



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
P.O. Box 820
TRENTON, NEW JERSEY 08625-0820

PHILIP D. MURPHY
Governor

THOMAS K. WRIGHT
Chairman

SHEILA Y. OLIVER
LT. GOVERNOR

DONNA A. RENDEIRO
Executive Director/Secretary

**New Jersey State Planning Commission
Plan Implementation Committee
Minutes of the Meeting Held on August 17, 2022
Zoom Video Conference**

CALL TO ORDER

Chairwoman Robinson called the August 17, 2022 meeting of the New Jersey Plan Implementation Committee (PIC) order at 9:32 a.m.

OPEN PUBLIC MEETINGS ACT

It was announced that notice of the date, time, and place of the meeting has been given in accordance with the Open Public Meetings Act.

ROLL CALL

Members Present

Bruce Harris, Municipal member
County Commissioner Director Shanel Robinson, Chair, County Member
Nick Angarone, Designee for Shawn LaTourette, Department of Environmental Protection
Sean Thompson, Designee for Lt. Governor Sheila Oliver, Department of Community Affairs
Susan Weber, Designee for Diane Gutierrez-Scaccetti, Department of Transportation

Others Present through Video conference

See Attachment A

PLEDGE OF ALLEGIANCE

Chairwoman Robinson asked everyone to recite the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairwoman Robinson asked for a motion to approve the Minutes of the July 20, 2022 meeting. Bruce Harris made the motion; seconded by Nick Angarone. Ayes: (5) Susan Weber, Bruce Harris, Nick Angarone, Sean Thompson, Shanel Robinson. Abstains: (0). The July 20, 2022 minutes were approved.

CHAIRWOMAN'S COMMENTS

Chairwoman Robinson did not have comments at this time. The Chairwoman asked the Director that since the Governor had rescinded the mandate on teachers, was there anything with regard to the state? The Director responded that as of September 1, her understanding is that the quarantine period went down for state employees from 10 days to five unless there are symptoms. The testing mandate for those that are unvaccinated will be rescinded as well as of September 1. In terms of anything else, we are still waiting to hear.

EXECUTIVE DIRECTOR'S REPORT

Director Rendeiro said that we had originally planned on having two more Burlington County towns ((Delanco and Beverly) in addition to the map amendment for Toms River, but the towns had asked for a little more time to review the PIA. We accommodated them and we will have them on the agenda, hopefully, with one or two more towns next go-round. We have completed 99% of the work we are just waiting for confirmation from the towns that they are okay with it and if they have any concerns.

We have on the agenda today the map amendment for Toms River as part of their completed biennial review and we are going to have Lisa Avichal present that to the PIC for possible forwarding to the full SPC at the September meeting. On the call today we have Mayor Hill from Toms River as well as Dave Roberts the planner that worked on the process with us.

Mo Hill, Mayor of Toms River said that he wanted to thank Dave. He worked very hard with the VA on this redevelopment area project. We put this site up and it was selected. There are many amenities around this, I think, which will be excellent for the veterans. The building behind this is almost on the same property; a couple of hundred yards away would be the Ocean County Social Services, which will house all of the social services for Ocean County, which includes the Ocean County Veterans Service Bureau. The veterans will go there if they have a problem; they can go right from the VA after treatment to visit with the Ocean County federal service coordinator that is almost on the same campus.

We are in the process of tying this all together with the road infrastructure. One of the reasons we are before this group is to increase our town center so that it will include that property. We're also in discussions with the US Postal Service to move their main branch in Toms River which is located at the very southernmost portion of the town downtown out to this site which would be more centrally located.

We have Hooper Avenue that is a north /south divided highway. We also have Bay Avenue that goes east and west. It will be a lot easier for our postal service to do deliveries in Toms River. Right now, to deliver to the northern section of town takes them at least a half hour to 40 minutes to get there. So that will cut that time down.

Again, it'll be a nice amenity for the veterans, they'll be able to use the postal services over there. In addition, we have two banks, TD Bank is the biggest branch in Ocean County across the street and Ocean First's main headquarters is about a quarter mile down the road. We have the Seacourt Mall and the Ocean County mall with several restaurants plus a Lowe's and a Target within a quarter mile from this site.

We're very excited about this site, we do need to include this in the town center so that we can complete our work with the US Post Office. We are asking that you grant that request from the township.

We are excited about it; we think the project works. It will improve the intersection. The traffic flow here is going to be improved with the plan that Dave and the county have. We're working in partnership with Ocean County. We appreciate this opportunity to be before you in the petition for this change in the map. Thank you.

David Roberts, the Planner from Toms River said that the mayor has been immersed in this from an early stage. We actually were at the site and we were doing site inspections with the first go around with the VA. We actually went through the VA site selection process twice. However, this time, we have the right developer and we are looking to take the next step now that the VA project is at the point of issuance of building permits, they have to be completed under the VA lease by 2024, or else there are penalties. So there's a little bit of pressure on them.

One of the reasons we added a petition for the map change, just for the benefit of the Committee, is that initially, we thought we could fit the VA clinic and the postal office, we could reserve enough land in the O15 portion that is within the Center. Basically what this will come down to is there's a zone boundary line that splits the center roughly in half. About 12 acres were in the O15 and about nine acres in what was an R120 residential zone that would never be developed because there is no way to get to it. We were trying to take the 12 acres and divide it into eight acres for the clinic and four acres for the post office but that was a bit naive in retrospect for two reasons.

One is that we had to work with DEP to deal with the fact that this is a wooded area that was isolated because of access issues. We had critical wildlife habitat that we had to mitigate. The other aspect that we ran into was that there is a drop-off in topography within the redevelopment area that runs from north to south. And so we ended up preserving that slope as part of the remaining woodland portion of the redevelopment area. That meant that there was no place else for the post office to go. That was one of the reasons why we thought it would make sense to have the entire redevelopment area within Hooper Avenue, South core. That was what led us to this petition.

Thank you for allowing me the opportunity to provide a little additional background.

Director Rendeiro said that as you might be aware, Toms River is in the plan endorsement process, as part of that they are required to provide biennial reports in terms of what they have accomplished in order to get endorsed. The way that a map amendment is affected by these communities that are in planning endorsement is through this process.

NEW BUSINESS

RECOMMENDATION FOR MAP AMENDMENT: Township of Toms River

Director Rendeiro referred the Township of Toms River presentation to Lisa.

This presentation can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/pic/materials/pic-materials-2022-0817-township-of-toms-river-presentation.pdf>

The Director asked for any questions or comments from the members.

Commissioner Harris asked what the approximate acreage of the area that has been added. Lisa responded that 9 acres has been added.

Has any thought been given to how to make up for the potential loss of trees that were going to be preserved? David Roberts responded that in the overall area that Lisa showed us early you see the sort of green hole in the doughnut. That area has never been developed because you there was no access to it and it was divided into about 250 what we call newspaper subscription lots and paper streets that were laid out in the 1930s. There was multiple ownership, at least eight different owners, some of whom had acquired chunks of lots but never in a consolidated way. That was one of the reasons the area qualified as in need of redevelopment.

The reason that the area is wooded is that it could not be developed except for a single-family house that is accessed by a dirt road in the middle of the woods and another combination dwelling business that is on a hairpin turn, which a substandard intersection, trying to get to the rear access to the Seacourt Pavilion. So that was one of the reasons why the master plan identified as an opportunity for this area to be the connecting point of all of the surrounding development that has evolved over the period of the last 50 years.

In order to get to the essence of your question, in order to get a CAFRA permit for the VA clinic, the Township had to provide mitigation. We deed restricted, I think it was 16 acres of Township-owned property that was deemed by the DEP to be appropriate critical wildlife habitat as mitigation for the VA clinic's CAFRA permit. Effectively, we had to do the mitigation because the acknowledgment was that there was in that entire area, whether it was in the redevelopment area or not, 25 acres of the contiguous woodland present in the area and that the VA clinic was going to then reduce that to be less than 25 acres. So we needed to mitigate. In order to keep the VA on schedule, we had to do the clearing for the construction before the end or the beginning of April. So that was accomplished.

There are about, I would say rough numbers of the 12 acres that the VA clinic will be roughly taking up. Eight acres as part of their parcel, they have probably cleared about five acres and have about two or three acres of remaining preserve woodland and that is the area where the slope is.

Commissioner Harris thanked Mr. Roberts for the explanation.

Nick Angarone from NJDEP said that the map that I see in the meeting materials, I think is from the petition to amend the redevelopment plan, there is an identified preferred tree-save area. I am assuming that is the area you are referring to that essentially looks like steep slopes but also where that will remain parceled. Is that generally correct?

David Roberts said that we would anticipate that because we do not really have a plan yet for the area that we are proposing to be added to the center. The township owns a portion of that area, one entire block of newspaper subscription lots. That is common because many times people just stopped paying taxes on them. We acquired them through tax foreclosure over the years, most likely in the area around the perimeter. We would certainly get into a more detailed conceptual design and we would identify any other slopes that might be present. We don't think there are any, the primary sloped down is in the area where the VAs be constructed. And that's one of the reasons why we needed to effectively swap that area that we're talking about today. I would say most likely the ending development of any of this nine-acre piece that we're talking about would be up close to the intersection of Claudina and Salerno.

This has been a very complex process. One of the things we are doing here is that the Township conveyed the right of way to two paper streets to the County, Castlebuono and Salerno, which form effectively a boundary around the VA clinic. The reason that they asked for that was because the jug handle that currently feeds Claudina from Hooper is too short to handle the additional traffic that the VA clinic will generate much less any other development. So this will become a loop road that will effectively replace the jug handle and the township conveyed that right of way to the County. The County also owned miscellaneous subscription lots within the area that the VA clinic needed for their site. Effectively that would it be a county road and that is part of the reason why this configuration of the remaining nine acres will be fronting on that road and it will be close to the new intersection. That new road will replace the intersection that is substandard which I referenced before. Currently, you have an acute left turn or an acute right turn to get from Seacourt Pavilion out the rear entrance to Cooper to access Claudina Avenue. This will effectively straighten out that road and make a T intersection there so it improves traffic circulation as well.

I think that's part of the reason why we think the development will be up close to that intersection. And that the rear portion of the nine acres closer to the St. Joseph cemetery and the county office complex will be the tree-save area.

Nick Angarone said that it looks to be the largest parcel within the existing core. I do not think there is an issue here, but I am clarifying that the parcel to have the back end, essentially of 247 is what is identified as largely the preferred tree-save barrier. I'm clarifying that that was the intent.

David Roberts said that yes and that is definitely the attempt because of the slope there I do not have a number off the top of my head as to what the percentage is, but it is significant.

In fact, when the VAs engineers were dealing with DEP as part of the CAFRA permit, there was actually a point in time where there was an assumption that the area carried water and that it was part of some kind of stream and it was verified that it was dry. It is just a drop that goes all the way to the creek. Now, the name of it is Long Swamp Creek.

It continues to drop off as you move through the St. Joe cemetery before you get to the creek this area does not carry water but it is a steep slope and it needs to be preserved. That was intentional, in the process we lost the benefit of that property within the center and for any kind of development so it made sense to make it decrease.

Mark Villinger from Ocean County Planning Department said that obviously, the County is supporting the project. We have our facility out there, we are consolidating our six office buildings with the Board of Social Services, VA, and various departments all in the six different buildings we're consolidating that into one large building. We're actually reducing our footprint overall. And it'll be complementary to that VA clinic. I think the work that the town did is just a testament to the fact that the VA chose this site so I think that they are commended for everything they have done. I really did very little in this process but I'm happy to support the town in the endeavor. Thank you.

Director Rendeiro asked for any questions or comments from the public.

Britta Forsberg Executive Director of Save Barnegat Bay said that while they are very concerned with the health of Long Swamp Creek, they think that this development will benefit the veterans of Ocean County and is consistent with a lot of the development in that arena. That being said, losing all those trees is concerning. They are hoping that the township and the county will pay close attention to the stormwater that is resulting from this project and be conscious of the impacts potentially to Long Swamp Creek. Thank you.

The Chairwoman thanked everyone especially Toms River and Lisa for the presentation.

Chairwoman Robinson asked for a motion to move the recommendation request for map amendment of the Township of Toms River to the SPC. Bruce Harris made the motion; Nick Angarone seconded the motion. Chairwoman Robinson asked for a roll call vote: Ayes: (6) Susan Weber, Bruce Harris, Nick Angarone, Sean Thompson, and Chairwoman Robinson. Nays: (0). Abstains: (0). to move the recommendation for Map Amendment of the Township of Tom Rivers to the SPC was approved.

ADJOURNMENT

With no further comments from the Committee or the public, Chairwoman Robinson asked for a motion to adjourn. The motion was made by Nick Angarone and seconded by Sean Thompson. All were in favor. The meeting was adjourned at 10:03 a.m.

ATTACHMENT A

**NEW JERSEY STATE PLANNING COMMISSION
PLAN IMPLEMENTATION COMMITTEE
ATTENDEES
AUGUST 17, 2022**

Mark Villinger – Ocean County
Rachel D. - NJDA
Matt Baumgardner - NJDEP
David Roberts – Planner, Toms River
Mo Hill – Mayor, Toms River
Britta Forsberg – Exc. Director, Save Barnegat Bay
Karen Argenty – Save Barnegat Bay
Stephen Madsen
Jaclyn Rhoads
Stephanie Farrell
Keith Henderson

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