



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
Plan Implementation Committee
Minutes of the Meeting Held on March 17, 2021
Zoom Video Conference**

CALL TO ORDER

Chairwoman Robinson called the March 17, 2021 meeting of the New Jersey Plan Implementation Committee (PIC) order at 9:33 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

County Commissioner Director Shanel Robinson, Chair, County Member Danielle Esser, Director of Governance, NJ Economic Development Authority Nick Angarone, Designee for Acting Commissioner Shawn LaTourette, Department of Environmental Sean Thompson, Designee for Lt. Governor Sheila Oliver, Department of State Susan Weber, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation

Others Present through Video conference

See Attachment A

PLEDGE OF ALLEGIANCE

Chairwoman Robinson asked everyone to recite the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairwoman Robinson asked for a motion to approve the Minutes of the November 24, 2020 meeting. Sean Thompson made the motion, and it was seconded by Nick Angarone. The November 24, 2020 minutes were approved.

Chairwoman Robinson asked for a motion to approve the Minutes of the December 16, 2020 meeting. Sean Thompson made the motion, and it was seconded by Nick Angarone. The December 16, 2020 minutes were approved.

Chairwoman Robinson asked for a motion to approve the Minutes of the February 17, 2021 meeting. Nick Angarone made the motion, and it was seconded by Sean Thompson. The February 17, 2021 minutes were approved.

CHAIRWOMAN'S COMMENTS

Chairwoman Robinson welcomed everyone to the PIC meeting. Chairwoman Robinson expressed that she hopes to continue to move forward doing the work that is being charged to do. Chairwoman Robinson referred to the Executive Director for the Director's report.

EXECUTIVE DIRECTOR'S REPORT

The Executive Director reminded all the state agencies to submit comments regarding the rule update discussed at the last Interagency Workgroup meeting. Once the comments are received, a proposal will be presented to the SPC.

NEW BUSINESS

Presentation PIA Template

Director Rendeiro commented that the intent is not to go over each individual item from the template and that if anyone has a specific issue to discuss, please address now or submit comments directly to Barry or to the Director.

Director Rendeiro referred the presentation to Barry Ableman, who then summarized the template proposal. Barry Ableman commented that on the provided draft PIA the intent is to create one document to merge with Sustainable Jersey.

Director Rendeiro commented that there are number of items that every municipality needs to comply with, whether it is a standard ordinance or a master plan update, those items are going to be the same across all the municipalities. If all agree to a template, then the only thing that will need to be discussed moving forward on individual municipalities will be to the items unique to that particular municipality.

Director Rendeiro commented that in this way, we will be more efficient. Also, we have incorporated the changes to the guidelines, including the Sustainable Jersey piece.

Director Rendeiro commented that it may look like there are many items on the list in, but many of these items are going to be addressed before the municipality comes in for endorsement. The only

items that were added from previous PIAs address resilience and equity and some of the Sustainable Jersey pieces.

Barry agreed with Director Rendeiro.

Director Rendeiro asked for any comments from the members.

Commissioner Esser commented that from an organizational perspective, the template looks very good. She asked about the items that were taken out and if the Sustainable Jersey items are already included. Commissioner Esser suggested to add an extra (or separate) section to identify where some items may be required that are specific to a municipality. Director Rendeiro commented that they may be able to add a separate document that says, "in addition, the following may be applicable". The Director also commented that it will be difficult to address everything.

Nick Angarone commented on the first column and suggested to make it specifically consistent with the PE guidelines and to refer to the specific sections exactly as they are in the guidelines.

Barry commented that there will be a list of ordinances on the website to facilitate municipalities to avoid starting from scratch.

Director Rendeiro asked the public for any comments on using the PIA template in order to move to the template to the SPC.

Director Rendeiro commented that the motion is to add two changes. One, in column one that identifies the item to use the same number as is in the PE guidelines to provide more clarity; second, to add an additional page that will talk about additional requirements with some specificity but leaving an opportunity for further items.

Commissioner Esser asked if this template will be available on the OPA website for municipalities going into PE process. Director Rendeiro responded that once it's approved by the SPC, the template will be available on the OPA website.

Chairwoman Robinson confirmed that this action is to move forward to the SPC and that as Director Rendeiro commented at the beginning of the meeting, that if there are any comments to submit them to Barry by the end of the month.

Chairwoman Robinson asked for a motion to move forward the PIA template to the SPC. Commissioner Esser made the motion and was seconded by Susan Weber. All were in favor.

PROPOSED LAKEWOOD MAP AMENDMENT

Director Rendeiro commented that this map amendment is a request that is part of Lakewood's biennial review. That when the matter came before the Plan Implementation Committee in August, 2020, the Township of Brick expressed concern over ingress and egress. It is now agreed by the parties that there is enough progress to move forward. Director Rendeiro commented that present today is Mark Villinger from the County and Steve Reinman from Lakewood. Director Rendeiro referred to Barry Ableman to present the proposal of a new Industrial Node for Lakewood.

This presentation can be found in the following link:

<https://nj.gov/state/planning/assets/docs/meeting-materials/pic/Lakewood-Materials-3-17-21.zip>

Steve Reinman from Lakewood commented that Barry had effectively laid out the issue and that they are continuing to express interest in finding a way to work with the neighboring property owners. The property is now under contract for new buyers and that a new set of discussions may work out. By the time plans are finalized, development plans for the proposed Node will be further along. They may be able to resolve the issue of access to their property. There have been discussions with the county on this matter. If the intent fails, they will have access through the municipal border by way of the paper street which will not be ideal but would still work. Mr. Reinman expressed his pleasure to have the recommendation to move forward to the SPC.

Mark Villinger from Ocean County commented that the two scenarios (along the paper street with the coordination with Brick Township or the desirable one with the adjacent owner) there will still be a need for a traffic light on the County Road. Mr. Villinger said that from the County point of view, these are the two options and that once the site plans come are received, they will be reviewed.

Director Rendeiro commented that private property owners still need to get land use approval from Brick and that will be part of the discussion in terms of the land use permits that Brick has to provide. Brick even knows there is no solution on this issue yet, they feel comfortable to move forward.

Director Rendeiro commented that Barry referred to a block and lot that was included in the Township's ROSI that has been excluded from the Node.

Director Rendeiro asked for questions from the committee members. There were no questions from the committee members. Director Rendeiro asked for questions from the public. There were no questions from the public.

Director Rendeiro commented that this will give Lakewood the opportunity to expand their warehouse facilities.

Chairwoman Robinson asked for a motion to move forward to the SPC. Danielle Esser made the motion and was seconded by Nick Angarone. All were in favor.

PROPOSED MILLSTONE ENDORSEMENT

Director Rendeiro commented that there is one lot of concern to DEP, however, OPA believes that there are planning reasons for this lot to be in the Center, and that there are DEP regulations that will protect the lot. Director Rendeiro referred to Barry Ableman for the presentation.

This presentation can be found in the following link:

<https://nj.gov/state/planning/assets/docs/meeting-materials/spc/materials/millstone-spc-pe-materials-2021-04-07.zip>

Nick Angarone, NJ DEP commented that there are proposed CESs (Critical Environmental Site) which aligns with the flood plain for the 100 year storm.

Director Rendeiro commented that the office recognizes that some proposed area that is being proposed for the Center are CESs (Critical Environmental Site) and that the office is looking to use CES overlays that identify CESs, even if it is in the center, that will restrict development.

Nick Angarone spoke on behalf of NJDEP to express disagreement on this one very small area.

Mr. Angarone spoke. The portion of the proposed center is one parcel that is located in what is referred to as floodway. FEMA's training manual describes the floodway as the central portion of the river flow that carries the deeper, faster moving water. Buildings, structures, and other development activities placed on the floodway are more likely to obstruct flood flows causing the water to slow down and back up resulting in higher flood elevations. FEMA also knows that flood waters are generally deepest in the floodway and anything in this area is in the greatest danger during a flood. In other words, when you build in a floodway you are in danger and you are placing your neighbors in greater danger.

Both FEMA and the State disallow this from happening. Without going into any details, the flood hazard control act rules do place significant constraints on activities that can occur in this area. There are no new developments in this case, but they wanted to have this description for you to understand why the floodway is particularly inappropriate. Another important thing to remind us here is why we designate centers in the first place. A center indicates that this is an area where the State of New Jersey supports growth and investment and we provide incentives to support that position. Incentivizing growth and investment in the floodway, we feel is inappropriate, it's contrary to the spirit of the Governor's Executive Order on climate change, it's inconsistent with DEP's current regulations as well as the ongoing NJ PACT process to update the rules to incorporate climate change and it's inconsistent with the direction of the forthcoming climate change resilience strategy.

Keep in mind, as development on the water increases and as precipitation increases in amount and intensity which is projected due to climate change, things are only getting worse. This is a single small structure on the edge of the proposed center. We're going to face harder choices than this property as the facts of climate change increase.

Director Rendeiro referred to Mr. Carter van Dyke from the Carter van Dyke Associates representing Millstone.

Mr. Carter van Dyke spoke. The building in question was actually the gateway to where the old bridge used to be and it's a very historic building and predates to the revolutionary war. We see that building as an important asset to the future of redevelopment. This area is in the historic district and for that reason we see the need to ultimately have sewers connected to this building whether this is something the County may eventually acquire as part of Heritage Park which is being proposed for this area. All this is pending until we get the sewers developed in this area.

We have been patiently waiting for 11 years working with DEP and the County to get the sewers going and now the Borough Council is working with a developer to get the sewer initiated for the entire Borough to reclaim the area south of 541.

Mr. Matthew Denne from Millstone Borough thanked Barry and Mr. Carter van Dyke for all the work done.

Walter Lane from Somerset County commented that the County has been a long-time partner with the Borough working on a large range of projects. They fully support the Borough moving and receiving Plan Endorsement and look forward to working with everyone to help them advance the PE agenda. Mr. Lane mentioned that they are currently working with the Borough on a road safety study funded by the North Jersey Transportation Planning Authority.

Mr. Lane fully understands DEP's concerns, and he hopes that this will be a good example for other towns, counties, and the State. Mr. Lane provided a letter of support from the County Planning Board to the SPC for their consideration.

Director Rendeiro asked if there is a redevelopment plan for the redevelopment area and if it has been approved by DCA.

Mr. Carter van Dyke responded yes and that it was approved in 2010. Mr. Van Dyke commented that the Borough is in negotiation with the County and working with FEMA to provide plans on what the intended redevelopment. Currently, there is a developer who is very interested on implementing the plan once the sewers are completed.

Nick Angarone commented that the building on the parcel in question is presently included in sewer service area and the other half of the parcel is out of the sewer service area due to identification of habitat for bald eagle foraging. The current WQMP rules will not remove the building from this sewer service area regardless of the Center. Nick Angarone commented that he wanted to make sure that there is a general understanding on this issue.

Director Rendeiro commented that there are a number of DEP regulations that will restrict this development, and that an equal goal in the State Plan is historic preservation. The Director expressed her understanding of Mr. Angarone's concern. She agrees that this is probably not the easiest thing to be dealing with moving forward. This is when the challenges are going to come and that there are a lot first competing priorities to equally balance.

Commissioner Esser asked if would address the flooding issues by having more stable flood management system.

Mr. Carter van Dyke commented that the engineers are proposing the sewer system to be a gravity fed sewer system and to run through the Center. The historic downtown center is the key to the success of the sewer system.

Nick Angarone commented that the center has no impact whether or not it is in the sewer service area.

Director Rendeiro commented that she would like the Committee to understand what benefit or lack of benefit would happen whether the lot is in the Center or not.

Mr. van Dyke commented that the building in question is an historic building and there is not going to be any expansion or redevelopment because of the historic nature of the site. The sewer is very important for the Borough and that one of their goals in to increase retail within the community. Mr. van Dyke commented that development within the Center would help to facilitate any grants that may become available for historic preservation.

Director Rendeiro commented that traditionally we refer to a Center as an area of growth. But in reality , I believe a Center is an area of concentrated activity where you want to attract activity that will attract people and tourism.

Mr. Walter Lane added that what the Borough is doing it's consistent with the county's preservation plan which will be release for public review shortly that is trying to encourage reuse of these structures as an economic development from tourism.

Chairwoman Robinson asked for a motion to move forward to the SPC. Commissioner Esser made the motion and was seconded by Commissioner Robinson.

Chairwoman Robinson commented that for the record she made the recommendation to move forward, that this is not a final decision and after checking with ethics she's allowed to make the recommendation to move forward.

Commissioner Esser asked if there would be any type of language that can be added to address DEP's concerns. Director Rendeiro and Nick Angarone agreed to call out the CES as part of the language on the resolution.

Chairwoman Robinson asked for a motion to move forward. All in favor with one opposed (Nick Angarone).

PUBLIC COMMENTS

Chairwoman Robinson asked for a motion to open for public comments. Commissioner Esser made the motion and was seconded by Nick Angarone.

With no further comments from the public, Chairwoman Robinson asked for a motion to close for public comments. Commissioner Esser made the motion and was seconded by Sean Thompson. All were in favor.

ADJOURNMENT

With no further comments from the Commission or the public, Chairwoman Robinson asked for a motion to adjourn. The motion was made by Sean Thompson and seconded by Nick Angarone. All were in favor. The meeting was adjourned at 10:55 a.m.

Respectfully submitted,



Donna Rendeiro, Secretary
State Planning Commission

Dated: April 21, 2021

ATTACHMENT A

**NEW JERSEY STATE PLANNING COMMISSION
PLAN IMPLEMENTATION COMMITTEE**

ATTENDEES

DATE: MARCH 17, 2021

Walter Lane – Planning Director, Somerset County
Jonathan Sternesky – NJHMFA
Dave DuMont – NJDEP
Matt Baumgardner – NJDEP
Margaret Cavanagh – NJDEP
Jason Kasler - NJPO (NJ Planning Officials)
Rhyan Grech - Pinelands Preservation Alliance
Matthew Denne - Millstone Borough
Steve Reinman - Lakewood
Armando Alfonso - Millstone Borough (Eagleton Intern)
Mark Villinger - Lakewood
Carter Van Dyke - ASL, APA
Jelena Lasko - NJDOT
Ruth Foster - NJDEP
Christine Fung - Millstone Borough
Monique Purcell - NJDA
Greg Stafford-Smith -
Robert Galli -