

CMP POLICY & IMPLEMENTATION COMMITTEE MEETING

**Richard J. Sullivan Center
Terrence D. Moore Room
15 C Springfield Road
New Lisbon, New Jersey
September 28, 2018- 9:30 a.m.**

MINUTES

MEMBERS IN ATTENDANCE: Chairman Sean Earlen, Jordan Howell, Ed Lloyd and Richard Prickett

MEMBERS ABSENT: Candace Ashmun, Robert Barr and Paul E. Galletta

OTHER COMMISSIONER PRESENT: Mark Lohbauer (as a non-member of this Committee, Commissioner Lohbauer did not vote on any matter)

STAFF PRESENT: Stacey Roth, Larry L. Liggett, Susan R. Grogan, Paul Leakan and Betsy Piner. (Craig Ambrose, with the Governor's Authorities Unit, attended by telephone.)

1. Call to Order

Chairman Earlen called the meeting of the Comprehensive Management Plan (CMP) Policy and Implementation (P&I) Committee to order at 9:32 a.m.

2. Pledge Allegiance to the Flag

All present pledged allegiance to the Flag.

3. Adoption of minutes from the August 24, 2018 CMP Policy & Implementation Committee Meeting

Commissioner Prickett moved the adoption of the August 24, 2018 meeting minutes. Commissioner Howell seconded the motion. The minutes were adopted with all Committee members voting in the affirmative.

4. Executive Director's Reports

Ms. Grogan said today she would be presenting two redevelopment plans, noting that such plans seem to be a popular means of implementing affordable housing obligations.

**Galloway Township 2018 Housing Element and Fair Share Plan and Ordinances
1993-2018 and 1994-2018, amending Chapter 233 (Land Management) and
adopting the Nantucket Redevelopment Plan**

Ms. Grogan said Galloway Township has a relatively large affordable housing obligation and has submitted to the Commission its Housing Element and Fair Share Plan as well as Ordinance 1993-2018, adopting affordable housing requirements to implement that Plan. The Township has also submitted Ordinance 1994-2018, approving a redevelopment plan for the Nantucket Redevelopment Area. Ms. Grogan said this is among several projects that Galloway has employed in recent years to implement its agreement with Fair Share Housing Center. She reminded the Committee that some time ago the Commission had approved zoning to accommodate a 4-story apartment building with 100% affordable units (*Resolution PC4-15-20, adopted August 14, 2015 certifying Galloway Township Ordinance 1909-2015*). Also, the Township has adopted a requirement that all residential development in its Regional Growth Area (RGA) include a 25% affordable housing component.

Ms. Grogan said the Nantucket Redevelopment Area is a vacant 60-acre parcel next to a CVS on the White Horse Pike near West Jimmie Leeds and Pomona Roads, which lead to Stockton University. She said the current zoning is Highway Commercial (HC-2), with housing permitted, and for several years the Township had hoped for high-density senior housing on this parcel. There have never been any approvals for such development at this site. The Township feels it will be suitable for affordable housing with apartments and multi-family housing at ten dwelling units per acre, with commercial development on the White Horse Pike and presumably, apartments to the rear. The Township anticipates perhaps 60 affordable units. The Pinelands Development Credit (PDC) requirement from the prior senior housing conditional use is retained.

Ms. Grogan said staff is recommending approval of these documents and believes that this project could move forward relatively quickly.

In response to Commissioner Lohbauer's questions regarding the retail component, Ms. Grogan said permitted uses will allow retail, commercial and office space. The Township hopes to attract at least 40,000 square feet of commercial development.

In response to Commissioner Lloyd's question about clustering, Ms. Grogan said much of the development will be apartments so that is cluster development. From the map, she identified one lot at the western end of the parcel as having extensive wetlands. She said some 600 units will be permitted but Galloway anticipates only some 300 to 350 units will be developed, depending upon parking and stormwater requirements.

Commissioner Lloyd moved the recommendation of Commission certification of Galloway Township's 2018 Housing Element and Fair Share Plan and Ordinances 1993-2018 and 1994-2018. Commissioner Prickett seconded the motion and all voted in favor.

Pemberton Township Ordinance 13-2018, amending the Browns Mills Town Center Redevelopment Plan

Prior to this discussion, Commissioner Prickett received confirmation from Ms. Roth that, although he lives in Pemberton Township and had served on the Township Council previously, as he had no involvement with the preparation of this Plan, he was eligible to participate/vote on this matter.

Ms. Grogan said roughly a year ago, the Commission had certified the Browns Mills Town Center Redevelopment Plan (*Resolution PC4-17-28, September 14, 2017*). She said meanwhile the Township had already started working on a revised redevelopment plan in recognition that the initial iteration with its many zoning districts, detailed design standards, etc. would be difficult to administer. The Local Planning Services (LPS) division of the Department of Community Affairs (DCA) prepared the revised plan before the Committee today. Ms. Grogan said this amended plan is simpler, reduces the number of zoning districts from six to four and more realistically embodies the Township's goals.

Ms. Grogan directed the Committee to Exhibit #1 of the Executive Director's Report noting that it identified the four new districts within the Redevelopment Area. She said the old Acme shopping center is in the Town Center-Retail (TC-R) Zone and is being demolished as the Township is preparing the site in anticipation of attracting a redeveloper for that nearly abandoned strip mall. This area also encompasses the relatively new Acme in a small shopping center. She identified the Town Center-Neighborhood (TC-N) Zone, containing an area of wetlands that will become dedicated open space to offset the anticipated residential development, most likely multi-family housing, which the Township desires. She said the Town Center-Mixed Use (TC-MU) Zone currently contains residential, commercial, a fire station, and a number of now-vacant parcels the Township has acquired in order to demolish substandard structures in anticipation of revitalizing the area. Finally, it is anticipated that the Town Center-Waterfront (TC-W) District could take advantage of proximity to Mirror Lake and potential waterfront recreation as well as a hotel.

Ms. Grogan said Exhibit #2 is a concept map but the actual configuration and structures will depend upon the development that is actually proposed by a redeveloper and approved.

Ms. Grogan said in terms of the CMP, the entire Redevelopment Area is in the RGA; there is a requirement of PDCs for projects of five or more dwelling units with densities ranging from 5-20 dwelling units per acre. The area is limited in terms of single family residential development opportunities due to wetlands and buffer requirements.

Commissioner Prickett noted that there are relatively few historic structures left in Browns Mills and asked if the Plan recognizes their presence.

Ms. Grogan responded that, although not identified in the Plan, the Township does have standards for historic structures.

In response to Commissioner Lloyd's question if Pemberton has an affordable housing obligation, Ms. Grogan said they do not.

Also in response to a question from Commissioner Lloyd regarding the involvement of DCA in preparing redevelopment plans, Ms. Grogan said that DCA staff is former staff from the Council on Affordable Housing (COAH) and they provide this service at no charge to the municipalities. When that agency became inactive, the staff recognized that, with its planners and GIS staff, it could help the municipalities complete certain projects. She said this is particularly helpful for the smaller municipalities with limited resources. She said in the Pinelands, Woodbine and Folsom have agreements with DCA for master plans.

Mr. Liggett said DCA brings an element of realism to the municipalities by providing economic data and background analysis.

Ms. Grogan added that DCA uses the Pinelands Commission's Long Term Economic Monitoring Report among other resources. She also noted that DCA had been working with Lakehurst Borough on a redevelopment plan for the municipal landfill. However, she felt DCA had brought a level of realism to what appears to have been an unrealistic project.

In response to Commissioner Prickett's question if there were still an Urban Economic Zone in Pemberton, Ms. Grogan responded yes, but it extends beyond the Browns Mills Redevelopment Area.

Commissioner Prickett said Pemberton has no affordable obligation because it is a very affordable municipality and there are many vacant houses.

Ms. Grogan said, yes, and the Township believes there is a need for multifamily housing, townhouses and apartments. She said the Township hopes new housing will support new commercial development.

Commissioner Lloyd moved the recommendation of Commission certification of Pemberton Township Ordinance 13-2018. Commissioner Howell seconded the motion and all voted in favor.

5. Review of the Executive Director's recommendation to the Pinelands Commission as to the eligibility of a parcel for acquisition under the Limited Practical Use program

Ms. Grogan said the Commission rarely received applications for the Limited Practical Use (LPU) program currently but hundreds of applications had been received in the past. Today's

application is submitted by the owner of a 4.15 acre parcel in Galloway Township who had been denied a waiver at the Commission's August 20, 2018 meeting and has submitted a questionnaire to determine eligibility in the LPU program. The parcel meets all criteria and staff is recommending eligibility.

Commissioner Prickett moved the recommendation to the Commission of the eligibility of the subject parcel for the Limited Practical Use land acquisition program. Commissioner Lloyd seconded the motion and all voted in favor.

6. Proposed Comprehensive Management Plan amendments (Pilot Program for Alternate Design Wastewater Treatment Systems)

Ms. Grogan said the Commission had authorized the proposal of amendments to the CMP eliminating the August 5, 2018 installation deadline for alternative design treatments systems. She said one commenter, Rich Bizub, in the audience today, had attended the public hearing and supported the proposal, but no written comments were received. Ms. Grogan said if the Commission approves the amendments at its October 12, 2018 meeting, she will try to schedule publication in the New Jersey Register by the end of the year. She said a couple of applications utilizing these systems are "stuck" and will need to switch systems or delay their projects until the deadline is removed.

In response to Commissioner Prickett's statement that rulemaking appears to be an amazingly tedious job, Ms. Grogan said it is a lengthy process.

Commissioner Lloyd added that Ms. Grogan had done remarkably well to advance these rules within some four months.

Commissioner Prickett moved the recommendation to the Commission of the adoption of CMP amendments for the pilot program for alternate design wastewater treatment systems. Commissioner Howell seconded the motion and all voted in favor.

7. Public Comment

Mr. Jay E. Mounier, a resident of Franklin Township, noted that Commissioner Galletta was doing well following a recent medical procedure.

In response to Commissioner Howell's questions regarding the Pinelands Infrastructure Master Plan, Mr. Liggett said, in the late 1980's, the Commission awarded grants to Pinelands RGA communities for the development of sewers. All the available money had been used but now there is a new pool of money resulting from repayment of loans. He said staff is talking with the municipalities and counties to see if they are interested in applying for funding for infrastructure needs, including those other than sewers. He said the Committee will need to determine if it wants to make changes to the types of projects (i.e., beyond sewers), the criteria, and the terms of the agreements, noting that previously the projects had been funded

with 40% loans, 20% grants and 20% local contributions. He said, following the Commission's approval, a Request For Proposals will be issued and money awarded for projects, but there is no additional money beyond the \$15 million from the loan repayments.

In response to Commissioner Howell's question if there were any updates on the Memorandum of Agreement (MOA) for the Atlantic City Airport, Ms. Roth said the Governor had conditionally vetoed A-3676 (*Creates Garden State Growth Zone at Atlantic City International Airport and surrounding areas*).

Mr. Leakan presented the bill on the SmartBoard: <https://legiscan.com/NJ/text/A3676/2018>)

Ms. Roth said she and Ms. Grogan had worked with the legislators on revising this bill regarding the Aviation District, a one-mile radius around the Airport, to ensure that a PDCs obligation was included for residential development. She said staff will work with the South Jersey Transportation Authority (SJTA) on the MOA and awaits their development plans for the area around the airport. She said SJTA would prefer an amended MOA that merely removes the conservation zone but staff feels it needs to include future development potential also. She said she will reach out to them and develop a schedule.

Ms. Grogan said staff had learned from the Governor's office that there are a lot of plans for the airport and surrounding area.

Mr. Liggett added that the RGA around the airport is zoned to accommodate 30% to 40% of all future PDC use in the Pinelands Area..

Ms. Roth noted that the bill does not appear to reflect an understanding of the PDC program. Furthermore, there is a reference to the preserved open space owned by the Pinelands Commission; as the Commission owns no land, this may be an issue for the NJ Department of Environmental Protection.

Ms. Grogan added that the bill is specific to the Atlantic City Airport.

Ms. Roth added that the other geographic areas listed in an earlier iteration of the bill have since been removed.

In response to Commissioner Prickett's question if any federal agencies have plans to assist the three grassland species currently protected in the conservation zone, Ms. Roth said she would check with Mr. Chris Boggs, with the Department of Agriculture, with whom she has been working.

Commissioner Prickett said perhaps a revised MOA might involve enhancing habitat for these species at the Joint Base.

There being no other items of interest, Commissioner Lloyd moved the adjournment of the meeting and Commissioner Prickett seconded the motion. The meeting was adjourned at 10:25 a.m.

Certified as true and correct:

A handwritten signature in cursive script, appearing to read "Betsy Piner", is written over a horizontal line.

Betsy Piner,
Principal Planning Assistant

Date: October 4, 2018