

Plan Development Committee
Summary of the
August 3, 2005 Meeting
101 S. Broad Street
Conference Room 129
Trenton, New Jersey

PDC Members in Attendance: Michele Byers, Joanna Dunn Samson, John Eskilson, Edward McKenna, Marge Della Vecchia, Chris Foglio, Marilyn Lennon (arrived 11:11 a.m.)

Other SPC Members in Attendance: Monique Purcell, Roberta Lang, Tim Brill

The meeting was called to order at 9:45 a.m. Dan Reynolds announced that the meeting was noticed in accordance with the Open Public Meetings Act.

Chris Foglio opened the meeting noting that the State Planning Commission agreed to have the Plan Development Committee re-established to help guide policy issues during the Cross-acceptance process.

Maura McManimon, Executive Director of the Office of Smart Growth, outlined the charge of the PDC, which was established to bring a lot of the large scale policy issues to the table and to help decide if the SPC should agree, disagree or defer those issues. With regard to mapping issues the Committee will give general consensus on the mapping criteria so that staff can start meeting with the counties. She explained that the Cross-acceptance schedule for the next six months would consist of negotiations with the Counties.

Ms. McManimon gave a power point presentation and summary of the Preliminary State Plan Mapping Methodology and how the preliminary State Plan Map was developed.

Paul Drake, Manager of the State Plan Unit gave a power point presentation and summary of the approach that the Office was using for considering County proposed mapping changes. He indicated that the Office has received 1,500 +/- proposed mapping changes from the Counties and that the Office was using all available GIS data, and Cross-acceptance reports from the current round and previous rounds to inform their decisions.

Following the presentation there was a great deal of discussion among Committee members regarding the methodology being used, size thresholds for mapping changes, the rights of the individual property owner and at what level should the mapping changes be brought before the Committee for review and direction. It appeared that the general consensus was that the Committee would rely on the staff as professional planners to follow the methodology and if there were changes that staff were not comfortable making a decision on they would bring it to the Committee for action.

Also discussed was if a county recommends a change that is supported based on environmental data will the Committee honor it? And if there is no data, will we honor it. Ms. McManimon

responded that it would depend on the context of the change and the Planning Area that would be most appropriate.

Ms. McManimon also noted that the Committee would be responsible for reviewing policy issues, given briefings on county meetings, and reviewing a proposed new structure for the revised State Plan.

Chair Foglio opened the floor to public comment regarding the Preliminary Mapping Criteria and Proposed Cross-acceptance Mapping Criteria. Public comments were heard from the following:

Candace Ashmun commented that she felt the Commission was losing the fact that the State Plan map is a policy map and that the policies of the State Plan are what makes the map look the way it does. If the map is going to be changed the policies of the Plan are what need to be revised first.

Jeff Tittel, Sierra Club, noted that the map is no longer a policy map that it is has become a zoning map, through regulatory initiatives. The State Plan is no longer strategic, it doesn't identify where growth should go and it is not based on capacity.

George Hawkins, New Jersey Future commented that the Committee needs to set a clear direction with regards to mapping criteria need to be based on rebuttable presumptions, and verifiable information. The PDC needs to provide clear guidance on how decisions are made. Updated data at a minimum should be presented to the counties. The specifics could be hashed out in Plan Endorsement.

At this point there was a lengthy discussion on DEP's additional proposed mapping changes, the new analysis of the DEP environmental data that was sent out with the Preliminary Plan and how and when it should be distributed to the Counties.

Donna Lewis, Mercer County Planning Department, commented that it was their understanding that there would be minimal changes to the map during Cross-acceptance and assumed that all State agencies had their input on the map already. She noted that if State agencies generate their own mapping amendments the county does not have the time or money to go back out to the municipalities to cross-accept those changes.

Christine Marion, Morris County Planning Department, commented that the SPC needs to be more strategic in how it applies mapping criteria. For example, if PA5 criteria were applied without a local context, all of Morris would be PA5. Capacity is also something the SPC needs to consider.

Bob Bzik, Somerset County Planning Department commented that the SPC needs to acknowledge the dialogue that has already taken place between counties and municipalities. Somerset took very seriously all data layers and provided them to their municipalities. The SPC should take a broader view based on corridors and other linkages vs. site-specific considerations.

If there is new data then they need to know now due to Round 3-COAH and having to submit plans for sub certification by December 20, 2005.

Ed Fox, Camden County Planning Department, commented that the map and plan should be based on issues of relevance, balance and compromise. The State Plan should not take a site specific approach to planning, even if technology enables use to do so. Most importantly, if you want to focus development on our urban and older suburban areas, you need to focus on policies to improve the problems and quality of life in those areas.

Tim Dillingham, New Jersey Littoral Society, commented that the State Plan has moved to a quasi regulatory document and so we need to focus on that site-by-site scale. He also noted that he was under no impression that there was a consensus on the data. As to the question of now or later in sending out the data, the answer is now.

Mike Cerra, League of Municipalities, thanked the staff for their work. He noted that his answer to the DEP data was yes and no. The data should be sent to the counties. If it has not been vetted through Cross-acceptance we want to have the data but it should be a bottom-up driven process. The League has offered to partner with DEP to get the information out, but the map changes should be locally driven.

At this point Ed McKenna announced that he had to leave but if someone were to make a motion to accept the mapping criteria so that OSG staff could move forward with negotiations that he would be in favor of it.

David Pringle, NJ Environmental Federation, thanked DEP for driving the issues. He noted that there are critical things lacking in the map such as recharge areas, C1's and Landscape. (Note: Category 1's are noted on the Preliminary Map). The SPC needs to improve the definition of CES. And DEP staff need to be included in staff-to-staff discussions on the map.

Paul Chyrstie, Coalition for Affordable Housing and the Environment, commented that the SPC needs to say what it wants—not say one thing, but the opposite is okay as well. The SPC also needs to be specific regarding the link between State Plan policies and the map.

Dave Hojsak, President of the County Planners Association, commented that he was happy to see the rebirth of the PDC. He noted that the CPA supports the State Plan and planning process and wants to see it succeed.

The public comment period was closed and Ms. McManimon summarized that there were two decisions that needed to be made: 1) how to proceed with distributing the DEP proposed mapping changes, and 2) to accept the mapping criteria that the Office is using for county driven mapping changes.

After a five minute break Chair Foglio reconvened the meeting and determined that further discussion was needed on both issues. She asked to move that to the next meeting of the Committee to finalize our policy position at that time. She asked that for today the Committee move the map amendment policy indicating that Monique Purcell and Joanna Samson had issues

of tweaking some of the criteria. She asked the members of the Committee to accept it in general and that members have a conference call in two weeks, at which time they would consider the tweaking by Agriculture and DEP. But in general for this public meeting the criteria would be the basic ground rules of map changes and the direction being given to the staff of OSG.

Marilyn Lennon indicated that she would make a motion if it was necessary. Chair Foglio asked if it was a fair consensus from the Committee members.

Michele Byers asked for clarification that on the conference call the agencies would put in their changed language and those changes would be discussed and then the mapping criteria would then be discussed for full consideration at the next public meeting of the Committee, so that the public would have the opportunity to comment on the revised document.

Chair Foglio agreed and indicated that she felt this path would be a better way to get people together and move it forward.

Ms. McManimon recapped what the next steps were going to be and that there would be a working preparatory conference call in two weeks and there was a consensus to hold the next public meeting the first week of September after Labor Day.

John Eskilson commented that he felt that the Committee should commit to finishing it in short order and that a decision should be made. He noted that there was a lot of discussion at this point and didn't know that any new information would come out between now and the first week of September. He felt that the members would have some time to mull the document over and a specific proposal could be developed and would be helpful, so that we can finish it in very short order at the next meeting.

It was noted that the next public meeting of the Committee would be noticed in accordance with the Open Public Meetings when the date, time and location had been confirmed.

Chair Foglio thanked the public and appreciated everyone that spoke. She felt it was incredibly helpful to staff and to the members.

The meeting was adjourned at 1:00 p.m.