



## 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 on April 19, 2017  
State House Annex  
Committee Room 1  
125 West State Street, Trenton, New Jersey**

### **CALL TO ORDER**

Chair McKenna called the April 19, 2017 meeting of the New Jersey State Planning Commission (SPC) to order at 9:36 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**

John Eskilson, Public Member  
Roberta Lang, Designee for Douglas Fisher, Secretary, Department of Agriculture  
Dennis Robinson, Designee for Lt. Governor Kim Guadagno, Department of State  
Andy Swords, Designee for Richard Hammer, Commissioner, Department of Transportation  
Shing-Fu Hsueh, Mayor, West Windsor, Public Member  
Dan Kennedy, Designee for Bob Martin, Commissioner, Department of Environmental Protection  
Charles McKenna, Chief Executive Officer, Schools Development Authority  
Don Palombi, Designee for Charles Richman, Commissioner, Department of Community Affairs  
Edward McKenna, Chairman, Public Member

#### **Members Not Present**

Ray Martinez, Chief Administrator, Motor Vehicle Commission  
Thomas Michnewicz, Public Member

#### **Others Present**

(See Attachment A)

### **PLEDGE OF ALLEGIANCE**

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

## APPROVAL OF MINUTES

Chair McKenna asked for a motion to approve the Minutes of the January 18, 2017 meeting. Commissioner Eskilson made the motion and it was seconded by Commissioner Lang. With no further discussion or questions. Chair McKenna asked for a roll call vote: Ayes: (9) John Eskilson Roberta Lang, Dennis Robinson, Andy Swords, Shing-Fu Hsueh, Dan Kennedy, Charles McKenna, Don Palombi, Ed McKenna. Nays: (0). Abstains: (0). The January 18, 2017 minutes were approved.

## CHAIR'S COMMENTS

There were no comments from Chair McKenna at this time.

## DIRECTOR'S REPORT

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

The corporate campus project continues to be an important initiative. OPA has been updating its inventory on a monthly basis as properties see new uses or redevelopment, or as new properties become available. The municipalities that are new to the inventory will be contacted to set up meetings for OPAs corporate campus best practices presentation.

OPA has continued to work with ROI Developers in their effort to bring a Great Wolf Lodge to Little Egg Harbor. A meeting with the developer was held at the offices of DOT to discuss the need for improvements to the Route 9 corridor in the vicinity of the proposed site.

OPA continues to participate in the Fort Hancock Redevelopment Committee. The most recent meeting provided an overview of the most recent Letters of Interest (LOI) from the Affordable Housing Alliance, M.A.S.T., and a number of private developers/businesses. Further updates will be forthcoming at the next meeting scheduled for April 28.

The next Interagency Work Group (IAWG) meeting is scheduled for June 19<sup>th</sup> in the City of Perth Amboy. It will be somewhat of a departure from past meetings in that it will feature only one municipality, Perth Amboy. At least two sites will be presented, along with the Combined Sewer Overflow (CSO) update for Perth Amboy and a tour of several brownfields sites.

OPA has been contacted by a number of towns inquiring about assistance with redevelopment projects. Among these are Seaside Heights, City of Beverly and the Borough of South Plainfield. Seaside Heights has two areas they would like to see redeveloped. One is a mixed use redevelopment project begun in 2008 and abruptly stopped midway through construction. At present, a framework of steel girders is all that has been completed which means that the original design must be used or the frame demolished to accommodate an entirely new plan. They are hoping that the property owner will sell to another developer so that the project can move forward. They are also interested in expanding the redevelopment area to include a partially vacant lot on a neighboring block. They also need assistance with redevelopment along the boardwalk that was damaged during Superstorm Sandy and a massive fire.

OPA recently met with representatives from the City of Beverly in Burlington County to discuss a number of brownfields sites that they would like to see redeveloped. There were six properties in total, with two among the most urgent in the city's eyes – a former industrial site along the Delaware River and a former factory site now a vacant lot in the heart of the city. OPA recommended bringing both sites to a future IAWG meeting.

Director Scharfenberger will be participating on a panel at a forum entitled "The Future of New Jersey's Suburbs" to be held on May 4<sup>th</sup> at Monmouth University. They asked that OPA speak about repurposing corporate campuses, infrastructure needs and open space preservation among other things.

OPA has also been asked by Neptune Township to assist with identifying a solution to a transportation problem that affects workers trying to get to and from jobs at Great Adventure Theme Park in Jackson Township. Conversely, Great Adventure often has trouble filling job openings as a result of the lack of transportation options. OPA is reaching out to Great Adventure to begin the process of a joint solution.

OPA is preparing for a BRIT meeting scheduled for April 20. Cape May County will be presenting their plans for the redevelopment of the Cape May Airport. The site is currently an interesting mix of uses including municipal, manufacturing, retail, a museum, in addition to the airport. The vacant Evelon building is slated for demolition and there are several brownfields areas that will need remediation. The County is anxious to see what assistance would be available from State agencies for the project.

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

## **NEW BUSINESS**

### **Staff Recommendation to Initiate SPC Initiated Map Amendment Process: Eagleswood Township – Ocean County (Motion), Colleen McGurk, Planner**

Ms. McGurk gave a PowerPoint presentation on the request to the SPC to enable OPA to move forward with a policy map amendment in Eagleswood Township, Ocean County. (Attachment B)

Ms. McGurk's recommendation to the SPC was to authorize OPA staff to initiate the public hearing process and then to report back to the SPC with a final recommendation on the proposed map amendment.

Commissioner Kennedy commented that he was affirming that the department is engaged in issues involving habitat within the proposed area. He explained that the maps that were shown during the presentation were general maps, where the department has a decent understanding of where resources are and are not. He further noted that the maps were not site specific with investigations that result in lines being drawn and that would be completed through a wetlands LOI process or habitat stability determination. Commissioner Kennedy noted that the department looks at the map amendment process as planning, not regulating, and feels the department does a good job of trying to engage in the planning phase to help afford known constraints to avoid permitting issues. He commended the Land Use Management staff, especially Rick Brown, for engaging with the property owner and his staff that deals with the water resource management side especially WQMP and sewer service area issues. He noted that they were confident that the lines being drawn are a general representation of the kind of development footprint that the department could support. Further, he noted that there were still steps that will need to be taken before any new development could take place under the purview of Coastal Zone Management, CAFRA rules and WQMP.

Rick Brown from NJ DEP commented briefly that the airport had previously completed some expansion work that should have required a CAFRA permit. Explaining that the CAFRA rules are tied to the SDRP and to get a CAFRA permit there is an impervious coverage requirement in the CAFRA legislation. He noted that the airport owners have engaged in the process to designate a node because it would give them the impervious coverage needed and would also legitimize the expansion work that was previously completed and allow for future expansion.

He noted that the original requested boundary was larger, and has a Category One waterway running through the area. He explained that there were lots that were adjacent to and across from the waterway and it was mutually agreed upon to pull those lots from the node. There were discussions within the department and it was determined that it was unlikely that permits would be issued for those lots. He also noted that it doesn't guarantee that there are no problems however, it was something the

department could easily support, CAFRA requirements for storm water management and tree recovery would still need to be addressed. He further explained that at some point should the SPC take formal approval on the proposed amendment it would then trigger commencement of DEP's review in order to be able to use the new boundary under CAFRA. He noted that he was committed to working with the Eagles Nest Airport representatives. He also thanked the mayor for his support.

Chair McKenna asked for questions from the Commission. There were none at this time.

### **PUBLIC COMMENT on Eagleswood Township Presentation**

Peter Weidhorn, owner/developer of Eagles Nest Airport, thanked the SPC for allowing them to present the application. He also thanked the New Jersey Department of Transportation for the almost \$3 million they have invested in the airport over the last 15 years. He thanked the mayor and town for being supportive. He explained that the airport looks nothing like it did when he purchased it and that the town at the time was trying to understand how it could deal with the blighted property. Now there is a successful business operation and he is personally very proud of the support he has received. He thanked his engineer for being present and Mr. MacNarma, President of the New Jersey Aviation Association, who would provide further input in support of the application. He also thanked Ms. McGurk for a wonderful presentation and synopsis. Mr. Weidhorn noted that it was hard to take two minutes to tell and express his emotion of what was accomplished today and for what will be a community asset. He reiterated that after Superstorm Sandy the airport became a viable storage location and command center for the National Guard and that it is utilized again and again by the Air Force, the Coast Guard and for other community activities. He noted he would be happy to answer any questions and was here today to make sure that going forward that all the rules and regulations that need to be followed will be followed and to also be respectful of the needs of the State as the airport is developed as privately owned--public use airport. He noted that that was a very important point-- privately owned public use airport. He noted that the airport could be sold to a developer for another use but that is not the intent. He noted that the privately owned public use airport is to support the State, the State infrastructure and that it is his love and commitment to aviation that brought him here today. He thanked the SPC for their time and for listening to the application.

Commissioner Kennedy asked for clarification on what kind of node was being proposed. Ms. McGurk confirmed that it was a transportation node.

Jack McNamara, Chairman of the New Jersey Aviation Association, former chairman of the Legislative Study Commission on Aviation, Chapter Law 1993 c.337 signed into law by Governor Florio and appointments made by Governor Whitman, commented that the Study Commission spent 10 years studying the legislature and the status of air transportation infrastructure in the State of New Jersey and made 13 recommendations to the legislature. He explained that the Commission was comprised of people from both parties, people from all walks of industry, etc. and that the report was unanimously adopted. He noted that one of the problems in New Jersey is the loss of airports. In 1953 NJ had 103 airports and it now has 48 airports, losing on average almost one a year. The reason being that these airports are not economically strong enough to sustain their investment. The Study Commission studied this problem and determined that the key to preserving air transportation infrastructure in New Jersey is by making the airports remain economically viable. The legislature was very interested, at that time, and I believe still is in public private partnerships. There is no better example of a public private partnership than a privately owned, public use airport. This may be the only and most pliable case in the State of New Jersey where an individual pays all the costs to provide a public transportation element. He noted that often for these individuals there is no economic justification, although it is getting a little better. A correlation study between facilities especially the length of runways and economic impact of our general aviation airports was completed. There was a .96 correlation, which is almost a perfect correlation between length of runways and economic impact on the community. The economic impact of airports is substantial. He further noted that in New Jersey Statute Title 6 the Aviation Act, in section 6:1-29 gives the sole authority for location, design and development, etc. to the Commissioner of the Department of Transportation. Having spent a lifetime in aviation law to understand the status, he does not understand how any

other body or commission has the planning control over an airport since the Statute specially identifies the Commissioner of the Department of Transportation. He further commented that the Commissioner of Transportation has already invested \$3 million in the airport. Speaking as the chairman of the New Jersey Aviation Association, the Eagles Nest airport is an important airport. It is important for the economic impact it is having and will continue to have and will grow in this area. He noted that NJDOT has spoken with its pocketbook and since by law it has the exclusive jurisdiction to approve something, it should be the last word. He thanked the Commission for allowing him to make his points.

Chairman McKenna commented that despite the law, the SPC would still be acting on the matter. Ms. McGurk commented that she understood that the statute doesn't take away township regulations or State rules, but they could be overruled by the DOT. Mr. McNamara said that was correct and noted that in the last four years, four cases went to the appellate division and sustained that point. Lastly, he noted that what the SPC does is very important and that was the reason that he attended the meeting.

Commissioner Swords noted that as the Commissioner of Transportation's representative on the SPC, he agreed with the statements made about the importance of the airport not only in the area, but in terms of the network of general aviation airports throughout the State. He also noted Max Patel from the aeronautics area of the department is very well aware of the importance of the airport. He explained that the work of the SPC has to proceed based on the State Planning Commission Act and State Planning rules and the department is very much supportive of that work as well.

Chair McKenna thanked the mayor for attending and noted the importance of having his support.

With no further comments or questions from the Commission, Chair McKenna asked for a motion, Commissioner Kennedy made the motion and it was seconded by Vice-Chair Eskilson.

With no further questions or comments on the motion, Chair McKenna asked for a roll call vote: Ayes: (9) John Eskilson, Roberta Lang, Dennis Robinson, Andy Swords, Shing-Fu Hsueh, Dan Kennedy, Charles McKenna, Don Palombi, Ed McKenna. Nays: (0). Abstains: (0). The motion to proceed with the proposed map amendment process was approved.

### **PUBLIC COMMENT**

There were no public comments at this time.

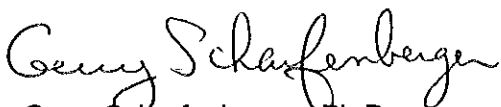
### **COMMISSIONER REPORTS**

There were no Commissioner Reports.

### **ADJOURNMENT**

With no further comments from the SPC or the public, Chair McKenna asked for a motion to adjourn. The motion was made by Commissioner Lang and seconded by Commissioner McKenna. All were in favor. The meeting was adjourned at 10:09 a.m.

Respectfully submitted,



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

Dated: April 25, 2017

NEW JERSEY STATE PLANNING COMMISSION

DATE: APRIL 19, 2017

TIME: 9:30 AM

LOCATION: STATE HOUSE ANNEX, COMMITTEE ROOM 1

NAME	AFFILIATION
Susan Weber	NJDOT
Michael J Pasternak	Eagleswood Twp Mayor
Peter Weidhorn	Essex/Orange Township



**New Business**  
Proposed Policy Map Amendments

**Agenda Item A: Eagles Nest Airport**

*Existing designation - PA 4*

*Proposed designation - PA 4 with an SPC Designated Node*



Eagleswood Township is located in Ocean County. The estimated population for Eagleswood is 1,603. Eagleswood Township was incorporated in 1874 from portions of Stafford Township and consists of 18.9 square miles.



### Procedure - SPC Initiated PM Amendments

- ❖ Current rules allow for the SPC to self-initiate map changes in limited circumstances
- ❖ "... N.J.A.C. 5:85-8.3...the SPC may initiate amendments to the Map based on new information related to the goals, strategies, policies and delineation criteria of the State Plan provided that the new information alters assumptions that were the basis for adopting the State Plan Policy Map for a particular area or areas.
- ❖ Other methods to change the map include Plan Endorsement Petitions / Requests from State Agencies & Landowners. The SPC must hold a hearing in the vicinity of the proposed map amendment & provide written notice to all owners of the property as well as all owners of property within 200 feet – along with all other public notice for hearing. N.J.A.C. 5:85-1.7(b)
- ❖ After public hearing, the SPC must consider input and make a finding that the map change is appropriate and authorize the change by official resolution



## Eagles Nest Airport is requesting a node designation

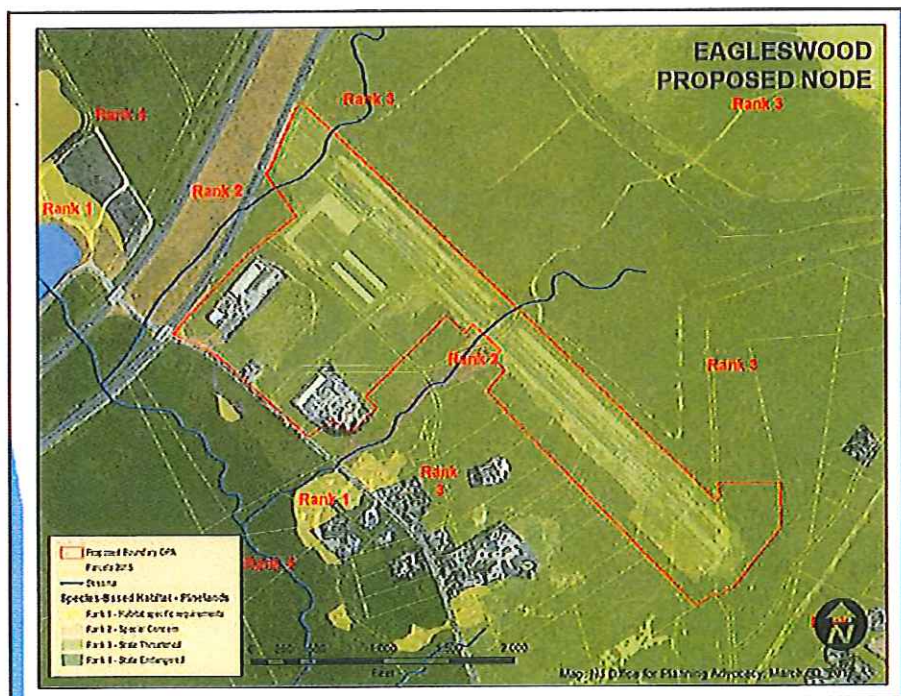
- ▶ OPA can support this based upon the State Development and Redevelopment Plan (SDRP)
- ▶ Current State Plan Map designation is PA4 but much of the existing land has been disturbed which has reduced the sensitivity of the area.
- ▶ The existing airport requires expansion to remain viable. The airport pays in excess of \$40,000 dollars in yearly taxes. It also supports multiple businesses, including Banner Towing and Skydive East Coast. The airport employs 70 people with a total payroll (direct and indirect) of 17.9 million.
- ▶ The total proposed area consists of approximately 115.2 acres, the current airport consists of 90.53+ and the additional area being added to the proposed node is 24.67+.
- ▶ Due to the nature of the use it cannot be located within a center.

### Initiate SDRP Policy Map Amendment Consistent with State Planning Rules

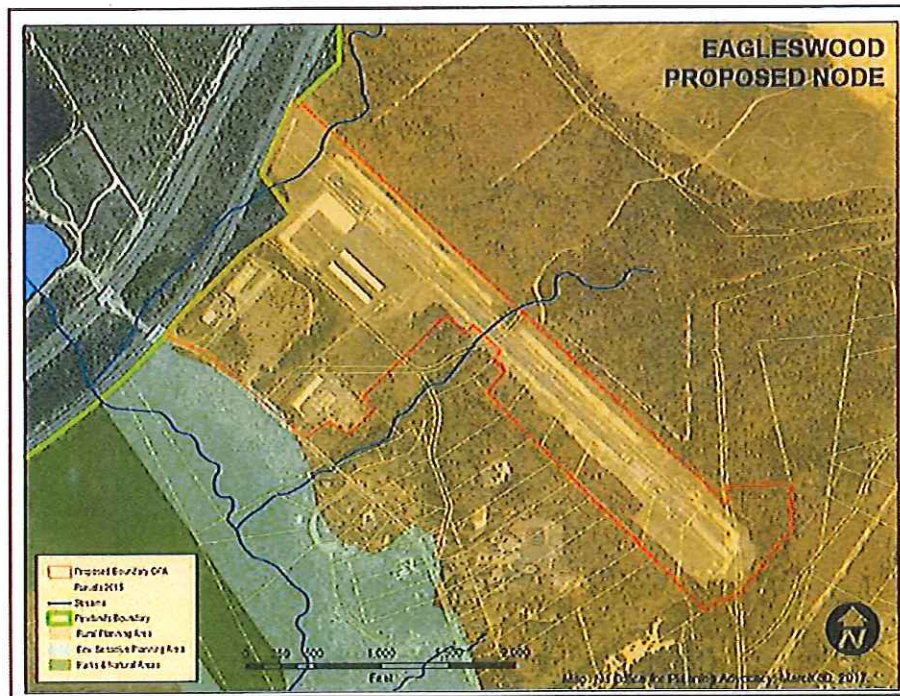
SDRP Page 9: Within Planning Areas, the State Development and Redevelopment Plan also recognizes two different types of "Nodes" or concentrations of employment and economic activity. These may be Commercial-Manufacturing Nodes or Heavy Industry-Transportation-Utility Nodes.

As stated on page 72 of the SDRP, the goal is to "Maintain and rehabilitate extremely highly developed and expensive infrastructure networks. The most urbanized state in the United States requires a higher level of public facilities and services to serve its population and visitors." and "Our location as a corridor state puts additional strain on our road, rail, sea and airport facilities." A significant amount of funding has been allotted to the Eagles Nest airport by the DOT over the years in order to maintain and upgrade the facility."

The applicant has also stated that the airport expansion is necessary to its economic viability. CAFRA regulations prohibit any further expansion of the airport which is located in the PA4 planning area. The enhancement of this airport and the creation of the Node is consistent with Goal #3 of the State Plan, to promote "beneficial economic growth, development and renewal for all residents of New Jersey". While the airport is small it is a public airport that is used for emergency purposes and training purposes by various government entities. The airport has also received significant government funding over the years to make necessary improvements and currently employs 70 people.









If the SPC determines it is appropriate to make the changes:

- OPA staff will submit notices to the register.
- Coastal Zone Management (CZM) rules require any map amendment be independently evaluated by DEP and found by the department to be consistent with the goals of the CZM rules and CAFRA.
- For Eagleswood Township, a map change will increase the allowable impervious cover permitted by the CAFRA regulations and DEP will have to provide notice in the register as well.





### Staff Recommendations:

- ❖ Consider this recommendation for a map amendment as allowed under existing State Planning Rules
- ❖ Authorize staff to initiate public notice / hearing process and report back with recommendations on the proposed map amendment



## PUBLIC COMMENT

Public comment portion.

Written comments can be sent to:  
Email - [Osg\\_ed@sos.nj.gov](mailto:Osg_ed@sos.nj.gov)

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