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Acting Executive Director

**Burlington County Cross-acceptance III Public Hearing  
New Jersey State Planning Commission  
Minutes of the Meeting Held April 18, 2007  
Burlington County Human Services Building  
795 Woodlane Road  
Westampton, New Jersey 08060**

**WELCOME & INTRODUCTIONS**

Ben Spinelli, Executive Director, called the April 18, 2007 meeting of the New Jersey State Planning Commission to order at 7:15 p.m. Mr. Spinelli proceeded to introduce the State Planning Commission (SPC) members in attendance. Roberta Lang, State Agency Representative and Lauren Moore, (public member) attended on behalf of the SPC. Mr. Spinelli introduced Burlington County Planning Department staff in attendance, which included Mark Remsa, David Hojsak, and Khara Ford. Mr. Spinelli then introduced staff attending on behalf of the Office of Smart Growth (OSG) and OSG's State Agency partners. The following people were in attendance on behalf of OSG: Benjamin Spinelli, Chief Counsel and Executive Director; Barry Ableman, Principal Planner, and Russel Like, Area Planner. The following people were in attendance on behalf of OSG's State Agency partners: Judy Shaw, New Jersey Department of Environmental Protection (NJDEP), and Tineen Howard, New Jersey Department of Transportation (NJDOT).

**OPEN PUBLIC MEETINGS ACT**

Mr. Spinelli 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**

Mr. Spinelli asked everyone to stand for the Pledge of Allegiance.

**OVERVIEW OF BURLINGTON COUNTY CROSS-ACCEPTANCE & THE STATE PLAN**

Benjamin Spinelli, Chief Counsel and Executive Director for OSG, provided an overview of the third round of the Cross-acceptance process. Mr. Spinelli indicated that OSG staff has conducted several individual meetings with Burlington County planning staff to discuss some of

the more complex mapping issues in the county, and Mr. Spinelli praised the level of professionalism demonstrated by County planning staff throughout the process to date. Mr. Spinelli then reviewed and summarized the goals of the State Plan (i.e., directing growth, slowing sprawl, preserving land, etc.). Mr. Spinelli identified State Plan policy issues with particular relevance to Burlington County as the following:

- Agricultural retention
- Economic Development
- Transportation issues
- Center-based development
- Resource protection
- Infrastructure / schools / property taxes
- Pinelands & CAFRA
- TDR

Mr. Spinelli described how the revised State Plan will have a new format resembling that of a municipal master plan. Mr. Spinelli said that Burlington County's mapping issues are relatively straightforward and largely surround the preservation of agricultural land or designation of land as Planning Area 5.

### **PUBLIC COMMENT**

Commenter 1: Mr. David Frank, an attorney, commented on behalf of the owners of a preserved farm in Mansfield. Mr. Frank indicated that the farm, formerly mapped in PA2, is now proposed to be mapped as PA4, which the owners support. However, a farm to their south (just south of Kraft's Creek, at block 47.0, lot 3.02) is proposed to remain PA2, and Mr. Frank's clients believe that this farm should also be designated as PA4. Mr. Frank also commented on his own behalf as a resident of Springfield Township. He praised the proposed increase in PA4B in Springfield, but questioned the extent of the proposed node in the vicinity of Pemberton Township and Pemberton Borough; he indicated that this node was too extensive and should be pulled back. In response, Mr. Spinelli brought up the example of Mansfield Township and its engagement in the Plan Endorsement process.

Commenter 2: Ms. Caroline Radice of Pemberton Township raised several related issues:

- 1) She felt that the State Plan map has changed since the cross-acceptance process started, and said that the community in Pemberton Township is opposed to the proposed new center.
- 2) In December 2005 and January 2006, Pemberton Township discussed cross-acceptance and submitted conclusions to Burlington County, yet what's shown on the county's maps differs from those conclusions: the community opposes the proposed North Pemberton Road node, and since at least 2003 residents have opposed the proposed center.
- 3) The new school should not be in the proposed new center, and Ms. Radice indicated a concern about the potential impact of the proposed new center on sludge farms nearby. Ms. Radice said that the proposed changes regarding a center will exacerbate traffic in the area, and the county has ignored township residents. Pemberton Township already has a neglected center in Browns Mills and does not need a new one.

Mr. Spinelli pointed out that the designation of new centers only occurs through the municipality's request via the Plan Endorsement process.

Commenter 3: Mr. Bob Curshmeyer of Pemberton Township expressed agreement with Ms. Radice (above), and expressed support for the expansion of PA4B. He also questioned why farmland should be placed in a center. Mr. Spinelli pointed out that a center does not appear on the State Plan Policy Map unless a municipality requests such a center.

Commenter 4: Mr. Robert Perry, the planner for Evesham Township, endorsed a change to PA2 within Evesham, as this change facilitates the siting of a COAH facility and generally represents sound planning.

Commenter 5: Mr. Joseph Springer of the Southampton Township Environmental Commission and Planning Board indicated that the Township will seek Plan Endorsement. Mr. Springer said that the township is mostly PA4 outside of the Pinelands, and that the township agrees with proposed changes from PA4 to PA4B. However, at the northern end of town, where there is a proposed change to PA2, it is mostly farmland, much of it preserved, and the township would like this area to remain PA4. Mr. Springer said that the rationale for the proposed change to PA2 is a prospective COAH site in the area, but the COAH site has not yet been built and a prospective facility is not adequate justification for the change to PA2.

Commenter 6: Mr. Ted Gordon, chairman of the Southampton Township Planning Board, said that the characteristics of the northern section of the township, where there is a proposed change to PA2, are not consistent with PA2. Mr. Gordon cited some statistics for the area and said that these statistics were incompatible with the proposed PA2 designation. He also said that a PA4 designation for the area was more consistent with the township's master plan than a PA2 designation. Mr. Gordon presented OSG with a copy of a letter from Thomas Scangarello & Associates, written on behalf of Southampton Township, to Mr. Mark Remsa, Burlington County Director of Planning and Economic Development; this letter elaborated on the points made by Mr. Gordon during his spoken comments.

Commenter 7: Ms. Barbara Rich of the Moorestown Environmental Advisory Commission said that Moorestown supports the outcome of discussions to date among the township, county, and state regarding Moorestown.

Commenter 8: Mr. Bob Teller of Mansfield Township expressed agreement with the changes going on in Mansfield, and cautioned against development, in general, on outcrop areas. Mr. Teller emphasized the importance of finding and preserving viable water resources.

Commenter 9: Mr. Lou Glass, representing Mt. Laurel Township, indicated that he had submitted sixteen areas regarding Mt. Laurel and cross-acceptance, and not all of these areas had been addressed. Mr. Glass urged that all 9 new open space parcels be shown on the State Plan map. Also, Mr. Glass said that most of the proposed new PA5 in Mt. Laurel covers the new open space, but it also covers 100 homes, and that these homes should be PA2 with CES coverage as appropriate. Mr. Spinelli noted that the open space file is the last to be updated and that therefore the 9 open space parcels should be captured when it is updated. Mr. Glass followed up subsequent to the

meeting, at OSG's request, with clarification regarding the "sixteen areas." The "sixteen areas" constitute sixteen areas on the map which are proposed to be PA5 – each one identified in Mr. Glass's followup information. Some of the areas are preserved open space and some are planned for development. According to Mr. Glass, OSG has not heeded Mt. Laurel's requests with regard to ten of the sixteen areas.

Commenter 10: Mr. Robert Pelletier of Pemberton Township said that many township residents feel that Browns Mills is already the town center, so why build a new one on a greenfield? Mr. Pelletier indicated that Browns Mills simply needs some revitalization.

Commenter 11: Ms. Terri Tallon-Hamill of the Mansfield Township Committee expressed the Committee's appreciation for OSG's willingness to hear their concerns and to work with them.

Commenter 12: Ms. Denise Prickett of Pemberton Township indicated her opposition to the proposed new town center, and said that it would be preferable to concentrate on revitalizing Browns Mills instead. Ms. Prickett also indicated a concern for the safety of children using the new early childhood center due to potential traffic increases.

Commenter 13: Mr. Fred Detrick of Pemberton Township indicated that most of his concerns had already been addressed, but questioned the Burlington County Director of Planning & Economic Development, Mark Remsa, as to how recommendations for the proposed new node and center in Pemberton could have gotten so far. Mr. Remsa replied that the township is ultimately the leader of this process.

Commenter 14: Mr. John Hodgling of Columbus owns and farms property on the northern side of Kraft's Creek. He cited plans to build warehouses nearby, as well as a bridge over the creek, and questioned why, saying that warehouses are not appropriate in this location and would negatively impact his ability to continue farming.

Commenter 15: Mr. Eric Houwen of Pemberton Township opposes plans for development in the vicinity of North Pemberton Road. Mr. Houwen emphasized the need for reinvestment in Browns Mills (which he sees as an existing town center) rather than investment in a new town center. He also indicated that the early childhood center is in the wrong location – it is on farmland but should not be.

Commenter 16: Mr. Rick Brown of Pemberton Township expressed agreement with the citizens of Pemberton and Southampton Townships, and encouraged both municipalities to pursue Plan Endorsement. He also urged cooperation with the Pinelands Commission on land use planning.

Mr. Spinelli indicated that the Pinelands Commission has indeed offered to cooperate on planning for municipalities that are only partially within its jurisdiction.

### **BURLINGTON COUNTY CROSS-ACCEPTANCE REPORT PRESENTATION**

Mr. Mark Remsa of Burlington County provided some additional brief comments on behalf of the county. With regard to Mt. Laurel, he expressed agreement with Mr. Lou Glass (comments above), and said that the county is opposed to the linear, fragmented nature of the proposed PA5 in Mt. Laurel. He added that the PA5 designation there would not change the zoning or development patterns in the area and the shape of the proposed PA5 would make it difficult to manage as a PA5. Mr. Remsa said that Mt.

Laurel should be PA2 with CES coverage, and the environmental features should be managed through wetlands and floodplain regulations.

Mr. Remsa expressed support for Mansfield Township's pursuit of Plan Endorsement, and also for Southampton Township's intention to pursue Plan Endorsement. Mr. Remsa indicated that in general, the county has been aggressive in the proposal of new PA5.

Mr. Remsa indicated that the county would submit some additional written comments. Mr. Remsa agreed with the need to work with the Pinelands Commission on planning issues.

**ADJOURN**

Mr. Spinelli adjourned the hearing at 9:40 p.m.