



*State of New Jersey*  
DEPARTMENT OF COMMUNITY AFFAIRS  
STATE PLANNING COMMISSION  
OFFICE OF SMART GROWTH  
PO BOX 204  
TRENTON NJ 08625-0204

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 June 28, 2006  
Department of Community Affairs  
Conference Room 129  
101 South Broad Street  
Trenton, New Jersey**

**CALL TO ORDER**

Chair Eskilson was delayed due to inclement weather, but asked that the meeting begin in his absence. Accordingly, Eileen Swan, Executive Director, Office of Smart Growth, called the meeting of the Plan Implementation Committee Meeting to order at 10:45 a.m.

**Committee Members Present**

John Eskilson, Chair, arrived at 11:03 a.m.

Tineen Howard, Representative of Commissioner Kris Kolluri, Department of Transportation  
Elizabeth Semple, Representative of Commissioner Lisa Jackson, Department of Environmental Protection

Marilyn Lennon, Public Member, arrived at 11:00 a.m.

Roberta Lang, Representative of Secretary Charles Kuperus, Department of Agriculture

**Committee Members Not Present**

Commissioner Susan Bass Levin, Department of Community Affairs

Michele Byers, Public Member

Thomas Michnewicz, Public Member

Debbie Mans, Governor's Office, Smart Growth Ombudsman

**Others Present**

Eileen Swan, Executive Director, Office of Smart Growth

Joseph Donald, Deputy Director, Office of Smart Growth

Courtenay Mercer, Planning Director, Office of Smart Growth  
Susan Weber, Department of Transportation  
Russel Like, Planner, Office of Smart Growth  
Erika Webb, Planner, Office of Smart Growth  
Lorissa Whitaker, Planner, Office of Smart Growth  
Danielle Stevens, Policy Coordinator, Office of Smart Growth  
Ann Waters, Planner, Office of Smart Growth  
Jung Kim, Planner, Office of Smart Growth  
Khara Ford, Planner, Office of Smart Growth  
Sharon Maclean, Planner, Office of Smart Growth  
Rick Brown, Department of Environmental Protection  
Others-See Attachment A

**CHAIR'S COMMENTS, John Eskilson, Chair**

Chair Eskilson was not present to make comments at this time.

**EXECUTIVE DIRECTOR'S REPORT, Eileen Swan, Executive Director**

Eileen Swan reported that a public hearing was held in Sussex County regarding the County petition for Plan Endorsement, and that the issues and concerns brought forth at the hearing were being considered by the Office of Smart Growth during the consistency review of the petition. Ms. Swan also reported that a public hearing on the Dennis Township petition for Plan Endorsement would be held on June 29, 2006. Ms. Swan further explained that the Office of Smart Growth had sent letters to Middlesex County and West Amwell requesting additional information needed for the consistency review of their petitions for Plan Endorsement. Finally, Ms. Swan reported on the Office of Smart Growth's ongoing investigation of improvements to the Plan Endorsement process, and that she would continue to up-date the State Planning Commission and Plan Implementation Committee as they progressed.

**PRESENTATIONS**

**Western Monmouth Development Plan Petition for Plan Endorsement, by Western Monmouth**

Bonnie Goldschlag, Assistant Planning Director of the Monmouth County Planning Board, gave a presentation on the Plan Endorsement petition for the Western Monmouth Development Plan. Ms. Goldschlag gave the Committee a brief overview of the County's regional planning initiative, including the determination of five distinct planning regions for which a regional plan would be developed for each area to use as a guide for future development. Ms. Goldschlag further commented that the Monmouth County Planning Board would like the State to clearly define the benefits to counties and municipalities seeking Plan Endorsement. Ms. Goldschlag then gave an overview of the planning process undertaken to develop the Western Monmouth Development Plan, highlighting the elaborate stakeholder involvement in the process. Ms. Goldschlag also relayed her concern that the original scope of work for the grant they received to develop the regional plan was not inclusive of all elements needed for Plan Endorsement, using the need to complete an Environmental Resource Inventory as an example.

Marsha Shiffman, planning consultant to the Monmouth County Planning Board for the Western Monmouth Development Plan, gave an overview of the region, the Plan's purpose and goals, and the public process. Ms. Shiffman's presentation included an explanation of the Plan's format and various components, including the build-out analysis, vision statement and regional planning maps. She further discussed how the Plan outlined goals and strategies for farmland, open space, transportation and design.

Bonnie Goldschlag then addressed the comments made by the Office of Smart Growth in a recent consistency review letter. Ms. Goldschlag gave an overview of the Wastewater Management Plan's status, to which discussion followed amongst the Committee and with the County about coordinating the growth areas of Western Monmouth Development Plan with the Wastewater Management Plan. Ms. Semple relayed the DEP's desire to have these issues reconciled prior to endorsement, but would expect date specific deadlines if it was to be handled in the Plan Implementation Agreement. Ms. Goldschlag also explained how the county was dealing with the water supply concerns relayed in the Office of Smart Growth consistency letter, and gave an up-date on municipal Stormwater Management Plans. All agreed that a meeting should occur between the County and the pertinent DEP divisions.

There were no further comments from the Committee at this point. Chair Eskilson opened the floor to public comments on the Western Monmouth Development Plan Petition for Initial Plan Endorsement.

**Public Comment on Western Monmouth Development Plan Petition for Initial Plan Endorsement:**

Chuck Newcomb, Howell Township Planner, noted that the Township had submitted a letter to the Office of Smart Growth regarding the regional center proposed in the County's petition. Mr. Newcomb stated that Howell initially disagreed with the center extending into the township, but were currently reevaluating that stance and would be further communicating with the Office of Smart Growth on that matter.

Eric Snyder, Sussex County Planning Director, stated his agreement with Monmouth County regarding the need to clarify the benefits and process for reviewing regional petitions for Plan Endorsement.

Chris Sturm, New Jersey Future, commended Monmouth County on their regional planning effort and in setting a good model for subsequent municipal Plan Endorsement petitions.

Chuck Newcomb, Howell Township Planner, further commented that Howell Township looked to the Western Monmouth Development Plan as a guide for planning, but stressed that it was still difficult to go through the municipal Plan Endorsement process. Mr. Newcomb further acknowledged the benefits of the regional planning process to municipalities by way of cost savings.

Kamal Saleh, Supervisor of the Union County Bureau of Land Use & Transportation Planning, commended Monmouth County, and reiterated the need to clarify the benefits of Plan Endorsement to encourage participation.

Nicholas Tufaro, Principal Planner for Middlesex County, commended Monmouth County on its efforts. He expressed his thoughts as to how identified centers should be handled in the regional Plan Endorsement process. Mr. Tufaro further stated that it was cumbersome to get meeting minutes from the municipalities involved in the regional planning process, and asked the Committee reconsider this policy.

With no further comment from the public, Chair Eskilson closed public comment. He asked Ms. Swan to explain the next steps and timeline for the review of the Western Monmouth Development Plan petition for Initial Plan Endorsement. Ms. Swan stated that the County would need to address the additional information requested in the letter from the Office of Smart Growth. She explained that the letter gave a ninety-day timeline, which could be extended as determined through continued collaboration between the County and the Office of Smart Growth.

Chair Eskilson called a meeting recess at 11:55 a.m. The meeting resumed at 12:05 p.m.

### **Regional and County Plan Endorsement Consistency Review Process, by the Office of Smart Growth**

Joseph Donald, Deputy Executive Director, gave a presentation on the consistency requirements for County and Regional Petitions for Initial Plan Endorsement. He gave an overview of the Plan Endorsement guidelines, and how the Office of Smart Growth and the State agencies evaluate county and regional petitions for consistency with the State Development and Redevelopment State Plan. He noted that the reference document associated with the presentation was still a draft. (Attachment B) Mr. Donald further stated that the document and his presentation did not go beyond the language contained within the existing guidelines for Plan Endorsement, but that it was to provide greater clarification of the existing guidelines.

Chair Eskilson stated that the benefits available through Plan Endorsement should be made clear for regional entities and counties that have Endorsed Plans with the State Planning Commission, referring to concerns that had been shared earlier by Bonnie Goldschlag from Monmouth County regarding their wastewater management plan.

Chair Eskilson also stated that plans or centers already endorsed by the State Planning Commission should stand, and that changes should not be required if a subsequent regional plan before the State Planning Commission does not fully agree with some of the goals that were already endorsed. By example, Chair Eskilson explained that if the Highlands Plan failed to reflect already designated centers, that it would be considered a fatal flaw in the petition. Mr. Donald provided clarification that center designations are effective for ten years. He further explained that the Preliminary State Plan removed references to identified and proposed centers, and that endorsements of regional plans by the State Planning Commission should be consistent with this policy.

Elizabeth Semple stated her opinion that all planning area changes requested in Regional and County Petitions should be endorsed by the effected municipalities, with formal agreement to implement the change locally. Marilynn Lennon expressed concern about discrepancies that may exist between local and regional planning goals in light of the fact that the ability to implement land use controls lies with municipalities. Further discussion followed with regard to when municipal resolutions should be required in association with a regional Plan Endorsement

petition. The thought was that there would be a threshold of acceptance by municipalities, and that resolutions should be required from municipalities in which planning area changes were proposed. The Committee expanded this discussion to regional plans that included multiple counties, to which the initial thought was that a resolution from every County would not be required. Chair Eskilson further clarified the point that the Highlands Council would have to follow the Plan Endorsement rules and consistency review guidelines in submitting a petition for endorsement of the Regional Master Plan.

The Committee then discussed how it would reconcile discrepancies between local and regional petitions, to which it was agreed that the timing of the submissions was key. It was agreed that regional petitions should serve as a framework for subsequent municipal petitions, and that municipal petitions in alignment with an already endorsed regional plan would be given deference. Should a municipality wish to substantially divert from an already endorsed regional plan, however, they would have the burden of proof for said diversions. The Committee felt that the reverse should also be true, in that regional plans should be reflective of previously endorsed municipal plans.

The Committee also discussed the benefits associated with regional Plan Endorsement, particularly that the benefits outlined in a Plan Implementation Agreement should be in line with the level of planning demonstrated by, and the individual needs of the applicant. The Committee also discussed how regional plans could better serve the municipalities in providing baseline information on important issues like sewer, water and threatened and endangered species habitat, and in defining for the municipalities a clear bar for a subsequent municipal petition submission.

Elizabeth Semple suggested that petitions should not be reviewed just for consistency with the State Plan, but that they be required to be in compliance with other state regulations, like water supply and water quality. Eileen Swan replied that the consistency review must comply with the rules and guidelines that currently exist, but that these recommendations could be considered as the Office of Smart Growth makes recommendations to the State Planning Commission to revise the rules.

With no further discussion by the Committee, Chair Eskilson opened the floor to public comment on the Regional and County Plan Endorsement consistency review process.

### **Public comment on the Regional and County Plan Endorsement Consistency Review Process**

Paul Ricci, Manalapan Township Planner, expressed his concern that municipalities that derived population projections through a more detailed analysis in creating a fair share plan would have the burden of proof over numbers in an endorsed regional plan that were likely derived from MPO projections. Chair Eskilson explained that in some instances it was expected that the municipal plan endorsement process would rectify these types of micro issues. Mr. Ricci further questioned the benefit of regional Plan Endorsement to municipalities, to which Chair Eskilson commented that the streamlined review of municipal petitions that are consistent with a regional plan was a benefit.

Mirah Becker, Middlesex County Planning Department, stated that Middlesex County was asked for additional information with regard to its regional petition during the consistency review

phase, and requested that the Office of Smart Growth provide more detailed guidelines and technical assistance to achieve regional Plan Endorsement.

Dianne Brake, Regional Planning Partnership, commented that regional plans should be about regional systems like infrastructure. She further commented that the state should set targets, and give direction as to how discrepancies would be reviewed by the State Planning Commission.

Barbara Palmer, Association of New Jersey Environmental Commissions, commented that the Plan Endorsement process needed to be revised to provide more clarity. Ms. Palmer also commented that the regional plans should be rigorously reviewed if they were to be the bar for municipal endorsement.

Chris Sturm, NJ Future, recommended the revision of the Plan Endorsement guidelines to link the review of petitions to both the State Plan and other state regulations, like water supply and wastewater management.

Helen Heinrich, NJ Farm Bureau, expressed concern regarding agricultural retention, and commented that the Plan Endorsement rules should include more methodology for Agricultural Retention Plans.

Eric Snyder, Sussex County Planning Director, commented that the guidelines should be clear and fair.

Wilma Frey, New Jersey Conservation Foundation, stated that land preservation and open space should be incorporated into the Plan Endorsement guidelines.

Donald Kirchoffer, New Jersey Conservation Foundation, noted the ambiguity in the uses of “must”, “will”, “may” and “should” in the document dispersed for discussion, and requested that it be revised to provide more clarity as to what was actually being required.

Nicholas Tufaro, Principal Planner for Middlesex County, stated that the Plan Implementation Agreement was where the strategies for implementation and change should be defined.

### **APPROVAL OF MINUTES**

Marilyn Lennon made and Roberta Lang seconded a motion to approve the minutes of the August 24, 2005; October 19, 2005; December 16, 2005; January 25, 2006 and April 26, 2006 Plan Implementation Committee meetings. The motion was carried unanimously.

With no further comments from the Committee or the public, the meeting was adjourned by consensus.

Respectfully Submitted,

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Eileen Swan  
Secretary and Executive Director

Dated: July 17, 2006