



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 March 2, 2022
Zoom Video Conference**

CALL TO ORDER

Chairman Wright called the March 2, 2022 video conference of the New Jersey State Planning Commission (SPC) to order at 9:30 a.m.

ROLL CALL

Members Present

Nick Angarone, Designee for Shawn LaTourette, Commissioner, Department of Environmental Protection
Danielle Esser, Director of Governance, NJ Economic Development Authority
Douglas Fisher, Secretary, Department of Agriculture
Frank Gaffney, Designee for President Fiordaliso, Board of Public Utilities
Bruce Harris, Municipal Member
Edward J. McKenna, Vice Chair, Public Member (arrived at 9:37 a.m.)
Shanel Robinson, County Commissioner Director, County Member
Stephen Santola, Public Member
Andrew Swords, Designee for Diane Gutierrez-Scaccetti, Commissioner, Department of Transportation
Sean Thompson, Designee for Lt. Governor Sheila Oliver, Commissioner, Department of Community Affairs
Melanie Willoughby, Designee for Tahesha Way, Secretary of State, Department of State
Thomas Wright, Chairman

Others Present through Video conference

See Attachment A

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.

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 February 2, 2022. Stephen Santola made the motion, and it was seconded by Secretary Fisher. With no further discussion or questions, Chairman Wright asked for a roll call vote: Ayes: (10) Frank Gaffney, Secretary Fisher, Andy Swords, Bruce Harris, Nick Angarone, Sean Thompson, Shanel Robinson, Stephen Santola, Melanie Willoughby, Thomas Wright. Nays: (0). Abstains: (1) Danielle Esser. The February 2, 2022 minutes were approved.

CHAIR'S COMMENTS

Chairman Wright said that the major thing before us is that the state of emergency has been lifted. We are emerging from COVID. Donna will talk what that means in terms of center designations and other things. One thing I just wanted to put on the table for everyone is that I'm looking forward to a time in the not too distant future when we can start to have these commission meetings in person again.

Director Rendeiro said that one minor correction is that the state of emergency it has not yet been lifted, anticipate that it will be allowed to expire on about March ten.

Chairman Wright said that I think that there's a good chance that possibly in April or May we'll be looking to have commission meetings in person again, I think commissioners would always have the option of calling in and depending on technology, when we could try to make them hybrid, which is I think, the wave of the future. I'd be happy to talk to commissioners individually about any questions or concerns they have about that because I want to make sure everyone has a chance to weigh in.

Chairman Wright referred to the Director for a report.

EXECUTIVE DIRECTOR'S REPORT

Director Rendeiro commented that since the February 2nd SPC meeting:

- The Office received prepetition materials from the Township of Warren, Somerset County; the scheduling of the prepetition meeting is in process.
- Dover's prepetition meeting was held on February 3rd. They have committed to moving the process forward and have already begun work on the MSA. Dover is considered an overburdened community and as a result, can benefit from this project significantly.
- The Borough of Bound Brook has begun its municipal self-assessment.
- Four municipalities have entered the Opportunities and Constraints phase (Wildwood Crest, City of Wildwood, North Wildwood, Maurice River)

North Wildwood, Wildwood Crest and Wildwood City met with OPA and Cape May County to discuss mapping, visioning and the bulkhead ordinance status.

The Office received a letter of intent to proceed with re-endorsement from the Mayor of Cape May City. Their endorsement expires in October, 2022. We will begin to work with them immediately. (Vice Chair McKenna has joined the meeting).

The Executive Director and the Area Planner met the Mayor of Mansfield, the Committeeman and the Township officials to discuss their land use concerns on February 10th. We discussed the plan endorsement process and technical Assistance from the County regarding their flooding issues. Mansfield is one community that has developed and is in process of approving an ordinance that is putting a temporary stay on warehousing by making warehousing a prohibited use and a developer would have to go to the zoning board for approval.

The Office received a draft of a proposed ordinance from Berkeley Township as part of their effort to prepare for re-endorsement (they expire in July). The ordinance would change some of their underlying zoning. We asked for a few minor changes to the language that the Township agreed to make.

The Office received the resolution from Burlington Township for the creation of the Plan Endorsement Advisory Committee. Once we receive the MSA, which still needs to be adopted, all Burlington County Route 130 Corridor municipalities will have completed their MSAs. Visioning has been completed for 6 municipalities.

The Director said that we're continuing to work with a number of towns. I'll go through that when we talk about the center expirations and their status.

Mapping discussions during the month include Galloway, Bedminster, Morristown, Stafford, the Wildwoods, Brick, Commercial, Flemington, Middle and Bound Brook. Additionally, several mapping files need to be updated as a result of the lack of GIS resources for several months due to staff transitions. The "catch up" effort has begun with creation and updating the mapping for Manville.

Rutgers University presented the vulnerability assessment they completed for the Wildwoods. The document was well written and complete and was done as a result of their studio classes. There are a few minor follow ups remaining for the communities that Rutgers assisted with their resilience corps. The portion of the project is essentially complete. Next step for the communities is to determine their resilience plan, based on the findings of the vulnerability assessment. We are under discussions with Rutgers to determine what level of assistance they can provide to additional municipalities through the end of the summer.

The FEMA Resiliency Accelerator team continues to meet. The 23 potential municipalities that can benefit from the program have been confirmed. It was decided to group them into three categories of coastal, coastal tourism, and riverine because each group has unique issues; the first program will begin in May for the seven riverine communities. The outreach has begun to those communities and so far the first partnership meeting is scheduled for April 5th and the two workshops for the riverine communities are scheduled for May 9th and May 25th. The remaining two pilots, coastal and coastal tourism will follow.

Work continues on the warehouse siting issue. The Office held two interagency workgroup meetings to solicit state agency input and met with the League of Municipalities, the NJ Chapter of the American Planning Association, NJ Future, and others. Staff will listen to today's recent NJ Spotlight session on the topic and continues to reach out to other stakeholders. Matt Blake was a guest lecturer on the subject at a Rowan University planning class on the topic. It is anticipated that the first draft of a guidance document will be ready for internal review the first week in March.

As part of our work on the warehouse siting issue, we have been asked to participate in discussions in two counties on topics related to warehouse siting. We will continue to participate in those discussions as part of our mission to facilitate discussion among the state, county and local jurisdictions.

The Climate Change IAC meeting was held on February 8th. The agenda focused on subcommittee assignments and OPA volunteered to lead the funding workgroup, as this is in line with our mission of providing incentives for good

planning. A planning meeting for the subcommittee is scheduled for March 10th with DEP. So far, EDA has volunteered to participate in the subcommittee.

The kick off meeting of NJ's Age-Friendly Advisory Council was held on March 1st. The Executive Director has been assigned the Transportation workgroup, along with Andy Swords, who is the Chairperson of the Group. The goal is to have transportation decisions linked to land use. It is anticipated that the group will meet monthly for the foreseeable future. Driven by a WHO effort to develop a global network of Age Friendly Communities, the Council is tasked with developing a blueprint of best practices for advancing age friendly practices across the state that, among other items, include housing, social and transportation focuses. The Council was authorized by Executive Order 227 as a result of AARP designating New Jersey as an Age Friendly Community.

NJ Transit published its new Transit Friendly Planning Guide on February 4th; the Office participated as a consultant during the launch event. The Office participated in three stakeholder meetings held by DEP's Historic Preservation Office for input regarding the update to the State's Historic Preservation Plan.

A funding alert was sent to our newsletter mailing list on February 9 that resulted in a 37% open rate and an 8.7% click through rate. There were 243 clicks for links in the alert.

The Executive Director was invited to be a guest lecturer in a Planning and Land Use Administration Class at Bloustein on March 2nd.

The Office has begun a review of it's website to update to modernize it and improve the look of the site. We are developing a certificate of endorsement for those municipalities that have been endorsed.

Commissioner Harris asked if there was legislation about warehouse siting that was pending and the status of it. Director Rendeiro responded that went nowhere. It was S-3688 in the last legislative session. It was sponsored by Senator Sweeney and Senator Singleton, there was a lot of discussion about it and my understanding is talk about bringing a similar one back. What we're hoping is the guidance that we're working on now can turn into policy and maybe at some point turned into legislation. The important thing on the guidance is all voluntary and there are many municipalities that are asking for state guidance. It's there for the municipalities that want that guidance, it's not mandatory. The legislation would make it mandatory.

Andy Swords, NJDOT thanked Director Rendeiro for mentioning the Age Friendly Task Force. He said that that we had the first meeting yesterday, that it is a very significant task force and it has a good connection to the work of the State Planning Commission because whatever we do to support people who are aging in place, it ties in very well with the goals of the State Plan. So for my part, there's a lot of different connections from that work to the Department of Transportation, one of the clear connections is safety, in particular pedestrian safety, and in addition to that a complete streets. This is something that we're looking forward to and we have staff who are hard at work on a lot of those points as well.

Nick Angarone, NJDEP said that I wanted to add two notes, not necessarily respond to Donna's comments. The first specific to plan endorsement. One of the one of the requirements has been for a while now that we work with municipalities to incorporate environmental justice into their planning process. And much of those requirements while included in the PIA's is largely been put on hold because the department has not had guidance to provide them. We've recently started a process in cooperation with DEP's Office of Environmental Justice which happens to lead the Environmental Justice Interagency Council to develop that specific guidance. We will be reaching out to OPA and we hope to have that done in the fall. There will be public representatives who will inform that process. We are looking to get make sure that we have that guidance for local governments, that they're addressing the issue, but also that we're providing them the resource to do so.

Second issue I just want to bring to the Commission's attention. I imagine it was probably hard for everybody not to see this. On Monday the IPCC released another report on climate change, specifically in this case on impacts, adaptation, and vulnerability, which I think is certainly more apt to us than some of their other reports. There is a

thirty or so page summary for policymakers which I really suggest everybody take a look at. It's easy to look at these reports and think of them as only at a global perspective and there are certainly more areas around the globe that have more critical issues than we do in New Jersey. However, every one of priority items that they talked about do apply to New Jersey. My main takeaway is again the urgency of action on both adaptation and mitigation. We are still reviewing it and we'll be putting together a short summary which I will be happy to provide to the Commission for your review.

Director Rendeiro thanked Mr. Angarone. She said that in anticipation of getting the EJ guidance, we have put in some requirements in PE, whether or not they're going to cover all of the requirements and all of the guidance. We don't know yet. We figured let's have something rather than nothing until that guidance comes out so that we do address it in PE, maybe not to the extent that the guidance would show when it comes out. The other thing is, if you want to send us a link to the report, I'll make sure the commission gets it.

Chairman Wright thanked the Director for her comment and to Mr. Angarone he said that at the federal level, they're doing a kind of similar look at EJ issues. And so hopefully we can be informed by that process as it moves forward. And thanks for referencing the IPCC report, which is very shocking. I'll say I think the other news from last week is that there was a lease of offshore wind licenses that went exceptionally well which shows that there is a lot of excitement, enthusiasm hopefully for developing our offshore wind industry and starting to address this.

Frank Gaffney, NJDEP agreed with the chairman comment.

Commissioner Fisher referred to Director Rendeiro asking that you had mentioned the moratorium to a community. They had slapped on the warehouse construction, is that a tool that's absolutely in their quiver from planning and zoning or can it be challenged. The Director responded that it did pass their land use attorney review. I would have to guess they were allowed to do it. Originally they tried to do it by resolution and that didn't work. It's basically a zoning change that identifies a prohibited use. It's not really comparable, if you have a business that is not in keeping with what the municipality is looking for, you can make it a prohibitive use, it does allow for them to a developer to come back to the zoning board and ask for an approval that way. So it's not totally prohibited. I think what the township is looking to do is to add that extra level of review. I believe at 21 square mile town and they've already approved 5 million square feet of warehousing. They've seen an increase in flooding as a result of that development. So they want to take a step back and see what it looks like and see what it's done and where it belongs and where, and if they're going to allow it going forward.

Chairman Wright added that add that there's a forum this afternoon that NJ spotlight is hosting on this that it may be very informative for anyone to listen to.

NEW BUSINESS

Discussion of Center expiration

Director Rendeiro introduced the presentation by saying that it is not likely that the governor is going to extend the public health emergency. As a result of that the centers will expire the day after the last 30 day extension which is March 11. We did talk about this at the last PIC meeting, there were some questions about how we communicated this information throughout the last few years with the municipalities. We had sent them four official letters over the last two years. Our planners are in contact with all the municipalities particularly with ones that are very active almost on a daily basis and with the ones that are less active. I believe they all understand that once the public health emergency expires, their centers will expire. Originally If you will recall, I was thinking about seeing if we could maybe move it along a little bit for the municipalities that we either hadn't heard from or that had told us formally they were not going to pursue plan endorsement. It's obviously a most point now. We did get DAG opinion that said for the 21 municipalities that have sent us formal notification that they're not going to pursue, that's a lot easier than the ones that we just haven't heard from, it could be considered arbitrary.

Commissioner Robinson said that in referenced of the previous topic that Somerset County is looking forward to working with SPC and the task force. Somerset County was the only county that was designated as age friendly. We're proud of that accomplishment and look forward to working with you.

Director Rendeiro thanked Commissioner Robinson.

This presentation can be found at: <https://nj.gov/state/planning/assets/docs/meeting-materials/pic/materials/expiring-centers-list.pdf>

Commissioner Santola asked if we do historically an exit interview as to specifically why, was it too complicated or if they feel they weren't receiving any benefits for their efforts? Was it publicly unpopular as a matter of politics? I think that'd be helpful to us. Director Rendeiro responded that yes. We started to compile that information. Mostly it's one of two things. It's either they don't feel that there are enough benefits for them to go through the additional planning. And in some cases, they just don't have the resources to do it.

We don't ask for much more than what's in MLUL. What we do ask for is a quality review. The MLUL says did you do a resilience plan, did you incorporate living shorelines into a number of things, did you at least consider? All they have to do is say yes we considered it. We actually asked them to go further and actually look at a more of it from a qualitative perspective. That costs more money. Most of the answers are because the incentives aren't there enough to offset the additional cost. I don't think the general public really understands it enough to have much political pushback on it. In some of their letters, they'll say, let us know when the incentives are back and we'll come back in. It's not that they think that it's not a good exercise. It's just a matter of priorities and where they want to put their resources.

Commissioner Santola said that I can certainly see that's good information to when we're advocating for certain legislation or budgeting to be able to tell the front office or legislative aides, here's the problem, we get more in if we had more to offer. Now we could offer if you'll only agree to this line item or this piece of legislation.

Director Rendeiro said that yes. And frankly if we had some incentives, it really wouldn't be that much of an impact on the state budget. I've had those conversations, and we're in discussions there.

Commissioner Santola said that just back to the point we made about it seems to me that not the people who never got in that's interesting as well. But in our business we ask the people that left why they left; it's a tremendous learning tool for us. I'm just wondering if it's worth some intern time to drill down a little bit on those 21 towns as to why they left and create some sort of report that you could have at the ready to help explain to our members, the public, the legislators on what it is that's happening and why. The Director responded that that's really a good idea. Once we settle after the public health emergency and we're less of trying to deal with getting through the municipalities and once we have a flow we can certainly take that on.

Chairman Wright said that there's also an area where it could be potentially some partner organizations maybe the league or county planners or somebody else would be interested in hosting a forum to talk about that or helping us compile that information since after all, it's their members who are participating. It doesn't all have to be something led by the office itself.

Director Rendeiro agreed with Chairman Wright and said that we will endeavor to do that toward the end of March. Commissioner Harris said that another way of approaching this would be to have commissioners that are willing to participate in this to hold calls with the municipalities just to chat with them over the phone about what their reason was.

The Director agreed with Commissioner Harris and offered to put together a plan. Commissioner Esser suggested that some of those conversation could happen at the plan implementation committee as well.

ADJOURNMENT

With no further comments from the Committee or the public, Chairman Wright asked for a motion to adjourn. The motion was made by Andrew Swords and seconded by Bruce Harris. All were in favor. The meeting was adjourned at 10:18 a.m.

Respectfully submitted,



Donna Rendeiro, Secretary
State Planning Commission

Dated:

May 4, 2022

ATTACHMENT A
NEW JERSEY STATE PLANNING COMMISSION ATTENDEES
DATE: MARCH 2, 2022 TIME: 9:30 AM

Levi Klinger-Christiansen - DAG
Walter Lane - Planning Director, Somerset County
Meg Cavanagh – NJDEP
Dr. Keisha Cogdell – Register Nurse, United Health Care
Mark Villinger – Planner, Ocean County
Rhyan Grech – Pinelands Preservation Alliance
Jason Kasler – NJPO
Markian Borkowsky – Ocean County
Daniel Sindoni – OCPD
Jonathan
Olivia
Marah Becker
Keith Henderson
Tom Dallessio
A. Zebro
A. Soriano