



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 November 4, 2020
Zoom Video Conference**

CALL TO ORDER

Chairman Wright called the November 4, 2020 video conference of the New Jersey State Planning Commission (SPC) to order at 9:35 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

Andrew Swords, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation
Bruce Harris, Public Member
Danielle Esser, Deputy Chief of Staff, NJ Economic Development Authority
Douglas Fisher, Secretary, Department of Agriculture
Edward J. McKenna, Vice Chair, Public Member
Elizabeth Terenik, Public Member
Melanie Willoughby, Designee for Tahesha Way, Secretary of State, Department of State
Nick Angarone for Catherine McCabe, Commissioner, Department of Environmental Protection
Sam Kaplan, Designee for Joe Fiordaliso, President, Department of Board of Public Utilities
Sean Thompson, Designee for Lt. Governor Sheila Oliver, Department of Community Affairs
Shanel Robinson, Freeholder Director, County Member
Thomas Wright, Chairman

Others Present

See Attachment A

PLEDGE OF ALLEGIANCE

Chairman Wright asked everyone to stand for the Pledge of Allegiance.

APPROVAL OF MINUTES

Andrew Swords from DOT asked to correct his comment on page 5 to read “that there are a large number of municipalities that adopted Complete Streets policies and that DOT will be happy to work with the ones that were completed”.

Commissioner Harris commented that there are some grammatical errors to be corrected.

Chairman Wright asked for a motion to approve the Minutes with the corrections of the October 7, 2020 meeting. Edward McKenna made the motion and it was seconded by Melanie Willoughby. With no further discussion or questions, Chairman Wright asked for a roll call vote: Ayes: (11) Danielle Esser, Sam Kaplan, Secretary Fisher, Andrew Swords, Bruce Harris, Nick Angarone, Edward McKenna, Sean Thompson, Melanie Willoughby, Elizabeth Terenik, Thomas Wright. Nays: (0). Abstains: (0). The October 7, 2020 minutes were approved. (NOTE: Freeholder Director Robinson was experiencing technical audio difficulties). The Freeholder Director subsequently voted “aye”.

CHAIR’S COMMENTS

Chairman Wright welcomed the staff from the Highlands Council and all those who were present. The Chair then referred to Director Rendeiro for a report.

EXECUTIVE DIRECTOR’S REPORT

Director Rendeiro delivered her report as follows:

Expiring Center Redesignation

Since the October 7th SPC meeting:

- One community Opportunities and Constraints Report was completed (Morristown)
- The Office has two more prepetition meetings scheduled (Manville, November 10th and Freehold, December 8th)

As a result,

- 19 municipalities have decided not to pursue Plan Endorsement
- Nine municipalities are undecided or unknown
- Four municipalities have said they will pursue verbally
- Two municipalities have said they will not pursue verbally
- 16 municipalities have said they will pursue formally
- No municipalities are awaiting prepetition meetings. The office is current on all that have submitted.
 - Six prepetition meetings have been held (Red Bank, Ocean Township, Asbury Park, Millville, Rocky Hill, Salem City)
- 39 municipalities are further along in the process:
 - 34 Municipal Self Assessments in process (12 in Burlington County Route 130 Corridor, Plumsted, Allentown, Flemington, Upper, Ocean City, Maurice River, Commercial Township, City of Wildwood, North Wildwood, West Wildwood, Wildwood Crest, Gloucester City, Seaside Heights, Little Egg Harbor, Bernardsville, Bedminster, Galloway Township, Bloomingdale, Sparta, Stone Harbor, Brick, Vineland)
 - Three Opportunities and Constraints Report are in process (Manchester, Stafford, Vernon)
 - One Opportunities and Constrains Report is complete (Morristown)
 - One Action Plan is completed (Millstone)

As part of the MSA process, approvals were given for waivers to Vernon Township and Morristown for Steps 2 and 5. These waivers were given upon receipt of documentation of recent, appropriate visioning and community input that met the spirit of the requirement.

The recently approved new Plan Endorsement Guidelines are now on line. The next step is to develop a new PE checklist so that municipalities will have a guide to help them comply.

It is anticipated that the follow up letters to municipalities will be sent by mid-November. The letters will remind the mayors that although we do not have a Center expiration date yet, no further extensions are anticipated. We, therefore, recommend that next steps should be taken as quickly as possible. The Office will be developing a matrix that indicates, based on the planners' best estimate, the anticipated workflow over the next six months.

Kingwood in Hunterdon County submitted their prepetition material to pursue Plan Endorsement. They are seeking PE as the next step in their TDR process to explore the ability to gain sewer service. This is their first request for PE and they are not part of the 95 expiring Centers.

Biennial Reviews

We continue to work with Lakewood and Brick on Lakewood's biennial review. Brick presented questions regarding level of traffic increase and ingress and egress to and from the site and was looking for clarification regarding the use of the county road. A meeting with both municipalities was held and we followed up with Ocean County. We continue to work through the alternatives prior to returning to the PIC.

We continue to work with Woolwich Township on their biennial review. A number of issues were raised and we await a letter from their TDR consultant regarding information we need from them to address with the SADC their request to eliminate their TDR program.

Map Updates

The review of the Holmdel map amendment petition is underway. It is anticipated that the matter will be in front of the PIC at the November or December meeting and brought to the SPC in January if all goes well. This is in line with the 90 day public comment period which began on September 19th. So far, the office has received two public comments supporting the project, but none related to the specific map amendment petition.

Rule Update

In anticipation of the upcoming rule opening, several stakeholder discussions were held. So far, discussions were held with NJ Future, NJ Littoral Society, and the League of Municipalities. Scheduled for November are discussions with the NJ County Planners Association and the NJ Builders Association. I anticipate scheduling discussions with NJAPA and NJPO next. It is anticipated that we will be looking to begin the rule update process in the first quarter of 2021. I received the rule update process from the DAG and am currently combing through that to develop a timeline.

Year End Report

A year-end report is under development which will chronicle the accomplishments of the Office and the Commission in 2020 – and there have been many. As importantly, a plan for the goals of the Office will be developed as part of this effort. Once an outline is developed, I will be reaching out to each Commission member

for input into this report to get their goals for 2021. Now that the PE process is well underway, my recommendation is to focus the 2021 effort on identifying policy initiatives that can ensure that sustainable economic growth takes hold while, at the same time, protecting the environment and providing housing and infrastructure in an affordable manner. Additionally, a focus will be on good planning, both at the local and regional level, as well as the identification of possible incentives for good planning.

I have had several discussions regarding development of statewide guidance regarding the siting of distribution centers and warehousing. The demand for these sites have been magnified as a result of COVID and some communities are seeing more than anticipated. While it is important for job growth, it is equally important to address the stress on the infrastructure this may cause and guidance regarding factors that should be considered locally in order to properly plan for these uses has been requested by some locations. Additionally, local goods movement is also something that should be added to the discussion. A very preliminary discussion was held with DOT and others, and the Office will begin researching other states and developing guidance. I would invite Commissioners to reach out to me with their thoughts as well.

Resiliency Planning Assistance

The Office is currently working on two programs that will assist municipalities with resiliency planning. One of the two programs is funded by FEMA; the second is a joint program run by Rutgers Bloustein School in coordination with the Climate Change Resource Center.

CHARM Workshop – The Community Health And Resource Management workshop is for communities that need assistance with identification of their hazards and utilizes the concept of “no adverse impact” when developing mitigation factors for floodplain management. That workshop occurred on October 19th, 20th, and 21st. The session on the 19th was a plenary session where representatives from all five towns heard relevant presentations. The five municipalities were then broken into two groups to utilize the tools developed by Texas A&M to develop future growth scenarios and identify implications. The five municipalities that participated are Maurice River and Commercial Township in Cumberland County, Brick Township in Ocean County and Burlington City and Burlington Township in Burlington County. A follow up team call is scheduled for November 5th, but initial response from the municipalities has been positive.

Rutgers Studio Class – The Office continues to work with Rutgers on its studio class to assist two municipalities with resiliency planning. The class is well underway and is anticipated to go through December. The students are broken into two teams. “Team Keansburg” will place particular focus on socially vulnerable populations and “Team Atlantic Highlands” will focus on natural infrastructure and water dependent economies. Deliverables will focus on some items that the towns need to complete for Plan Endorsement. The program will focus on current and future flooding vulnerability analysis and opportunities and constraints. Candidates will be from both the Bloustein School and STEM students. The program is unique in that it brings together the planning disciplines with engineering and other technical disciplines.

Interagency Coordination

Staff has worked with staff from the Highlands Council to review the Highlands Master Plan to determine consistency with the SDRP. The analysis was presented to the PIC on October 28th and the PIC agreed with the staff recommendation to move the proposed endorsement of the HMP to the State Planning Commission. Details will be discussed later in this meeting. The next step in the coordination activities with the Highlands Council is the development of procedures where each party can recognize the planning activities of each other, as well as update the State Plan’s map to reflect current conditions of the Highlands region. Additionally, the Office is participating in the Highlands Council Economic Sustainability Plan that is currently underway for the region.

We continue to work with DEP on numerous fronts including climate change, water quality management and environmental justice to incorporate these subjects into land use planning while continuing to plan for job growth. Additionally, I represented the Secretary of State and this Commission on the Environmental Justice Interagency Council Launch meeting. The DEP shared a guidance document and introduced plans for implementing both EO 23 and the new EJ law. The first order of business will be individual departmental meetings, an initial assessment of each department, then the development of the executive branch action plans.

I continue to participate in a County Planners Association effort related to long term recovery efforts and how the CPA can assist municipalities in that effort. The final document that provides guiding principles toward a more resilient and equitable New Jersey has been completed. A meeting is being scheduled to determine the best distribution methodology. I will be forwarding the document to the Commissioners shortly.

We are exploring several opportunities to promote training programs given by Rutgers and other sources that cover a variety of land use topics. Our intention is to provide a “catalogue” of sorts that identifies different training programs

I continue to participate in a new interagency workgroup that will assist in the development of an affordable housing strategy and policy development in order to promote affordable housing in an equitable manner. The first meeting was held Thursday, October 8th and will continue every Friday at least through the end of the year. The focus will be divided among workforce housing, very low income housing and market rate housing and how to identify state initiatives that can encourage municipalities to adjust zoning to address access to infrastructure, jobs and other factors into providing affordable housing.

Regarding the Sustainable Jersey project, it has been determined that about 80% of the requirements of both programs are consistent. There is a meeting scheduled for November 5th to discuss the policies that are not consistent with each other’s programs to determine recommendations on how to move forward with those policies. Once that is complete, a recommendation will go to the PIC, then the SPC as well as Sustainable Jersey’s policy board. The goal here is to provide municipalities in both programs the ability to provide one submission to both organizations that will address specific requirements, reducing duplicity.

Legislation/Executive Orders of Interest-

A4775 (Identical Bill S2727) Establishes Multigenerational Family Housing Continuity Commission; provides municipal guidance to periodically analyze local advancement of commission’s senior citizen housing recommendations -- Currently under review

S2607 (Identical Bill A2785) -- Requires land use plan element of municipal master plan to include climate change-related hazard vulnerability assessment – Currently under review

Outreach and Advocacy Activities-

Masthead design for the OPA newsletter has been approved. We are currently creating mailing lists and designing a test newsletter to be distributed internally. It is anticipated that the first public facing newsletter will be ready for distribution at the beginning of the year.

Chairman Wright asked for questions from members.

Commissioner Harris asked for an example of inconsistency between Sustainable Jersey and the State Planning. Meghan Wren commented that they may have the same intent but may require a different way to measure the result.

NEW BUSINESS

Approval of Recommendation of Endorsement of the Highlands Master Plan

Chairman Wright asked Director Rendeiro to introduce the presentation.

Director Rendeiro commented about the collaborative effort between OPA and the Highlands Council. The resolution in front of the Commission is for approval of the Highlands Master Plan. Once the Master Plan is approved, we can look toward a number of things to be accomplished such as updating the maps to so that both maps are consistent, recognizing each other's endorsement/conformance process, communicating the same message to the municipalities, whether it comes from the Highlands or the State Planning Commission. The Director expressed that it had been a pleasure working with Lisa Plevin and her staff.

Director Rendeiro then referred the presentation to Matt Blake.

Matt Blake spoke

In furtherance of the requirement for SPC endorsement of the 2008 Highlands RMP, I was tasked with reviewing the goals and policies of the so-called RMP to certify Planning Area consistency with the State Plan. While my review examined the RMP and associated materials in their entirety, it was ultimately limited to addressing only those aspects of the RMP, which address the Planning Areas, as the Highlands Act is very clear regarding SPC jurisdiction NOT extending to the Preservation Areas.

Based on my review of the Petition materials provided, I believe the RMP and subsequent amendments and addendums, including Plan Conformance Procedures, Highlands Redevelopment Area Designation Procedures, Procedures for Considering Proposals to Amend the RMP, and an Acreage Update, are substantially consistent with the Statewide Goals, Strategies and Policies of the State Plan.

This is not by accident, but design. Indeed, I think it is important to note that in 2008, the Highlands Council did previously submit the RMP to the SPC for endorsement in accordance with the requirements of the Highlands Act. Unfortunately, that process was never completed for reasons outside of the control of either the Highlands Council or the SPC. However, as part of the prior petition, the Highlands Council submitted a Self-Assessment Report, which was included in your agenda packet for this meeting. The Self-Assessment Report remains very much relevant to this day, and provides an easy to follow table with an overview of the RMP's consistency with the goals, policies and strategies of the State Plan. While I relied on this table as part of my analysis, I nonetheless compared each and every, goal, policy and strategy between the respective plans, and RMP amendments.

While the RMP is substantially consistent with the State Plan, it does not however, comprehensively address the State Plan Policy No. 1, regarding Equity, as necessary to comprehensively address environmental justice in light Executive Order No. 23, and recent landmark legislation passed on the issue (S232/A2212), nor does it incorporate climate change and resiliency planning pursuant to Executive Order No. 89. Really, these are important mandates that both plans need to be updated to adequately address.

In recent discussions with staff from the Highlands Council, it is my understanding that work on these updates is already underway in an effort to bring the RMP into consistency with the above-mentioned executive orders and legislation. As such, should the SPC determine to endorse the RMP as OPA recommends, it may wish to address these future amendments as part of adopting a PIA.

Lisa Plevin, Executive Director from the NJ Highlands Council spoke. Thank you for having us. I'm joined James Humphries, Director of Planning, Science and GIS, Maryjude Haddock-Weiler, Planning Manager, and Judy Thornton, Lead Principal Planner.

I am very pleased that your agenda includes the Highlands Council's Petition for Plan Endorsement of the Regional Master Plan. It's been a long road getting to this moment, as you all know. I am also happy to have renewed our work with the Office of Planning Advocacy. Recent highlights include an updated MOU, coordination of efforts to assist municipalities and counties, and currently, the Highlands Economic Sustainability Plan. I specifically want to thank Donna and her team for their time, effort, and invaluable assistance with the Plan Endorsement process. A special shout-out to Matt Blake in particular, who spent many hours reviewing our Petition. Thanks, Matt, for a thorough and very thoughtful review.

Turning to our Petition, I'd like to add a few quick notes:

1. We appreciate and are in agreement with OPA's Consistency Report.
2. We are fully committed to addressing each of OPA's recommendations for future RMP updates. As Donna noted, the Highlands Council has already begun work toward addressing the Governor's Executive Orders on both Climate Resiliency and Environmental Justice.
3. The Highlands Council worked very hard during the development of the RMP to ensure that it was consistent with the State Plan. We really appreciate the acknowledgment in OPA's report that we achieved it.
4. We engaged in a very extensive public process to draft and adopt the RMP and have continued that public process through the adoption of each amendment, and in completion of the first RMP Monitoring Report. We have established these practices as standard operating procedure and will continue to use them in the on-going evolution of the RMP.
5. We remain steadfast in our work with the municipalities and counties of the Highlands Region to bring each into conformance with the shared goals, policies and objectives of the RMP and the State Plan.
6. And we affirmatively commit to continuing our efforts in all these regards, seeking to maintain and enhance the consistency of the RMP and our planning programs with the State Plan and with State planning initiatives.

In closing, we appreciate the work of the OPA and SPC in integrating our work with that of our fellow State agencies. It's been a pleasure working with Director Rendeiro and her staff and we look forward to continuing our partnership.

Thank you for your consideration.

Chairman Wright asked for questions or comments from members.

Secretary Fisher commented that the Plan could have been adopted as it is. The amendments would take time to develop and that the people who live in that region could be in suspense, trying to understand what is coming next and on how to navigate through the changes. Secretary Fisher asked after why the Commission is leaving it open ended and what is stated in the Resolution.

Director Rendeiro commented that with every endorsement there is a Plan Implementation Agreement that addresses the things that will take a little longer to do and that may require more resources. Also, because public participation involved in amendments takes so long, we should not hold up the Endorsement. Part of the Endorsement is an agreement between SPC, OPA and the Petitioner to agree that they will accomplish these items within a specified period of time. The Resolution does address the Plan Implementation Agreement specifically identifying the two open items of Environmental Justice and the Climate Change. Director Rendeiro said that the Highlands staff and OPA have agreed to work very closely toward the implementation of those goals.

Secretary Fisher asked in reference to a conservation element, someone wanted to develop a permissible area, how would that work if there is no knowledge of what the rules or regulations are.

Director Rendeiro commented that as part of the Plan endorsement process, the office will work collaborative with the Highlands staff and the municipality. Conservation and Environmental Protection are equal goals to Economic Growth in the State Plan. The Director goes back to the discussion on the report about policies that address how to

do both and that it can be done if it's planned properly. Director Rendeiro commented that as an example there is a municipality that wants to site a distribution center, the office needs to make sure that it is sited in the right place that does not negatively impact the infrastructure or if it does, how do we address that impact. The same thing would happen on the conformance process which is done in the Highlands.

Lisa Plevin, Executive Director from the NJ Highlands Council, commented that within the terms of the two outstanding issues that they agreed to work on together in terms of updating the RMP which is Climate Change and Environmental Justice, they are already working on the climate resiliency issue and anticipate coming up with a report early next year with specific recommendations with identified ways to amend or update the Regional Master Plan to begin to address the issues of Climate Change in the Highlands region.

In terms of Environmental Justice, Ms. Plevin commented that they need to take a closer look at the Regional Master Plan, the Governor's Executive Order and the work done by Agencies to identify how to potentially fully address the environmental issues in the Highlands. Also, that at this moment, they are not anticipating that these issues will have any impact on their ongoing projects.

Ms. Plevin referred to James Humphries for comments.

James Humphries, Director of Planning, Science and GIS, agreed with Ms. Plevin that any of the new requirements will not affect any of the existing projects in the pipeline in the Highlands.

Maryjude Haddock-Weiler, Planning Manager, commented that the goal of the Economic Sustainability work is to look at the Environmental as well as the Social and Economic picture of the Highlands and figure out how all of the pieces and parts can be brought together to make it to work so it will not hurt one while advancing on another. They are developing a profile to understand exactly what the Highlands Region looks like, what the important factors that can be planned for the future are.

Maryjude commented that the Technical Advisory Committee was recently launched, representing all the counties, planners and economic professionals helping to come up with strategies that are going to support the environmental standards and needs as well as the economic and social future.

Ms. Plevin added that the process started in March, but unfortunately it is taking more time because of COVID-19. Now, being able to move forward and recognizing that a large part is to focus on what the impacts of COVID-19 on the Highlands Region are and on how to respond to them from the Economic point of view.

Chairman Wright asked for questions or comments from members.

Nick Angarone commented that he first started working with NJDEP on December 13, 2004 and was a liaison for the Highlands Council for many years. Nick expressed how gratifying it is to see that the Highlands Master Plan is finally getting endorsed.

Chairman Wright asked for questions or comments from the public.

With no further comments from the Commission or the public, Chairman Wright asked for a motion to approve the recommendation to endorse the Highlands Master Plan, Vice Chair McKenna made the motion and it was seconded by Melanie Willoughby. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (12) Danielle Esser, Sam Kaplan, Secretary Fisher, Andrew Swords, Bruce Harris, Nick Angarone, Edward McKenna, Sean Thompson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Tom Wright. Nays: (0). Abstains: (0). The recommendation of endorsement of the Highlands Master Plan was approved.

Chairman Wright asked for questions or comments from the members of the public.

Melanie Willoughby commented that the NJ Business Action Center is participating in the League of Municipalities Conference this year which is being done virtually. The NJ Business Action Center will be presenting all the activities that are available to help business and municipalities and that also one of the areas that will be presented is the great deal of work of the Office of Planning Advocacy and the State Planning Commission.

ADJOURNMENT

With no further comments from the Commission or the public, Chairman Wright asked for a motion to adjourn, Melanie Willoughby made the motion; Vice Chair McKenna seconded. All were in favor. The meeting was adjourned at 10:28 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Donna Rendeiro".

Donna Rendeiro, Secretary
State Planning Commission

Dated: January 6, 2021

ATTACHMENT A
NEW JERSEY STATE PLANNING COMMISSION ATTENDEES
DATE: NOVEMBER 4, 2020 TIME: 9:30 AM

Susan Weber – NJDOT
Steven Gleeson - DAG
Walter Lane - NJ County Planners Association
Judy Thorton – Lead, Principal Planner, NJ Highlands Council
Lisa Plevin – Executive Director, NJ Highlands Council
Maryjude Haddock-Weiler – Planning Manager, NJ Highlands
James Humphries – Director of Planning, NJ Highlands
Carol Ann Dicton – NJ Highlands
Matt Baumgardner – NJDEP
Dave DuMont - NJDEP
Meg Cavanagh – NJDEP
Jonathan Sternesky – NJHMFA