



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
OFFICE OF SMART GROWTH
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JON S. CORZINE
Governor

SUSAN BASS LEVIN
Commissioner

CHRISTIANA FOGLIO
Chair

EILEEN SWAN
Executive Director & Secretary

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

CALL TO ORDER

Chair Eskilson called the meeting to order at 10:15A.M.

ROLL CALL

Committee Members Present

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

Committee Members Not Present

Michele Byers, Public Member
Tom Michnewicz, Public Member
Marilyn Lennon, Public Member
Debbie Mans, Governor's Office, Smart Growth Ombudsman
Commissioner Susan Bass Levin, Department of Community Affairs

Others Present

Kenneth Albert, Public Member of the State Planning Commission
Eileen Swan, Executive Director, Office of Smart Growth
Daniel Reynolds, DAG, Department of Law & Public Safety
Joe Donald, Deputy Executive Director, Office of Smart Growth
Courtenay Mercer, Planning Director, Office of Smart Growth
Barry Ableman, Planner, Office of Smart Growth

Erika Webb, Planner, Office of Smart Growth
Lorissa Whitaker, Planner, Office of Smart Growth
Steve Karp, Information Technology, Office of Smart Growth
Danielle Stevens, Policy Coordinator, Office of Smart Growth
Curt Lavalla, Planner, Office of Smart Growth
Ben Spinelli, Director of Policy, Office of Smart Growth
Russel Like, Planner, Office of Smart Growth
Khara Ford, Planner, Office of Smart Growth
Jung Kim, Planner, Office of Smart Growth
Nick Angarone, Department of Environmental Protection
Nancy Palladino, West Amwell Township Planning Board Chair
Jeff Tittel, Director, NJ Sierra Club
Others-Attachment A

CHAIR'S COMMENTS, John Eskilson, Chair

There were no comments by the chair at this time.

EXECUTIVE DIRECTOR'S REPORT, Eileen Swan, Executive Director

Eileen Swan reported that the Office of Smart Growth was working to get Cross Acceptance back on track. Ms. Swan also stated that the Office of Smart Growth was re-examining the Plan Endorsement process and hopes to make improvements over the coming months.

Ms. Swan reported that the Office of Smart Growth had several meetings with the Highlands and continued to work on a Memorandum of Understanding, which was particularly important in light of the delay in the release of the Highlands Regional Master Plan. She explained that the Office of Smart Growth would continue to move forward with any applications from municipalities or regions within the Highlands, and would coordinate efforts with the Highlands to avoid duplication of efforts by the petitioners.

Ms. Swan also explained the Office of Smart Growth policy to hold a plan endorsement public hearing with fewer than the ten requests required by regulation, when those received are from constituency groups.

PRESENTATIONS

West Amwell Township Plan Endorsement Petition, by West Amwell Township

Tony Mercantante, West Amwell Township Planner, gave a presentation on West Amwell's petition for plan endorsement. He gave a brief overview of the Township, its master plan and the public process they underwent to adopt the plan. Mr. Mercantante explained that one of the main goals of the master plan was to maintain the character of the Township, particularly its agricultural heritage. He relayed the Township's desire to remove all proposed sewer service areas through a wastewater management plan amendment that was recently submitted to DEP. Mr. Mercantante explained the logic behind the Township's zoning code, and gave a brief synopsis of the environmental constraints within the community. He reported that the Township had filed a Third Round Fair Share Plan with COAH.

Nancy Palladino, chair of the West Amwell Township Planning Board, supplemented the planner's presentation with information regarding the Township's open space and agricultural preservation initiatives, which include a six cent dedicated tax and a non-contiguous cluster zoning provision.

Eileen Swan commented that there were a few outstanding questions and issues related to the petition that needed to be resolved prior to staff making a recommendation to the Committee. These concerns

included inconsistencies between zoning densities and the proposed wastewater management plan amendment, inconsistencies between projections supplied in the petition and the Fair Share Plan to COAH, implementation of the non-contiguous cluster provision, the potential for Transfer of Development Rights and the Sourlands Region Special Resource Area.

Elizabeth Semple explained that DEP was currently reviewing the water quality management plan amendment submitted by West Amwell Township. Discussion followed regarding the history of the sewer service area and the need to coordinate DEP's wastewater management plan amendment review with plan endorsement.

The Committee also discussed threatened and endangered species habitat protection, historic preservation, water capacity issues, the Township's affordable housing plans and concerns with the non-residential zoning districts within the community.

Public Comments on the West Amwell Petition for Plan Endorsement

Jeff Tittel, Director, NJ Sierra Club, relayed his support for removal of the sewer service area. He also relayed his concerns about the highway commercial zoning along Route 179 and the need to look at growth in a more regional context with Lambertville.

Dianne Brake, Regional Planning Partnership, commented that future presentations should include more maps and overlays to give the public a better picture of the community and its plans. She also thought that the State agencies and the Office of Smart Growth should provide consistency feedback to municipalities earlier in the process, so they know what issues to deal with prior to submitting a petition for plan endorsement.

Chris Strum, New Jersey Future, commented that future presentations should include maps of the petitioner's plan in the larger regional context, as well as overlays with the State Plan Policy Map. She relayed her concern that the commercial area along Route 179, if not designed correctly, would encourage corridor sprawl and reduce. She also encouraged West Amwell Township to consider Transfer of Development Rights. Ms. Strum further recommended that a build out analysis should be provided to the Office of Smart Growth as part of the Plan Endorsement process.

Wilma Frey, NJ Conservation Foundation, also commented that future presentations should include maps of the petitioner's plan in the larger regional context, as well as local zoning maps.

Robert Fulper, resident and farmer of West Amwell Township, commented that large lot zoning was not a sound preservation mechanism, and in fact hurt agricultural viability. Mr. Fulper also stated that he thought there was merit to public sewer and water systems, particularly given the number of failing septic systems in West Amwell Township.

Sue Dziamara, Acting Director of the Hunterdon County Planning Board, relayed support for West Amwell Township's petition and commended the state agencies in providing assistance. She commented that Hunterdon County would be using the West Amwell experience as an example for the plan endorsement process.

With no further comments from the Committee or the public, Chair Eskilson closed discussion on this matter.

Regional Plans and Plan Endorsement, by Office of Smart Growth

Joseph Donald, Deputy Executive Director, gave a presentation on consistency issues related to regional plans and plan endorsement. Mr. Donald supplied a memorandum that outlined the Office of Smart Growth's regional planning priorities and the framework for consistency evaluation with the State Plan to

the Committee and the public (Attachment B). His discussion focused on the contents of the memorandum, which included the Plan Endorsement requirements for regional petitions, an overview of the current regional plans submitted for plan endorsement, and a summary report of the 27 regional plans sponsored by DCA planning grants over the past six years. Mr. Donald commented that New Jersey Future was currently working with the county planners and various non-governmental groups to provide a conceptual outline for a more streamlined plan endorsement process, and that the dialogue would assist the Office of Smart Growth in making suitable revisions to the plan endorsement process.

It was made clear that municipalities within a region that had attained plan endorsement would still have to pursue endorsement locally. Discussion followed regarding the need for more detailed analysis by the County or region to guide municipalities as they pursue local plan endorsement, and that the regional plan should serve as the basis for the local endorsement.

Mr. Donald also spoke about the need for self-assessment and more front-end work by the applicant, with the technical assistance of the Office of Smart Growth and the other state agencies, to ensure a more streamlined process once a petition is submitted. There was further discussion as to how the agencies could be of more assistance early in the process, particularly by providing clear guidance and models for required documents.

Eileen Swan stated the Office of Smart Growth is looking at possible changes to the Plan Endorsement rules and guidelines, but clarified that petitions would be reviewed under the guidelines in effect at the time of submission. As part of the revision process, the Office of Smart Growth would have to address how to handle already endorsed plans.

There was also discussion as to how Counties could be incentivized to participate in plan endorsement and to create plans that provide real data for the municipalities to use as they pursue local endorsement.

Public Comments on Regional Plans and Plan Endorsement

Michael Cerra, New Jersey League of Municipalities, commented that there was some confusion at the local level as to the difference between a municipal petition and a regional petition, and that the benefits associated with each needed to be better defined.

Barbara Palmer, Association of NJ Environmental Commissions, commented that she was pleased that the Office of smart Growth was working to make the process clearer; because, they had heard similar accounts of confusion in working with towns.

Dianne Brake, Regional Planning Partnership, commented that encouraging regional planning was important because of the disconnect between local and state government. She further commented that it would be beneficial to make the goals of the State Plan actionable through regional plan endorsement, and then have local governments implement them.

Dante DiPirro, Executive Director of the Highlands Council, gave an up-date of the Highlands Council's Regional Master Planning process, and highlighted that mapping data layers would be available in May and June. Mr. DiPirro stated that coordination between the Highlands Council and the state agencies was important, since the Highlands Regional Master Plan would be submitted to the State Planning Commission for endorsement. Mr. DiPirro said that he hoped the Highlands plan conformance would be similar to Plan Endorsement process, and that the Office of Smart Growth and the Highlands Council staff need to provide clarity to towns as to how they satisfy both processes without duplication.

Chris Sturm, New Jersey Future, commented that the Highlands Regional Master Plan needed to address growth designations and standards as well as the State Plan does, specifically that center based development be encouraged. She gave further advice as to linkages between local and regional plans.

Eric Wilkinson, Board of Public Utilities, expressed concern about instances where municipalities do not agree with a Regional Plan that has petitioned for endorsement. Mr. Wilkinson was also concerned about the lag between regional and municipal endorsement with regard to development application reviews.

Before the meeting closed, Eileen Swan took the opportunity to introduce two new member of the Office of Smart Growth team--Erika Webb, Area Planner for Gloucester and Cumberland Counties and Ben Spinelli, Director of Policy.

With no further comments from the Committee or the public, the meeting was adjourned by consensus at 12:55P.M.

Respectfully Submitted,

Eileen Swan
Secretary and Executive Director

Dated: June 28, 2006