



State of New Jersey

DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
PO BOX 820
TRENTON NJ 08625-0820

CHRIS CHRISTIE
Governor

GERRY SCHARFENBERGER, PH.D
Director

KIM GUADAGNO
Lieutenant Governor

**New Jersey State Planning Commission
Minutes of the Meeting Held December 7, 2011
State House Annex, Committee Room 4, 1st Floor
125 West State Street, Trenton, New Jersey**

CALL TO ORDER

Edward McKenna, Chair, called the December 7, 2011 meeting of the New Jersey State Planning Commission to order at 10:11 a.m.

OPEN PUBLIC MEETINGS ACT

Deputy Attorney General Julie Cavanagh 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

Kenneth Albert, Public Member
John Eskilson, Public Member
Roberta Lang, Designee for Douglas Fisher, Secretary, Department of Agriculture
Greg Acquaviva, Designee for Lt. Governor Kim Guadagno, Department of State
Joyce Paul, Designee for Lori Grifa, Commissioner, Department of Community Affairs
Shing-Fu Hsueh, Mayor, West Windsor, Public Member
Bob Martin, Commissioner, Department of Environmental Protection
Thomas Michnewicz, Public Member
Andy Swords, Designee for James Simpson, Commissioner, Department of Transportation
Edward McKenna, Chairman, Public Member

Not Present

Caren Franzini, Chief Executive Officer, NJ Economic Development Authority
Marc Larkins, Chief Executive Officer, Schools Development Authority

Others Present

(See Attachment A)

PLEDGE OF ALLGIANCE

Chair McKenna asked everyone to stand for the Pledge of Allegiance.

CHAIR'S COMMENTS

Chair McKenna noted that he had no comments at this time.

DIRECTOR'S REPORT

Gerry Scharfenberger, Director reported that since the last SPC meeting, the OPA has been working on numerous components of the draft State Strategic Plan (the Plan). He explained that the work falls into three main categories. The most important being that Deputy Director Dan Kennedy and he have been crisscrossing the State engaging the public and educating stakeholders on the action taken by the SPC and on what the Plan does and doesn't do. Notable events attended include the NJAPA Conference, a meeting of board members of from the Regional Plan Association, a meeting of Somerset County Planning Directors, DOT's Smart Growth Interagency Team, the Monmouth County Planning Board, New Jersey Resources, DEP Brownfields Roundtable, and the Monmouth County Green House Gas Reduction Committee. Information sessions sponsored by both Warren and Hunterdon County on the Plan were also attended. In addition, presentations were given at two sessions at the League of Municipalities Conference in November. Commissioners Martin, Grifa, Simpson and Secretary Fisher also held a session at the League of Municipalities Conference communicating the Plan and what the administration intended to do with it. He further noted that these forums have been extremely productive for staff allowing attendees to be walked through the Plan and to have their questions answered. He also thanked OPA's partners for setting up the sessions and looks forward to doing many more in the future. He also noted that many of the stakeholders are encouraged by the action taken by the SPC and the response in the press has been overwhelmingly positive. The OPA credits the vast outreach effort on everyone's part for making it work and allaying the fears that may have arisen from something that is a departure from the old way of doing things.

The second component, the detailed work necessary to finalize and operationalize the Plan, has been to establish the public hearing agenda. Recommendations for the dates and locations of the six statutorily mandated public hearings have been drafted and will be discussed and considered later in the agenda. He also noted that there will also be a discussion on the opportunities for making public comments, SPC member participation and the public hearing format, which is all a work in progress. OPA also organized the first meeting of the State Strategic Plan Steering Committee to discuss agency guidelines in establishing the process of coordinating state government using the Plan with the first meeting being held on December 15th. The goal of the first meeting is bring the commissioners and their designees together to explain their role and that of their agencies in implementing the Plan. OPA staff is also preparing a pre-proposal for changes to the State Planning Rules focusing on the priority growth and priority preservation area criteria. It is expected that the pre-proposal will be made available during the public hearings. However, prior to that release staff will engage several stakeholders for peer review of the pre-proposal and provide an update at the next SPC meeting. Staff has also being conducting research on the score card approach to see that local actions are consistent with the Garden State Values. In addition, research on metrics related to the proposed Garden State Values has begun with a team from DEP. Lastly, staff continues to complete plan endorsement petitions and work on the closing out open grants. He noted that the staff expects at least an additional 14 municipalities proceeding with their PE petitions. Follow-up letters will be prepared and tailored for each individual municipality to allow them to understand exactly what they need to get their petitions through to the finish line and/or to determine if they want to proceed in the first place. He also noted that the final linkage document has been completed and is now available online.

NEW BUSINESS

Dan Kennedy provided an overview of how the OPA would manage the public hearing process required by the State Planning Act. Mr. Kennedy explained that the State Planning Act requires that the public hearings occur

in a regional context and as such a map was prepared listing the suggested regions and sites. He stressed that site were in draft form and that no dates or times have been confirmed. He further explained that staff felt, the northeast portion of the State should include: Passaic, Bergen, Essex, Hudson and Union, with the North Jersey Transportation Planning Authority (NJTPA) offering to host a hearing at their office in Newark; the northwestern portion of the State includes: Sussex, Warren, Morris, Hunterdon and Somerset with Morris County offering to host a hearing potentially at the county college in Morris; the Central portion of the State includes: Middlesex, Mercer and portions of Burlington with staff proposing to use the Rutgers EcoComplex in Columbus; Monmouth and Ocean counties with Monmouth University offering to host a hearing; the southwestern region includes: Salem, Gloucester and Camden and reaching out to Rowan University as a potential host and the Southeastern region: Atlantic, Cumberland and Cape May and reaching out to Stockton College as a host. He explained that the Act requires at least 30-days advance public notice, so once the logistics have been confirmed OPA hopes to have the public notice out mid-December and to start having hearings the 3rd or 4th week of January, with possibly two or three hearings a week depending on how they can be scheduled. The hearings will be night session starting at 6:00pm with a short detailed presentation on what the Plan does and does not do, with a brief ½ hour break and the official public hearing starting at 7:00pm, which would allow people to have the opportunity to be educated a little bit on the Plan. It was also discussed that staff feels that there will be a number of commenters at the hearings and that while everyone's concerns will need to be heard a time limit should be established by the chair to ensure that everyone is heard. Mr. Kennedy also explained that in addition to the public hearings there are numerous opportunities for the public to comment such as providing written *defacto* comments as testimony at the public hearings, and providing comments via the OPA website. Staff also recommended that a minimum of two SPC members be in attendance at each of the public hearings.

Mr. Kennedy expects the hearings to go swiftly and feels that staff is prepared to manage the work and is confident that every member of the public will have an opportunity to engage and provide their opinions and constructive criticism. He also noted that he feels staff will be in a position to funnel down the key issues and make recommendations to revisions to the draft for the Commission to consider and take final action on the Plan at the Commission's March meeting.

Chair McKenna asked for questions from the Commission. Chair McKenna questioned whether Mercer, Middlesex and Monmouth should be placed together and Burlington and Ocean together, because Ocean is a long county. He noted that he frequently travels to Mercer and Middlesex from Monmouth and felt it was an easy lift transportation wise and that it might be easier for people to travel to and from Burlington and Ocean county. Mr. Kennedy responded that if staff were to go with that recommendation, Plumsted would be a likely location for a hearing. There was a brief discussion on this issue. Director Scharfenberger also noted that the public is not precluded from attending any of the hearings even if they fall outside their region. Mr. Kennedy noted that staff will take the comments in to consideration and will do its best to see if a solution could be found for the comments that were on the table.

There was discussion on the swiftness of the meetings and not having the process drag out. Mr. Kennedy noted that once the hearings were completed, the SPC must take action within 60 days of the last public hearing. The goal is to have the last public hearing no later than the middle February, although the logistic and availability of the sites would define the schedule.

Chair McKenna asked if any of the members had any problems with the proposed process. He noted that it made perfect sense to him.

Ken Albert asked Mr. Kennedy to briefly share with the Commission the outreach that is being done by OPA for the public hearings. Mr. Kennedy noted that that the Act requires a significant amount of public notice that is the baseline for the outreach. In addition, OPA feels that its stakeholders can be a valuable asset in the outreach process as well and once the schedule has been established staff will work with those stakeholders to get the message out for when the public hearings are taking place. In addition, OPA will make sure that everyone understands the website function to submit public comments and as well as the other opportunities to submit comments outside the public hearings. He further noted that both Director Scharfenberger and he have put it on the table that they would attend any information session that a stakeholder requests them to attend in

order to provide information and that those sessions do not have to be in the context of a public hearing. Also, in addition to the required public notices in the newspapers, OPA may have to engage in a public relations campaign in the context of setting the stage of what the Plan is or is not in the form of letters to the editor or op-eds.

Mr. Albert questioned if we had the ability to notify municipalities directly. Mr. Kennedy responded that we are required to.

Chair McKenna asked for any further questions or comments. Mr. Kennedy noted that Director Scharfenberger did a really good job of touching on the work that staff was doing and that he would be happy to provide any additional details if there were any questions. He commented that the biggest task for staff was working on the pre-proposal for the replacement of the map using the criteria based system that is espoused and illustrated in the Plan. He recognized that there are holes that need to be filled in and that the best way to steadily move forward was the pre-proposal format for a rule proposal, which is required by Executive Order #4 under Governor Christie. In addition, the public hearing process will be used as an additional step to vet out the pre-proposal positioning the SPC to act swiftly on putting the rule out for adoption through the Register process.

Commissioner Eskilson questioned if it would make sense for the pre-proposal to come to the Commission first before it goes out, even informally, to the public hearings. Mr. Kennedy noted that an update would be provided at the next meeting of the Commission.

With no further comments or questions, Chair McKenna moved to the next item on the agenda.

RESOLUTIONS

Resolution No. 2011-09 City of Cape May Plan Endorsement Action Plan – Chair McKenna asked for any comments from the public on the resolution. There were no comments from the public or the Commission on the resolution. Chair McKenna asked for a motion on the resolution, it was moved by Commissioner Eskilson and seconded by Tom Michnewicz. Chair McKenna asked for a roll call vote: Ayes: (10) Ken Albert, John Eskilson, Roberta Lang, Greg Acquaviva, Joyce Paul, Shing-Fu Hsueh, Marilyn Lennon, Thomas Michnewicz, Andy Swords, Edward McKenna. Nays: (0). Abstains (0).

Resolution No. 2011-10 Long Branch City Plan Endorsement Action – Chair McKenna asked for comments from the public on the resolution. There were no comments or questions from the public or the Commission members on the resolution. Chair McKenna asked for a motion on the resolution, it was moved by John Eskilson and seconded by Tom Michnewicz. Chair McKenna asked for a roll call vote: Ayes: (10) Ken Albert, John Eskilson, Roberta Lang, Greg Acquaviva, Joyce Paul, Shing-Fu Hsueh, Marilyn Lennon, Thomas Michnewicz, Andy Swords, Edward McKenna. Nays: (0). Abstains (0).

Resolution 2011-11 Approval of the Barnegat Township Petition for Plan Endorsement/Center Designation – Chair McKenna commented that Ms. Meade did a great job on the PIC presentation and thanked her for work. Chair McKenna asked for comments or questions from the public on the resolution. There were no comments or questions from the public or the Commission on the resolution. Chair McKenna asked for a motion on the resolution, it was moved by Commissioner Eskilson and seconded by Commissioner Michnewicz. Chair McKenna asked for a roll call vote: Ayes: (10) Ken Albert, John Eskilson, Roberta Lang, Greg Acquaviva, Joyce Paul, Shing-Fu Hsueh, Marilyn Lennon, Thomas Michnewicz, Andy Swords, Edward McKenna. Nays: (0). Abstains (0).

Chair McKenna congratulated Barnegat Township and wished them luck.

Chair McKenna opened the floor to general public comments.

PUBLIC COMMENT

Chris Sturm, New Jersey Future thanked the staff and the Commission for moving aggressively to try to put some meat on the bones regarding the criteria. She noted that it was something that NJ Future has been very concerned about because what does the Plan mean if we don't know what we are talking about in terms of where we are going to grow. They are also pleased that the conversation will be part of the public hearings. Ms. Sturm noted that that hearing schedule was very ambitious and that she will be excited and pleasantly surprised to see a very detailed pre-proposal ready. But if it falls a little short and is more conceptual she feels it will be the basis of a very good conversation. She further noted that that public hearings on the new State Plan have been a long time in coming, the last Plan was adopted in 2001, the hearings are an important opportunity, to engage the public in thinking about where we want to grow, where we want to preserve and what role the State should play in helping towns get there. She would also hope that there would be great representation by the State Planning Commission at these public hearings. She feels the idea of just two members at any one particular hearing would be a disappointment and a missed opportunity. She encouraged the members to do their best to make as many as possible. Ms. Sturm, also noted that NJ Future has been in contact with the Governor's Office about appointments to fill out the ranks of the Commission. Knowing the Governor's Office has reached out to potential new State Planning Commission members with applications, she encouraged the current members to do what they could to make sure that the Governor's Office sees these appointments as a priority as there needs to be a better balance between state employees and public members and members of local government. Ms. Sturm questioned if any more details could be provided on the timeline for the State agency strategic plans and how those were going to be developed.

Mr. Kennedy responded that OPA feels that it is really important that all the new steering committee members and participants understand that that creation on their strategic plans is not a casual exercise. That it is truly being billed as a transformative process and that they will have to go through a series of steps in order to get to those strategic agency plans. OPA feels the first step would be to use some of the work that has been done by OPA, such as the linkage document. The agencies are going to have to analyze their functional plans, their regulations, their capital asks through the budget process and then tie those together in a meaningful way into the Garden State Values that are espoused in the Plan. He feels that coming from the Governor along with the SPC process it is a real opportunity for not just another year of talking but a year of action. He explained that the hard boring laborious work of getting into the weeds of State government both from a regulatory perspective, statutory perspective, budgetary perspective down to desk perspective has to be done to make this a meaningful process. He noted that there is no date certain but the summer of next year is a rationale point to work towards. Lastly, he noted that the important thing is that the process is taken seriously, thoughtfully and yields actions that have meaningful results that are connected with the objectives of the State Plan and the Garden State Values that are espoused within Goal 2.

Ms. Sturm questioned if there would be an opportunity for interaction with the State Planning Commission about the specific agency plans? Mr. Kennedy responded, yes.

Helen Heinrich, New Jersey Farm Bureau congratulated the towns that made it through the process today and the Commission for streamlining and speeding up the whole process of plan conformance including center designation. Ms. Heinrich noted that she has been impressed with how easy it is to get centers in the Highlands and how it has been very difficult in past years to get centers through Commission and hopes that eventually the process will be more like what it is in the Highlands. She also noted that she is impressed with the PIA's for these towns as it seems like the State agencies appear to be more coordinated and ready to do their part to push forward. She noted that a lot of comments have been made that there has been no commitment on the part of the State agencies to meet any kind of deadline in the process and that has been a problem and has extended the time length of the process. Ms. Heinrich questioned if the new process involved the steering committee or some way of getting a commitment out of the State agencies that will be ready to back an action in a timely fashion.

Mr. Kennedy responded that OPA feels that State government has not been partners in having towns meet their sustainability goals and that the answer would be it depends on the actual action that the department

needs to take. There are not any actions that the State departments should take that have a timeless, bottomless perspective adoption date. He thinks that one thing that will be looked at in the department plans is to ensure that rules are predictable and that they can actually be followed, they are not duplicative and to make sure that towns and the private sector that is looking for answers can get them, even if it is "no". He noted that it is important to be able to give people a clear path and predictable process and that the draft Plan espouses principles for state decisions making.

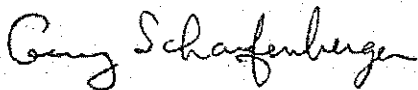
Andy Muneac, Chairman of the Barnegat Township Planning Board commented that six or seven years ago when they started the plan endorsement process, he didn't know that they would ever get to this day. Mr. Muneac thanked Ms. Meade, the Commission as well as Cynthia Rahn from Barnegat's planning office, John Hess and Peter Vandenkooy from Birdsall Engineering for seeing Barnegat through the process and getting them to today.

Wilma Frey, NJ Conservation Foundation specifically addressed the public input phase of the process. She noted that NJ Conservation Foundation feels it is important that there be a State Plan, Michele Byers the Conservation Foundation's executive director served on the SPC for 10 years. However, it is important that the public have some knowledge of this Plan and be engaged. She feels that given the fact that the entire cross-acceptance process that occurred is not relevant to the proposed Plan that a special effort be made beyond what is required by the State Planning Act. She feels that there should be a great many more, perhaps double the number of hearings that are proposed and that those hearings should extend for a longer period of time. She commented that she could not think of a worst time for public hearings in terms of weather and the ability for people to travel during that period. She feels that the hearings should be extended well into March and there should be at least a dozen of them so that some semblance of public participation by municipalities and counties and private citizens can occur during this process.

ADJOURNMENT

With no further comments from the public, Chair McKenna asked for comments from the Commission members. Seeing none, Chair McKenna asked for a motion to adjourn. Commissioner Eskilson made the motion and it was seconded by Marilyn Lennon. All were in favor. The meeting was adjourned at 10:48 a.m.

Respectfully submitted,



Gerard Scharfenberger, Ph.D.
Secretary, State Planning Commission

Dated: January 10, 2012

NEW JERSEY STATE PLANNING COMMISSION

DATE: DECEMBER 7, 2011 TIME: 10:00 AM

LOCATION: COMMITTEE ROOM 4, STATE HOUSE ANNEX, TRENTON, NJ

NAME	AFFILIATION & ADDRESS	PHONE
Heves Hincinich	NJ Farm Bureau	
Susan Wolber	NJDOT	609-560-3658
Caroline Rahn	Barnegat Twp, 902 W. Bay Ave. Stump Brook Melatory Natural Area	609-698-0280 x155
Jennifer Coffey	5105 SAC Services Group	609-737-5735 x18
John Hess	529 N. Delaware St. Barnegat NJ DOT	698-1144 x3111
Ed Spetel Jr	Walders Group 500 Barnegat Blvd N Barnegat NJ DOT	
Joe Del Duca	"	
Peter Vandenberg	Birdsall Sess. Group 611 Federal Way W, Eatontown, NJ	
Chris Sullivan	NJTF	
Lucy Vandenberg	PlanSmarts NJ	609-393-9434