



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
OFFICE OF SMART GROWTH

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Governor

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Commissioner

BEN SPINELLI
Acting Executive Director & Secretary

**Essex County Cross-acceptance III Public Hearing
New Jersey State Planning Commission
Minutes of the Meeting Held May 3, 2007
Essex County Environmental Center
621 Eagle Rock Avenue
Roseland, New Jersey 07068**

OPEN PUBLIC MEETINGS ACT

Ben Spinelli, Acting Executive Director and Secretary, called the May 3, 2007 meeting of the New Jersey State Planning Commission (SPC) to order at 7:21 p.m. 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.

WELCOME & INTRODUCTIONS

Mr. Spinelli thanked everyone for attending the meeting. He introduced the following representatives of the SPC: Debbie Mans, Office of the Governor, and Helene Rubin, New Jersey Department of Transportation (NJDOT). He also introduced staff attending on behalf of the Office of Smart Growth (OSG): Jung Kim, Principal Planner, and Lorissa Whitaker, Area Planner.

OVERVIEW OF ESSEX COUNTY CROSS-ACCEPTANCE & THE STATE PLAN

Mr. Spinelli provided an overview of the third round of the Cross-acceptance process. The presentation noted the various internal, interagency and staff-to-staff meetings that have taken place to date, and the role of Essex County as the negotiating entity on behalf of municipalities and the local public. Of the 84 total meetings involving the 21 counties, 72 have already taken place, accompanied by numerous smaller meetings and telephone conferences. Through discussions with the counties, most of the issues outlined in the county Cross-acceptance reports have been resolved.

Mr. Spinelli explained the role of the State Plan Policy Map (SPPM) as a graphic depiction of the State Development & Redevelopment Plan's (State Plan) goals and policies. A draft State Plan is scheduled to be released in the fall of 2007. To be adopted in late 2007 or early 2008, the

State Plan will have a new format, following the elements of a local master plan per the Municipal Land Use Law (MLUL).

Mr. Spinelli highlighted characteristics and issues unique to Essex County, which includes urban, suburban and park lands, including the first county park system in the nation. He noted that policy issues took up most the staff-to-staff meeting between OSG and the County and that these will be considered in revising the text of the State Plan. Essex County issues focused on urban policy, affordable housing and COAH, reinvestment along rail corridors, fixing existing infrastructure, school costs and taxes.

He also noted that the Preliminary State Plan Map does not reflect changes proposed from the staff-to-staff meeting. On both the policy and mapping issues, further opportunities exist for the public to provide input.

ESSEX COUNTY GENERAL COMMENTS

Sanjeev Varghese, County Engineer, thanked everyone for coming and introduced Joe Alessi, chair of the County Planning Board, and Jim Bartell and David Antonio, staff from the Department of Public Works. Marcia Shiffman, of Maser Consulting on behalf of the County, discussed how the County has worked with the State over the course of 9 months on the negotiation agenda. Most of these changes have been accepted.

Mr. Spinelli noted that OSG and the SPC will be seeking a legislative change for Cross-acceptance to move to a 10-year cycle from the current 3-year cycle, as it is a very involved process.

PUBLIC COMMENT

Mr. Spinelli opened the hearing for public comments.

Commenter 1: Michael Golan, a professional planner for Banisch Associates representing Millburn Township, introduced an issue that has arisen after the comparison phase of Cross-acceptance. Mr. Golan described an area near the JFK Parkway near Short Hills Mall that is currently a sewered Environmentally Sensitive Planning Area (PA5). This 550-acre tract is owned by American Water, who wants to divest a portion of the property. The area is also adjacent to a Metropolitan Planning Area (PA1). He discussed the Township's and landowner's interest in seeking a change from PA5 to PA1 for 35-40 acres for development.

Mr. Spinelli advised that the Township pass this information onto the County who will then communicate it to OSG. He stated that sewer service and Planning Area are not always correlated, though PA changes have been proposed to increase transparency so that the map better reflects environmental constraints. The Mayor of Millburn Township inquired whether a Planning Area could cut through a parcel. Mr. Spinelli responded that this can happen, but also noted that the State does not seek to micromanage Planning Areas.

Commenter 2: Ann Denehy, of the Essex Fells Town Council, discussed a 125-acre tract in West Orange that is being considered for residential development. Ms. Denehy mentioned a Maser Consulting report which estimates that 13.1 million gallons per year of water supply will be lost to Essex Fells due to the development's impacts on wellheads which lie within West Orange. She submitted a copy of her letter to OSG.

Mr. Spinelli stated that the powers of OSG and the SPC are only advisory. Mr. Varghese mentioned the County's potential role.

Commenter 3: Wayne Bradley, planner for Irvington Township, discussed the need for the State Plan to better address redevelopment areas and how the redevelopment economy is distinct from a growth economy. Mr. Bradley mentioned the Township's Transit Village application and how the State Plan needs to be better connected with these kinds of initiatives. He noted that the State Plan has no mention of Bus Rapid Transit. He stated that Plan Endorsement should focus growth and infrastructure in urban areas. He also emphasized the importance of indicators in the planning process to provide benchmarks and direction. Lastly, he discussed the need for a discussion amongst agencies on projections and a sharing of methodologies in order to come to an agreed set of numbers.

Mr. Spinelli responded that OSG has contracted out the work on projections to ensure an independent source of population data. He also noted the importance of redevelopment in the State Plan's goals, policies and overall text. Jung Kim mentioned how the State Plan's new format will address some of Mr. Bradley's concerns, with subject-specific chapters, including those on matters such as redevelopment and transportation.

ADJOURNMENT

Mr. Spinelli thanked everyone for attending and adjourned the hearing at 8:25 p.m.