



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
OFFICE OF SMART GROWTH
PO BOX 204
TRENTON NJ 08625-0204

JON S. CORZINE
Governor

SUSAN BASS LEVIN
Commissioner

CHRISTIANA FOGLIO
Chair

EILEEN SWAN
Executive Director & Secretary

**New Jersey State Planning Commission
Plan Implementation Committee
Minutes of the Meeting Held January 25, 2006
Department of Community Affairs
Conference Room 129
101 South Broad Street
Trenton, New Jersey**

CALL TO ORDER

Chair John Eskilson called the meeting to order at 10:00A.M.

Committee Members Present

John Eskilson, Chair
Tom Michnewicz, Public Member
Elizabeth Semple, Representative of Acting Commissioner Lisa Jackson, Department of Environmental Protection
Roberta Lang, Representative of Secretary Charles Kuperus, Department of Agriculture
Susan Weber, Representative of Commissioner John Lettiere, Department of Transportation

Committee Members Not Present

Michele Byers, Public Member
Marilyn Lennon, Public Member
Acting Commissioner Susan Bass Levin, Department of Community Affairs
Governor's Office, Smart Growth Ombudsman (Vacant)

Others Present

Kenneth Albert, Public Member of the State Planning Commission
Maura McManimon, Executive Director, Office of Smart Growth
Daniel Reynolds, DAG, Department of Law & Public Safety
Joseph Donald, Deputy Director, Office of Smart Growth
Paul Drake, Planning Director, Office of Smart Growth
Russel Like, Planner, Office of Smart Growth

Barry Ableman, Planner, Office of Smart Growth
Ann Waters, Planner, Office of Smart Growth
Sharon Maclean, Planner, Office of Smart Growth
Jim Ruggeri, Planner, Office of Smart Growth
Lorissa Whitaker, Policy Unit, Office of Smart Growth
Danielle Stevens, Policy Unit, Office of Smart Growth
Khara Ford, Planner, Office of Smart Growth
Curt Lavalla, Planner, Office of Smart Growth
Kathleen Pental, Program Coordinator, Office of Smart Growth
Others-Attached A

CHAIR'S COMMENTS, John Eskilson, Chair

There were no comments from the Chair at this time.

EXECUTIVE DIRECTOR'S REPORT, Maura McManimon, Executive Director

Maura McManimon provided an update on plan endorsement. She explained that the Office of Smart Growth sent a memo to all the mayors of municipalities with expired coastal centers that had held pre-petition meetings with the Office of Smart Growth prior to October 15, 2005, as required by the DEP Coastal Zone Management rule proposal. The purpose of the memo was to encourage municipalities interested in re-establishing expired coastal centers to submit petitions for initial plan endorsement as soon as possible, by February 1, 2006 at the latest. The Office of Smart Growth was concerned about receiving a large number of petitions in a short period of time. Twenty-two municipalities with expired coastal centers had held pre-petition meetings with the Office of Smart Growth in accordance with the DEP Coastal Zone Management rule proposal, and are thus eligible to pursue plan endorsement accordingly.

PRESENTATION

Presentation on Enhancements to Public Participation in the Plan Endorsement Process, by Office of Smart Growth

Tracie Gelbstein, Deputy Council of the Office of Smart Growth, stated that staff had done some research regarding enhancements to public participation per the Committee's request at the December meeting. She remarked that staff reviewed the State Planning Rules and the MLUL, as well as the rules and policies of other agencies, and can provide short-term remedies that do not require amendment to the State Planning Rules. These recommendations are outlined in a memo to the Committee (Attachment B), and include: 1) providing meaningful input at the pre-petition phase to ensure implementation prior to submission of the petition, 2) adding language to agendas regarding opportunities to provide public comment, 3) request that municipal/county notices include information as to how interested parties can register with the Office of Smart Growth, 4) request that petitioners make a presentation at a PIC meeting prior to the meeting at which staff makes recommendation on the petition, and 5) request that the petitioner post petition status information on their website.

Maura McManimon reiterated the need for up-front coordination between the petitioner and the state agencies, and that the pre-petition meeting is the first venue for that discussion. The early dialogue will ensure that issues are resolved in time for the public to provide comment and feedback.

Thomas Michnewicz had concerns about getting notification to absentee landowners, and suggested that municipalities be responsible for providing written notice in those situations

With no further comments from the Committee, Chair Eskilson opened the floor to public comment.

Public Comment on Enhancements to Public Participation in Plan Endorsement

Don Kirchoffer, NJ Conservation Foundation, relayed his concerns about the timeframes for public involvement under the present rules, to which Ms. Gelbstein provided further clarification on the processes set forth in the State Planning Rules.

With no further comments from the Committee or public, Chair Eskilson closed the discussion on this matter and welcomed NJ Future to make the next presentation.

Presentation on Improvements to the Plan Endorsement Process, by NJ Future

George Hawkins, Executive Director and Chris Sturm, Senior Planner of NJ Future presented the findings and recommendations of the Enhanced Endorsement Task Force created in July 2005. The Task Force consists of twenty-four members, including environmentalists, developers, local officials and planners. (See Attachment C for a Summary of Recommendations).

The major findings of the Committee are as follows:

1. Ensure broad participation by local governments.
2. Ensure public participation by stakeholders and local officials.
3. Streamline the process.
4. Revise the process to ensure rigor and predictability.
5. Incorporate a regional perspective.
6. Ensure execution by state agencies and petitioners.
7. Integrate with state agency programs.
8. Enhance benefits and incentives.
9. Affirm the Governor's commitment to State Plan implementation.

NJ Future specifically explained the Task Force's proposed new process matrix by which petitions should be reviewed. Mr. Hawkins stated that the Committee would have more detailed recommendations as it continued its effort.

There was discussion between the Committee and the presenters regarding the proposed visioning process, the front-loading of work required to achieve plan endorsement, and the proposal's repercussions on the current two-tiered system of initial and advanced plan endorsement. There was also discussion about the Task Force's proposal to move the Office of Smart Growth out of the Department of Community Affairs.

Mr. Hawkins explained that NJ Future and the Enhanced Endorsement Task Force would be reaching out to a broader audience in the coming months to garner support for the Task Force's proposals.

There were no further comments from the Committee at this point. Chair Eskilson opened the floor to public comments.

Public Comment on the Presentation by NJ Future

Bob Bzik Director, Somerset County Planning Director, stated his concern about the cost of plan endorsement, particularly for urban communities that do not see tangible benefits resulting from the process. He agreed with the presentation by NJ Future, and urged the Committee to modify the State Planning Rules to be more reflective of an advanced plan endorsement process.

Kamal Saleh, Supervisor for the Bureau of Transportation of Land Use for the County of Union, commented on the need to better define the submission requirements for plan endorsement. He was also concerned about the lack of resources for communities to participate in the process.

Helen Heinrich, NJ Farm Bureau, relayed her confusion about the differences between the proposed initial and advanced plan endorsement. She was also concerned about the limited input of agencies other than DEP in the proposed pre-petition phase. Ms. Heinrich relayed her dismay that the New Jersey Farm Bureau had not been invited to participate in the Task Force, and provided some additional recommendations for the process.

Leann Foster-Sitar, American Littoral Society, relayed her concerns about plan endorsement in the coastal region and with the Task Force's proposed WQMP benefits. Ms. Foster said that she would submit supplementary comments in writing.

John Peterson, Deputy Director of Planning in Atlantic County, relayed his concerns about the costs associated with front-end loading the plan endorsement process. He said the Counties could provide resources to communities. Mr. Peterson also stated that tangible benefits needed to be identified.

With no further comments from the public, Chair Eskilson closed public comment. He asked the Task Force to provide up-dates as they progressed, and suggested that future discussions include implications to regional plans.

With no further comments from the Committee or the public, the meeting was adjourned by consensus.

Respectfully Submitted,

Eileen Swan
Secretary and Executive Director

Dated: June 28, 2006