



State of New Jersey

DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
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CHRIS CHRISTIE
Governor

GERRY SCHARFENBERGER, Ph.D.
Director

KIM GUADAGNO
Lieutenant Governor

**New Jersey State Planning Commission
Minutes of the Meeting Held on February 17, 2016
State House Annex
Committee Room 1
125 West State Street, Trenton, New Jersey**

CALL TO ORDER

Vice Chair Eskilson called the February 17, 2016 meeting of the New Jersey State Planning Commission (SPC) to order at 9:42 a.m.

OPEN PUBLIC MEETINGS ACT

Vice Chair Eskilson 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

John Eskilson, Public Member
Roberta Lang, Designee for Douglas Fisher, Secretary, Department of Agriculture
Dave Vitali, Designee for Lt. Governor Kim Guadagno, Department of State
Andy Swords, Designee for Richard Hammer, Acting Commissioner, Department of Transportation
Shing-Fu Hsueh, Mayor, West Windsor, Public Member
Rick Brown, Designee for Bob Martin, Commissioner, Department of Environmental Protection
Ray Martinez, Chief Administrator, Motor Vehicle Commission
Charles McKenna, Chief Executive Officer, Schools Development Authority
Thomas Michnewicz, Public Member
Don Palombi, Designee for Charles Richman, Commissioner, Department of Community Affairs

Members Not Present

Edward McKenna, Chairman, Public Member

Others Present

(See Attachment A)

PLEDGE OF ALLEGIANCE

Vice Chair Eskilson asked everyone to stand for the Pledge of Allegiance.

APPROVAL OF MINUTES

Vice Chair Eskilson asked for a motion to approve the Minutes of the January 20, 2016 meeting. Commissioner Lang made the motion and it was seconded by Commissioner Palombi. With no further discussion, all were in favor, no opposed or abstentions.

CHAIR'S COMMENTS

There were no comments from Vice Chair Eskilson at this time.

DIRECTOR'S REPORT

Director Scharfenberger reported that since the last SPC meeting, the Office for Planning Advocacy has continued to work on a number of ongoing projects.

The corporate campus project continues to be one of OPA's primary initiatives. Meetings have been scheduled with the mayors of Park Ridge, Little Ferry and Montvale to discuss sites within their municipalities. While Park Ridge and Little Ferry are new to the corporate campus initiative, OPA has been working with Montvale for over a year on the former Mercedes and A&P headquarters. There has been, however, a change in the governing body of Montvale as of the first of the year that necessitates a revisiting to determine the new administration's vision for the properties and what changes they are now willing to implement to help attract new tenants/development to the sites. OPA is also actively pursuing the Town of South Plainfield to convene a follow up meeting about the vacant Motorola site. He noted that a number of meetings have been scheduled only to have them postponed for a variety of reasons.

The Interagency Work Group last met on December 4. The morning session focused on three brownfield sites within the Great Falls Brownfield Development Area (BDA) in Paterson, NJ, and the afternoon session focused on Combined Sewer Outflow (CSO) communities that are currently in planning for systems separation. The three Paterson BDA projects that were presented in the morning session included the city's historic raceway system, Allied Textile Printers Company site, and Hinchcliffe Stadium.

OPA recently met with representatives from the EPA to plan the coming year's Interagency Work Group meetings. It was decided that the next meeting should be scheduled for late Spring, with an additional one to two proposed for the remainder of the year. On a related note, OPA and the TAB Coordinator discussed the possibility of hosting a brownfields redevelopment forum specifically for municipalities to alert them to funding opportunities and what OPA can do to assist them in turning vacant or underutilized sites into revenue-generating, job-creating properties.

OPA also continues to participate in the Fort Hancock Redevelopment Task Force. At the most recent meeting held February 5th, Director Scharfenberger offered the team a future IAWG meeting as a means of helping to move the initiative along. The task force was very receptive and asked if Fort Hancock could be considered for the next available meeting.

OPA facilitated the first Brownfields Redevelopment Interagency Team (BRIT) meeting of the year on January 21. The BRIT reviewed two projects: The City of Hoboken and Bijou Properties presented the Monroe Center Redevelopment Project and the City of Perth Amboy and Viridian Partners presented the Gateway Redevelopment Project that included Field Station Dinosaurs Park, the Six Pack Academy and Makerhood.

OPA recently met with representatives from Garfield about the redevelopment of the former Kalama Chemical Site. The city engineer was also at the meeting and provided OPA with a copy of the redevelopment plan for the site. The property is located on River Road directly overlooking the Passaic River. The site may be a candidate for a future BRIT or IAWG meeting in the near future. A follow-up meeting is tentatively scheduled for February 26 to discuss concept plans for the site.

OPA continues to work with representatives of Lopatcong, Phillipsburg and OPUS Industries on the redevelopment of the Ingersoll Rand site. Both towns have signed agreements with OPUS and OPA is currently assisting with expediting permits from DOT and DEP. The Highlands Council was also contacted for their input on the project. OPUS recently received a letter from DOT which gives their concept approval for the signaled dual left turn lane off Route 22 into the property. This is excellent news for the redevelopment; since this access is one of the key features that will make the project viable and allow OPUS to compete with projects in Pennsylvania.

Director Scharfenberger also noted that, Alan Miller, who many of SPC members have worked with over the years, has left OPA to go to DEP. While this is a huge loss for OPA and the OPA staff is sorry to see him go, everyone is very happy for this great opportunity and find some solace in the fact that we may still have the opportunity to work with Alan in his new role.

In closing, Director Scharfenberger once again thanked the members of the Commission, the Administration and State Agencies for all of the support and assistance they provided to OPA on its various initiatives.

NEW BUSINESS

Resolution 2016-01 Approving the Petition for Plan Endorsement Submitted by Lakewood Township, Ocean County and Designating Centers

Commissioner Michnewicz announced that he would be recusing himself from the Lakewood discussion and left the dais at this time.

Barry Ableman provided a PowerPoint presentation on the "Plan Endorsement Draft Report for Lakewood Township." During the presentation, Mr. Ableman provided an overview of the Plan Endorsement Process for Lakewood, reviewed the demographics and population projections, reviewed the proposed map amendment changes, reviewed how Lakewood's Smart Growth Plan was consistent with the goals of the State Development and Redevelopment Plan and reviewed the public comments received regarding the township's petition.

Lastly, Mr. Ableman noted that Lakewood's Smart Growth Plan uses the State Development and Redevelopment Plan (State Plan) as a guide and that their planning vision was consistent with the State Plan. The recommendation of the Office for Planning Advocacy is to provide Lakewood Township with conditional Plan Endorsement. The conditional endorsement requires that Lakewood update their zoning ordinance, adopt Protection Ordinances, identify and preserve parcels within the Kettle Creek watershed, Crystal Lake Preserve Area and areas adjacent to the Metedeconk River or tributaries, and coordinate with the Lakewood Township MUA and NJ American Water to develop a 10 year plan to ensure adequate water supply, including adequate capacity for existing development and future growth.

Vice Chair Eskilson noted that Lakewood's petition was fully reviewed by the Plan Implementation Committee and it was recommended unanimously to go to the full SPC for endorsement. Vice Chair Eskilson asked if any members of the governing body wished to comment on Mr. Ableman's presentation.

Stan Slachetka, T&M Associates, planning consultant for Lakewood Township thanked Mr. Ableman for his very comprehensive presentation. He noted that as a planner, this was the third time that he had been involved with the Plan Endorsement process; it had also been the most challenging but at the same time the most rewarding of the three.

Mr. Slachetka noted that the township's perspective is that they want to grow correctly. He explained that there were significant challenges with growth with regards to the population projections and from his perspective, that was the most critical issue facing the township.

He noted that even if the growth projections are not achieved the actual population over the next three decades must be looked at. He further explained that the township wants to be conservative in terms of their approach to ensure there is adequate housing, adequate public facilities and that in turn the township is also conversely preserving the important natural resources within the township. He noted the efforts by the township to accomplish this specifically with regards to the non-contiguous clustering ordinance and the preservation strategies and approaches to create that correct balance within the township. He noted that he felt, from a planning perspective, the township was doing the right thing. He further noted that as a professional working with the township going through the whole process, and going through the visioning process that the community went through over the course of the last decade or so they understood the diversity in the population, the needs of the population for housing, for public services, for open space and recreation, essentially the citizens of Lakewood Township want to have "smart growth", that balance of growth with preservation to make a community for themselves. Just like any community in the State of New Jersey.

He further explained that the opportunity the township would receive through Plan Endorsement to implement policies through a comprehensive Planning and Implementation Agreement (PIA), he feels is not going to be a challenge but essentially a success story for Lakewood in terms of the planning policies and approaches.

He noted that over the course of the last five years or so Lakewood has worked with the Department of Environmental Protection and established a framework for preservation which includes the non-contiguous clustering ordinance that is proposed as part of the Lakewood's overall comprehensive plan.

He further noted that Lakewood Township will be the largest community to be implementing a non-contiguous clustering ordinance as part of their comprehensive plan. He feels that it will be a model and will be something that other communities within the State and across the country can take a look at and say that it is an effective public/private partnership for the preservation of open space and natural resources within a community. He also noted that he felt it would be the biggest testament to the importance of Plan Endorsement that the SPC would be granting as part of this process.

Finally, he noted that it is important to understand from the township's perspective the growth challenges it is facing and putting it in the context of the need to provide adequate housing. He feels that one aspect of the population projections that is important to understand is that when you take a look at some of the housing production numbers over the course of the last decade or so, there is a significant and major gap between the housing production and what the population projections are. It is critically important not only for Lakewood Township, but other communities within the region, to have a Smart Growth Plan implemented within Lakewood to take the regional growth pressures off the surrounding areas and put growth and development in a very sustainable development pattern, where the shopping, services, and the transportation that the community that has been implementing and planning over the course of the last decade or so is actually located. He further noted that the township has adopted a Transportation Improvement District ordinance for two critical areas of the township where the Cross Street Core is to be located and where the Oak Street Core is to be located; thereby creating a funding source for transportation infrastructure within the township. Lastly, he noted that Lakewood's plan is a comprehensive balance, it is a balanced plan, a plan that provides for preservation but also provides for growth in a very sustainable and smart growth pattern. He noted that this was his planner's perspective and the township officials would share their own community's goals and perspective. Mr. Slachetka urged the SPC to adopt the conditional Plan Endorsement approval.

Meir Lichtenstein, Committeeman, Lakewood Township noted that he has been working on behalf of the township committee and with the township's professionals and the State's professionals to see this process through since 2005. He thanked the SPC for having Lakewood on the agenda today and echoed the presentation from Mr. Ableman and Mr. Slachetka's comments; noting that Lakewood has a lot of growth going on and they very much want to manage it correctly. He further stated that the township has a lot of growth pressures and by having this plan conditionally passed today by the SPC

will be reinvigorating Lakewood to move ahead with their master plan this year, and a PIA that allows for, 18 months to 2 years to get a lot of the items done; the agreement will be an engine to drive to get it done. Mr. Lichtenstein commented that Lakewood has a lot of pressures with people trying to purchase or get the town to let development in some of the areas that have been highlighted for environmental protection and open space. Having this plan and having the opportunity to do something like non-contiguous clustering is giving them the opportunity to tell people look the State is working with us so that we can have the proper infrastructure gives us more of a "backbone" or gives us more of a strength to protect those areas that we are looking to have protected. Further noting that it gives the township an opportunity to continue to develop their industrial and commercial projects, a lot of businesses are in Lakewood and it also provides the opportunity to work on the transportation systems. He thanked the SPC for having Lakewood on the agenda and hoped that the SPC finds their plan to be appropriate and good for Lakewood; so that they can continue to do the right thing for their community, for the surrounding communities and that the SPC gives their vote of confidence.

Vice Chair Eskilson thanked the Lakewood representatives for attending and for their persistence for more than a decade in the process.

Vice Chair Eskilson asked for questions or comments from the SPC. There were none at this time. Vice Chair Eskilson opened the floor up for public comment on the Lakewood Township presentation.

PUBLIC COMMENT on Lakewood Township Presentation

David Krenkel, Esquire, attorney representing, Ms. Laurie Leeds, a property owner who owns approximately 30 properties in Lakewood thanked Mr. Ableman for providing him with all the necessary documents on very short notice.

Mr. Krenkel explained that in going through the plan, Ms. Leeds owns a piece of property in the Cedar Bridge development area. He explained that the property in question, Lot 931.1, was shown on the 2013 Smart Growth Map and that the property was outside of the park. However, when you pull up the map now, it appears that 931.1 looks like it is included in the park. The concern is that, Ms. Leeds does not want this property in the park, she would like that property to be outside the park. He further noted that she was told it would be outside the park, but from looking at the map she was unable to get clarification on her own. Ms. Leeds has made several phone calls herself. He noted perhaps with the township planner present perhaps she may be able to shed some light on the matter. He noted again that their concern was that the property in question not be in the park.

Vice Chair Eskilson asked for clarification on the property being a Planning Area 5 (PA5) designation or an actual park designation. Commissioner Brown confirmed that it was a PA5 Environmentally Sensitive designation.

Mr. Krenkel further noted that he believed that this was the area where the Lakewood Blue Claws have their field. It is a critical concern that property 931.1 not be in that park or designated as a park. Mr. Krenkel stated that his next concern was that Ms. Leeds owns about 30 properties and when the map is blown up and reviewed numerous numbers of her lots are not showing up on the map; which raises some concern. He explained that he and Ms. Leeds do not know what was considered in the process that preceded the map. He noted as an example for the record that, block 191, lots 10, 12, 13, 2, 8 and 9 were missing from the map and the same for block 1042, lots 6 & 9 and that there were additional ones. They don't understand why those lots were missing from the map and would like for that matter to be addressed before the resolution is passed; so that they could know the final impact of all of Ms. Leeds properties. He stated that those were the two major concerns to be addressed today and that Ms. Leeds would also like to be heard and then he would like to speak, just briefly, after Ms. Leeds.

Laurie Leeds, property owner, expressed her concern that if property 931 was to be included in the park it would make the property worthless. She noted that it was previously taken out and now a plan

amendment to the Cedar Bridge Development Plan, by Mr. Slachetka from T&M Engineering, put the lot, which is a whole block and is worth \$14 million, back in the Cedar Bridge Park which makes the block of land worthless. She further noted that she hoped that if the SPC approves the plan that the matter could be looked into and that the township hasn't done it. It is very aggravating.

Vice Chair Eskilson noted that there is a distinction between the SPC and a classic municipal zoning map that sets use, densities and those types of items; the SPC was not doing any of those items. He acknowledged that there are implications and consequences of certain map designations and that they would discuss that further before action was taken.

Ms. Leeds commented that she was told as soon as the matter was approved that they were going to pass it at the committee meeting and would not have a chance to do anything about it. She expressed that it is very detrimental to her. She stated that the new Route 9 Highway Core that was put in the new map, and she was never noticed about and that it was not in the original Smart Growth Plan. She explained that she has 13 properties in that area and that she was selling them and duplexes could be built on them. The Route 9 Core encompasses all those properties and duplexes are not in that. She noted that by forming the core and including her properties they are made worthless and they are in reality worth \$20 million. She noted she did not want to have to go to any kind of litigation. She further expressed that it is not fair to pass something that could be very detrimental to somebody. She wants the properties put back so duplexes can be built in that area; she has a buyer for the properties.

Vice Chair Eskilson explained that the SPC does not get involved with the specific uses of properties; those matters were solely for the municipal zoning and planning boards. He noted that obviously again there are implications and consequences with the State Plan Map designation; but the issues of duplexes vs. something else is a municipal zoning and planning issue.

Ms. Leeds expressed that if the SPC was going to pass the plan it should address what they are doing with her properties.

Vice Chair Eskilson commented with respect to the larger property on the map it appeared to have some environmental constraints and asked DEP for some clarification.

Commissioner Brown commented that the area in the vicinity of the Cedar Bridge Development has been subject to several different CAFRA permits over the years. He explained that there was the Blue Claws stadium and as a result of the Blue Claws stadium an area adjacent to it was required to be deed restricted. In addition, noting that when the stadium was being built there was an approval for the Cedar Bridge Office Park. He believes, roadways were planned and the storm water basins were put in but it really never took off. However, it was required that an additional area be deed restricted which happens to be the entire area that is shown to be proposed for PA5 in the area adjacent Ms. Leeds property. He further noted that Ms. Leeds property, in and of itself, is in the adopted sewer service area and when he looks at the map it looks like the one property that Ms. Leeds is concerned about is not in the proposed PA5; it would be in the Suburban Planning Area.

Vice Chair Eskilson asked for clarification that if the property of concern was in a planned sewer service area. Commissioner Brown confirmed that it was and that the county's entire Waste Water Management Plan had been adopted.

Vice Chair Eskilson commented that a review of the State Plan Map was need and if, in fact, there was a PA5 designation and it was within the sewer service area it needed to be amended. Commissioner Brown noted that he believed the area was in a Suburban Planning Area (PA2) and not within the PA5. Vice Chair Eskilson suggested that on this matter and with Commissioner Brown, on behalf of DEP, confirm that the area was in an approved area, suggested that any approval that the SPC considered that the condition that if in fact the property was designated as PA5 the SPC modify it back to a PA2; which would be consistent with the sewer service area designation. Commissioner Brown offered that perhaps the SPC could consider that "in conditionally approving the map that there

be some provision for minor adjustments where new facts demonstrate that there is a need for correction.”

There was a brief discussion regarding the highway core area and whether the area precluded residential development. Mr. Ableman noted that there was nothing from OPA's perspective explaining that the reason why the areas were made cores was because there was not going to be mixed use development, if there was to be a mix of use the areas would have been made centers. It was also noted that the SPC's designation does not preclude that type of development from occurring.

Vice Chair Eskilson asked for any other comments from the public on this matter.

Mr. Krenkel asked for clarification on what was happening with the property.

Mr. Ableman explained that as far as the map changes, if the SPC endorsed the plan today, the map changes would not be in effect today. He noted that his understanding of the proposal that was discussed was that if there were any errors in our understanding of where the PA2 line was drawn that a correction could or would be made.

Vice Chair Eskilson commented that if DEP has determined that area was within an approved sewer service area, they have already made a determination that the area is not environmentally constrained. The PA5 designates that environmental constraints are present or series of environmental constraints are present. He further noted that the issue was pretty much resolved with the confirmation that the area was within a sewer service area and that any eventual map modification will reflect that change or the retention of the PA2 designation whatever the case may be.

Mr. Krenkel asked for confirmation that the area was is in a PA2. Vice Chair Eskilson confirmed and noted that with the sewer service designation, in a lot of areas in the State that was essentially a “golden ticket.” He further explained that it doesn't necessarily mean that sewers are present but it means that if sewers need to be extended there is plant capacity and can happen - not that it is precluded.

Commissioner Brown noted for the record that the department worked very hard to ensure that the proposed and adopted sewer service area map was completely identical to Lakewood's proposed demonstrated growth areas. The areas the department thought were environmentally sensitive were left out of sewer service areas that also meant that they were not included in one of the designated growth areas. To the extent possible the department tried to mirror the work that was previously done by the SPC, the township and Ocean County, but that is not to say it was perfect and was why he suggested that the SPC have some provision for minor adjustments as needed.

Vice Chair Eskilson suggested that the issue was largely resolved but by all means Mr. Krenkel should monitor the SPC's progress and work on the map and if he was to see something going astray he should reach out to the SPC.

Mr. Krenkel concurred that he felt they had the ability to have the minor adjustments and the process could be monitored.

Vice Chair Eskilson closed the public comment period.

Vice Chair Eskilson asked for a motion to approve Resolution No. 2016-01 Approving the Petition for Plan Endorsement submitted by Lakewood Township, Ocean County Designating Centers with conditions noted by Mr. Brown earlier in the proceedings. Commissioner Swords made the motion and it was seconded by Commissioner Martinez. With no further discussion, Vice Chair Eskilson, asked for a roll call vote. Ayes: (9) John Eskilson Roberta Lang, Dave Vitale, Andy Swords, Shing-Fu Hsueh, Rick Brown, Ray Martinez, Charles McKenna, Don Palombi,: (0). Abstains: (0). Resolution 2016-01 was approved.

PUBLIC COMMENT

There were no public comments at this time.

COMMISSIONER REPORTS

There were no Commissioner Reports.

ADJOURNMENT

With no further comments from the SPC or the public, Vice Chair Eskilson asked for a motion to adjourn. The motion was made by Commissioner Lang and seconded by Commissioner Brown. All were in favor. The meeting was adjourned at 10:33 a.m.

Respectfully submitted,



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

Dated: March 11, 2016

Attachment A

NEW JERSEY STATE PLANNING COMMISSION

DATE: FEBRUARY 17, 2016 TIME: 9:30 AM

LOCATION: STATE HOUSE ANNEX, COMMITTEE ROOM 1

NAME	AFFILIATION
Vanessa Melis	Professional Planner
David Kranke	Attorney for Ms. Laurie Leeds Property Owner
Susan Weid	NJDOT