



## *State of New Jersey*

DEPARTMENT OF STATE  
NEW JERSEY STATE PLANNING COMMISSION  
PO Box 820  
TRENTON NJ 08625-0820

CHRIS CHRISTIE  
*Governor*

GERRY SCHARFENBERGER, PH.D.  
*Director*

KIM GUADAGNO  
*Lieutenant Governor*

**New Jersey State Planning Commission  
Minutes of the Meeting Held November 14, 2011  
State House Annex  
Committee Room 15, 4<sup>th</sup> Floor  
125 West State Street, Trenton, New Jersey**

### **CALL TO ORDER**

Edward McKenna, Chair, called the November 14, 2011 meeting of the New Jersey State Planning Commission to order at 9:40 a.m.

### **OPEN PUBLIC MEETINGS ACT**

Deputy Attorney General Julie Cavanagh 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**

Kenneth Albert, Public Member  
John Eskilson, Public Member  
Monique Purcell, Designee for Douglas Fisher, Secretary, Department of Agriculture  
Greg Acquaviva, Designee for Lt. Governor Kim Guadagno, Department of State  
Joyce Paul, Designee for Lori Grifa, Commissioner, Department of Community Affairs  
Shing-Fu Hsueh, Mayor, West Windsor, Public Member  
Marc Larkins, Chief Executive Officer, Schools Development Authority  
Bob Martin, Commissioner, Department of Environmental Protection  
Thomas Michnewicz, Public Member  
Andy Swords, Designee for James Simpson, Commissioner, Department of Transportation  
Edward McKenna, Chairman, Public Member

#### **Not Present**

Caren Franzini, Chief Executive Officer, NJ Economic Development Authority

#### **Others Present**

(See Attachment A)

## **PLEDGE OF ALLGIANCE**

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

## **CHAIR'S COMMENTS**

Chair McKenna noted that it was an exciting day for the Commission and that hopefully a significant action would be taken with respect to the State Plan. He noted that on the agenda were several resolutions and a presentation by Dan Kennedy, Deputy Director of the Office for Planning Advocacy regarding the draft Final State Strategic Plan (SSP).

## **DIRECTOR'S REPORT**

Gerry Scharfenberger, Director noted that he would like to forgo the Director's Report and move directly to the presentation.

## **PRESENTATION**

Dan Kennedy, Deputy Director, Office for Planning Advocacy (OPA) reported to the Commission that Director Scharfenberger and he have been traveling throughout the State speaking to and receiving feedback from a long range of stakeholder groups prior to the Governor's action on Executive Order #78 and the OPA's release of the "Proposed Draft Final Strategic Plan" which replaces the 2001 State Development and Redevelopment Plan. He further explained that the presentations given around the State included details on the plan's goals, objectives and strategies. In addition, these details were presented to the Commission's Plan Development Committee two weeks ago. At that time, the committee unanimously recommended to move the Proposed Draft State Strategic Plan to the full Commission for action. He explained that the details were provided to the committee on the plan's development, the different aspects of the proposed Draft State Strategic Plan, discussion on cross-acceptance and whether to continue the cross-acceptance process. He noted that the proposed Draft Final State Strategic Plan was the culmination of information and concerns received by stakeholders, which began in May of this year, with the result being a recommendation for a state plan of the future and outlines a high-level mission to address the state planning needs for the State of New Jersey. The plan will be the basis for State decision making and the goals, objectives and strategies by which state and local government need to have direction. Goal four of the State Strategic Plan focus clearly on the tactical alignment of government. Deputy Director Kennedy noted that OPA was recommending that the State Planning Commission, the new steering committee, created by Executive 78, and that the current administration take steps to first prioritize and organize state government with the expectation and hope that alignment can take place within local governments once the State of New Jersey has organized itself. He also noted that all of the supporting documents have been included and are on the website for review. Mr. Kennedy outlined that the next step in the process was for the Commission to take actions on resolutions. He further explained that what the Commission would be acting on was not adoption of the final plan, but authorizing the release of the proposed draft, thus moving the process forward to the next phase of plan development, which will include a lot more democracy and public conversation in terms of public hearings and SPC meetings. He also, explained that the process allows for the ability to make changes to the draft final should the Commission choose to as a result of comments and concerns raised during the public hearing phase.

Lastly, he noted that that the staff recommends approval of the three resolutions in order to move to next steps in the plan development process.

Chair McKenna clarified that there were three resolutions on the agenda: Resolution No. 2011-06 Approval of Impact Assessment, Resolution No. 2011-07 Approval of the Statement of Agreements and Disagreements (SAD) and Statewide Issue Response Team (SWIRT) and Completion of the

Cross-Acceptance Process and Resolution No. 2011-08 Approval of Draft Final State Development and Redevelopment Plan and Draft Infrastructure Needs Assessment for Distribution and Commencement of Final State Plan Approval. Chair McKenna noted that the draft Plan was discussed at the Plan Development Committee with the understanding that the draft final was a work in progress and the resolutions were necessary to move the process forward in an expeditious fashion and ensures that the public has the opportunity to speak to the Plan itself.

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

Commissioner Martin thanked Dan Kennedy for his work on the proposed draft State Strategic Plan and recognized that the plan is one with a paradigm shift. He also, noted that Gerry Scharfenberger has done a great job steering through the process of looking at what works and what doesn't work. He noted that from the Administration's point of view is that is that we need to look at things that State needs coordinate in order to preserve the long term resources of the State, in relation to conserving land and how to develop and redevelop parts of the State. He feels this is an opportunity for us as a State to move to the future both in economic growth and also an environmental plan.

Chair McKenna noted that it has been a torturous process for the folks that have been around the Commission for a period of time. He explained that what was before the Commission was a very specific document working on the preservation of resources, job growth and economic development. He feels this is an opportunity for the Commission to focus on these issues.

Chair McKenna asked for a motion to approve Resolution No. 2011-06. Commissioner Eskilson made the motion and it was seconded by Commissioner Purcell. Chair McKenna asked for a roll call vote: Ayes: (11) Ken Albert, John Eskilson, Monique Purcell, Greg Acquaviva, Joyce Paul, Shing-Fu Hsueh, Marc Larkins, Bob Martin; Thomas Michnewicz, Andy Swords, Edward McKenna. Nays: (0). Abstains (0).

Chair McKenna asked for a motion to approve Resolution No. 2011-07 Approval of the Statement of Agreements and Disagreements (SAD) and Statewide Issue Response Team (SWIRT) and Completion of the Cross-Acceptance Process. Commissioner Eskilson made the motion and it was seconded by Commissioner Purcell. Chair McKenna asked for a roll call vote: Ayes: (11) Ken Albert, John Eskilson, Monique Purcell, Greg Acquaviva, Joyce Paul, Shing-Fu Hsueh, Marc Larkins, Bob Martin; Thomas Michnewicz, Andy Swords, Edward McKenna. Nays: (0). Abstains (0).

Chair McKenna asked for a motion to approve Resolution No. 2011-08 Approval of Draft Final State Development and Redevelopment Plan and Draft Infrastructure Needs Assessment for Distribution and Commencement of Final State Plan Approval.

Commissioner Albert noted that he was concerned with the word "final" in the draft and that the perception by the public during the public hearings would be that it was not open for revision. There was a brief discussion on this concern and it was noted by Joy Farber that the regulations included the word "final" in the title. Mr. Kennedy also noted that OPA will remain sensitive to the concern during the public hearings on the final draft and tone in which it is discussed.

Commissioner Eskilson made the motion and it was seconded by Commissioner Paul.

Commissioner Purcell noted that the Department of Agriculture was please with the direction that the Commission was moving in and for taking the lead on where investment and preservation should occur and that the department is very supportive.

Chair McKenna thanked the stakeholders and interested parties for their comments that had been received and that he looks forward to their continued participation from them in the process.

Chair McKenna asked for a roll call vote: Ayes: (11) Ken Albert, John Eskilson, Monique Purcell, Greg Acquaviva, Joyce Paul, Shing-Fu Hsueh, Marc Larkins, Bob Martin; Thomas Michnewicz, Andy Swords, Edward McKenna. Nays: (0). Abstains (0).

## PUBLIC COMMENT

Jeff Tittel, NJ Sierra Club commented that he was concerned with the process. He noted that the Commission should be sensitive to the public's concern and to not pass a resolution without having an opportunity for the public to comment on those resolutions. He feels it is a disservice to the public and that the public should have been able to speak before the vote today. He also noted that the stakeholder process was not as transparent as indicated because key groups were left off of the meetings.

He noted that there are real concerns with how the State Strategic Plan is set-up. He noted that the Plan contains very critical language towards the work that the Commission has done in the past. He feels that just because there is a new group in charge it shouldn't mean that there were not many good things that were done in the past.

Mr. Tittel highlighted that the State Planning Act lists a range of issues that are supposed to be addressed. He feels that the draft final SSP goes against the State Planning Act because the Act talks about natural resources, open space, infill development, redevelopment, and that economic growth is just one of the factors that are supposed to be balanced. Under the draft SSP, economic growth seems to trump all other facets of the State Planning Act. Mr. Tittel is also concerned that the draft SPP is not based on science, capacity analysis or infrastructure analysis and feels that work needs to be done before the draft SSP goes out. There are also concerns that the draft SSP itself contains "severe criticisms" of the Water Quality of Planning Act, the Water Quality Plan and the Landscape Project, which are based on science and updated. While the State Plan of 2001 lacks proper data, he noted that most of the data in the 2001 Plan is from 1986 flyovers and 1970 WQMP planning data. He hopes that the Commission will not be repeating mistakes as in the past. He feels that in its current state, the draft SSP seems to be not working with other agencies to get them in line, but trumping the other agencies plans, such as WQMP, CAFRA, Safe Water Act, Highlands and Pinelands Act. In conclusion, he feels the plan is severely flawed in many places and doesn't have the science to back it up. He is concerned that the Commission is rushing forward without due diligence and that this plan will end up trumping many of the other State agency plans.

Chris Sturm, New Jersey Future congratulated everyone on taking the important step in the release of the draft plan which is really exciting and a long time in coming. She also noted that she respectfully request the Commission go back to the tradition of accepting public comments before taking action on resolutions.

Chair McKenna noted that the PDC did accept public comment prior to action at last week's meeting and perhaps he was lack because the PDC meeting had many of the same people that are present today as well. Not to make an excuse just pointing out that there was opportunity for public comment prior to the vote. Ms. Sturm noted that it was a good practice that helps the public feel they are having input.

Ms. Sturm continued with her comments noting that New Jersey has not turned the corner on unemployment and that the Commission has a tough job figuring out how to create job growth in a sustainable fashion. She noted that, New Jersey Future thinks the plan will do that by targeting and focusing in a way that complements environmental protections and the agricultural sector, and market demand by demographics, and that is very strategic in a very good way. New Jersey Future is excited about the Governor's direction and stern commitment to implement the plan, which hasn't been seen for State Plan implementation. New Jersey Future feels this could really take New Jersey some place good.

She further noted that New Jersey Future does have some concerns about filling out the plan and filling in some of the details. New Jersey Future would very much like to see clarity on the criteria for where growth happens and where preservation takes place. They feel this will help the agencies as they are lining up their agency strategic plans and it will also help local governments and citizens to be able to engage in the public comment process. They feel that this needs to be firmed up as quickly as possible. New Jersey Future feels that the Garden State Values are really the heart of the plan and serve to meet the requirements of State Planning Act and if those values were clearly integrated in the State Strategic Plan it would send a clear signal about where this is headed and what folks need to do.

Ms. Sturm highlighted that the State Planning Commission was short three public members and two local government representatives. She noted that the Commission has an important role in setting policy through planning, flushing this out, and figuring out how to get local governments on board and that the Commission needs to be at full strength to do that. She noted that New Jersey Future urges the administration to act as quickly as possible to fill the public sector seats.

Lastly, Ms. Sturm noted that New Jersey Future is pleased that the Commission recommended the plan for release and thinks it is time to get moving and that they are committed to working with the Commission and hopes the Commission will call upon them.

Director Scharfenberger commented that the office agrees with NJ Future about the additional members for the SPC, but they are subject to senate confirmation which was not a quick process. He noted that the issue is on the radar, but there is no quick fix.

Bill Wolfe, resident of Hunterdon County echoed the comments regarding the Commission receiving public comment prior to action on the resolutions and technical documents without presentation. He noted that the agenda indicated that the Plan would be presented and it was not presented. He agreed that the plan was presented at the Plan Development Committee, which he had attended. However, that presentation was not heard today and he feels the full Commission deserved the presentation as well as the public that was present today. Mr. Wolfe, noted that he studied planning and focused mostly on non-market value planning and that there is a professional code ethics for professional planners which is also reflected in the State Planning Act. The unique aesthetic values of the landscape, equity and fairness, public health and democracy, basic public participation and none of those values are reflected in the strategic plan that was approved today. The attitude of the Commission to approve the draft version of the plan without any public involvement reflects those deficiencies. He noted that the plan and the Commission were formed pursuant to the 1985 State Planning Act. The Governor has executive authority to establish a planning process, strategic plan under executive powers/orders, but he cannot hijack the State Planning Act, the SPC, the State Plan and a planning process that has been in place for more than 15-20 year. He can't unilaterally hijack all and call it a state plan. He noted that the plan before the Commission was a strategic plan and that the State Planning Act calls for a development/redevelopment plan not a strategic plan. He explained that there are multiple factors and criteria standards, policies statements in the State Planning Act that are not reflected in the strategic plan. Mr. Wolfe commented on the resolution for the Infrastructure and Impact Assessments documents, which he reviewed very quickly, and can say unequivocally that the Impact Assessment was dated December 21, 2009 and evaluated a plan that has since been abandoned. He stressed that the Commission was approving an impact assessment on a plan that no longer existed and not an impact assessment of the strategic plan. He feels the Commission is duping the public by approving a report on a plan that does not exist anymore and in all honesty and fairness how the Commission can do so and get away with it. Air quality statements about the level of air quality in the State and pollution sources, statements made about water quality, water resources that are not substantiated by fact that contradict DEP binding plans. There are factual statements in the impact assessment document that are at odds with all four of these plans and none of the four plans are discussed and incorporated in the impact assessment, don't know how you get away with that?

There are statements made in the Infrastructure Needs Assessment with respect to water resources and infrastructure and those plans the department prepares were reference and the \$20 billion deficient was referenced, but the larger annual or biannual plans that DEP congress the Clean water act not incorporated in the Infrastructure Needs Assessment. Lastly, from the environmental angle this plan is very severely flawed.

Chair McKenna commented that he did not feel that the planning process had been hijacked and that the plan had been reviewed by at least five members of the Attorney General's office who have directly contraindicated such statements. Chair McKenna noted that he was comfortable with the Commission moving forward today.

Courtenay Mercer, NJ American Planning Association, representing 1,100 planners throughout New Jersey, commented that the Association had reviewed the plan and submitted written comments late last night/early this morning. Ms. Mercer noted that the plan and the administration's comments so far appear to be really encouraging to the planning community. Aligning the state agencies and getting everyone in order is important and APA was encouraged that it is moving in the right direction. She noted that she is hearing that the plan itself is seems more like a vision than an actual plan and that the meat of what of is being heard is not seen. RPA hopes that through the hearing process and public process there will be more refinement, particularly to the alignment of the requirements of the State Planning Act, that the criteria for growth/non-growth areas be expanded as well as the Garden State Values including more details and guidelines how the state agencies will use the plan to align their functional plans. Lastly, Ms. Mercer noted that once the Plan is adopted the Commission and the Administration will need to look at ways to encourage municipalities and counties to use the Plan to refine and align their plans.

The RPA is encouraged, but there is definitely some refinement need before formally adopting and they are happy to provide guidance.

Lucy Vandenberg, Executive Director of PlanSmart NJ provided comments on the draft final state plan. (Attachment B)

Wilma Frey, New Jersey Conservation Foundation commented that the foundation's Executive Director, Michele Byers, for 10 years was member of the State Planning Commission. While they are glad to see some movement in the state planning process they have serious concerns about the draft plan that is proposed to be released. Ms. Frey noted that she was sad to hear that the supporting documents were approved; since the major supporting documents were done in reference to the earlier 2009 draft plan and the cross-acceptance documents are dated June 2006. Both really appear to have no relevance to the SSP document that has been given as the draft. They feel that it is intellectually dishonest to pretend to be conforming to the state planning process while in fact throwing out the documents that were the result of the cross-acceptance process. She explained that there were many comments on the maps, the maps were changed and yet the public is being told that not only will the changes not be included, but the entire map will be thrown out after a year. She noted that the process seems to be going backwards and requested that there be a great deal more openness than what has happened thus far. She commented that cross-acceptance was very time consuming, energy intensive and overly long, it could be made more efficient, and it needs to be part of this process to have the public involved. In addition, the documents seem to suggest that the State Strategic Plan will be what the agencies have to conform to. They are concerned that the agencies like DEP have their own plans and regulations to follow and should not be pushed into a corner by the SSP to not implement them. Ms. Frey noted that the draft document itself disparages the Landscape Project, which protects threaten and endangered species in the State and one of the goals of the plan should not be to get rid of the Landscape Project. She stressed that New Jersey is a very small state and its natural resources are extremely limited in relationship to the extent of the population. If we expect to have any of them remaining the protection of the natural resources is a fundamental value that must be protected in the plan. She noted that, in the draft plan there is good language about conservation i.e. fee simple acquisition of natural resources, but there is no real language about the protection of natural resources. Furthermore, the issue of natural resources in the draft plan appears

to be general statements and lacks discussion about steep slopes, wetlands and stream corridors and all the other language included in State Planning Act.

Ms. Frey noted that New Jersey Conservation Foundation agrees with recommendations submitted by the Common Ground group. Stressing the need for location criteria to say where growth should or should not occur and there should be more details in the Garden State Values, and strengthened goals for protecting natural resources and public health. She also noted that public health is integrally connected with the protection of natural resources, water, clean air and the protection from flooding.

Lastly, Ms. Frey, thanked the Commission for entertaining comments and the Conservation Foundation looks forward to a much more robust public participation process in the review of the draft SSP.

Eileen Swan, Executive Director, Highlands Planning Council noted that she did provide comments on the draft Plan before the PDC. She also noted that she hoped that the state steering committee works with the regional planning entities and copies some of the models that are already working in those areas for example, the Meadowlands from an economic perspective-tax sharing; the Pinelands which is a national model for a regional plan and the Highlands for its successful implementation of its plan by having seen opportunities for economic growth relative to carrying capacity, redevelopment as well and its great work with agricultural retention with the Department of Agriculture. Lastly, she noted that the Council looks forward to working with the Commission to continue to protect resources while looking at opportunities for stable economic growth.

Sandy Batty, Executive Director of the Association of New Jersey Environmental Commissions commented that they have been following the State Plan for decades and came to the meeting with concerns about the adoption of draft final strategic plan and was disappointed not to be able to voice those concerns prior to adoption. She explained that many of their concerns have already been brought up but needed to reiterate that cross-acceptance was defined, by the law, as preparing plans at different governmental levels for the purpose of achieving compatibility between the local, county and state plans and that the plan that was adopted today had not gone through cross-acceptance. She noted that as chairman of her local planning board, when the draft strategic plan was brought up at a meeting last month some members of the board were not even aware of such plan. She commented that there has been no comparison of the local plans and the goal of having the state plan become a real state plan that guides growth for counties and municipalities too has not taken place. In addition, to the Plan not having a map it lacks locational criteria thereby prohibiting municipalities from knowing if they are in a regional innovation cluster or preservation zone. They are concerned that the Plan doesn't talk about sprawl and how it will be stopped. Nor does it talk about the limited growth area criteria and how it will be protected. Those protections need to be protected by not weakening environmental laws and regulations.

Ms. Batty commented that according to the State Planning Act "the plan shall include, but not limited to, agricultural development areas, fresh water and saltwater, wetlands, flood plains, stream corridors, aquifer recharge areas, steep slopes, areas of unique flora and fauna, and areas with scenic, history, cultural and recreational values." This plan doesn't even mention those.

She noted that ANJEC encourages the Commission to go back and spend time making the SSP into a definitive state plan that doesn't lose sight of the fact that a clean environment is essential for this state's future livability and economic prosperity.

Helen Henderson, American Littoral Society reiterated previous comments from the public regarding being able to give testimony prior to actions being taken. She noted that the American Littoral Society absolutely supports state planning that protects New Jersey's environmental resources while promoting a healthy economy, knowing they both go hand in hand and feels that New Jersey Conservation Foundation and the NJ Environmental Commission made those points quite well. They believe that the State Strategic Plan must be coordinated but should also respect statutes such as Pinelands, CAFRA, NJ Conservation Act and others, although without the criteria for growth in

conservation areas it is almost impossible that planning will reach that goal. The American Littoral Society is also opposed to doing away with any form of mapping. They feel without criteria it is going to make it difficult for the public to evaluate what areas in their communities will be at risk for unsustainable growth. They also feel that removal of the map removes a certain level predictability for what areas in the coastal zone will be developed. She noted that Planning Areas 2, 3, 4, and 5 were all very important in the cross-acceptance process and it was a forum to engage the public to understand what is going on. They agree with the Common Ground State Plan letter that was submitted and are looking for more action in terms of what the criteria is going to be defined. Lastly, she noted that at the very least they generally support the Garden State Values and aligning the agencies functional plans. We thank you for moving forward but feel there is a lot of work to be done.

Chair McKenna noted that he has had conversations with Commissioner Martin on some of the environmental concerns that were being discussed today and that the environment is a number one priority.

Commissioner Martin noted that DEP played a very key role in drafting the plan and stressed that it will not change the environmental laws or the environmental safety of the State. He explained that the State Strategic Plan will protect all the resources of the State. The overall game plan focused on the long-term and planning on a regional basis. It is to look at areas and where we could build from an economic point of view and still balance preservation and environmental protection and not get caught up on a town by town basis that we fight today or lot by lot. We want to deal more broadly and are focused on the environmental components. Economic growth is extremely important, and the preservation of resources is also extremely important.

Jennifer Coffey, Policy Director for the Stony Brook Millstone Watershed Association commented that they are very encouraged by the chairman and commissioner's comment regarding the role of the environment in the plan. She noted that, in their evaluation of the plan it includes many of the key ingredients that are necessary for successful planning in New Jersey. However, in the initial assessment they see that the cake isn't quite baked yet. She noted that there has been little discussion about the need for flushing out some of the elements of the plan. By way of example, she noted that the plan talks a good amount about directing growth where infrastructure exists and where there is capacity but there is the opportunity in continuing public conversation on these issues. Including initiatives for aligning with the Water Quality Management Plan rules, sewer service areas and where do we have them where not. At the very core those Water Quality Management Plan Rules that were developed by a consortium of planners, local officials, counties official, and government officials talk about directing growth where infrastructure exists and where there is capacity and keeping it out of areas that are important to natural resources protection. She noted that her organization will be very interested in and will comment during the public comment period about directing growth where it makes sense, for redevelopment and protecting our natural resources. She commented that the plan also talks a lot about land preservation and only mentions natural resources protection. The State's natural resources are water, open space and farmland are tremendous assets to New Jersey. We can all agree there are quality of life assets, public health assets and there are economic asset, tourism, pharmaceutical industry, agriculture industry that are very closely linked to the quality of our water. She feels that there is opportunity here to develop this plan so it establishes a planning direction of not only preserving the State but for planning the protection and wide-use of its natural resources. While the plans talk a lot about growth and equal amount of preservation in the goals there is grey in the middle in terms of protecting our water resources for drinking, managing flood waters, and managing habitats in the interim when you are not in a priority growth location and you're not in a preservation area. There is a whole methodology to protecting resources that they will be talking about during the public comment period as well. Lastly, she noted that while we see a framework and a direction for directing growth and preserving land we think that the "cake is not quite baked yet", but is encouraged by what was heard today that this is an evolving process and there will be more development of this Plan.

Helen Heinrich, New Jersey Farm Bureau offered congratulations for finally brining a very long progress to an end. She explained that thousands of land-owners have been involved with the



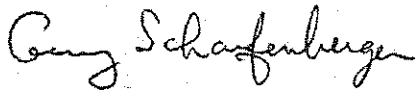
process since 2004 and they are encouraged with the movement and that land-owners will see that. She noted that the NJ Farm Bureau was holding their annual meeting today and developing their policy for the next year and discussing how the State Plan falls into that policy. Therefore, the Farm Bureau will be getting back to the Commission with detailed suggestions. They are really very pleased to see the emphasis on economic development and how it is seen from the perspective of the agriculture industry.

David Pringle, Campaign Director, Environmental Federation commented that they concur with some of the comments that have already been said and that this plan is actually needed. It is common sense for the State to spend its resources where economic/smart growth should be occurring and not spending it where it doesn't want growth to occur. He noted that as always the devil is in the details and it is understandable that these are the early stages of this plan but those details and the process that leads to those details will be critical in this plan's agenda. They do have a lot of concerns around those details. He understands that the Commission wants to move forward as quickly possible but it needs to be careful that it doesn't move too fast and in fact slow the process down in the long run and be too much of a top down approach and it will not get the necessary buy-in to make the plan successful. He explained that the Federation along with New Jersey Future facilitates this Common Ground Group and believes that the Commission received their comments on Friday afternoon. He noted that there were six major recommendations and obviously like any coalition there is disagreement on some of the details, although most of the disagreement is on emphasis and timing, not on content. Their focus is on the environmental protection criteria as the plan moves forward and they are concerned with the rhetoric in the plan concerning the Landscape Project Map and the Water Quality Planning Management Rules. He feels it suggests that there hasn't been any planning done. He noted that there has been plenty of planning done in the State in fact no town does anything without planning they have a master plan. It may not be a very good plan but the planning has occurred. The key will be the criteria and how the growth areas are defined, how the preservation areas are defined, and even trickier, how the limited growth areas are defined. They are concerned with the in between areas and where the regulations will kick in and where that might be. We urge the commission to flush out those details not too fast, the criteria can be critical and we will work very hard to make sure we grow in the right places, preserve in the right places, regulate in the right way in everywhere else.

#### ADJOURNMENT

With no further comments from the Commission or the public, Chair McKenna thanked Director Scharfenberger and Deputy Director Kennedy and the members of the Commission and asked for a motion to adjourn. The motion was made by Commissioner Eskilson and seconded by Commissioner Michnewicz. All were in favor. The meeting was adjourned at 10:46 a.m.

Respectfully submitted,



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Gerard Scharfenberger, Ph.D.  
Secretary, State Planning Commission

Dated: November 16, 2011

NEW JERSEY STATE PLANNING COMMISSION

Attachment A

DATE: NOVEMBER 14, 2011 TIME: 9:30 AM

LOCATION: COMMITTEE ROOM 15, STATE HOUSE ANNEX, TRENTON, NJ

NAME	AFFILIATION & ADDRESS	PHONE
Jessica Lucas	Gloucester County Planning 1200 N. Delsea Dr. Clayton NJ 08312	856/3076650
Susan Weber	<del>Gloucester County Planning</del> NJDOT	609-538-3458
Jennifer Coffey	Stony Brook - Millstone Watershed Assn	609-737-3735 ext 18
Bill Wolfe	Citizens, Rutgers, NJ	
Chris Sturm	NJF	609-393-0008
Courtney Moran	NJ APA	
Roberta Lang	NJDA	
Larry Lippitt	NJ Pinelands Commission	609-894-7300
Jeff Tittel	Sireva Club	
Lucy Vandenberg	Plan Smart NJ 118 W. State St Trenton	609-393-9434

NEW JERSEY STATE PLANNING COMMISSION

DATE: NOVEMBER 14, 2011 TIME: 9:30 AM

LOCATION: COMMITTEE ROOM 15, STATE HOUSE ANNEX, TRENTON, NJ

NAME	AFFILIATION & ADDRESS	PHONE
Sueley Betty	ANSEC P.O. Box 157 Mendham 07945	973 539 7547
Heaven Hernandez	NJ Farm Bureau	
Helen Henderson	American Litteral Society	
David Cingle	NJ Env'l Fed.	
Gwen Chadwick	APA - NJ	
Wilma Ikey	New Jersey Conservation Foundation 170 Congview Rd, Far Hills, 07931	908-234-1225
Bob Jordan	Gamut	
Jim Lewis	NJ DOT	609-570-2884

**Testimony to the State Planning Commission**  
**Lucy Vandenberg, Executive Director**  
**PlanSmart NJ**  
**November 14, 2011**

Good morning. Thank you for the opportunity to present comments on the draft State Strategic Job Growth Plan for New Jersey. I am Lucy Vandenberg, the Executive Director of PlanSmart NJ. PlanSmart NJ is a 40-year old statewide independent, non-profit planning and research organization committed to improving the quality of community life through the advancement of sound land use planning and regional cooperation.

PlanSmart NJ has long been an advocate for an effective State Plan. We have been a leader in advancing new policy frameworks to strengthen state and regional planning and implementation here in New Jersey. We have also been a leader in calling for more attention to be paid to the condition of New Jersey's economy, and brought attention to these issues long before the recession hit. Earlier this year, we hosted a conference of business leaders to discuss how stronger transportation infrastructure, more housing near jobs, and 24/7 livable communities can all contribute to a strong and healthy economy.

For all these reasons, we were pleased to see the State release a new State Strategic Plan last month. We join the chorus of voices who have called for better implementation of the State Plan. We agree that implementation of the 2001 State Plan never truly materialized, that State agencies weren't called upon to conform their regulations and policies to the State Plan, and that municipalities didn't have a clear path or solid incentives to justify their participation.

This new State Strategic Plan is a tremendous leap forward in many ways. It is a clear document that can be implemented. It focuses more on leadership and vision than on management. It recognizes the key role that our economy has to play in planning. It introduces the concept of "industry clusters" for New Jersey, which PlanSmart NJ long advocated and which has served as a national model elsewhere. It creates a Steering Committee at the highest level of state government to ensure State agency coordination. It requires the development of State Agency functional plans, a key provision that PlanSmart NJ has long promoted. It calls for a long-term funding source for open space preservation.

We thank you for your leadership in these areas and for your thoughtful inclusion of these key principles.

Of course, we have some suggestions to further develop the Plan as you move forward.

- The draft State Strategic Plan proposes to leave New Jersey's locally driven zoning and planning process as is; instead using an incentive-based point system to spur State Plan participation. Implementing the State Strategic Plan could prove to be a challenge, however, when state-identified projects of regional economic significance face local opposition. This is particularly true if the projects seek to provide both housing and jobs within a compact development blueprint, as many municipalities are averse to zoning for housing, particularly multi-family housing.

The same could be said of attempts to alter low-density sprawl patterns of housing development, which are generally the result of municipally-driven planning and zoning decisions. We suggest that you consider a pilot program that allows for a regional project level review for one of the geographic areas you select. We also suggest that you look at ways to modernize the MLUL and the County Planning Act to reflect the ideas you have contained in the new State Plan.

- New Jersey's counties and regional planning entities should play a broader role in implementing the State Strategic Plan. It would make sense to give them both more planning authority and capacity-building support so that they can effectively foster sustainable regional economic development and facilitate mixed-use compact communities in their regions. Some counties and regions are already well-positioned to provide this expertise. In others, the State will need to build that capacity to see regional planning efforts succeed there.
- The Plan proposes a criteria-based system to identify where growth should occur and where conservation should take place. This criteria-based system is intended to replace the State Plan Policy Map. This set of criteria should be further developed so that there is a transparent and predictable system for identifying where growth should be fostered and where environmental protection should be sought.
- The State Strategic Plan Steering Committee is a much-needed vehicle to spur interagency coordination, communication and dispute resolution. The Steering Committee should also play a broader role in ensuring that state agency policies, regulations and investments align before they are adopted. They should not just address emergencies and conflicts after the fact. In this way, state department actions will be coordinated under the common framework of the State Strategic Plan, rather than working at cross-purposes.
- The State Strategic Plan appropriately identifies institutional change as a guiding principle for state decision-making. The Executive Order creating the State Strategic Plan Steering Committee is a good start. Amendments to the State Planning Act, the County Planning Act, and the Municipal Land Use Law are also needed to make these changes stick.
- Lastly, PlanSmart NJ generally endorses the positions put forth by the Common Ground coalition. These recommendations are attached, and include:
  - Incorporate locational criteria to determine where growth should occur
  - Develop planning and design standards to influence how growth should occur
  - Require adherence to the Garden State Values
  - Strengthen goals for protecting natural resources and public health
  - Follow the State Planning Act
  - Set a positive and inclusive tone

PlanSmart NJ thanks you for the opportunity to comment and we look forward to working with you to further develop and implement the State Plan.

**Common Ground State Plan Group  
Recommendations Regarding the State Strategic Plan**

**1. Incorporate locational criteria to determine where growth should occur**

For the State Strategic Plan to replace the State Development and Redevelopment Plan it must have specific and objective locational criteria that enable the public and government agencies to know where the state will support growth and where it won't. At a minimum, locational criteria will need to be developed and incorporated into the plan that identifies priority growth areas, limited growth areas and priority preservation areas (agricultural and open space). *(See #B4 on attached "Comparison" document)*

**2. Develop planning and design standards to influence how growth should occur**

The existing State Development and Redevelopment Plan does a good job of describing the patterns and forms that development should take in various parts of New Jersey. The State Strategic Plan should emphasize the importance of scale and good community design, beyond the discussion in the Garden State Values. The plan should be amended to address this issue. *(See #A2 on "Comparison" document.)*

**3. Require adherence to the Garden State Values**

Economic, environmental, social justice and quality of life values must be met simultaneously in agency strategic plans, not one at the expense of the other. Agency strategic plans should be required to be consistent with the Garden State Values. The Garden State Values should be incorporated into the "Guiding Principles for State Decision Making" in the State Strategic Plan. Other state implementation measures, such as the municipal and project score cards and state agency capital plans, must also explicitly conform to the Values. *(See #A3 on attached "Comparison" document)*

**4. Strengthen goals for protecting natural resources and public health**

The first requirement in the State Planning Act for the State Development and Redevelopment Plan is to "protect the natural resources and qualities of the state . . ." The State Strategic Plan emphasizes land preservation. It does not adequately address the need to protect water, air, wildlife and other natural resources wherever they are located. It does not adequately address environmental quality issues nor the cumulative impact of pollution felt by already overburdened cities cited in the plan for more development and industrialization. The State Strategic Plan should reflect these goals, through revisions to Goal 3 and better integration of the Garden State Values. *(See #A1 on attached "Comparison" document.)*

**5. Follow the State Planning Act in both substance and process**

The State Strategic Plan, as the new State Development and Redevelopment Plan, draws its legitimacy from the State Planning Act. The State Strategic Plan and its various implementation components must be consistent with the State Planning Act in spirit, intent, and letter of the law with regards to substance and process. There are inconsistencies between the State Strategic Plan and the State Planning Act that could be problematic. *(See attached.)* The State Planning Commission must maintain its statutory role to ensure transparency and accountability to the State Planning Act. It must have a full contingent of appropriate members qualified to support the goals of the Act, prior to adoption of the Strategic Plan. (A5)

**6. Set a positive and inclusive tone**

The State Strategic Plan should be a document that can stand up over time and be used by many different stakeholders as a rallying point. To this end, the language and tone of the plan must be positive. The plan should be re-edited to remove negative or inflammatory language.