



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
OFFICE OF SMART GROWTH

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**Cumberland County Cross-acceptance III Public Hearing
New Jersey State Planning Commission
Minutes of the Meeting Held February 28, 2007
Cumberland County Community College
3222 College Drive
Vineland, New Jersey 08360**

WELCOME & INTRODUCTIONS

Ben Spinelli, Chief Counsel/Director of Policy, called the February 28, 2007 meeting of the Cumberland County Cross Acceptance Process to order at 7:50 PM

Mr. Spinelli introduced the State Planning Commission Members in attendance Marge DellaVecchia and Marilyn Lennon. Mr. Spinelli then introduced Cumberland County Planning Department staff in attendance including Planning Director Robert Brewer. 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: Erika Webb, Area Planner and Barry Ableman, Principal Planner. The following people were in attendance on behalf of OSG's State Agency partners: Susan Weber, NJ Department of Transportation (DOT), Bill Purdie, NJ Department of Environmental Protection (DEP), and Tim Brill, NJ Department of Agriculture (NJDA), State Agriculture Development Committee (SADC).

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 CUMBERLAND COUNTY CROSS-ACCEPTANCE & THE STATE PLAN

Benjamin Spinelli, Chief Counsel for OSG provided an overview of the third round of the Cross-acceptance process. This dialogue included a breakdown of the issues that were discussed at the

internal, interagency and staff-to-staff meetings, as it relates to Cumberland County. Mr. Spinelli also discussed the revisions to the State Development & Redevelopment Plan (State Plan). Mr. Spinelli stressed the importance of the policies and goals of the State Plan. The recent Plan Endorsement revisions were also discussed.

CUMBERLAND COUNTY CROSS-ACCEPTANCE REPORT PRESENTATION

Robert Brewer, Planning Director, Cumberland County Department of Planning & Development

Mr. Brewer stated that the County agrees with the concept of the State Plan for the reasons Mr. Spinelli stated, but feels there is a need for sustainability and that the current set of policies acts as an umbrella. The County also sees the necessary coordination between DEP, DOT, NJDA, and appreciates OSG's level of coordination.

Mr. Brewer stated in a nutshell "We love it, we hate it, we can't live without it" in reference to the State Plan.

The County believes there should be consistency to the decision making process and the State Plan states the following two points:

- Development can occur in any planning area
- The SDRP is not to be used as a Statewide zoning map

The power is in the hands of the municipalities.

The State Plan serves as a guide for growth. Approximately 20% of Cumberland County and 60% of its population is in the red (PA1)/pink (PA2) areas, and 80% of the land area is outside urban areas.

The county feels that the State Plan lacks guidance on rural development and wants OSG and the SPC to consider that smaller scale rural economies need to operate.

Mr. Brewer presented a handout with Policy 37, Page 10 and Policy 9, Page 24 from the Cross Acceptance worksheets. Mr. Brewer presented a second handout showing the agricultural productivity of farms related to the dollars in SADC funding in Cumberland County. The County would like to see more funding from the SADC.

Other major issues of concern for the county are rural development, rural transportation, and housing; specifically sewer sewer vs. septic service.

Regarding dredging (Policy 8 and Policy 40), the county feels it is generally geared toward Port Newark and other industrial areas and would like to see it used on a smaller scale for areas in Cumberland County, such as Fortescue.

Bob Brewer then spoke about grants, permitting, and special programs. The County feels Plan Endorsement requires a lot of time, money, and effort and would like OSG to indicate the benefits upon completing the process. The County would like the State Plan cycle to be longer than the current three years.

COMMITTEE COMMENTS

Marge DellaVecchia (SPC) stated that it is good to hear the local bias and the committee will try to incorporate their issues. She also mentioned great projects completed by HMFA in Upper Deerfield and Millville.

Marilyn Lennon (SPC) stated that the State is like a bell curve with intensity of development and Cumberland County makes extremely valid and unique points. Marilyn will take these concerns back to the SPC.

Tim Brill (NJDA SADC) was a former County Agricultural Development administrator and commented that Cumberland County has had a lot of appraisal issues, but he will take these concerns back to the SADC.

Susan Weber (NJDOT) will address the concerns related to urban funding being removed for transit such as bus service.

PUBLIC COMMENT

Commenter 1: Sandra Morrissey, a resident of Upper Deerfield and a member of the Environmental Commission, stated that the Cohansey River serves as a corridor for migrating birds and raptors. She feels a buffer is needed to protect the water quality from stormwater runoff and she suggested pulling back the boundaries of the PA2 along the Cohansey River. Ms. Morrissey also suggested placing a CES designation on the Cohansey's tributaries.

Commenter 2: Blake Maloney, Chairman of the Upper Deerfield Environmental Commission, stated that DEP needs to coordinate the Wastewater Management Planning process more effectively with municipalities and counties. Mr. Maloney also stated the sewer service areas (SSA) should be updated more than every 10 years and the State Planning Commission (SPC) should be allowed to update SSA.

Commenter 3: Ernie Zirkle, a Fairfield resident, stated that his wife is a member of Cohansey Area River Preservation, which was founded in 1999. He then applauded the environmentally sensitive planning areas in Cumberland County, but, stated that he cannot support an extension of PA1 into Fairton. He does, however, support the map changes for Map Item 15202. Mr. Zirkle stated the Mill Creek Natural Heritage Priority Site (NHPS) should be given Federal Wild and Scenic designation.

Commenter 4: Christine Nolan, speaking on behalf of Eileen Clark of the Upper Deerfield Environmental Commission, stated that the town would like to see their 500 acres of productive farmland changed to a PA2, but the Commission would like the farmland to be a PA4. The Commission would also like to see the area along the Cohansey River designated a PA5 and not a PA 1 or 2.

Commenter 5: Ann Lavine, a member of Concerned Citizens of Upper Deerfield, is concerned about new residential development, run off issues related to stormwater and severe flooding taking place, which has never happened before. She disagrees with cutting down the ravine on Sunset Lake. She also expressed concern for removal of trees along the Cohansey River, which is habitat for many species including tree frogs and eagles. Ms. Lavine stated there are more eagles along the Cohansey River than any place in NJ. Ben Spinelli interjected that DEP regulations include habitat protection and that municipalities can also pass strong local ordinances to restrict building and preserve habitat.

Commenter 6: Ernest Holt, a member of the Planning Board in Elmer, NJ, stressed the importance of farm ground.

Commenter 7: David Fisher, of Matzel and Mumford, said he had communicated concerns about development in Millville and Smithville with OSG when Adam Zellner was the Executive Director. He suggested that Route 47-Union Lake be changed from a PA5 to a PA1 or PA2 and offered a 300' buffer for the bald eagle habitat. He also stated that water and sewer exist and the original zoning was 3 units/acre. A cluster provision of 1 unit/acre will allow half of the property to be preserved as open space. This zoning has been adopted and Kim Warker supports the mapping amendment.

Commenter 8: Michael Canuso, of Canuso Communities stated the current zoning on his project in Millville is under litigation, Map Amendment 15205. He said he has put a book together regarding the issues and would submit it to OSG

Commenter 9: Matt Blake, Conservation Coordinator for the American Littoral Society, stated that he disagrees with public comments being limited to three minutes. Matt stressed the need for habitat protection along the Cohansey River and protection of the 13,000 acres of agricultural land in Upper Deerfield. He also stated that the County report recommends extending Bridgeton/Fairton/Hopewell Metropolitan areas, but PA1 should not be adjacent to environmentally sensitive areas. Matt urged OSG not to act favorably on County plans and submitted his comments in writing.

Mr. Spinelli of OSG stated that under the new State Plan, the Delaware Bayshore area could be categorized as a special Resource Area.

Mr. Brewer advised there needs to be a distinction between farmland preservation and open space preservation. Farmland is a benefit to ratables, because it costs much less to maintain. Preserved open space is removed from the municipal tax rolls.

Mr. Spinelli then commented that OSG will always discourage the ratable chase.

Commenter 10: Roy Spoltore, Upper Deerfield, discussed the fact that farmers are not getting the value they should for their land and are hesitant to preserve. Upper Deerfield has taken steps to remove PUD's, but has designated an area along Route 77 a redevelopment zone in their master plan.

Mr. Spoltore was the last public comment. Mr. Spinelli then asked those in attendance if anyone else would like to comment before the meeting was adjourned.

Commenter 11: Eileen Clarke, of the Upper Deerfield Environmental Commission, feels that no one cares about the wildlife and clear cutting has caused a buzzard population problem. She believes the wildlife should come first, not farmland or development.

ADJOURN

Mr. Spinelli adjourned the hearing at 9:30PM.