



## *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 December 14, 2006  
Mary Roebing Building  
Trenton, New Jersey**

### **CALL TO ORDER**

Chair John Eskilson called the meeting of the Plan Implementation Committee to order at 10:11 a.m.

### **Committee Members Present**

John Eskilson, Chair

Debbie Mans, Governor's Office, Smart Growth Ombudsman

Liz Semple, Representative of Commissioner Lisa Jackson, Department of Environmental Protection

Susan Weber, Representative of Commissioner Kris Kolluri, Department of Transportation

Roberta Lang, Representative of Secretary Charles Kuperus, Department of Agriculture

### **Committee Members Not Present**

Susan Bass Levin, Department of Community Affairs

Michele Byers, Public Member

Marilyn Lennon, Public Member

Tom Michnewicz, Public Member

### **Others Present**

Eileen Swan, Executive Director, Office of Smart Growth

Ben Spinelli, Chief Council and Policy Director, Office of Smart Growth

Jung Kim, Area Planner, Office of Smart Growth

Corey Piasecki, Planner, Office of Smart Growth

Lorissa Whitaker, Planner, Office of Smart Growth

Danielle Stevens, Office of Smart Growth

Stacy Perrine, Office of Smart Growth

Bill Purdie, Department of Environmental Protection



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Don Kirchoffer, New Jersey Conservation Foundation  
Fred Akers, Administrator, Great Egg Harbor Watershed Association  
Barbara Palmer, Project Director, Association of New Jersey Environmental Commissions  
Pete Schuler, Property Owner, Upper Cape May Township  
Others-Attachment A

### **APPROVAL OF MINUTES**

Chair Eskilson asked for a motion to approve the minutes of November 29, 2006 Plan Implementation Meeting. Roberta Lang moved the motion and Elizabeth Semple seconded. All were in favor.

### **CHAIR'S COMMENTS**

There were no comments at this time. (Debbie Mans, Representative from the Governor's Office, entered the meeting at 10:14 a.m.)

### **EXECUTIVE DIRECTOR'S REPORT**

Eileen Swan, Executive Director of the Office of Smart Growth, stated that the meeting was called to aid Upper Township in their Plan Endorsement process. She also introduced Stacy Perrine, attending the meeting as a new staff member at OSG.

### **PRESENTATION**

**Upper Township's Petition for Plan Endorsement:** By Paul Dietrich, Upper Township Engineer, and Marcia Shiffman, Planning Consultant from Master Consulting, Inc.

Paul Dietrich began the meeting by thanking OSG for helping the Township along and expressed enthusiasm in moving forward to meet deadlines.

Marcia Shiffman began the presentation by introducing Upper Township's Petition for Plan Endorsement and the steps the Township has taken to reach this point. She expressed the Township's need to update their Master Plan to provide for a Land Use Plan and Center Designations that were consistent with the State Plan. She also stated that the Township drafted the housing element of their petition in late September and it will be refined in the next couple of months with no major changes. In addition, the Township adopted its Stormwater Management



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Plan in November and worked with the Department of Environmental Protection on its Environmental Protection Ordinance as well as their Natural Resource Inventory, which has been completed and is available for review.

Ms. Shiffman explained how the Township's goals and objectives were to provide for mixed-use development within compact Centers, preserve its natural resources, and provide diversity and strength to the local tax base.

The presentation then shifted to the existing land use of Upper Township; the following figures were presented:

- 7,333 acres of vacant land (17%)
- 1,200 acres of farmland (3%)
- 20,500 acres of public land (48%)

Ms. Shiffman further explained how between 1995 and 2005 vacant land decreased by over 12,000 acres and both state and federal government owned land increased by 6,000 acres.

Maps were then presented of all four Centers: Mamora/Palermo/Beasley Point, Seaville, Petersburg Village, and Tuckahoe. These maps showed the distinction between CAFRA areas, the Pinelands, and developed areas.

Ms. Shiffman then explained that each Center would contain a Town Center Core, which would allow for more intense development.

The conversation then turned to density transfers, and Ms. Shiffman stated that they would be used as a bonus to encourage density to move into the town center. Chair John Eskilson asked how this process would work if there was no vacant land in the center to support the transfer. Ms. Shiffman answered that there were older properties that could be redeveloped.

DOT representative Susan Weber asked how many people could be accommodated in Petersburg. Ms. Shiffman answered 109 new units, based on low-density development, because there is no public sewer system in Petersburg. Chair Eskilson then asked if Petersburg was included in the Wastewater Management Plan. Mr. Dietrich stated that the area was not, and that the plan would need to be revised because Petersburg needs its own on-site sewer system. Chair Eskilson asked what the next step would be if the Wastewater Management Plan was not able to fully accommodate Petersburg's needs. Mr. Dietrich answered that the result would be Upper Township's inability to provide affordable housing on the site, because the price of the land is too



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high. Chair Eskilson asked where the DEP was in this process, to which DEP Representative Liz Semple responded that the Township has not given them a proposals as of yet. All agreed that both staffs had to meet and work together on the issue.

Mr. Dietrich added that there was also a water capacity issue, in that the water in this area was also allocated to Ocean City. He added that there was a sufficient amount of water for both areas to would allow for future development.

At 10:46 a.m., Chair Eskilson left the meeting. OSG Executive Director Eileen Swan chaired the remainder of the meeting.

Ms. Shiffman then continued her presentation by going into detail about the Township's Centers.

The first Center was the Town Center of Mamora/Palermo/Beasley's Point. A sketch identifying future possible projects displayed development along Route 9, mixed-use development, and sidewalk and parking improvements. The second was Seaville, a Town Center. Proposals for the area included new road systems, as well as sidewalk and interior parking. The third center presented was the Village Center of Petersburg, which lies partly within both CAFRA and the Pinelands. Petersburg is the "Municipal Center" of the Township, and is used primarily for civic and recreational purposes. Ms. Shiffman explained the plans for this Center included improved pedestrian access to parks, schools, and commercial facilities such as the public library (which do not currently exist). The fourth Center presented was Tuckahoe, which also lies within both CAFRA and the Pinelands. Ms. Shiffman added that the protected area along the Tuckahoe River had been expanded and there was very low-density development surrounding it. Ms. Shiffman stated that plans would include improved connections to the train station, traffic calming, and possible parking along Routes 50 and 49.

The next topic was the towns Build-Out Analysis and Infrastructure Capacity. Ms. Shiffman stated that there were 3,550 developable acres, including 980 acres in CAFRA and 188 acres in the Pinelands area.

The meeting then focused on the Environmental Protection Ordinance, which addressed environmental constraints in not only the Centers, but also town-wide. Liz Semple then asked if the Township would review plans to see the effect on endangered species, to which Mr. Dietrich responded that this was in fact the Township's plans, but hoped the DEP would provide technical assistance in these reviews. Ms. Semple then raised the question whether or not a single family home would be excluded from the site plan review. Mr. Dietrich said yes, but if something



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relative to the town or State agencies were found in the assessment, then the Township and State could then become involved. Mr. Purdie agreed, and stated that DEP wanted to be involved in the process.

In terms of housing, Ms. Shiffman explained that one Planning and Implementation Agreement (PIA) recommendation was to finalize and adopt The Housing Element and Fair Share Plan and assured that any changes made would be consistent with the Land Use Element.

Other PIA recommendations included assuring that transportation was a top priority, specifically a full interchange at exit 20 on the Garden State Parkway. Ms. Shiffman also emphasized the need to improve the ways in which people move around within the town and how this was directly correlated with the DOT. Ms. Shiffman expressed the need for bike paths, improved streetscapes, and bridge improvements.

Several of the Committee members commended the Township on its planning efforts, and Bill Purdie stated that the DEP was using the Township's Environs Protection Package as a template with other counties.

With no further discussion by the Committee, Eileen Swan opened the floor to public comments at 11:21 a.m.

Public Comment on Upper Township's Petition for Plan Endorsement

**Fred Akers**, Administrator for the Great Egg Harbor Watershed Association, expressed his concern that the Township's preservation plans were falling off course in relation to past federal regulations. He quoted the Pinelands Protection Act as creating a reserve that goes to the Route 9/Parkway Interchange, and his belief that this area was getting lost in the Township's current plans. He also expressed his concern that the construction and development of coastal centers, which need sewer systems, would put sewage into the watershed. Mr. Akers further expressed his concern that the municipalities were not doing enough to protect their rivers, which have been recognized as significant by the federal government. Mr. Dietrich responded that no sewer service creation was proposed in Tuckahoe, and added that the area was still consistent with both original and present land use patterns.

**Don Kirchoffer**, Project Manager at the Delaware Bay Watershed, began by asking Upper Township if the Plan Endorsement Process created by the Office of Smart Growth was too burdensome on towns. Mr. Dietrich responded by stating that the Upper Township planning



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process began with the State Planning Commission in 1998, and since then has had to re-adjust with the new protocols of the Office of Smart Growth. He felt that the new process under Eileen Swan's direction was the better one. Mr. Kirchoffer then asked of the benefits the town had received due to its coordination with the Plan Endorsement process. Ms. Shiffman stated that it was beneficial to towns that have not examined both their past and future Master Plans, as forcing such examination leads to better planning. Mr. Kirchoffer agreed that Plan Endorsement was a good thing for the State Plan as a whole.

**Barbara Palmer**, of the Association of the New Jersey Environmental Commissions, stated that Plan Endorsement should be celebrated, as it does lead to good planning. She added that Upper Township was setting an example to neighboring towns, but was concerned that the Township did not have an Environmental Commission, and that they could create one with the help of ANJEC. Ms. Palmer ended by stating that once John Eskilson left the meeting, there were no public members left at the table and it would be in the best interest of the Committee to have public member present at every PIC meeting. Debbie Mans assured Ms. Palmer that the issue was noted and being resolved.

**Peter Schuler**, a property owner in Upper Township, stated that he and his family owned 31 acres of land in Palermo that was originally zoned as residential, but recent zoning proposals would reduce the property value. He explained how the property adjacent to his may become the site of a low-income housing project, and suggested that the State include a portion of his land within the town center for additional housing. Eileen Swan thanked Mr. Schuler for bringing the matter forward, but explained that the state would not interfere in the zoning of the town. Bill Purdie added that growth boundaries are set by the towns themselves, with modifications suggested by agencies if needed due to environmental constraints.

With no further comments from the Committee or the public, the meeting was adjourned by consensus at 11:54 a.m.

Respectfully Submitted,

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Eileen Swan  
Secretary and Executive Director

Dated: