



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
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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 December 21, 2022
Zoom Video Conference**

CALL TO ORDER

Chairwoman Robinson called the December 21, 2022 meeting of the New Jersey Plan Implementation Committee (PIC) to order at 9:30 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

Nick Angarone, Designee for Shawn LaTourette, Department of Environmental Protection
Bruce Harris, Municipal member
County Commissioner Director Shanel Robinson, Chair, County Member
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 with corrections of the October 19, 2022 meeting. Bruce Harris made the motion; seconded by Nick Angarone. All were in favor. The October 19, 2022 minutes were approved.

Chairwoman Robinson asked for a motion to approve the minutes with corrections of the November 21, 2022 meeting. Bruce Harris made the motion; seconded by Nick Angarone. All were in favor. The November 21, 2022 minutes were approved.

CHAIRWOMAN'S COMMENTS

Chairwoman Robinson thanked the Committee members, Director Rendeiro, and the staff for their commitment. She wished everyone a happy and safe holiday to everyone.

EXECUTIVE DIRECTOR'S REPORT

NEW BUSINESS

DISCUSSION ON 2023 GOALS

Director Rendeiro said that as you mentioned, we did a lot of work this year. I've started to develop the annual report. I looked at the 2022 accomplishments. We don't have any action items other than the minutes for today. I thought it would be a good idea to just have a quick conversation about where I think we are going in terms of the goals for 2023 and get input from the committee members to bring that back to the SPC so we can have a vibrant annual report.

Just very quickly for 2022. We endorsed 13 municipalities. I have to credit the staff, they were unbelievably good in terms of just moving this process along. DEP in particular and DOT as well put forth some really major effort. Nick can attest we have had numerous mapping meetings, many of which were good, and many of which were difficult. We did not always agree. Nevertheless, we work collaboratively together. I think we have a good working relationship. I want to thank the State agency partners that participated.

The area that I thought I would have liked to get a little further along on work, is some of the policy statements and policy work that I was hoping to get done. Obviously, we did the warehouse guidance document, which took off way beyond what I thought would happen. Since the Commission adopted the guidance in September, we have held seven presentations with a wide variety of groups from conservation groups to transportation groups with numerous different organizations. And we have three more in the works. We have one with the New Jersey League of Conservation Voters, which I believe we have tentatively scheduled for January, we have the New Jersey Society of Municipal Engineers, which I think is exciting because that is a group that historically is not part of the planning discussions but they should be. That is scheduled for February.

Probably the most exciting one that we are working on is with the League of Municipalities. I believe it is January 19. We're going to present a webinar for an hour and then an hour panel discussion. We just got word that there are a number of continuing education credits that will be given for that. There is a lot of discussion over whether there should be legislation or whether there should not be legislation and we will be making some comments on that.

What we have found on the warehouse guidance is that universally, the comments we received about the content of the guidance was good content. Where it differed in the public was whether it should be mandated, or should not

be mandated. And I don't have to tell this group which groups think it should be mandated or which group thinks it shouldn't be. That's well beyond our purview, we can't make that determination. That is something that's not for me to decide. My only hope is that enough municipalities choose to comply with the guidance so we don't need the legislation. We'll see where that goes. I think the discussion on the warehouse guidance has elevated the Commission significantly.

One of the things I would like to do in 2023 is continue to make more of a concerted effort to deal with policies from the Commission. As you all know, the centers are expiring on March 31. And we are still working with probably 20 to 25 municipalities actively and we'll continue to do so. For the ones that are inactive, we do not have to keep them on our plates any longer. If they're interested, they're always welcome to come back in and we will always work with them. But freeing up some of that time for some of the planners will help us focus more on the policy side.

I thought this would be a good chance as I am doing the 2022 accomplishments and the 2023 priorities to present to the Commission. I thought it would be a good idea to talk about some of your ideas for 2023 goals. I did hear from Commissioner Harris. He identified a couple of things, preparing model ordinances on warehouse siting and identifying areas suitable for warehousing. I'm pleased to say those are both in the works now as we speak. We are working on the model ordinance. The next step is to have a land use attorney look at it and see if it is viable.

We are having some good conversations with a number of stakeholders to develop a mapping protocol. This could kind of be a monster project, this will be in the goals but we are looking to test it in two counties. And Tom Stanuikynas from Burlington County and Walter Lane from Somerset County so we think those are two very good counties to test it.

We are also looking at mapping the existing warehouses and the approvals in relation to major arteries. And then maybe taking that a step further and saying where the Commission might recommend, we'll call them warehouse nodes for lack of a better term right now. A number of folks are asking us to map where the existing locations are in terms of approvals and what we think can happen going forward. We saw some preliminary maps yesterday and what we are trying to do is make it cumulative so you can see over time how that affects both farmland and our urban and overburdened communities. We are in the very early stages of this right now and so we really don't have a product yet.

Additionally, he had some good ideas that talked about reviewing the state plan and identifying what has worked and what has not. As we all know, there is a discussion on the table to update the plan but looking at what has worked in was what has not is also a good idea. Then he suggests finding out why towns have decided not to pursue endorsement. We think we know why every time we ask, it's either one of two things, either they don't have the resources to do it, or they don't see the benefit in doing it. However, how do we fix that? Maybe we can put in the goals for next year to continue to advocate for some either kind of planning funding or some kind of benefit. And I know, Nick is talking about, when we talk about regional stormwater reviews, if we can do that with the regional endorsements that we're doing. That makes sense, it gives the municipality some resources to do it. However, how do we address the fact that some municipalities cannot go through the endorsement process because they either do not have the resources? One of the towns in Burlington County told us that other than the police department they have four municipal employees so asking them to go through this intense planning effort is difficult and complicated.

Those were some of the thoughts that we have. I will incorporate those into the 2023 goals. However, I would like to open it up first to the Commission members, and then ask any member of the public that is on if they have any thoughts. And then we can start developing the 2023 goals.

Nick Angarone from NJDEP commented about those communities that have limited municipal staff. I am making an assumption here, I am wondering if there is consistency with those municipalities that have little to no staff and of the size and potential development pressures in those towns. And if, again, my assumption is that they are kind of perhaps small already developed communities. If it is not, we might think about a kind of a lesser review for them. But it is kind of based on the assumption if it's a small community and that you only have a handful of staff that there

aren't going to be significant issues that we have to wrestle with. Maybe that's a bad assumption. That is something that may be considered.

Director Rendeiro agreed with Mr. Angarone to some extent in terms of where to develop and where not to develop. However, when you are talking about things like resilience plans and looking at transportation and truck routes and those types of things, I think there is a need to help them. One of the things that I have been talking about, but I do not think we can really implement until we update the Plan, is instead of talking about center-based incentives, talk about Plan-endorsed centers. We should redefine it to take an emphasis off centers in terms of the incentives only. If you do good planning, whether you have a center or not and whether that is resilience, transportation, conservation or whatever it is, you can be endorsed. Maybe there is some kind of an abbreviated way of doing it; that is where our state agency partners should put forth their incentive money or their extra points in grants and those types of things. Many of our municipalities are not going to be getting the centers that they previously had, whether its resilience or whatever the reason is. If they do good planning, they should be eligible for some kind of benefit. So taking the incentive discussion away from center-based incentives, if you do good planning that is where you are eligible for the endorsements or the incentives. So maybe taking that idea that you just had in terms of, and I use the word abbreviated endorsement process, and looking at them a little bit differently, then it is around that whole definition. I just have to play that out a little bit.

Nick Angarone from NJDEP said that he still thinks that they are two potentially separate issues. He wonders if we would not be able to do a quick look; although he does not necessarily know how to do this. Is there a database that says, these towns have X number of staff then we can then look at those communities and look at what it looks like on the ground. He is not suggesting that if they need a truck route running through them where they are particularly vulnerable that they do not have to do anything, but maybe we do not require (I am just thinking from the perspective of DEP) them to do a full natural resource inventory or they don't have to do the Conservation Plan element.

Director Rendeiro said that maybe we categorize municipalities by size. The other thought is, and again, this may have to wait for a Plan Update, it is important to differentiate between north and south Jersey, a Planning Area 1 in North Jersey looks very different from a Planning Area 1 in South Jersey. This may be a Plan discussion and it is important to think about. An urban area in South Jersey looks very different from Newark or Jersey City. That's something that I was also thinking about.

Commissioner Harris said he agrees with Nick's comments and what Donna said, that maybe finding a better way of sorting through the municipalities would be helpful.

Nick Angarone referred to Donna's broader comments on plan-endorsement based versus center-based incentives. He is certainly willing to have that conversation but is very concerned. As you know that is by either statute or policy. Our state agencies largely refer to smart growth areas. Making this change would be particularly difficult and without the parallel changes to statute and policy, it has potentially extremely negative consequences from the department's perspective. But certainly willing to have that conversation.

I also have to say that linked to that is my concern is that we have smart growth areas sprawl a little bit because we are recognizing the not smart growth that has occurred over the last 20 years. Planning area 2, for example, just keeps creeping. I am just concerned about a bad act, poor planning and development. In the past 20 years is just resulting in an animal that just keeps feeding itself. It becomes this loop that there is poor development and then we extend Planning Area 2. There is more bad development, and we keep extending Planning Area 2. I don't know how to address that issue but it is something that I have a growing concern about.

Director Rendeiro said that we are moving after a long pause on the rule update that we had been talking about, we had not previously defined smart growth area. So it was left up to the individual departments to determine what they considered as a smart growth area. I think that is one step toward it. And if you ask me what the definition is right now, I can't tell you because I don't remember what it said. I think we need a consistent definition of what it is. I don't know if we're there yet. I think maybe that's one thing to think about. Maybe that falls under the policy discussion.

The problem is because the plan is dated, we are where we are required to go by what the definitions were 20 years ago. Some of that is not relevant now. So we have to figure out how to balance that and as we start talking about updating the Plan to do that, then I think many of these discussions will come to the forefront. I just need to figure out how to put it in the 2023 goals and still be able to address it in the existing Plan until the new Plan is in.

Some of the things that I was thinking about in terms of policy discussions are items that I talked about in last year's report. I think that we want to look at the equitable provision of affordable housing because we do have affordable housing. We do have many units that have been approved for fair share agreements. We are not sure how many of them can be built. We have that issue in one of our municipalities where because of the environmental features, and they are not flooding issues, will not be permissible by DEP. So how do we address that? How do we discourage municipalities from putting affordable housing in vulnerable areas, in flooding areas or where there is no infrastructure? It is one of the things that I think is important for us to look at.

Nick Angarone from NJDEP agreed that is a really good one. I can imagine the Commission putting together something almost akin to the warehouse siting guidance for affordable housing. What to do and what not to do type of thing. It is similarly linked for me to making sure that we are still promoting dense walkable transit-friendly communities. I think we should focus more on recognizing almost every major land use-related issue that New Jersey is wrestling with, can be directly linked to or addressed to good center-base planning in that way, including affordable housing.

I do not know if anybody saw the *New York Times*, a digital mapping story last week talking about greenhouse gas, climate mitigation, and efficiency based on land uses. It was really well done if none has seen it. Again, in-filling existing communities and developing areas is the most efficient. I think recognizing these things and doubling down on them is something we should focus on. But again, the affordable housing piece is something again, Donna and I talk about all the time.

Director Rendeiro said that we understand affordable housing a little bit more than we understood warehouses when we started to get involved in it. But the warehouse took a huge amount of effort on our part. I don't think affordable housing would take as much because we do have less of a learning curve on that one. However, I think that is an important one for us to tackle.

The other thing is, we cannot forget about economic sustainability. How do we enable and promote economic sustainability through land use practices? We are within the Business Action Center; the Business Action Center's primary goal is small business encouragement. We have had some conversations about how we interact. Previously when we first got here, we have the business advocates, you have us, and we really did not talk that much. We started with Melanie's help, having conversations and brainstorming sessions. That created a good conversation between the planners and the business advocates. "Okay, so I have the site that we're looking to develop, and we have a developer and a business owner that wants to come in, tell us can they cite here ". Then we could go and look at the land use implications around that. We have started to do that and that we have had many good conversations around. So how do you right size, those economic opportunities? And how do you look at regions throughout the state? We all know what the film industry is doing in New Jersey that's been hugely successful. And many studios are looking to cite in New Jersey, how do we help the business community do that citing? So that I think is an important piece, because economic sustainability is just as important as resilience. I think is an important thing to focus on.

Nick Angarone from NJDEP said that I am less sure about that, but certainly do not have a problem with it. I have to say that I remain slightly concerned every time I read the news. I do not mean to call anybody out. There is the huge redevelopment of Fort Monmouth, which is great. A significant amount of Fort Monmouth is vulnerable to flooding and it is not considered. I think that we need to figure out how to do this. I agree when I talk about resilience and sustainability, it is a very broad definition, economy, small businesses, and whatever large businesses. I think figuring out exactly what guidance we provide there would be important.

Director Rendeiro said that it is important for that reason because it's not an easy answer. It is no different from the warehouse discussion. In fact, it may be an offshoot of the warehouse discussion, because that is also economic

sustainability. The logistics industry is 12% of the jobs in New Jersey. Small businesses are 60% of the jobs in New Jersey. So it's not unlike the warehouse discussion. But it's not an easy answer, which may be all the more reason we need to provide that guidance.

One of the other things, going down my list of policies that we talked about, that we did not get to this year. To some extent, we started on this next topic. I put reconciling resiliency project priorities among state agencies. So as part of being on the IAC, Nick was gracious enough to accept my volunteerism to chair the funding subcommittee of the IAC. One of the goals here is to see how we can become a little bit more consistent in how we provide funding for resilience throughout our state agencies. We have had some success, we have a goal, and we have identified some criteria. But coming up with a solution has become challenging, partly because a lot of the funding that we have is federal funding and we need to use the federal funding criteria. We are not that far off, it is just that you might get a different answer from each agency you go to. We are trying to narrow that down and bring that in a little bit. That has been a little bit challenging. We are thinking that maybe it makes sense to have better communication between our agencies and our departments. We are still working on that. Therefore, I would like to continue that conversation. If one department is funding resilience for some project, let us say it is raising houses, does that mean you have to raise the road causing another set of projects? So how do you reconcile all of that? Those are some of the things that we are looking at.

Nick Angarone from NJDEP said that it is not a dissimilar conversation from having the state agencies recognize the State Plan. State agencies should consider these issues. There is no suggested correct answer. These factors should just be considered in funding decisions at this point. Again, not that dissimilar from what you should consider smart growth areas in some of your funding decisions. Figuring out how the State Planning Commission and perhaps the Interagency Council and coordinating there would be helpful.

Director Rendeiro said that there were a few other items that we did identify. There are two working waterfronts. I know we have as a state discouraged coastal development, but there is a recognition that there are certain developments that are water dependent. For example, a marina, a fishing organization, or an oyster shucking organization, are things that are dependent on the water. So the Commission has approved I believe it was two working waterfronts, and I think we need to just kind of fine-tune that policy a little bit, and how you deal with rural sustainability might be a little bit different than looking at it from an urban perspective. Public transportation is a big issue for us, and we want to make sure we encourage public transportation. Therefore, there are a few things there that we are looking to talk about. I think if we can tackle those first three that we talked about, that is probably going to take up a good portion of the year.

We have continued to be coordinating our interagency group. We have not met formally. We are going to be including the Department of Health in the interagency group because that's really important. We are on probably 1000 different interagency groups that will continue and we will continue to work with our state agency partners and county partners.

We would look toward some more regional endorsements. Right now, we are seven-twelfths of the way through Burlington County. I hope that we will get through the rest within the next couple of months. I'm looking at Somerset to be next. We potentially could do the Wildwoods as a region, but that one is going to be a tougher mapping discussion. I know Middlesex is pretty far along in completing its plan. I really think the counties have played in those instances, a substantial role. I think we want to continue that discussion. Also, the Department of Education is another department that we haven't historically included in our interagency group. But I think we should do that. We continue to work with special resource areas, particularly with the Highlands and the Pinelands. I am on the Age Friendly advisory council, which is supposed to figure out a blueprint to make it easier to age in place in New Jersey. In developing policies and rules, we want to continue with, and then continue to work with any of our planning organizations that are NGOs and get as much input as we can.

Those are some of the things that I think we should put into the 2023 plan. I think this discussion is helpful.

Nick Angarone from NJDEP said that he did not remember the Age Friendly status. Is that far enough along that that is ready for the SPC to develop a policy? The Director responded that it is almost there, that probably mid-year it would be. Nick Angarone from NJDEP said that that seems consistent with warehouse siting, affordable housing siting, and perhaps aging. It seems somewhat consistent.

Director Rendeiro said that that's actually a good idea. We have met pretty much throughout the year; we probably have another two or three meetings. It's really run by the Department of Health. They are going to be developing a blueprint, but we could certainly develop a policy that's consistent with that blueprint. A lot of the things that we're talking about are things like socialization. I am on the transportation subcommittee. There is a housing subcommittee. There is a technology discussion. The nice thing about technology is there are all these technology options for seniors to do things like make appointments or get ride-sharing appointments or things like that. At the same token, technology tends to isolate people; they are not calling people as often. So how do you balance that? It is an interesting dilemma from the transportation side if you want to give as many alternative transportation options so that they can drive less. At the same token, how do you get them comfortable? The older folks, how do we get them comfortable with being able to either take an Uber or get on a rideshare, or get on a paratransit bus? Those types of things. Crossing the streets at the safety issue, those types of things. It is absolutely something we could put on, probably for working on in the middle of the year.

Walter Lane from Somerset County said that he agreed with a lot of the discussion today. We have been advocating at the county for rewarding places that are doing good planning. I understand Nick's concerns; I think he has valid concerns. I think that is a good conversation to have about how to help those towns that do not have as many resources that want to do the right thing. That is something that is important to do. Maybe there is a role counties can help play in that effort as well to help support and solidify planning between local, county, and regional/state. I think the idea of Age-Friendly is important because that ties together many of the quality-of-life community discussions that need to be held with some of these cross-cutting issues. If it is good for senior citizens it is also good for kids and then probably good for everyone else.

Director Rendeiro said that we obviously are going to continue with the process of Plan Endorsement for those towns that are actively engaged. I think if we get half of the impact of some of these policies that we had on the warehouse guidance, we certainly can make an impact. I think where we can develop policies that are Commission policies, all it does is create conversation and create discussion. That's important. Nick, you are absolutely right. We do rather differ a little bit on some of the topics, but it creates conversation. You cannot get a resolution and you cannot come up with an answer until you create those conversations. I think I have enough to continue writing. I will also have this conversation at the full SPC meeting on January 4th. I am not going to ask for the full Commission approval on the Annual Report until the February meeting to give the Commission time to comment.

I was late in the game in hearing that Marty Bierbaum passed away. I was very sad to hear that. He played a huge role in the development of the plan. I'll be preparing a resolution for that. I will not have any action items for the fourth, but just this kind of the same discussion with the full Commission. I hope that by then I might have a little bit more structure around the 2023 goals. I will have it out for the full Commission to approve with the February meeting. If you come up with something and have more ideas about 2023 goals, please don't hesitate to shoot me an email.

Commission Harris asked about the panel discussion and whether any legislator would be participating. The Director replied that it is not likely, but that there are bills in committee that are being considered by the legislatures that are directly a result of the guidance.

Chairwoman Robinson asked for questions or comments from the public.

Tom Stanuikynas from the Burlington County Bridge Commission said that he just wanted to emphasize the past discussion about creating more benefits for plan-endorsed communities. Many towns are putting in a lot of work. Again, the discussion about smaller towns with limited resources. They are the towns that really need the most help, and have the most issues that could benefit from Plan Endorsement. If there are more incentives from the state

agencies to help the municipalities move through their Plan Implementation Agreement, that would really help. I think that would really get more towns involved. Because the PIA could be a little intimidating to some of these smaller towns with fewer resources. I think they are really looking for incentives when they go for grant opportunities from the DEP or the DOT. We are reviewing grants right now with the DOT and it would be great if there were a box to check on the applications that you were plan endorsed. I think some of those incentives really need to be looked at. That would really help the town start going through plan endorsement. Thanks.

Nick Angarone from NJDEP referenced his earlier comment. Aside from looking at the communities with a small number of staff, I wonder if we should also look at communities with significantly overburdened communities and some level of relief for the effort that has to go into it. Again, I don't know exactly where those lines should be.

Director Rendeiro said that maybe the policy discussion becomes how you define "in need". Is it capacity, size, budget level, or distressed community? How do we define what is considered a capacity issue?

Walter Lane from Somerset County said that I agree with both Tom and Nick. I think that's a good discussion. I think Tom's point to really show the benefits to the town, even just extra points on grant applications were endorsed plans would go a long way to help towns justify making the investment in time and effort to pursue plan endorsement.

Nick Angarone from NJDEP said that we had previously noted that the inland flood protection rule was going to be proposed, it has formally been proposed at this point. It was published in the New Jersey register, on the fifth, I believe, which starts a 60-day public comment period. You have until February 3 to submit comments on those rules. I would also suggest it's worth taking a look, whether you're going to comment on it or not. It's worth taking a look at the website, which I will post in the chat. There is a section on the underlying science. Folks here may or may not be aware that DEP worked with the northeast Climate Center to look at precipitation over the last 20 years and then look at precipitation projections out through the end of the century. The data we are using is out of date already. The projections that we are looking at are pretty significant. There is another section there on the lessons learned from Ida.

I'll also note that you can also find that on the website, DEP has developed a flood indicator tool where you can look at your specific location for potential flood indicators. We cannot tell you exactly who and when somebody is going to flood, but we can help identify those indicators that might tell you whether you should be aware of the issue. All of that is on the website.

The second thing I wanted to note and this is actually a little bit older. I do not think that we have ever talked about it. DEP in coordination with the Department of Health developed healthy community planning information. I will provide that website in the chat. It will provide health data for every municipality in the state. Health data and mapping are not something that we all talk about in this context frequently, but I do think that there are some significant worthwhile issues that these reports identify and are worth at a minimum for us to understand if not our local governments as well. I think it's worth taking a look at that if only informational. I do think there is a lot of information. The reports do identify some things you can do about it and some things the state is currently doing about it.

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 Bruce Harris. All were in favor. The meeting was adjourned at 10:30 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donna Rendeiro". The signature is fluid and cursive, with a prominent initial "D".

Donna Rendeiro, Secretary
State Planning Commission
Dated: January 18, 2023

ATTACHMENT A

**NEW JERSEY STATE PLANNING COMMISSION
PLAN IMPLEMENTATION COMMITTEE
ATTENDEES
DECEMBER 21, 2022**

Walter Lane – Director, Office of Planning - Policy and Economic Development, Somerset County
Tom J. Stanuikynas - Regional Planning Manager, Burlington County Bridge Commission
Jonathan Sternesky – NJHMFA
Jason Kasler – AICP, PP – NJPO
Anthony Soriano – Morris County
Matt Baumgardner – NJDEP
David DuMont – NJDEP