



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
Minutes of the Meeting Held on June 2, 2021
Zoom Video Conference**

CALL TO ORDER

Chairman Wright called the June 2, 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

Danielle Esser, Director of Governance, NJ Economic Development Authority (arrived at 10:04 a.m.)
Douglas Fisher, Secretary, Department of Agriculture
Edward J. McKenna, Vice Chair, Public Member
Elizabeth Terenik, Public Member (arrived at 9:35 a.m.)
Jim Lewis, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation
Melanie Willoughby, Designee for Tahesha Way, Secretary of State, Department of State
Nick Angarone, Designee for Shawn LaTourette, Acting Commissioner, Department of Environmental Protection
Frank Gaffney, Designee for President Fiordaliso, Board of Public Utilities
Shanel Robinson, County Commissioner Director, County Member
Sean Thompson, Designee for Lt. Governor Sheila Oliver, Commissioner, Department of Community Affairs
Thomas Wright, Chairman

Others Present

See Attachment A

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Chairman Wright asked for a motion to approve the Minutes of the May 5, 2021 meeting. Vice Chair McKenna made the motion, and it was seconded by Commissioner Terenik. With no further discussion or questions, Chairman Wright asked for a roll call vote: Ayes: (9) Secretary Fisher, Jim Lewis, Nick Angarone, Edward McKenna, Sean Thompson, Shanel Robinson, Elizabeth Terenik, Melanie Willoughby, Thomas Wright. Nays: (0). Abstains: (1) Frank Gaffney. The May 5, 2021 minutes were approved.

CHAIR'S COMMENTS

Chairman Wright commented that today there is an update on Woolwich and a presentation on a map amendment for PSE&G in order to pursue and achieve New Jersey goals of providing clean energy. Chairman Wright expressed his excitement about lifting the Executive Order (declaring the public health emergency) and looking forward to having the SPC meetings in-person soon.

EXECUTIVE DIRECTOR'S REPORT

The Executive Director welcomed Frank Gaffney who will be representing Commissioner Fiordaliso on future SPC and Prepetition meetings.

The Director commented that Meghan Wren, one of our newer planners, passed her AICP test. While she cannot be certified until after she submits her essays, the difficult part is behind her. Once she is AICP certified, the Office will have two AICP certified planners. Steven Karp is retiring on August 1st. The posting for Mr. Karp replacement closes on June 2nd. While we waited, we held informal discussions with several candidates, one of which stood out. As soon as we see what formal responses have been received, we will narrow the candidate field and make a recommendation as soon as possible. Time is of the essence as there is a substantial amount of institutional and technical knowledge that needs to be transferred.

A second NEPA request has been received regarding commercial wind energy leases within the New York Bight area. The reason we are participating is because the area of interest is about 12 miles east of Long Branch. It's primarily a review of historic asset impacts. A request for further information has been forwarded to the consultant. We have communicated our approval to participate in the first invitation to the consultant and we await further information. Initial documentation is expected mid to late June.

The Office received an OPRA Request related to the Holmdel map amendment. Most responses have been submitted to the requestor in conjunction with the DAG. There are still a few open items which we anticipate resolving within the next day or two. The response was quite large, and the requestor has allowed responses as they are compiled.

There are some discussions around ending the Public Health Emergency. We will be impacted because once Executive Order 103 is revoked there will be six months, 180 days, to get through Endorsement process for communities. As of right now there has not been definitive action by the Governor's Office.

Expiring Center Redesignation

It has come to the attention of the Office that Manchester has been included in the list of expiring Centers in error. While they are in the Plan Endorsement process, this is their first time going through the process. As a result, our "95 Expiring Centers" is now "94 Expiring Centers". Manchester will be moved to the "new to the process" category.

Since the last SPC meeting it is anticipated that Vernon will be on the June PIC agenda for endorsement recommendation. If approved to move to the SPC, it will do so at the July meeting, making it, potentially, the second endorsed municipality. Shortly after that should be Morristown, Stafford, Upper, Plumsted and Allentown.

We received prepetition documents and are preparing for the prepetition meeting for Woodstown, targeting for 6/11. The prepetition meeting for West Cape May's was held on May 11.

There are three municipalities that are expiring in 2021 and that are not part of the originally expiring Centers. One decision is unknown (Woolwich) and two prepetition meetings were held (Middle Township and West Cape May).

The map amendment proposal from PSEG for the requested industrial node in support of the wind port was presented as an informational item at the May PIC meeting. The same informational presentation is on the agenda today. The proposal is in the public comment period now, and as a result, we will not be asking for approval by the PIC/SPC until approximately September.

Draft language for the rule update will be completed this week. We anticipate sending it to the DAG for review, then forwarding the language to the interagency workgroup for comment. Meanwhile, we await feedback from the Governor's office regarding comments and format.

Discussions continue with DEP to discuss technical resiliency guidance for municipalities. Planning activities continue for the FEMA Bootcamp program. There is some discussion underway to name the program something else, as there are some prerequisites for participating in the program. The Rutgers technical assistance program that provides longer term technical assistance to Gloucester City, Stafford Township and the 4 Wildwoods (as a region) is underway.

Office staff met with representatives of Millville so that they could discuss with us the need for sewer service in order to support their economic development needs as part of Plan Endorsement. Their WQMP is currently with DEP and is in ongoing discussion.

OPA met with DEP and DCA to resolve the discrepancy between DCA's approval of redevelopment designations in flood prone areas. While DCA must restrict approval based on statutory requirements, we are hoping that a "disclaimer" sentence can be included in their approval letter that reminds municipalities that they must also comply with other agencies' rules (such as development in flood prone areas, among others). DCA has asked us to provide proposed language that they will request approval to include. We will provide draft language.

A meeting was held with DEP to begin to discuss policy regarding designation of centers in vulnerable areas. Included in the meeting were two representatives of affected communities to get the local perspective on the issue. After a good initial discussion, DEP's planning staff will be meeting with their Acting Commissioner to discuss alternatives and possible recommendations.

NJIT presented to the Office their resiliency tool. While the program has good "bones", it was felt that there needs to be more work on factors and proposed outcomes to be useful to a municipality. We have agreed to work with them going forward.

A final release of DEP's Climate Change Strategy was dated for May 27th, however in order to allow adequate time to address stakeholder comments the release will now be delayed. They plan to have an Interagency Council meeting in mid-July to discuss the comments and any proposed changes before the Strategy is finalized.

S3688 that provides for regional economic impact report and review by affected municipalities for certain proposed retail warehouse developments. This bill was released out of Committee at the Senate Budget Committee hearing on May 20th. The Bill that was released was a second Committee substitute but continues to involve the State Planning Commission in a big way. A previous substitute did not make it out of the Senate Urban and Community Affairs Committee. The Substitute places the authority for writing the procedures and definitions, acting as the appeals body and other responsibilities with the State Planning Commission. We agree with the proposed changes identified in the Substitute as this is a regional land use matter and the State Planning Act defines roles such as this to be within the SPC's authority. We await further activity. A meeting is scheduled for June 3rd with representatives of NAIOP to discuss S-3688, on referral from the SPC Chairman. It is understood that they would like to provide input (essentially their comments to the Senate Committee) in the event that the Bill moves forward.

Director Rendeiro commented that there was a discussion with the Mayor of Woolwich. Three major issues remain. The first of these three issues, the office verbally heard that the legal matter will be either dismissed or that the State will be dismissed with prejudice. The remaining two items are still open.

What is in front of the SPC right now is whether or not the Township wants to pursue PE. Their center expired in April of this year and if they choose to participate in PE again the office can look into redesignating their center. This was presented to the Mayor, who is going to discuss it with the Township Committee. In the meantime, the Mayor would like to have a discussion with the SADC and TDR bank. At this point, there is no further action needed from the SPC until the Township makes a decision on whether or not they want to continue with PE. If they choose not to continue with PE, not only will they lose their receiving areas related to TDR, but they will also lose their center designation.

Secretary Fisher asked that if the Township doesn't proceed with PE to incorporate the Center, what would be the status of the Center? Director Rendeiro answered that the Center has already expired and that they would not receive any additional accommodations or advantages by NJDEP in terms of their sewer service.

The Director commented that there are two receiving areas. One is the Northern end Receiving Area in which right now they have broken ground on sewers and have contracts in place for certain warehouse developers. They also have a project in the Center for affordable housing. The affordable housing was the result of a court settlement. Those projects are well under way.

The Director recommended that the Southern Receiving Area be eliminated from sewer service because it is located in an extremely environmentally sensitive area, and also within the 25 acres NJDEP clip.

If they choose not to participate in plan endorsement or TDR, they will lose both the receiving area and their center. Anything in the future that they will look to do will fall under the traditional rules of the appropriate State Agency.

Chairman Wright commented that the SPC needs to find out whether Woolwich Township is going to proceed through the process of their expiring Center. Chairman Wright expressed the importance of every community going through this process.

NEW BUSINESS

Presentation on the PSE&G Proposed Map Amendment

Director Rendeiro commented that PSE&G is requesting a map amendment that will allow an expansion of the current Industrial Node in Lower Alloway's Creek in South Jersey to create, produce and store parts for the wind turbines. The Director said that there is no decision needed at this time by the SPC.

Director Rendeiro referred to Meghan Wren for the presentation.

This presentation can be found in the following:

https://nj.gov/state/planning/assets/docs/meeting-materials/spc/materials/spc_materials-2021-6-6.zip

Director Rendeiro commented that there were questions received pertaining to the environmental issues, and that OPA will answer any questions that are related to SPC. All other questions will be referred to the appropriate agency.

Nick Angarone from NJDEP commented that there are some issues and concerns on the wetlands boundaries currently under evaluation and analysis. Nick said that he doesn't think that this will impact the SPC's decision. The Director commented that PSE&G is aware of these issues.

ADJOURNMENT

With no further comments from the Commission or the public, Chairman Wright asked for a motion to adjourn. Edward McKenna made the motion, and it was seconded by Danielle Esser. The meeting was adjourned at 10:08 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donna Rendeiro".

Donna Rendeiro, Secretary
State Planning Commission
Dated: July 7, 2021

ATTACHMENT A
NEW JERSEY STATE PLANNING COMMISSION ATTENDEES
DATE: JUNE 2, 2021 TIME: 9:32 AM

Steven Gleeson - DAG
Matt Baumgardner - NJDEP
Tori Kemp - Ocean County
Susan Weber - NJDOT
Walter Lane - AICP/PP Somerset County, Planning Board
Jelena Lasko - NJDOT
Dave DuMont - NJDEP
Jonathan Sternesky - HMFA
Rhyan Grech - Pinelands Preservation Alliance
Meg Cavanagh - NJDEP
Steven Bruder - NJDA, PP/AICP Planning Manager
Jason Kasler - AICP/PP NJPO