity who cannot attend in person.

Without any questions or comments from the Commission members or the public, Vice Chair McKenna 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-2023-11.pdf>

With no further discussion or questions, Vice Chair McKenna asked for a motion to approve Resolution 2023-11. The motion was made by Melanie Willoughby and seconded by Bruce Harris. Vice Chair McKenna asked for a roll call vote. Ayes: (10) Danielle Esser, Frank Gaffney, Susan Weber, Bruce Harris, Vice Chair McKenna, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Stephen Santola, Julia Somers, Nays: (0). Abstains: (0). Resolution 2023-11 was approved.

Vice Chair McKenna asked for questions or comments from the Commission members.

ADJOURNMENT

With no further comments from the Committee or the public, Vice Chair McKenna asked for a motion to adjourn. The motion was made by Melanie Willoughby and seconded by Danielle Esser. All were in favor. The meeting was adjourned at 10:43.

Respectfully submitted,



Donna Rendeiro, Secretary
State Planning Commission
Dated: July 5, 2023

ATTACHMENT A
NEW JERSEY STATE PLANNING COMMISSION ATTENDEES
DATE: JUNE 7 2023 TIME: 9:35 AM

Anthony Soriano – Morris County
Adam Marshall – DAG
I Spada – Extended Management
Jason Kasler – AICP, PP – NJPO
Joe Forte – DOS, SOS
Shannon McLachlan – FEMA
Jack Heide – FEMA
Matt Baumgardner – NJDEP
Tim Gleason – Assistant Planner – Ocean County
Chris Sturm – NJ Future
Barbara Wooley-Dillon – PP, AICP – City of AC
Christina PioCosta-Lahue – RPA, Board of Directors
Kyle Cruz
Co. Christian
Grant Lucking
Alexander Rojek