



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 May 13, 2020  
Conference Call:  
877-336-1829, Access Code: 6211649#**

**CALL TO ORDER**

Chairwoman Robinson called the May 13, 2020 meeting of the New Jersey Plan Implementation Committee (PIC) order at 9:33 a.m.

**OPEN PUBLIC MEETINGS ACT**

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

**ROLL CALL**

**Members Present**

Danielle Esser, Director of Governance, NJ Economic Development Authority

Freeholder Director Shanel Robinson, Chair, County Member

Elizabeth Semple, Designee for Catherine McCabe, Commissioner, Department of Environmental

Sean Thompson, Designee for Lt. Governor Sheila Oliver, Department of State

Susan Weber, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation

**Others Present through conference call**

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 February 26, 2020 meeting. Before the motion, Director Rendeiro informed that there will be a few comments to be added to the minutes. Chairwoman agreed and asked for a motion. Danielle Esser motion and it was seconded by Elizabeth Semple. With no further discussion or questions, Chairwoman Robinson asked for a roll call vote: Yes:(5) Danielle Esser, Susan Weber, Elizabeth Semple, Sean Thompson, Shanel Robinson. Nays: (0). Abstains: (0). The February 26, 2020 minutes were approved.

## **CHAIRWOMAN'S COMMENTS**

Chairwoman Robinson thanked and encouraged everyone to continue to do a great job.

## **EXWCUTIVE DIRECTOR'S REPORT**

Director Rendeiro expressed that the office staff is working with the municipalities and commented that in this difficult and challenging times.

## **NEW BUSINESS**

### **DISCUSSION ON BERKELEY TOWNSHIP PLAN IMPLEMENTATION AGREEMENT**

Chairwoman Robinson asked Director Rendeiro to present the discussion

Director Rendeiro recalled that previously the request for a map amendment for the Township of Berkeley as part of their biennial review was presented to the Committee but the action was pended since several critical items remained unaddressed. The Committee required that a resolution be passed by the Governing body that committed to completion dates of the incomplete items. That resolution has been passed, and although all is in agreement with the items that need to be completed, some of the dates committed seem to require an extended period of time. While the Township has exhibited good faith effort to move faster than the formally resolved dates, it is difficult for the Township to commit earlier primarily due to the current state of emergency. It is noted that the Township largely is requiring a 6 month extension to remaining incomplete items. It is the Office's recommendation that the map amendment be recommended to the State Planning Commission after the required public hearing is held. The Office commits to aggressive follow up with the Township to ensure compliance with the Plan Implementation Agreement.

There was one public comment prior to this meeting from NJ Future that inquired why this affordable housing project needed to be build outside of the existing sewer service area. The Executive Director responded that this was the final phase of an otherwise completed redevelopment area and was adjacent to the remaining development. During the planning of this redevelopment, the Township was under the mistaken impression that this area was already a PA-2 and was unaware that the change to PA-5 occurred during the initial Plan Endorsement process.

Liz Semple commented that this agreement is subject to CAFRA permitting process and that will require a site-specific amendment to the water Quality Management Plan a CAFRA consistency notice prior to being considered under CAFRA for a permit. Ms. Semple also noted that some of the still incomplete items are required for the CAFRA consistency notice.

Chairwoman Robinson asked for questions or comments from the Commission members or the public.

Mayor Amato, Berkeley Township thanked the Commission for the efforts on working with the Township and expressed on behalf of the Township that they are committed to this project 100%. Mayor Amato commented that like many other shore communities, was devastated by Superstorm Sandy. The Township's resources were then reallocated to Sandy recovery and rebuilding and that caused the delay in implementing many PIA action items and that the Township has now rededicated itself to completing the required action items by dates indicated on the revised PIA.

Judy Noonan, Councilwoman Berkeley Township thanked the Commission for the opportunity and looks forward to see this project to move forward.

Jim Oris, Berkeley Township Planning Consultant, thanked everyone and commented that the Township is committed to continue to provide affordable housing based on the requirements. He has committed to working toward completion of the incompleting items.

Director Rendeiro asked the member of the Commission for any comments.

Liz Semple asked the Township how long would it take to complete the incomplete items, and specifically the Environmental Assessment Ordinance. Mr. Oris replied that he believes that the Ordinance simply needs an update, based on NJDEP's feedback; he committed to working diligently to exceed the dates in the Township resolution. Mr. Oris commented that the environmental ordinances that were believed to be removed are actually still in place. These ordinances were adopted in 2012.

Liz Semple asked when the updates can be done.

Mr. Oris commented that will be a great help from the DEP to provide an example. This will allow the Township to achieve the same goal as an Environmental Assessment Ordinance. Liz Semple offered to provide an example. Mr. Oris commented that Recreation and Open Space Inventory are partially completed and will be done by December of this year.

Director Rendeiro commented that with the SPC and the commitment of the Township this project can be a great success.

Chairwoman Robinson thanked the Township for their efforts and to look forward to move forward.

Chairwoman asked for questions or comments from the Commission members or the public.

### **PUBLIC COMMENTS**

Rhyan Grech, Pineland Preservation Alliance expressed her concerns in reference to the endangered species and encouraged the Committee to follow the proper guidelines and procedures for this project.

Director Rendeiro commented that the Township will hold a public hearing where specific concerns will be addressed prior to presentation to the State Planning Commission.

Liz Semple made an observation about conservation ordinance that is required and needs to be completed.

Mr. Oris commented that in reference of Pine snake, DEP and the Township have conceptually agreed upon a mitigation strategy to resolve the matter. This agreement is subject to the CAFRA permitting process but will require a site-specific amendment to the Water Quality Management Plan and a CAFRA consistency notice prior to being considered under CAFRA for a permit.

Mr. Oris commented that consultants determined that there are no presence of pine snakes in the area. Liz Semple commented that the issue is that the area is suitable habitat for the pine snake.

Danielle Esser commented that an extension is reasonable due to the circumstances.

Chairwoman Robinson asked for a motion on the discussion of Berkeley PIA, Commissioner Danielle Esser made the motion and it was seconded by Sean Thompson.

The concerns of Liz Semple were noted as a matter of record and the Executive Director committed to working aggressively with the Township to ensure completion of the incomplete items, including an expanded review process to include quarterly updates.

With no further discussion or questions on the discussion of Berkeley PIA, Chairwoman Robinson asked for a roll call vote: Ayes (5) Danielle Esser, Susan Weber, Elizabeth Semple, Sean Thompson, Shanel Robinson. Nays (0). Motion to the discussion of Berkeley PIA was approved.

## **ADJOURNMENT**

With no further comments from the Commission or the public, Chairwoman Robinson asked for a motion to adjourn. The motion was made by Commissioner Danielle Esser and seconded by Elizabeth Semple. All were in favor. The meeting was adjourned at 10:52 a.m.

Respectfully submitted,



Donna Rendeiro, Secretary  
State Planning Commission

Dated: July 22, 2020

**ATTACHMENT A**

**NEW JERSEY STATE PLANNING COMMISSION ATTENDEES**

**DATE: MAY 13, 2020      TIME: 9:30 AM**

Mayor Amato - Berkeley Township  
Judy Noonan - Berkeley Councilwoman  
Ashton Jones - Berkeley Township  
Glen McDonald - Homes for All  
Rhyan Grech - Pinelands Preservation Alliance  
Jim Oris - Berkeley Township Planning Consultant