



State of New Jersey

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DONNA A. RENDEIRO
Executive Director

**New Jersey State Planning Commission
Plan Implementation Committee
Minutes of the Meeting Held on June 15, 2022
Zoom Video Conference**

CALL TO ORDER

Chairwoman Robinson called the June 15, 2022 meeting of the New Jersey Plan Implementation Committee (PIC) order at 10:17 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
Danielle Esser, Director of Governance, NJ Economic Development Authority
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 May 18, 2022 meeting. Sean Thompson made the motion; seconded by Susan Weber. Ayes: (5) Danielle Esser, Susan Weber, Bruce Harris, Sean Thompson, Shanel Robinson. Abstains: (1) Nick Angarone. The May 18, 2022 minutes were approved.

CHAIRWOMAN'S COMMENTS

Chairwoman Robinson did not have comments at this time. The Chairwoman referred to the Executive Director.

EXECUTIVE DIRECTOR'S REPORT

Director Rendeiro said that there is just one update that is not on the agenda. On Friday, the office released the voluntary warehouse guidance for public comment. The public comment will be open until the end of July, at which point we will incorporate comments, as appropriate, and we will then bring it to the Commission at the August meeting for approval. We have received a number of press articles that have all been quite good. We have started to receive some comments. We have about six right now. We anticipate that we will be getting a lot more. I was just on the New Jersey Future warehouse panel that was prerecorded. I am sure I will be talking with folks tomorrow in person at the redevelopment forum on this topic. We are getting a lot of activity in terms of questions, comments, press comments, and the like. The guidance is on our website on the main page under reference materials. If anybody needs that link, just let me know and I will get it for you.

The other item is that we have set up a specific email address for comments to come in so we can coordinate all of the comments and that is warehouses@sos.nj.gov. We are compiling all of the comments from there, and I will keep everybody up to date on that.

The Director asked for any questions or comments from the members. With no questions or comments from the members of the Committee, Director Rendeiro moved to new business.

NEW BUSINESS

RECOMMENDATION FOR PLAN ENDORSEMENT:

Township of Cinnaminson

Borough of Riverton

Borough of Palmyra

Director Rendeiro said that in last month's PIC and SPC meetings, we gave you some background information on the regional endorsement process for Burlington County. There are 12 municipalities along the Route 130 corridor that we are looking to endorse so that ultimately we can give the first regional endorsement. We are thinking that the regional endorsement may be able to come in the fall at this point. The first three municipalities are up for presentation today.

The first three municipalities from Burlington County are up for proposal to forward to the full Commission. There are still a couple of open items. I think all of those items can be worked out in the next two weeks and you will hear from Meghan on what those items are. We are hoping to be able to receive approval today for forwarding to the Commission, the Township of Cinnaminson, The Borough of Riverton, and the Borough of Palmyra. It is not likely we are going to be bringing three at a time from now on, but let us see how it goes. There are a couple of still open items that Meghan will cover. What we will do is we will go through each municipality individually, I will ask the members to keep in mind that we are endorsing them individually and they need to stand on their own individually. Once all 12 are endorsed, we will look to the regional endorsement. What Meghan is going to do is go through the recommendation report and the PIA for each town separately, and then we will look at the map in total.

Director Rendeiro referred the presentation to Meghan.

This presentation can be found at:

<https://nj.gov/state/planning/assets/docs/meeting-materials/pic/materials/pic-materials-2022-0615-cinnaminson-recommendation-report-with-pia.pdf>

<https://nj.gov/state/planning/assets/docs/meeting-materials/pic/materials/pic-materials-2022-0615-palmyra-recommendation-report-with-pia.pdf>

<https://nj.gov/state/planning/assets/docs/meeting-materials/pic/materials/pic-materials-2022-0615-riverton-recommendation-report-with-pia.pdf>

Tirza Wahrman is a resident of West Windsor; she does not live in Riverton. I live in a part of the state where there is very little communication between our community, West Windsor, and surrounding communities. I am looking at what these several towns are doing in another flood-prone part of the state and clapping and saying, I wish every set of communities with flooding issues were doing what this group is doing. Does the state provide funding for the kind of planning you are talking about which looks very sophisticated and positive? Meghan responded that there are technical assistance programs and some funding opportunities through different programs. It really rather depends in part on the homework that the community has done. That's, I think, the first step and there is always an opportunity to come in and do the Plan Endorsement process through our office.

Suzanne Cairns Wells, Mayor of the Borough of Riverton said that she would like to thank Meghan and Tom for guiding them through this process. It is good to look at things like this and she appreciates the recognition. Riverton is a small town with very little staff. We only have four full-time staff at this point and it is all a volunteer effort that will probably eventually get it done. We probably will need maybe more time than some of the bigger towns but we are committed to this and happy to be part of it.

Meghan continued with the presentation.

Director Rendeiro said that we are excited about being able to bring together the communities in a regional discussion whether on stormwater management or resilience planning. That is where we are hoping to get a lot of consensus. There is a lot of activity and discussion around that. I think if we get nothing else out of this and get a regional look at some of the issues I think that is an accomplishment.

Director Rendeiro said that previously all of this area was a PA1 and that was identified 20 or 30 years ago. Now with the concerns about flooding, we cannot encourage growth in the area that you see in green. What Meghan was referring to was, ideally, we would like to make that area a PA1 with a CES over it. Our state agency partners in their programs and their incentives that would normally fund or finance projects a PA1 because that is an area for growth, they do not recognize CESs. Planning area guidance in the State Plan requires one square mile, at least. We are going to have to adjust how we interpret this for now. When and if we are able to update the state plan, we will address that in some way. Right now, if we leave it as a PA5 in Riverton, it does not encourage growth in this

particular area. We are still looking at it and having some conversations about it. We are working on trying to finalize it. I think because of the flooding and the other environmental features here, we do not have a choice. We cannot make it a PA1. That is one of the things it is still under discussion now. We believe we will have it all resolved. We think we have to go in this direction.

Meghan asked for any questions or comments related to the mapping.

Tom Stanuikynas from the Burlington County Bridge Commission said that he wanted to thank Donna, Lisa, Naomi, and especially Meghan for their help. He also wants to commend the town for their hard work not only in the last 20 years but also in the last three years since he has been here to move this forward. There has been a lot of coordination and working together between the municipalities and the Bridge Commission to move this forward. He does want to advocate for the town. There is a lot to do in the PIA. These towns are small; they are not the big suburban towns that have a planning staff. They are short-staffed. They want to do as much as they can. However, he is not sure that the PIA is not a little aggressive on the timeframes for stuff that needs to be done in a short period. He hopes that the State will work with the municipalities so that they can work to get things done in a practical timeframe. There is only so much that can be done at once. I think that the towns are committed to getting things done. They just may need a little bit more time. I am looking forward to having the other nine municipalities move through the process. Everybody has been working hard.

Director Rendeiro said that I am in the chat with Miss Wahrman. She has concerns about the West Windsor project, which is separate from this. That is really a separate conversation. Certainly, you can speak when we open it up for public comment, you can make your concerns known.

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

Director Rendeiro said that it is a lot of information to digest. I think what is beneficial here is this regional look and that the municipalities are working together. I am excited about the concept of working regionally. In this case, as Meghan says these are small communities, some of them are not even a square mile. Putting it together makes it so much more efficient and effective.

Chairwoman Robinson asked for any questions or comments from the members.

Commissioner Esser thanked Director Rendeiro and the staff for their hard work.

With no further comments from the members of the Committee, Chairwoman Robinson asked for a motion to move the recommendation for Plan Endorsement of the Township of Cinnaminson, the Borough of Riverton and the Borough of Palmyra to the SPC. Bruce Harris made the motion, Nick Angarone seconded the motion. With no further discussions or questions, Chairwoman Robinson asked for a roll call vote: Ayes: (6) Danielle Esser, Susan Weber, Bruce Harris, Nick Angarone, Sean Thompson, and Chairwoman Robinson. Nays: (0). Abstains: (0). to move the recommendation for Plan Endorsement of the Township of Cinnaminson, the Borough of Riverton and the Borough of Palmyra to the SPC was approved.

Chairwoman Robinson asked the Committee for a motion to open for public comment. The motion was made by Commissioner Harris and seconded by Nick Angarone. All were in favor.

Chairwoman Robinson asked the Director for any electronic communications. Director Rendeiro responded that yes, we did have representatives from West Windsor commenting about their concerns regarding the West Windsor project and the warehouse issue. All of the responses are in the chat. I would ask anybody if they would like to add anything else to that issue first.

Tirza Wahrman, resident of West Windsor said that thank you all for your very hard work across the state. I am very impressed with the presentation that I saw this morning. Sadly, here in West Windsor, we are kind of at the other

end of the spectrum, where we are fighting the seventh warehouse application that is pretty far along at the West Windsor Planning Board. We are as concerned residents and full disclosure, I do environmental law, and am very familiar with traffic congestion, air pollution, and flooding issues, which I have also experienced personally, probably like a number of you on this call. So we as concerned residents are very concerned with the speed with which the planning board is moving. They have closed public comment after just a few hearings. This is a 5.5 million square foot project five times the size of the Quaker Bridge Mall that is on the other side of Quaker Bridge Road and Clarksville Road. My question to you is with very thorough and thoughtful state planning guidance that came out we know it does not have the force of law. But what recommendation do you have to residents like us in West Windsor or surrounding communities in Lawrenceville, Hamilton, etc.? To use the state planning guidance to say this is a time for a pause. This is time to do the kind of cost-benefit analysis and community engagement that has not happened around this plan. If you have any words of advice for us, I know there are a number of residents on the call.

Director Rendeiro responded that unfortunately, as you said guidance is voluntary. What I would suggest is perhaps asking the planning board, and the mayor, if they have reviewed it, and if they have any thoughts about it. Because land use decisions are locally driven, unless they want to postpone that vote, we do not have any authority to stop that vote. If you really are concerned with it, just keep your voices out there and hopefully, they will, at some point, listen. They do still need to get state DEP permits and DOT permits. That is going to be a process in and of itself. The county can weigh in as well because my understanding is that some of the secondary egress impact the county roads. Again, that is all under the authority of the county but they are limited to what they can do. Based on the County Enabling Act they do have a say if it affects county roads. I hope that they will look at some of that guidance and maybe incorporate some of those ideas in their approval.

Tirza Wahrman said that she knows that as a lawyer that kind of scares me because I'm aware of other plans that have had conditional use conditions that have been struck down by the court where the builder didn't like them, or didn't feel they were authorized by the cited ordinance.

Director Rendeiro said that we do not really have the authority to say what to do there. We will continue to watch it.

Arundhati Bhosle, a resident of West Windsor said that this is again regarding what Tirza was talking about. And just as full disclosure, I'm also a licensed professional engineer in the state of New Jersey practicing civil and structural engineering. Today I am talking as a resident of West Windsor and for their residents. Thank you Meghan Wren about pointing out about Sustainable Jersey. I hope that we can try to work with the planning board and town council members to raise concerns regarding this application PB21-15, the applicant's name is Bridgepoint Western, LLC.

I just wanted to note that the public meeting as Tirza mentioned, in the month of May, there were two meetings for the applicant to present. One was for the planning board to question the applicant. The second one was for public comments. We would like to raise our opinion and have a formal lawsuit based on those meetings that happened on May 25. What we have learned so far is that the New Jersey DOT has provided some comments and I know that everything is in an approval process. Everything works by a chain because I worked with DOT and the Port Authority in the past as well. Just wanted to highlight double concerns and hopefully, you can guide us in any way possible. We do send out our emails to warehouses@sos.nj.gov. The thing that has happened is that now the traffic is going to enter our township and it is not just going to affect West Windsor, but it is going to affect all the neighboring towns and this is a huge warehouse. We are concerned that this major county road and I know that we would have to approach the county to raise our concerns but the majority of our schools are on county roads. The first one is on Clarksville Road, Maurice Hawk Elementary School and the High School South. If the traffic is rerouted to these warehouses, which the applicant is proposing now, DOT must have suggested that I don't know we have to confirm though, that 50% of this truck traffic from the warehouses will be using our internal Township roads. Considering how bottleneck traffic is going to be, it's going to impact not just our kids, not just the children, but also the youth, adults, and elderly alike. As everyone knows it is going to be one of the largest warehouses in the state

of New Jersey. Is this the right location? That is something we can debate later. I know that it is a legal settlement and hopefully all the members and the community and you can help us guide our ways to stop this traffic.

Director Rendeiro said thank you that her concerns are noted.

Stacey Fox, a resident of West Windsor said that when she read the guidance, she was given great hope about the West Windsor project. She has great concerns. The resiliency plan, I put the question in chat seems to be more full of mandates and enforceable laws than the guidance. And she was kind of wondering why everyone, at least as it applies to the project in my town that it seems every single resident almost as opposed to why haven't been hearing that that's really possibly our go-to, for some way to put the brakes on and make them slow down?

Director Rendeiro responded that the resiliency plan is required now in the municipal land use law. But it is not required until the municipality updates its land use plan in its master plan.

The Director asked Nick Angarone from DEP if he wanted to add anything to that.

Nick Angarone from NJDEP said that when the municipality updates its master plan, in particularly the land use plan element of its master plan or does the re-exam report that has the equivalent of updating a land use plan element of its master plan. An update is required to include a change-related hazard vulnerability assessment. The Municipal Land Use Law lays out some general guidance regarding what is required when the town adopted that as part of the master plan. Theoretically, their land use actions would then be required to be consistent with that element of the master plan. That is a general requirement of the master plan.

Director Rendeiro said that it depends on when the municipality plans to update its land use element. It could be as long as 10 years. That might be a question for the municipality. A resilience plan is one item we require in our Plan Endorsement process, but our Plan Endorsement process is voluntary and West Windsor is not in our process. They are required to update it based on the requirements in the Municipal Land Use Law. That could be up to 10 years from now. It depends on when their last update is. I do not know what that answer is. It's 10 years from the last one. There are some municipalities that are doing it sooner rather than later; others are not. I just do not know where they are at on it. That could be one question you could ask them.

ADJOURNMENT

With no further comments from the Committee or the public, Chairwoman Robinson asked for a motion to adjourn. The motion was made by Danielle Esser and seconded by Nick Angarone. All were in favor. The meeting was adjourned at 11:41 a.m.

Respectfully submitted,



Donna Rendeiro, Secretary
State Planning Commission
Dated: July 20, 2022

ATTACHMENT A

**NEW JERSEY STATE PLANNING COMMISSION
PLAN IMPLEMENTATION COMMITTEE
ATTENDEES
JUNE 15, 2022**

Walter Lane – Planning Director, Somerset County
Tom Stanuikynas – BCBC
Mark Villinger – Ocean County
Jelena Lasko – NJDOT
Ruth Foster – NJDEP
David DuMont - NJDEP
Rachel D. - NJDA
Arundhati “Arun” Bhosle - West Windsor Resident
Rhyan Grech - Pinelands Preservation
Jonathan Sternesky - HMFA
Jason Kasler - AICP, PP NJPO
Christian Onuoha - Councilman, Sayreville
Suzanne Cairns Wells – Mayor, Borough of Riverton
Amy Hoffman
Shilpa Chandra
Stacey Fox
Stephanie Farrell
Rachel Trokenheim
Tirza Wahrman
Ajay Kapoor
Bindi
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