



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
Minutes of the Meeting Held on January 6, 2021
Zoom Video Conference**

CALL TO ORDER

Chairman Wright called the January 6, 2021 video conference of the New Jersey State Planning Commission (SPC) to order at 9:32 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

Andrew Swords, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation

Bruce Harris, Public Member

Nick Angarone, Designee for Catherine McCabe, Commissioner, Department of Environmental Protection

Danielle Esser, Deputy Chief of Staff, NJ Economic Development Authority

Monique Purcell, Designee for Douglas Fisher, Secretary, Department of Agriculture

Edward J. McKenna, Vice Chair, Public Member

Elizabeth Terenik, Public Member

Joseph Fiordaliso, President, Board of Public Utilities

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

Melanie Willoughby, Designee for Tahesha Way, Secretary of State, Department of State

Shanel Robinson, County Commissioner Director, County Member (arrived at 10:40 am)

Thomas Wright, Chairman

Others Present

See Attachment A

PLEDGE OF ALLEGIANCE

Chairman Wright asked everyone to stand for the Pledge of Allegiance.

ELECTION OF VICE-CHAIR

Chairman Wright asked for a nomination for Vice-Chair. Melanie Willoughby moved a motion to nominate Mr. Edward McKenna to be Vice-Chair for the State Planning Commission and the motion was seconded by President Fiordaliso.

With no further discussion or questions, Chairman Wright asked for a roll call vote: Ayes: (11) Danielle Esser, President Fiordaliso, Monique Purcell, Andrew Swords, Bruce Harris, Nick Angarone, Edward McKenna, Sean Thompson, Elizabeth Terenik, Melanie Willoughby, Thomas Wright. Nays: (0). Abstains: (0).

APPROVAL OF MINUTES

Chairman Wright asked for a motion to approve the Minutes with corrections of the November 4, 2020 meeting. Elizabeth Terenik made the motion, and it was seconded by President Fiordaliso. With no further discussion or questions, Chairman Wright asked for a roll call vote: Ayes: (11) Danielle Esser, President Fiordaliso, Monique Purcell, Andrew Swords, Bruce Harris, Nick Angarone, Edward McKenna, Sean Thompson, Melanie Willoughby, Elizabeth Terenik, Thomas Wright. Nays: (0). Abstains: (0). The November 4, 2020 minutes were approved.

CHAIR'S COMMENTS

Chairman Wright commented that it is a pleasure to be with everybody on this first Commission meeting of 2021. The Chair commented that in only twelve months, he is pleased that so much had been accomplished. Chairman Wright thanked the Governor's Office, all the Commissioners, Donna and the staff for their dedication and hard work and commented that through a resolution, the Commission is thanking Commissioner Catherine McCabe for her incredible work at NJDEP. Chairman Wright commented that the New Jersey Economic Recovery Act started to move forward and among the many items in that large piece of legislation there is a support for planning grants and local planning.

EXECUTIVE DIRECTOR'S REPORT

Director Rendeiro spoke. Since the November 4th SPC meeting:

- One Opportunities and Constraints Report was completed (Vernon)
- One Municipal Self Assessment has been completed (Upper)
- The Office held two more prepetition meetings (Manville, November 10th and Freehold, December 8th).

A prepetition meeting was held with Kingwood Township in Hunterdon County on January 5th. While they are not part of the 95 municipalities with expiring Centers, they are seeking PE as the next step in their TDR process to explore the ability to gain sewer service. This is their first request for PE.

A total of 68 letters were sent to municipalities that have been silent or with whom we have had minimal contact, indicating that even though we do not have an expiration deadline yet, no additional extension is anticipated. We expressed urgency to contact their area planner to indicate their intention. Tracking has begun and initial response has been positive.

The review of the Holmdel map amendment petition has been completed.

Rule Update

In anticipation of the upcoming rule opening, several stakeholder discussions were held. So far, discussions were held with NJ Future, NJ Littoral Society, the League of Municipalities, the NJ County Planners Association and the NJ Builders Association. I anticipate scheduling discussions with NJAPA and NJPO next. It is anticipated that we will be

looking to begin the rule update process in the first quarter of 2021. We will begin to develop a timeline this week and begin staff discussions later this month. The Interagency Workgroup will be asked to actively participate in the process.

Resiliency Planning Assistance

The Office has completed four training programs related to resiliency planning in 2020.

The Rutgers Studio was completed in December, culminating in three presentations. The students are broken into two teams. “Team Keansburg” presented to the Keansburg Council on December 16th and placed particular focus on socially vulnerable populations. “Team Atlantic Highlands” presented to the Atlantic Highlands Council on December 17th and focused on natural infrastructure and water dependent economies. Deliverables focused on some items that the towns need to complete for Plan Endorsement. The program focused on current and future flooding vulnerability analysis and opportunities and constraints. A third presentation was made to OPA and DEP to present recommendations that the Commission can consider during the rule change process. Candidates will be from both the Bloustein School and STEM students. The program is unique in that it brings together the planning disciplines with engineering and other technical disciplines.

Interagency Coordination

A process to assist municipalities in determining whether to go through Plan Endorsement or the Highlands Conformance process has been drafted and is being reviewed internally. Once the draft is completed, we will review the proposal with the Highlands staff and incorporate their comments. Additionally, an effort was completed to reconcile the State Plan map with the Highlands map to ensure consistency between the two files. Additionally, a guidance document is being prepared to assist municipalities in determining whether to pursue Plan Endorsement or Plan Conformance.

As a result of Daniel’s Law, an effort has begun to remove parcel data from OPA’s mapping. This is an extensive process as over 30 layers of data need to be scrubbed and new URLs need to be created.

The Office continues to participate in the Climate Change and Environmental Justice Interagency Councils, DEP’s NJPACT initiative, the Highlands Economic Development Plan Development, Electric Vehicle Infrastructure discussions, and numerous State, regional and local planning entities.

A meeting is scheduled for January 11th with NJDEP to discuss OPA’s implementation of the State’s resiliency strategy. Our departmental meeting is combined with the Highlands Council and OEM.

A meeting is scheduled for January 13th with DEP and DCA to discuss affordable housing inventory that is in flood prone areas. This is an initial step toward determining a policy regarding not siting affordable housing in environmentally sensitive areas going forward.

The Executive Director presented 2021 SPC goals to the DOT Smart Growth Implementation Team. Both groups agreed to take a deeper dive into the DOT programs to better coordinate the programs, much like the effort we began with DEP in 2020. We anticipate discussions to begin in early 2021.

NEW BUSINESS**Approval of Resolutions 2021-01, 2021-02 and 2021-03**

Chairman Wright asked for a motion to approve Resolutions No. 2021-01, 2021-02 and 2021-03, Vice Chair McKenna made the motion, and it was seconded by President Fiordaliso. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (11) Danielle Esser, President Fiordaliso, Monique Purcell, Andrew Swords, Bruce Harris, Nick Angarone, Edward McKenna, Sean Thompson, Elizabeth Terenik, Melanie Willoughby, Tom Wright. Nays: (0). Abstains: (0). Resolutions No. 2021-01, 2021-02 and 2021-03 were approved.

Approval of Resolution 2021-04 Acceptance of the Year-End Report

Director Rendeiro commented that one of the requirements of the State Planning Commission is to issue an Annual Report which was drafted and sent out to members. The office received some comments back and incorporated most of them.

Director Rendeiro started the presentation of the Year-End Report. Director Rendeiro commented that In the first quarter of 2020, the Administration appointed 4 new SPC Commissioners (one County Representative, one municipal representative, and two public members) and did not reappoint one public member, bringing the total filled seats to 12. Additionally, three new Planners were hired at OPA, while the Planner on loan returned to DEP and subsequently retired, bringing the planning staff to four. All other staff remains the same.

While the goals stated in the 2001 SDRP are still valid today, several current Administration priorities were not addressed in detail in that Plan, including, among other things, climate change and equity. With this in mind, priorities were set as follows:

Continue to work with municipalities with expiring Centers to determine interest in pursuing Plan Endorsement

In January, 2020, 31 municipalities of the 95 (33%) were working with OPA to participate in the Plan Endorsement Process. As of November, 2020, 47 (49.5%) were actively pursuing PE.

Review and update collaboration efforts among state agencies, planning partners, and other stakeholders

This goal is probably the most important of all goals. Among the findings of The State Planning Act, the primary goal of State planning includes coordination at many levels.

The Office led the Planning Interagency Workgroup that began at the end of 2019. The Workgroup is made up of all ex-officio SPC members in addition to other State agencies relevant to land use planning. Quarterly meetings were scheduled but due to the current health crisis, all but one was canceled.

Update guidelines, where applicable

Director Rendeiro commented that it has been recognized that the Guidelines had not been updated in over 10 years. It was deemed important to do so, since the planning landscape and on-the-ground circumstances have changed.

Director Rendeiro commented that OPA staff reviewed and with input from our State agency partners, made recommendations to the SPC to update the Municipal Self Assessment (MSA) Guidelines, primarily for the purpose of incorporating resiliency planning and equity in addition to technical updates. Recognizing the importance of regional/county land use planning, the staff made recommendations for regional/county endorsement. Also, staff reviewed the entire Plan Endorsement process. This was a major initiative that reviewed all 10 steps in the process

for update as well as inclusion of current Administration goals, such as climate change, equity and clean energy. All three efforts were approved by the Commission.

Additionally, the Office developed rules for Plan Endorsement Renewal. This process allows for renewal of Endorsement -- a process that will recognize an update to a municipality's good planning practices rather than a requirement that mandates planning practices begin again from scratch, as it is today. This will significantly reduce the lift for municipalities coming in to renew their Endorsement. We await a decision by the DAG to determine whether or not this needs to be included in the Rule update.

Determine value-added efforts that OPA can offer municipalities and identify incentive opportunities for municipalities

Director Rendeiro commented that the Office has prepared a recommended list of incentives that should be considered. Funds for planning efforts should be made available; Items identified also include technical assistance, additional points for competitive state grants, possible set asides of existing funding programs and permitting assistance are all areas that likely will encourage municipalities to participate in good land use planning. Some of these ideas have been partially implemented; the Office continues to work on others.

Director Rendeiro commented that in terms of the Highlands Council Coordination, the Office will continue to coordinate with the Highlands Council on many fronts. Both offices have agreed to coordinate Plan Conformance with Plan Endorsement to encourage consistent messaging throughout the region.

2021 Goals

Director Rendeiro commented that there was a lot done in 2020 and want to continue these efforts in 2021 and recommends looking at Statewide policy statements for the State Planning Commission to see where we can contribute to the State policies in terms of overall land use issues. Things like equitable provision of housing, infrastructural impacts, how we incorporate the Energy Master Plan into Plan Endorsement, and how do we look at TDR. All of these policy issues will be discussed with the appropriate State Agency Partners. Additional topics include public transportation access, urban redevelopment, rural sustainability, public facilities and infrastructure.

Director Rendeiro commented that a meeting was held with NJDEP regarding a map amendment for Lower Alloway's Creek to assist with wind port manufacturing. This is an example of things that can lead to SPC policies that can contribute to State goals.

It is anticipated that the Rule update process will begin in the first quarter of 2021. All of the procedures that we currently work under will be reviewed and updated.

Director Rendeiro commented that the year 2021 will be a year of recovery and rebirth after the effects of COVID on both our economy and the health of our communities. How we respond to this recovery will likely impact the State for years to come. The Office of Planning Advocacy and the State Planning Commission must be able to proactively address all of the above issues and more. It is beyond our ability to predict what changes await us and we need to be flexible enough to adjust our plans and objectives. Reacting is not good enough; proactively addressing what we know and being nimble enough to address what will be new is required. The Office and the State Planning Commission are prepared to do just that.

President Fiordaliso commented that he is happy to see State coordination. It is necessary where the Energy Master Plan is concerned because it is not only one agency or a group of people that are going to move us or continue to move us toward the goals that the Governor has laid out. It has to be a coordinated effort from all segments of the State Government in order to achieve our goals. Director Rendeiro and President Fiordaliso agreed that communication with the communities is the key to a successful program.

Chairman Wright commented the meetings this past year that included presentations by partners such as FEMA on hazardous planning and NJDEP on resilience were excellent and we should include as many of these presentations as possible.

Now that we have adopted a calendar for 2021, I would like all of the Commissioners, public and private, to think about what other planning efforts that have this kind of relationship to the State Plan. Also, we should try to schedule over the course of the next eleven months, updates so that we could discuss the Energy Master Plan and use the commission meetings as a mechanism to create more of that dialogue and to make sure that we are all coordinated that way. President Fiordaliso agreed with Chairman Wright and offered to at any time with technical support to setup a presentation on where exactly the Energy Master Plan is. Director Rendeiro agreed and commented that she will be looking forward to setting up a meeting in the near future.

Monique Purcell, from the Department of Agriculture, acknowledged the hard work done on the Annual Report by Director Rendeiro and the staff considering everything that has happened this past year. Ms. Purcell commented that personally she can appreciate the void of Interagency Coordination because it was real. Now, she is happy to see that the Murphy Administration realized the value of State Planning and the State Planning Commission and obviously the need for staff to do this work.

Andy Swords, from the Department of Transportation, commented on the hard work done on the Annual Report by Director Rendeiro and the staff as well as the importance of Interagency Coordination. Also, that in the Transportation world since the last state plan was developed, there has been an increased emphasis on public health, particularly with the partnership between Active Transportation, Complete Streets and Public Health. That is also an opportunity for some discussion with the Interagency Group.

Director Rendeiro commented that one of the goals is to also invite the Department of Education into the Interagency Work Group as well as the Department of Transportation.

Chairman Wright asked for a motion to approve the Year-End Report. President Fiordaliso made the motion, and it was seconded by Bruce Harris. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (11) Danielle Esser, President Fiordaliso, Monique Purcell, Andrew Swords, Bruce Harris, Nick Angarone, Edward McKenna, Sean Thompson, Elizabeth Terenik, Melanie Willoughby, Tom Wright. Nays: (0). Abstains: (0). The Year-End Report was approved.

Approval of Resolution 2021-05 - Appreciation Commissioner McCabe

Chairman Wright asked Director Rendeiro to present the Resolution

Director Rendeiro read the Resolution to the Commission (available on OPA's website).

President Fiordaliso wished well to Commissioner McCabe on her retirement.

Nick Angarone, on behalf of Commissioner McCabe, expressed her regrets for not being able to be at the Commission meeting and thanked the commission for the resolution of appreciation. She expressed her great appreciation to everyone for the great work the State Planning Commission has done and is continuing to do. It is so important for New Jersey's future and, with great confidence in Donna's leadership and the Commission members, the work will continue to ensure a safe and positive future for the New Jersey communities. Thank you and farewell.

Chairman Wright asked for a motion to approve Resolution 2021-05, Danielle Esser made the motion, and it was seconded by Ed McKenna. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (11)

Danielle Esser, President Fiordaliso, Monique Purcell, Andrew Swords, Bruce Harris, Nick Angarone, Ed McKenna, Sean Thompson, Elizabeth Terenik, Melanie Willoughby, Tom Wright. Nays: (0). Abstains: (0).

The Resolution 2021-05 was approved.

Before the Commission continue to the approval of the next resolution, Vice-Chair McKenna recused himself from the meeting.

Approval of Resolution 2021-06 -Map Amendment in the Township of Holmdel

Chairman Wright asked Director Rendeiro and staff to present the proposal and changes that the Commission is asked to vote on.

Director Rendeiro spoke. The property in question identified in the original petition was identified by Holmdel for an affordable housing project. It was understood that a portion of the property was in a PA-1 but that was incorrect information; it was actually entirely in a PA-2. With the updated information, the developer petitioned the State Planning Commission as a third party for a map amendment to include that one block and lot. The map amendment is necessary because the property is in a CAFRA zone which impacts impervious cover limits.

We received the petition on September 8th from the Walter's Group. The Petition was deemed complete a few weeks after that and Lisa Avichal, the Area Planner, and Matt Blake worked on the analysis the public comment period went from the end of September to the end of December. We were able to discuss matter at the PIC meeting during that time but were unable to bring it to the SPC until after the public comment period ended.

We received six public comments. An extensive comment from Hazlet, a letter from the Township of Holmdel stating that they do not have any objections to the office's recommendation, three letters of support from the Latino Coalition, the Fair Share Housing Center and from an organization called Solutions to End Poverty Soon were received. We also received one comment from an anonymous member of the public that felt compelled during the PIC meeting to respond to, as well as here. Basically, it was against any provision of affordable housing, and made numerous comments regarding things that were outside of the purview of the State Planning Commission. The writer did not believe zoning changes were recommended because in her words there is a massive population and there is plenty of land in Newark and Paterson and such cities for affordable housing and that there is a mass of loss of population in New Jersey. In spite of that perception, there is also a massive need for safe decent affordable housing.

Director Rendeiro quoted some statistics. One in 10 New Jersey residents live below the poverty level. New Jersey is the 6th most expensive State for renters, 40% are considered working poor, 20% of the population expend more than 50% of their income on housing and in order to afford a small two bedroom apartment one must make \$28.00 an hour. A long-standing policy in the State Development and Redevelopment Plan is to provide equitable and affordable housing and services regardless of their income level. The type of housing that is provided in these projects are safe, well maintained and provide an opportunity for teachers, fire fighters, police and health care workers and the newly graduated college students starting their new careers. The housing is for our children and our grandchildren who just graduated from college and starting their lives. It is for seniors, our parents and grandparents who want to live near their families in communities where they have made their lives. All of these populations are assets to our community, and we should be providing this opportunity equitably. So, while we respect the opinion of the writer, which was placed on the record, it is not in line with the goals of the State Planning Commission.

Director Rendeiro continued. The recommendation that Lisa will present to you now will talk about the original recommendation we presented to the PIC in November. We did not believe that the one block area in the petition that was consistent with the State Plan because we do not do planning areas by block and lot. We made a recommendation to expand that area planning and Lisa will explain why those boundaries were identified.

The Township of Hazlet came back and suggested a much larger area which we will show you on the map. The PIC voted to move the Office's recommendation to the SPC because of time sensitivity of the request in order to obtain eligibility for tax credits to provide this affordable housing. We also made a commitment that we would review the Township of Hazlet's recommendation and to determine whether or not we should expand the area based on Hazlet's suggestion. We convened the PIC meeting in December and Matt Blake will explain why we believe that the original recommendation should stand. Matt will explain the specific land use reasons for maintaining the original recommendation. Director Rendeiro referred to Lisa Avichal for a presentation with the assistance of Steven Karp for the map display.

Lisa started the presentation. On September 8, 2020, the Office of Planning Advocacy received a State Plan Policy Map Amendment request from The Walters Group to amend the State Plan policy map for Block 57, Lot 2 in Holmdel Township from a Suburban Planning Area (PA-2) to a Metropolitan Planning Area (PA-1). The request was made in order to support a municipally sponsored, 50-unit, 100% affordable housing family rental project, which is situated wholly within a Suburban Planning Area PA-2. OPA staff reviewed the request and presented its findings on the November 24th PIC meeting.

Approximately 900 linear feet of the property's frontage shares direct adjacency with the Metropolitan Planning Area (PA-1) that is located directly across Holmdel's shared municipal border with Hazlet. The CAFRA zone overlays a small portion of Holmdel, which is relegated to the northeast corner of the township, extending southward to where its jurisdictional boundary terminates along the property's southern boundary with Middle Road.

The Petitioner's Report accurately characterizes the many commonalities between the site and that of the surrounding Planning Area 1 in terms of land use, development patterns, and environmental features. This area and the surrounding area in Holmdel are coterminous with the sewer service area boundaries of the Bayshore Regional Utility Authority where both public sewer and water are uniformly available.

While the requested map amendment from the Petitioner is for a single block and lot, OPA does not believe that a parcel-specific approach adequately advances the policy objectives and implementation strategy set forth for PA-1 in the State Plan. Therefore, we recommended the inclusion of a larger geographic area, that are to include the area North of the NJ Transit Right of Way to Holmdel's municipal boundary with Hazlet. As it stands today, the staff recommended larger area is also within the Suburban Planning Area. (PA2). The Holmdel Zoning Table included in today's meeting material package outlines each zoning district that is included in this larger geographic area, north of Railroad and how its permitted uses and purpose align and are consistent with changing the existing planning area to a PA 1.

The Petitioner's report noted the land use changes that have taken place over the past twenty years since the State Plan Policy Map was adopted. Over this period, increased development at greater intensities, particularly with respect to the expansion of new housing, including numerous larger scale townhouse developments have occurred in this area. Given the existing development in place and various zoning underpinning the area, it is clear that Holmdel has consciously targeted denser growth patterns in the northernmost portion of the Township, particularly north of Rt. 35 and proximate to the Metropolitan Planning Area (PA-1) encompassing Hazlet. The proposed use and associated density conform with local zoning and the wide variety of housing types and dispersed format already present and well-established in the area, particularly north of Rt. 35. The property is currently vacant and, like the area immediately surrounding it, would benefit from its redevelopment.

Additionally, affordable housing is viewed by the State as an inherently beneficial use that addresses multiple goals and policies of the State Plan for equity and the provision of adequate housing at a reasonable cost for all residents.

These land use considerations, taken together with the proposed project, the general area and context within which it is located, are viewed in terms of both consistency with the State Plan and the Planning Area redesignation requested by this petition. The Office of Planning Advocacy staff also recommend amending the State Plan Policy Map to realign the boundaries of the existing Critical Environmental Site (CES) within the proposed map

amendment area to remove portions of the CES that have become mostly developed in the ensuing years since their designation.

Staff also recommends to condition State Planning Commission approval on the Township agreeing to enact an overlay ordinance that recognizes and protects that portion of the CES proposed to remain in place that encompasses the less developed stream segment, associated wetlands, and habitat that OPA and DEP believe warrant additional environmental protection.

Director Rendeiro spoke. During that meeting, the Township of Hazlet expressed a request to review and look at expanding the PA-1 from what the office had recommended to expanded further, for reasons that were out beyond purview of the State Planning Commission. Basically, the concern was surrounding the fact that affordable housing should not all be in one particular corner of Holmdel and should have the ability to move it further into the Township. Director Rendeiro referred the presentation to Matt Blake.

Matt started his presentation. During the November 24th PIC meeting, Mr. James Gorman, representative for Hazlet Township, asked the PIC to consider expanding the proposed PA-1 to the Garden State Parkway, instead of the NJ Transit Railroad ROW as proposed by OPA; asserting that doing so would better serve local efforts to accommodate affordable housing and more accurately reflect current land use within the subject area. A motion was passed to move forward with the OPA, staff recommendations with a commitment to review, from a land use perspective, the expansion area between the Parkway and the Railroad ROW, proposed by Hazlet Township.

OPA staff reviewed the expansion area that encompasses approximately 3 square miles of land within Suburban Planning Area (PA-2), and approximately 1.3 square miles of lands within Environmentally Sensitive Planning Area (PA-5).

The expanded area south of the Railroad ROW comprising PA-2, was found to be less suitable for inclusion into PA-1. It overlays several residential zones (R-40 A+B and R-30+15), where the dominant land pattern is single family subdivisions on lots averaging just under an acre in size. This area also includes small parks, dispersed stream corridors, wetlands, and a large tract of preserved farmland. There is also a small Medical District (M), which fronts the Parkway that is largely built-out in medical offices. The prevailing low-density, residential land use patterns and associated zoning represents the characteristics of PA-2 and is less suitable to accommodate the level of development indicated for a PA-1. The opposite can be said for the area north of the Railroad ROW where there is a denser mix of land uses more characteristic of PA-1 and, a general location where mixed use and redevelopment make more sense to encourage.

In recognition of the comments raised by Mr. James Gorman that precipitated this secondary analysis, it is noted that there is nothing in the State Plan, that would preclude Holmdel Township from developing affordable housing in PA-2. Indeed, the State Plan views PA-1 and PA-2 equally in terms of encouraging the production of inclusionary development and providing for a full range of housing choices.

Under the State Plan, the intent of PA-2 is to provide for much of the state's future development; promote growth in Centers; accommodate public water and sewer; protect existing stable communities and natural resources; redesign and avert sprawl; and revitalize cities and towns. These goals support the underlying land use patterns and zoning and are consistent with the existing PA-2 designation.

The area comprising PA-5 immediately south of PA-2 and extending to the Parkway, overlays two zoning districts that are interspersed with forested habitat and stream corridors designated under NJDEP's Landscape Project. The eastern half of the PA-5 area is located in the Residential-Agricultural Zone, and similar to the adjacent PA-2, is characterized by single family residential development on lots averaging just under an acre in size. The existing low-density development and zoning is largely consistent with the intent of a PA-5 designation, which seeks to protect natural resources and the character of existing stable communities.

The western half of the PA-5 area is located in the Township's Public Land District (P), which abuts the Parkway and encompasses the PNC Arts Center. Permitted uses in this zone are reserved for civic and educational purposes. Of note is that both the PNC Center and Sewer Service Area throughout the expansion area, predate State Planning Area designations, which were later mapped as environmentally sensitive to reflect the C1 drainage basins and other habitat mapped under the Landscape Project.

While the PA-5 areas in both zones have become partially developed in the years since designation, the area continues to retain important habitat and other environmental features worthy of the underlying Planning Area designation. Changing the designation to a PA-1 would not advance the goal of protecting these resources or reflect the local zoning, existing community character, or consistency with the State Plan for PA-5.

It is for these reasons that the Office of Planning Advocacy's recommendation is to NOT extend the PA-1 into the area south of the Railroad ROW to the Parkway. Hazlet Township's proposed expansion would encompass almost one-third of the municipality, which OPA and DEP believe is far too large a geographic area to fully review outside of Plan Endorsement. It is, however, recommended at this time that the State Plan Policy Map Amendment move forward with the original recommendations provided by OPA.

Director Rendeiro spoke. In front of the Commission today is a decision as to whether or not the underlying land uses patterns meet the characteristics of the PA-1 that is recommended by OPA and whether or not the land use characteristics of the additional sites continue to meet the existing planning areas that are there. Those items are what is really within the authority of the State Planning Commission.

Mr. Gorman sent a letter later yesterday that addresses many things that, from the policy perspective, do have merit but are not within the State Planning Commission purview. We do not have the authority to dictate zoning requirements from a municipality and where they do or do not put their affordable housing. A couple of other things that Mr. Gorman addressed in this letter were when we said that a third of the land mass of Holmdel was probably too large in our view to consider making that change without a full Plan Endorsement process. He asked how much is large. Land use planning, as we all know, is more an art than a science. I do not think we can put a number on "a lot". It depends on the specific land use pattern a particular municipality has. I do not think that I could say whether 25%, 30% or 50% should be a standard number because what works in one municipality may not work in another municipality.

Chairman Wright thanked Lisa and Matt for the presentations and commented that Holmdel is in support of the recommendation of OPA's proposed map amendment. Chairman Wright asked if any of the members from the PIC who went through the meetings would like to make any comments or ask any questions.

Mr. Michael J. Gross from the law firm Giordano, Halderman & Cieslas spoke - We represent the Walter's Organization, one of the leading affordable housing developers in the State. This is a key component to the 2021 plan, we worked very hard with Holmdel plan. I would like to thank Donna and the members of her staff who worked very hard to come to this day and to make this a reality. As a result, partially of the PIC recommendation, we were awarded the tax credits under the discretionary authority of HMFA. We are looking forward to move and develop this affordable housing property.

Commissioner Director Robinson spoke. She thanked everyone involved in getting us to this point, especially Donna who had many discussions and meetings around this. Our stance has been that we only have jurisdiction only over what we have jurisdiction over, and we have to follow the rules and regulations surrounding what we can and cannot do. I am confident with what the PIC has recommended moving forward.

Sean Thompson spoke. I just want to echo what was just said and applaud Donna and the staff for all the work done. We met several times about this, and you all have an opportunity to review the information submitted. This is something that the municipality wants to go forward and we are to the point of a vote by the full Commission.

Nick Angarone, from NJDEP, expressed their support of the OPA's recommendation.

Chairman Wright asked if the Petitioner had a representative who would like to speak.

Mr. Michael J. Gross from the law firm Giordano, Halderman & Ciesla of her staff who worked very hard to come to this day and to make this a reality. As a result, partially due to the PIC recommendation, we were awarded the tax credits under the discretionary authority of HMFA. We are looking forward to moving forward to develop this affordable housing property.

Andrew Bayer from the law firm Pashman Stein Walder Hayden spoke. We represent the Township of Holmdel. The Township indicates the support of the recommendations of the PIC to the area to be included in the PA-1. We submitted two planning reports from Paul Phillips supporting the application and for the reasons expressed in Mr. Phillips's report as well as the staff recommendations we request the Commission expand these planning areas for the provision of the 100% affordable housing project.

Paul Phillips, Holmdel Township planner spoke. As Donna had indicated, we have submitted a letter to Donna's office back in December on behalf of Holmdel Township in support of this State plan policy map amendment. I also attended and spoke at both of the PIC meetings. Essentially the bottom line is that Holmdel supports OPA's planning rational advocating for the change of certain lands now in PA-2 to be change to PA-1. They are located in the northern area of the Township and I would also indicate that Holmdel does not support Hazlet's proposal for further expansion of PA-1 within Holmdel not only for the reasons that were articulated, but also for the reasons that were expressly set forth of December 14, 2020 report.

Mr. James H. Gorman from Gorman Law spoke. On behalf of Hazlet. I asked the Commissioners to look at this with an open mind and look at what your old rule and regulation said. Commissioner Robinson said before and she was correct". We have jurisdiction and we have to follow the rules and regulations surrounding what we can and cannot do". On the screen right now, you can hardly see a small dot of the subject property, that little triangle. That is what you have jurisdiction over, that is what the public notice said. When your staff said let us make it to the railroad tracks, I didn't question that then, but I question it now. What jurisdiction do you have to take that little triangle and make it into a much larger triangle above the railroad tracks. That is not part of the Petition, not part of the public notice, that is not part of the process. I understand that this is a reasonable recommendation, I understand, and your staff said that little red area should not be on its own changed. Hazlet agreed with that staff recommendation. That is not the right way to do this. Your staff came up with a much larger area North of the railroad tracks... How? Did any of those people find out about all these? Did they get noticed? Do any of the people who live on or own a property in the area care? Do they have an interest? Did they get noticed? Is it part of the Petition? Do you have jurisdiction? You don't have jurisdiction to take that planning area Petition and make it into a larger area north of the railroad tracks. Your staff may be correct in its analysis, but this is not the place or time to discuss that.

Mr. Blake said that Hazlet is wrong. This is not the point. The point is either a map amendment by the State Planning Commission's own initiative under your own regulations or Holmdel by doing it with Plan Endorsement is the way to do what you are looking at on your screen. It will be that way too if you went along with Hazlet's recommendation and make it an even larger area for whatever reasons, but Hazlet, the public and others get a chance to do that in the proper forum. You know your own regulations.

There are three ways to do map amendments...initiated by the State Planning Commission which will be the proper way to do it, Holmdel could do it by Plan Endorsement and the third way is by Petition which involves a lot of information about one piece of property. Can one property owner or one contractor can come and say - I have an interest here in this property but what I want the State Plan Commission to do is to take all of the area north of the railroad tracks and make it all into PA-1. And that is what your staff is set to do, they can't. You should consider, as Commissioner Robinson said, is the thing that you have before you, your jurisdiction. That petition is for that area

and when you look at that area alone to make it into PA-1 because Holmdel backed itself into a corner, because Walter's Group backed itself into a corner because they refused to listen to what the reality was. But when you look into one area, your own staff says don't do it, they don't recommend it. That's what you have before you now, that's what is within your jurisdiction. You don't have jurisdiction to do this just because the staff said it should be bigger. What if they say that the whole town should be PA-1? What if they say they agree with Hazlet? Once you start leaving that red property you will be out of your jurisdiction. You and your regulations spell out what you are supposed to do: public hearings, etc. And you haven't done any of that. That's really the basis for that and I apologize that we got swept up with that, but would you really consider and have an open mind? Do you really want the ability for one petitioner with interest in one property to be able to initiate a process where a large area of the municipality changes its planning designation for good or for bad?

Director Rendeiro spoke. There are three points that I would like to make. The rules do allow the Executive Director to adjust the Petition to ensure consistency with the State Plan. There is nothing specific in the rules that say I can or cannot make a recommendation to expand an area. On that note, we have the authority to do that.

This will be the third public hearing that we have held. Two PIC meetings and today is the third public hearing. We have had all the materials on the website and available for anybody in the public to review them and see that the recommendation was expanded so there was a fair amount of ability for the public to review this.

The petitioner was not asking for the full piece to go forward in terms of the large area that we are talking about, that is a determination based on our professional opinion. As I said before, land use planning is not a science it's an art and we do believe we are within our authority to make those changes and to make that recommendation to the State Planning Commission. There are specific land use reasons for including that area. One item would be we don't like to see just small portions of what we call swiss cheese. We don't want to swiss cheese a planning area to create holes in planning areas. That is not consistent. By doing that, I cannot follow our own rules and say that we are consistent with the State Plan in that regard.

I believe that we have the authority to expand the area as long as it maintains consistency with the State Plan. I disagree that we don't have the authority to do that.

Danielle Esser agreed with Director Rendeiro in terms of the roll of the State Planning Commission and the authority of the State Planning Commission to recommend and to vote on the map amendment before us today.

Chairman Wright spoke. The point of this process is not that the Commission and the staff are bound by any specific petition that will come in and that our only role is to vote up or down on that specific amendment but rather I see this as a process to try and come to an agreement between local communities, the State agencies represented on the Commission and all the parties involved and I think actually that's what this process is doing with a very positive outcome.

I believe that us having the ability to accept a petition, review, make professional recommendations, have appropriate hearings, conversations and discussions around them and then conclude like this is actually exactly the way this process should be working.

Chairman Wright asked for a motion to approve Resolution No. 2021-06. Danielle Esser made the motion and it was seconded by President Fiordaliso. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (11) Danielle Esser, President Fiordaliso, Monique Purcell, Andrew Swords, Bruce Harris, Nick Angarone, Sean Thompson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Tom Wright. Nays: (0). Abstains: (0). Resolution No. 2021-06 was approved.

ADJOURNMENT

With no further comments from the Commission or the public, Chairman Wright asked for a motion to adjourn. President Fiordaliso made the motion and it was seconded by Andy Swords. With no further discussions or questions, Chair Wright asked for a roll call vote: Ayes: (10) Danielle Esser, President Fiordaliso, Monique Purcell, Andrew Swords, Bruce Harris, Sean Thompson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Tom Wright. Nays: (0). Abstains: (0). All were in favor. The meeting was adjourned at 11:02 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Donna Rendeiro".

Donna Rendeiro, Secretary
State Planning Commission

Dated: February 3, 2021

ATTACHMENT A
NEW JERSEY STATE PLANNING COMMISSION ATTENDEES
DATE: JANUARY 6, 2021 TIME: 9:32 AM

Steven Gleeson - DAG
Meg Cavanagh – NJDEP
Jason Kasler - NJPO
Frank Marshall -
Anthony Soriano -
Jelena Lasko - NJDOT
Dave DuMont - JDEP
Michael Gross - Walter's Group
J. Delduca - Walter's Group
Rhyan Grech - Pinelands Preservation Alliance
James Gorman - Gorman Law, Attorney, Hazlet
Jeff Kolakowski -
Paul Phillips - Planner, Holmdel Twp.
Andrew Bayer - Special Counsel, Holmdel Twp.
Susan Weber - NJDOT