

# **MILLSTONE BOROUGH**

## **Main Street Redevelopment Plan**



October 26, 2010, Revised

Prepared for the Borough of Millstone, Somerset County, NJ  
by Carter van Dyke, ASLA, AICP, PP #04952  
and Thomas A. Banker

**Carter van Dyke Associates**  
40 Garden Alley  
Doylestown, PA 18901-4325

**Thomas A. Banker**  
133 Orton Road  
West Caldwell, NJ 07006

# Table of Contents

I.	Introduction.....	3
II.	Description of Redevelopment Area .....	4
III.	Purpose of the Plan .....	5
IV.	Objectives of the Plan.....	5
V.	Statutory Basis for Plan .....	6
VI.	Uses and Actions Authorized by the Plan .....	9
	A. Phase One.....	9
	B. Phase Two .....	10
VII.	Design Requirements.....	16
VIII.	Historic Preservation Requirements .....	21
IX.	Redevelopment Plan Implementation.....	21
X.	Review and Approval .....	22
XI.	Schedule for Performance .....	22
XII.	Duration of Plan.....	22
XIII.	Procedure For Amending The Plan .....	22
<b>APPENDICES .....</b>		<b>23</b>
Appendix A: Redevelopment Area Maps with Sub-Areas A-E Shown		
Appendix B. Borough Resolutions and Documents		
Appendix C: Concept Plan Sketches		
Appendix D. Additional Maps		

# **MILLSTONE BOROUGH**

## **Main Street Redevelopment Plan:**

### **I. Introduction**

Millstone Borough in Somerset County (the “Borough” or “Millstone”) is a small municipality of approximately three hundred and sixty acres in size with one hundred seventy dwelling units and approximately four hundred ten inhabitants. It is located on the Millstone River, which provides recreational opportunities to those within the region. It is also blessed with a rich history linked to the Revolutionary War, providing opportunities for cultural tourism. Because of its history, sections of the Borough are listed on the National Register of Historic Places.

Millstone’s proximity to the river has also caused it to suffer greatly because of repeated and frequent floods. To preserve some of its historic residences and commercial properties, the Borough has begun to consider a variety of flood mitigation procedures, including elevation or relocation of existing structures. Residential property values have been negatively affected by the repeated flooding.

Millstone also lacks a retail core where residents can purchase daily needs without having to drive outside the Borough. This fact, coupled with the desire to increase commercial ratables to help ensure financial sustainability, has led the Borough to undertake a redevelopment plan (the “Plan”) for the redevelopment of the principal intersection in Millstone. The Plan has two major components: (1) the protection of those historic residences most in danger of permanent damage because of the nature and frequency of flooding in Millstone; and (2) the creation of a retail “core” developed in a manner that is consistent with the historic character of the Borough. In this document, these components will be called Phase One and Phase Two of the Plan. Although both phases will contribute to the overall success of the Plan, they are independent from one another.

Because of the imminent risk to certain properties from flooding, the Plan envisions that Phase One would be undertaken immediately and separately from Phase Two.

The Plan is the latest action taken by the Borough to address its planning goals. Other initiatives have included participation in the Plan Endorsement process and application for designation as a Village Center, and plans for the installation of a modern sewer system. In addition, Somerset County’s (the “County”) recent acquisition of a large undeveloped parcel (the Rezem Tract) has significantly increased the amount of public open space within the Borough, as well as providing a potential “receiving site” for use in relocating historic residences in danger of damage or loss from flooding.

## II. Description of Redevelopment Area

The Redevelopment Area (the “Area”) is located generally at and near the intersection of Route 514 (Amwell Road) and Route 533 (Main Street) in Millstone Borough and consists of the following parcels, identified as they appear on the official maps of the Tax Assessor of the Borough. The boundaries of the Area are also illustrated in Appendix A, entitled “Main Street Redevelopment Area Map”.

Block	Lot	Also Known As (Street Address)
1.01	1.02	Main Street
	1.01 (portion)	Main Street
	4	1364 Main Street
	5	1370 Main Street
	7	1398 Main Street
1	8	
	8A	Main Street
	1	1387 Main Street
4	2	
	3	13 South River Street
	4	13 South River Street
	5	7 South River Street
	6	
	7	1403 Main Street
	8	1389 Main Street
7	1	
	2	
	3	1403 Main Street

As indicated in section I, the Plan’s activities will be undertaken in two phases. The parcels included in each phase are as follows:

### ***Phase One Parcels***

Block	Lot
1.01	1.02
4	3
	4
	5
7	3

### ***Phase Two Parcels***

<b>Block</b>	<b>Lot</b>
1.01	1.01 (portion)
	4
	5
1	7
	8
	8A
4	1
	2
	6
	7
	8
7	1
	2

### **III. Purpose of the Plan**

The purpose of this Plan is to set forth the terms and conditions under which the Area may be redeveloped by a designated Redeveloper or Redevelopers.

### **IV. Objectives of the Plan**

The adoption of the Plan will enable Millstone Borough to accomplish the following objectives:

- To increase the tax base of the Borough by creating more area for commercial development, and thus provide for a more financially sustainable local economy
- To provide residents with local services such as a convenience store and other appropriate retail that could also attract shoppers from nearby communities and residents within walking distance
- To eliminate unnecessary driving trips and increase the walkability of the Borough by providing a pedestrian-friendly area with safe sidewalks and paths into the center of the Borough
- To build upon and enhance the historic character of the Borough by setting forth specific design guidelines for new and renovated construction in conjunction with Historic Commission review and to promote a streetscape quality, including shade trees, appropriate to the historic nature of the Borough
- To assist owners of homes with repeated flood damage to mitigate future damage by elevating or relocating their structures

- To create an inn/restaurant that will serve the Borough as well as offering a destination for tourists using the Millstone River or the Millstone Valley Scenic Byway
- To create a civic space that could offer a location for activities related to the goals of the Borough's Master Plan and this Redevelopment Plan
- To increase recreational opportunities by providing increased open space, with river access and parking
- To provide a location for pumping station for Borough sanitary sewers
- To provide for the relocation of existing commercial uses that are located within the flood plain of the Millstone River

## V. Statutory Basis for Plan

This Plan is authorized pursuant to pursuant to Section 7 of the Local Redevelopment and Housing Law ("LRHL") (N.J.S.A. 40A: 12A-7), which provides that "no redevelopment projects shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body." The applicable section of that statute is as follows:

### ***40A:12A-7. Adoption of redevelopment plan.***

- a. No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in section 5 or section 14 of P.L.1992, c.79 (N.J.S.A..40A:12A-5 or 40A:12A-14), as appropriate.*

*The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:*

- (1) Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.*
- (2) Proposed land uses and building requirements in the project area.*
- (3) Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.*
- (4) An identification of any property within the redevelopment area, which is proposed to be acquired in accordance with the redevelopment plan.*
- (5) Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et al.).*

In regard to the requirements of subsection N.J.S.A. 40A:12-7 (a), the Main Street Redevelopment Plan is based upon the determination by the Borough Council that the Area qualifies as “an area in need of rehabilitation”, as such term is defined within the LRHL. The basis of such a determination is as set forth below:

***40A:12A-14. Conditions for determination of need for rehabilitation.***

- a. A delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that there exist in that area conditions such that (1) a significant portion of structures therein are in a deteriorated or substandard condition and there is a continuing pattern of vacancy, abandonment or underutilization of properties in the area, with a persistent arrearage of property tax payments thereon or (2) more than half of the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and (3) a program of rehabilitation, as defined in section 3 of P.L.1992, c.79 (C.40A:12A-3), may be expected to prevent further deterioration and promote the overall development of the community. Where warranted by consideration of the overall conditions and requirements of the community, a finding of need for rehabilitation may extend to the entire area of a municipality. Prior to adoption of the resolution, the governing body shall submit it to the municipal planning board for its review. Within 45 days of its receipt of the proposed resolution, the municipal planning board shall submit its recommendations regarding the proposed resolution, including any modifications which it may recommend, to the governing body for its consideration. Thereafter, or after the expiration of the 45 days if the municipal planning board does not submit recommendations, the governing body may adopt the resolution, with or without modification. The resolution shall not become effective without the approval of the commissioner pursuant to section 6 of P.L.1992, c.79 (C.40A:12A-6), if otherwise required pursuant to that section.*

This Plan is in compliance with the other requirements of 40A:12A-7 as outlined below:

1. The objectives outlined in the Plan are consistent with local objectives for improvement in the tax base and in the level of economic activity in the Borough. The densities proposed in this Plan are consistent with the local objectives and with the intent of the State Plan. The Plan addresses the needs of the Borough and Somerset County for open space and recreation and will take advantage of the Borough’s access to Millstone River. The Plan will increase community facilities within the Borough and will offer surrounding municipalities additional recreation facilities. The Plan requires streetscape improvements that will increase the walkability of the center of the Borough and may lead to a decrease in vehicle miles driven.
2. Land uses and design requirements for new construction and renovations are detailed within the Plan.
3. Permanent relocations of any business or residences are subject to receiving adequate funding and the approval of the affected owners. No temporary relocations are contemplated in the Plan, except in the case of house elevation or relocation, subject to owners’ approval.
4. The Plan is in compliance with the State Plan and the Somerset County master plan, including its Wastewater Management Plan. The Plan is consistent with the Plan Endorsement goals of the Borough and with the Village Center designation that the Borough is seeking.

In compliance with the requirements of the LRHL, the Borough has previously taken the following actions:

**Millstone Borough Actions**

April 20, 2009	Millstone Borough Council requested the Planning Board to make a <i>Certification of Conditions for Determination of an Area in Need of Rehabilitation</i> .
May 4, 2009	Borough Council requested the Planning Board to determine whether parts of the Borough are eligible for consideration as Area in Need of Rehabilitation
May 26, 2009	<i>Certification of Conditions for Determination of an Area in Need of Rehabilitation</i> report provided to Planning Board by Carter van Dyke, Borough Planner.  The Planning Board presented its recommendation to Borough Council to accept the <i>Certification of Conditions for Determination of an Area in Need of Rehabilitation</i> . The Borough Council adopted on the same date the <i>Resolution of the Borough of Millstone Determining That a Certain Area Within the Borough of Millstone is An Area in Need of Rehabilitation, Pursuant to N.J.S.A. 40A:12A-14</i> .
June 15, 2009	Borough Council authorized Planning Board to present Redevelopment Plan to Borough Council
July 28, 2009	The Borough Planning Board invited all affected property owners within the proposed redevelopment area to a special work session to review the concept of the Redevelopment Plan and discuss alternatives with the Planning Board and the public.
Sept. 30, 2009	The Borough Council submitted a request to FEMA for a grant to relocate two structures on South River Street, raise the elevations of four structures (one within the Redevelopment area and three within the Historic District), and mitigate the environmental issues associated with the existing gas station. FEMA subsequently requested changes to the application, which will be resubmitted as two separate applications. The application that will include the purchase of the gas station site will be submitted at a later date.
October 27, 2009	The Planning Board held a public hearing to review the status of Redevelopment Plan in light of the FEMA grant application and to hear public comments.
October 18, 2010	The Planning Board held a special meeting, accepted the final draft of the Redevelopment Plan and made a recommendation for the Borough Council to adopt the Plan. On this same date the Millstone Borough Council had a first reading of the proposed ordinance to adopt the Plan and remanded the Redevelopment Plan back to the Planning Board for further comments.
October 26, 2010	The Planning Board met and forwarded their comments on the Plan to Borough Council prior to the second reading of the proposed ordinance to adopt the Plan.



## **VI. Uses and Actions Authorized by the Plan**

### **A. Phase One**

#### **1. Sub-Areas:**

For the purposes of Phase One of this Plan, two separate redevelopment sub-areas have been identified. These are:

##### **a. Sub-Area A: Existing South River Street Parcels (the “Sending Site”)**

Sub-Area A includes the following tax parcels:

<b>Block</b>	<b>Lot</b>	<b>Address</b>	<b>Apprx. Acreage</b>
4	3	13 South River Street	0.16
4	4	13 South River Street	0.16
4	5	7 South River Street	0.39
7	3	1403 Main Street	2.80

##### **b. Sub-Area B: County Main Street Parcels (the “Residential Receiving Site”)**

Sub-Area B includes the following tax parcel:

<b>Block</b>	<b>Lot</b>	<b>Address</b>	<b>Apprx. Acreage</b>
1.01	1.02	Main Street	2.53

#### **2. Permitted Uses:**

The following uses shall be permitted as principal permitted uses:

##### **a. Sub-Area A:**

- i. Single family residential uses in existing structures
- ii. Open space and recreational uses
- iii. Pumping station for public sewer
- iv. Open air market building
- v. Public bathrooms
- vi. Boat landing along the river

##### **b. Sub-Area B:**

- i. Single family residential uses

#### **3. Accessory Uses:**

The following shall be permitted as accessory uses:

##### **a. Sub-Area A:**

- i. Surface parking areas, except for any parcels purchased by FEMA

**b. Sub-Area B:**

- i. All such uses that are customarily incidental to a residential use, such as an accessory garage, storage shed, fence, swimming pool, terrace, etc.

**4. Acquisition Requirements:**

The Borough does not intend to acquire any of the parcels that are part of Phase One. The Borough acknowledges that parcels may be acquired by the County and/or by one or more designated redevelopers in order to carry out the actions and achieve the uses authorized by the Plan for this Phase. All such acquisitions shall be done by mutual agreement of the parties to such transactions. Such acquisitions may be done by any other method agreed to by the affected parties.

**5. Permitted Activities:**

The following activities are expressly permitted within Phase One:

**a. Sub-Area A:**

- i. Relocation of existing structures to locations within Sub-Area B, including the conduct of all such studies and analyses as may be required in order to relocate structures of such type, character and designation.
- ii. Sub-division of parcels to permit a portion of a parcel to be devoted to open space and/or recreational use while the remainder of the parcel remains in its existing use.
- iii. Improvements and/or modifications to any parcel to be devoted to open space and/or recreational use to the degree such improvements and/or modifications are permitted pursuant to applicable state and Federal laws and regulations.
- iv. Subdivision of a parcel for the purposes of constructing a pumping station for future public sewers to serve the Borough of Millstone.

**b. Sub-Area B:**

- i. Sub-division of the Sub-Area into a maximum of four tax lots, the minimum of size of any lot created by such sub-division to not be less than one-half of one acre.
- ii. Relocation of existing structures from Sub-Area A, including all construction and/or site improvements as may be necessary to accommodate such relocation.
- iii. Construction of new single family residential dwellings.

**6. Design Requirements:**

All activities conducted within Phase One shall be done in a manner consistent with the design requirements set forth in section VII of this Plan.

**B. Phase Two**

**1. Sub-Areas:**

For the purposes of Phase Two of this Plan, three separate redevelopment sub-areas have been identified. These are:

**a. Sub-Area C: Existing Commercial Parcels**

Sub-Area C includes the following tax parcels:

Block	Lot	Address	Approx. Acreage
4	1	1387 Main Street	0.08
4	2	1008 Amwell Road	0.40
7	1	South River Street	0.18
7	2	South River Street	0.10
4	6	1393 Main Street	0.04
4	7	1393 Main Street	0.16
4	8	1389 Main Street	0.18

**b. Sub-Area D: South Main Street/Amwell Road Commercial Site**

Sub-Area D includes the following tax parcels:

Block	Lot	Address	Approx. Acreage
1	7	1398 Main Street	2.00
1	8	Amwell Road (County lot)	1.57
1	8A	Main Street	0.52

**c. Sub-Area E: North Main Street/Amwell Road Commercial Site**

Sub-Area E includes the following tax parcels:

Block	Lot	Address	Approx. Acreage
1.01	5	1370 Main Street (partly vacant)	0.93

**2. Permitted Uses:**

The following uses shall be permitted as principal permitted uses:

**a. Sub-Area C:**

- i. Open space and recreational uses
- ii. Continuation of existing uses as pre-existing, non-conforming uses
- iii. Pumping station for public sewer
- iv. Open air market building
- v. Public bathrooms
- vi. Boat landing along the river

**b. Sub-Area D:**

- i. Commercial and residential uses will be permitted as one unified development by one developer for the entire Sub-Area D. The application for development shall be substantially consistent with one of the two alternative site plans, as the case may be,

that are included as an appendix within this document. The two alternatives are dependent upon the following related factors: A decision by FEMA whether it will acquire the automobile service station site located in Sub-Area C (Block 4/Lots 1&2 and Block 7/Lots 1&2) and, if the acquisition takes place, whether the automobile service station site owner or lessee will construct a new automobile service station on a portion of the County lot in Sub Area D (Block 1/Lot 8). If FEMA acquires the automobile service station site and the site owner or the lessee decide to construct a new service station on the County lot within Sub Area D, then *Alternative One* shall be the development plan for this Sub Area. If FEMA does not acquire the automobile service station site or the site owner or lessee does not decide to construct an automobile service station on a portion of the County lot within Sub Area D, then *Alternative Two* shall become the development plan for this Sub Area.

- ii. If FEMA acquires the automobile service station within three years of the adoption of this Redevelopment Plan and within ninety days after such settlement the automobile service site owner or lessee notifies the Borough that it wishes to construct an automobile service station on a portion of the county lot, then *Alternative One* shall become the land use program for Sub-Area D, which shall be incorporated into the development ordinance by duly adopted ordinance. If FEMA does not acquire the existing automobile service station site within three years of the adoption of this Redevelopment Plan or, if such an acquisition occurs, the automobile service station site owner or lessee does not notify the Borough within ninety days within such settlement that it wishes to construct an automobile service station on a portion of the County lot, then *Alternative Two* shall become the land use program for Sub-Area D, which shall be incorporated into the development ordinance by duly adopted ordinance. Until such time, the current zoning shall remain in place.

iii. ***Alternative One:***

This alternative shall include a mixture of all of the following uses, except for offices and for restaurants not included in inns, which may be permitted. A concept sketch plan for *Alternative One* appears in Appendix C. (Note: Each use, except for office use, is mandatory):

- Automobile service station – not to exceed four bays with a maximum of four service pumps. Such use shall not to include the sales of a mechanical car wash or bodywork. (Note: Such use shall be subject to the abandonment of the existing service station that is currently located on Sub-Area C.)
- Convenience store in association with the service station – not to exceed 3,000 sq. ft in area.
- An inn that will include a restaurant and over night accommodations, provided that there are no more than one guest room for each 1,000 sq. ft. of first floor area and that the guest rooms shall not be used for borders. (Note: The overnight accommodations may be located on the second floor of other buildings within Sub Area D, with the exception of the service station.)
- Retail sales and service establishments. Such retail shall be limited to the following: gift shops, antiques, book stores, news stands, food markets, bakeries, clothing store, coffee shop, banking institution with no drive-in windows, realtor,

travel agent, crafts and similar uses, art gallery, personal service facilities, such as a barber shop, beauty salon, spa, health club, cleaning and garment services.

- Restaurants, not including restaurants with drive-through windows.
- Offices, when limited to the second floor and limited to the following uses: investments, architects, engineers, lawyers, realtors, travel agents, or other similar uses.
- Apartments, when limited to the second floor above retail.
- Affordable housing as required by applicable law at the time a development application is duly filed. It shall be the responsibility of the developer to meet all affordable housing obligations relative to the related development on the same site. All affordable housing shall be limited to the second floor above retail.
- Uses customarily incidental to the principal permitted uses.

iv. ***Alternative Two:***

This alternative shall include a mixture of all of the following uses, except for offices and for restaurants not located in inns, which may be permitted. A concept sketch plan for *Alternative Two* appears in Appendix C. (Note: Each use, except for office use, is mandatory):

- An inn that will include a restaurant and over night accommodations, provided that there are no more than one guest room for each 1,000 sq. ft. of first floor area and that the guest rooms shall not be used for borders. (Note: The overnight accommodations may be located on the second floor of other buildings within Sub-Area D, with the exception of the service station.)
- Retail sales and service establishments. Such retail shall be limited to the following: gift shops, antiques, book stores, news stands, food markets, bakeries, clothing store, coffee shop, banking institution with no drive-in windows, realtor, travel agent, crafts and similar uses, art gallery, personal service facilities, such as a barber shop, beauty salon, spa, health club, cleaning and garment services.
- Restaurants, not including restaurants with drive-through windows.
- Offices, when limited to the second floor and limited to the following uses: investments, architects, engineers, lawyers, realtors, travel agents, or other similar uses.
- Apartments, when limited to the second floor above retail.
- Affordable housing as required by applicable law at the time a development application is duly filed. It shall be the responsibility of the developer to meet all affordable housing obligations relative to the related development on the same site. All affordable housing shall be limited to the second floor above retail.
- Uses customarily incidental to the principal permitted uses.

c. **Sub-Area E:**

- i. Commercial uses expressly limited to the following:

- Retail sales and service establishments such as: gift shops, antiques, books, news stands, food markets, bakeries, clothing store, coffee shop, banking institution with no drive-in windows, realtor, travel agent, crafts and similar uses, art gallery, personal service facilities, such as a barber shop, beauty salon, spa, health club, cleaning and garment services.
  - Offices, when limited to the second floor and limited to the following uses: investments, architects, engineers, lawyers, realtors, travel agents, or other similar uses.
  - Visitor Center with an information center, bathrooms and gift store in association with a public park.
  - Restaurants, not including restaurants with drive-through windows.
- ii. Residential uses expressly limited to the following:
- Apartments, when limited to the second floor above retail.
  - Affordable housing as required by applicable law at the time a development application is duly filed. It shall be the responsibility of the developer to meet all affordable housing obligations relative to the related development on the same site. All affordable housing shall be limited to the second floor above retail.

### **3. Accessory Uses:**

The following shall be permitted as accessory uses:

#### **a. Sub-Area C:**

- i. Surface parking areas, except for any parcel purchased by FEMA.
- ii. Uses customarily incidental to principal permitted uses.

#### **b. Sub-Area D:**

- i. Surface parking areas
- ii. Uses customarily incidental to principal permitted uses.

#### **c. Sub-Area E:**

- i. Surface parking areas
- ii. Uses customarily incidental to principal permitted uses.

### **4. Acquisition Requirements:**

The Borough does not intend to acquire any of the parcels that are part of Phase Two. The Borough acknowledges that parcels may be acquired by the County and/or by one or more designated redevelopers in order to carry out the actions and achieve the uses authorized by the Plan for this Phase. All such acquisitions shall be done by mutual agreement of the parties to such transactions. Such acquisitions may be done by any other method agreed to by the affected parties.

## **5. Permitted Activities:**

The following activities are expressly permitted within Phase Two:

### **a. Sub-Area C:**

- i. Merger and/or sub-division of parcels to permit the sub-area to be developed in the most effective and efficient manner, subject to the limitations on use and design set forth in this Plan;
- ii. Improvements and/or modifications to any parcel to be devoted to open space and/or recreational use to the degree such improvements and/or modifications are permitted pursuant to applicable state and Federal laws and regulations; and
- iii. Improvements or changes to any existing residential structure as may be necessary to mitigate the risks of damage or loss due to flooding.

### **b. Sub-Area D:**

- i. Merger and/or sub-division of parcels to permit the sub-area to be developed in the most effective and efficient manner, subject to the limitations on use and design set forth in this Plan;
- ii. Improvements and/or modifications to any parcel to the degree such improvements and/or modifications are permitted pursuant to applicable state and Federal laws and regulations and further subject to the limitations on use and design set forth in this Plan; and
- iii. Construction of new buildings subject to the limitations on use and design set forth in this Plan.

### **c. Sub-Area E:**

- i. Merger and/or sub-division of parcels to permit the sub-area to be developed in the most effective and efficient manner, subject to the limitations on use and design set forth in this Plan;
- ii. Improvements and/or modifications to any parcel to the degree such improvements and/or modifications are permitted pursuant to applicable state and Federal laws and regulations and further subject to the limitations on use and design set forth in this Plan; and
- iii. Construction of new buildings subject to the limitations on use and design set forth in this Plan.

## **6. Design Requirements:**

All activities conducted within Phase Two shall be done in a manner consistent with the design requirements set forth in section VII of this Plan.

## **7. Block 1.01, Lots 1.01 (portion) and 4**

These lots shall retain their existing zoning.

## **VII Design Requirements**

### ***A. Green Space Requirements and Maximum Impervious Surfaces***

- A landscaped green space of at least 5 feet in width shall be designated and maintained along any property line which directly abuts public lands. Such green space shall be landscaped in accordance with a landscape plan that will provide a full, dense, all-season screen that shall achieve a minimum height of ten feet within ten years after the initial planting.
- Within the Area, a variety of green spaces shall be designed to complement the nonresidential development. A minimum of 10% of the total site area shall be designated, landscaped, and maintained as green space.
- It shall be the responsibility of the landowner to obtain all necessary slope easements to maximize the development potential for each commercial lot within the Plan area.
- The maximum allowable amount of impervious surface for any commercial development shall be eighty percent (80 %) of the gross area of the lot.

### ***B. Streets, Alleys and Accessways***

- Streets, alleys and accessways shall form an interconnected vehicular circulation network to the maximum extent practicable.
- County Route 514 shall be widened to a width sufficient to provide for on-street parking on both sides of the street for the portion of the road as exists within the Area and for three travel lanes for a total minimum cartway width of 55 feet, unless a different dimension is authorized by the County.
- To the extent practicable, traffic calming measures shall be installed along County Routes 514 and 532, including, but not limited to, bump-outs, pedestrian walkways, and median islands.
  - All off-street parking areas shall be placed at the rear or side of the buildings and shall have cross easements to adjoining properties to provide for linked parking lots.

### ***C. Sidewalks and Pathways***

- Sidewalks of at least five feet six inches in width shall be constructed and maintained along all streets. Internal sidewalks shall be a minimum of five feet in width.
- All sidewalks shall be brick to match the existing sidewalks within the Borough on Main Street.

### ***D. Street Trees and Other Landscaping***

- Street trees shall be planted with an average spacing of 35 feet on all street frontages.
- All landscaping and plantings shall comply with the Borough's landscaping design standards.
- All street trees shall be planted within the right-of-way or within a five foot street tree landscape easement located adjacent the edge of the right-of-way.
- Other landscaping elements in the form of perimeter buffers, screens, foundation plantings, fencing and perimeter walls are essential to the appearance of a traditional village commercial area and shall be subject to plan approval by the Planning Board upon consultation with the Millstone Borough Historic District Commission.



- Nonresidential parking areas shall be buffered from the street by landscaping and/or compatible fencing or walls.
- Along all sidewalks, ornamental street post lights shall be placed at a minimum spacing of 80 feet unless greater spacing shall be permitted by the Planning Board. The design of such lights shall be subject to review and approval by the Planning Board upon consultation with the Millstone Borough Historic District Commission.

## ***E. Building Design***

- The buildings in the Area shall be subject to review and recommendations by the Millstone Borough Historic District Commission and the approval of the Borough Planning Board.
- All buildings, whether fronting onto a dedicated street or internal non-dedicated street, must be placed to encourage continuous uninterrupted pedestrian pathways and link large and attractive shop windows and access points. Blank walls shall not be permitted to front onto dedicated street frontages.
- *Building Frontages:* All building facades fronting along a street shall have window and door openings facing the street. For all building facades facing a parking area, or the rear of the building, secondary windows and doors facing the parking or rear service area are required. At a minimum, there shall be some kind of articulation to mimic the scale of windows and doors as provided on the front facades.
- *Building Forms:* Where an existing building is to be reused and its design is non-conforming, every effort shall be made to change the detail of the roofline to eliminate an existing flat roofline, and enhance the canopy, window and door treatment to break up the expansive length of the building.
- *Windowless Walls:* Windowless walls seen from the right-of-way, or vehicular or pedestrian circulation areas, are prohibited, unless the construction of the blank wall is necessitated by local building codes, in which case the wall details must match the details in the masonry courses, color, cornice, etc. to match the general character of other sides of the building.
- *Roof Design:* All buildings shall have pitched roofs, with either overhangs or cornices on all sides extending a minimum of twelve (12") inches beyond the building wall. A variety of ridge heights and/or dormers, masonry chimneys and cupolas shall be included in the design of the buildings. Except for porch roofs, all gable roofs shall have a minimum pitch of 9/12 (vertical/horizontal), and all hipped roofs shall have a minimum pitch of 6/12. Roofing materials shall vary on buildings to feature porches, cupolas, or bay windows. Flat roofs are prohibited.
- *Awnings, Canopy or Porches:* Permanent porches, canopy, arcade or awnings that can be cranked out to protect pedestrians along the fronting sidewalk are encouraged. Awnings intended primarily as signs are prohibited.
- *Building Materials:* Roofing may be fiberglass architectural shingles that represent slates or wood, artificial slate or shakes, wood shakes, or metal. Siding may be a combination of brick, architectural or real stone, stucco, and concrete or wood siding. EIFS (exterior insulation finishing systems, such as Dryvit) and aluminum and vinyl siding and shutters are prohibited. Windows shall have detailed mullions and shutters with hardware.
- *Building Massing:* Buildings shall be designed so that they appear to retain an average building size of 3,500 sq. ft.. Larger buildings may be achieved by attaching multiple buildings that appear to be separate buildings that average 3,500 sq. ft., provided that no building shall have a building facade

greater than forty (40) feet in length without a minimum of a three (3) foot setback. (Note: An exception to this provision would be the inn, which shall not exceed 10,000 sq. ft. in area.)

#### ***F. Off-Street Parking and Parking Lots***

- Parking shall be located on-street to the maximum extent possible to provide the streetscape appearance that is traditional in the borough and to serve as an insulator between moving vehicles and pedestrians walking along the adjoining sidewalks. On-street parking, when located in front of the parcel or in close proximity and on the same side of the street, may be used in calculating the minimum required parking.
- Off-street parking lots shall be located to the rear or sides of buildings. Required parking can be accommodated either on-lot or off lot, provided that the required parking is within 300 feet of the intended use. All off-street parking that is off lot must include a parking agreement that is acceptable to the Borough to show that the parking will remain in place as long as the use or building remains.
- Uses may share parking if it can be documented that the parking needed for an evening event or weekend use will not conflict with a daytime use, such as daily office use and evening restaurant and weekend restaurant use.
- Parking lots not located in the flood plain shall use paved surfaces and appropriate design practices that minimize stormwater runoff.
- Parking lots and/or garages shall not be the dominant aspect of the building design and/or the streetscape as viewed from the street.
- The following minimum parking requirements shall apply:
  - Retail uses: 1 space per 250 sq. ft.
  - Office uses: 1 space per 300 sq. ft.
  - Restaurant/ Bar: 1 space per 50 sq. ft. of area accessible to the public
  - Inn room: 0.5 spaces per room
  - Residential: 0.5 spaces per dwelling unit
  - Gas Station: 4 cars per service garage bay
- All off-street non-residential parking shall be visibly screened from existing and proposed streets by hedges, buffer plantings or similar elements.

#### ***G. Off-Street Loading Areas, Outdoor Storage and Trash Disposal Areas***

- All loading areas and loading docks shall be located to the sides and rears of all buildings. Loading docks shall not be visible from public streets; however, loading areas may be designated as being on-street. There shall be one loading space per each 40,000 sq. ft. of commercial space. It shall be demonstrated that loading vehicles can access a loading area without impacting upon any parking area. Loading areas shall be screened with a combination of fencing and evergreen landscaping to screen the loading areas from parking areas, the road, or access into apartments or retail establishments.
- Outdoor storage or display of materials shall not be permitted.

- Trash disposal areas shall be located within buildings or within an opaque screened area that completely hides the trash and is located to the side or rear of the building. All outdoor trash disposal areas shall be set back at least 25 feet from residential property lines.

## **H. Signs**

- Signs shall be clearly visible to the pedestrian shopper.
- Signs shall be sufficiently legible to the passing motorist.
- Signs, as a group, shall create a vibrant and varied character that complements and enhances the varied buildings and unifies the streetscape within the village.
- Signs shall be designed to maintain an overall historic theme for the Millstone Redevelopment Plan Area so that there is continuity within the district.
- All signs shall be externally lit.
- No sign shall be placed within a sight triangle area.
- No use shall have more than two signs per street frontage and no more than one sign facing the parking area when located in the side or rear of the building; except for a service station located on a street corner, in which case there shall be no more than two signs for each facade facing a street plus one sign for each façade not facing a street.
- The following signs are permitted:
  - One freestanding sign, provided that it is located no more than four feet from the building façade; that the bottom of the sign is at least eight feet above the sidewalk; and that the sign is no greater than eight (8) square feet (sq. ft.) in area, except that for a building greater than 10,000 sq. ft. the area of the projecting sign shall be no greater than 12 sq. ft. in area.
  - One sign painted on shop windows, provided it does not take up more than forty (40%) of the window area;
  - One sign on an awning provided that it is located on the vertical face of the awning flap and prohibited on the angled portion of the canopy. Numbers and letters shall be no taller than 6 inches. Plastic, back-lit awning signs are prohibited.
  - One wall sign, provided that the sign is placed in a manner that does not hide the architecture of the building and the area of the sign is no larger than 6 sq. ft., except that for a building greater than 10,000 sq. ft., the area of the wall sign shall be no greater than twenty-five sq. ft.
  - One freestanding sign for a service station use only, provided that the sign shall not exceed a height of six (6) feet as measured from the ground, and the area of the sign shall be no greater than nine (9) square feet in area per each side.
  - One changeable copy sign posting the price of gasoline for a service station use provided that the area of the sign shall be no greater than twelve (12) sq. ft. per each side and the height shall be no higher than six (6) feet as measured from the ground.
- There shall be no signs on the canopy or marquee located over the pumps of a service station. In addition, such canopy or marquee shall not have any backlit area. All lighting shall be directed down onto the pump dispensing area.

- Pedestrian-oriented directory signs may be permitted throughout the Area when located along a walking path or adjacent to a parking area. Any such directory sign shall include a map of the Millstone Borough commercial center, shall identify all of the uses within the commercial center, and may include space to advertise civic or special events. The total area of the directory sign shall be no greater than eight (8) sq. ft. and the maximum height shall be six (6) ft. A decorative canopy over the projecting sign is encouraged.
- Directional signs shall not be permitted when they can be visible from any public open space.
- All signs shall be subject to review and approval by the Planning Board upon consultation with the Millstone Borough Historic District Commission.

#### ***I. Dimensional Requirements for All Commercial Uses Within the Plan Area***

- Front setback from right of way for principal buildings: Front yard: 10 feet minimum; 35 feet maximum. Awnings and porches may encroach into the front yard, but may not extend any closer than four feet from the right-of-way.
- Side yards for principal buildings: Five feet minimum;
- Rear yards for principal buildings: Fifteen feet minimum setback for the principal building.
- There shall be a minimum spacing of 10 feet between buildings.
- Maximum lot coverage: The total footprint of any commercial building shall not exceed 40% of the total gross area of the lot on which it is constructed. Surface parking facilities shall not be considered to be part of the building footprint.
- Maximum building height: Thirty-five feet or 2 1/2 stories, whichever is less. Tower structures may be permitted provided that they do not exceed forty-five feet in height.

#### ***J. Dimensional Requirements for All Residential Uses Within the Plan Area***

- Front setback from right of way for principal buildings: 20 feet minimum, 25 feet. maximum; for accessory buildings: 40 feet minimum.
- Side yards: for principal buildings: 10 feet.; for accessory buildings: 10 feet
- Rear yards: for principal buildings: 50 ft.; for accessory buildings; 10 feet
- Minimum lot size: [one-half acre](#)
- Minimum lot width at the minimum building setback line: 100 feet
- Maximum building heights: thirty-five feet or 2 1/2 stories, whichever is less.

#### ***K. Other Design Requirements***

- All buildings within the Area shall be served by public water supply and a public centralized sewage disposal system. Exception: In the event that public centralized sewage disposal is not available, the residential uses located in Sub-Area B may have on-lot sewage disposal until such time as centralized sewage disposal becomes available.
- All public utility lines and similar facilities servicing the Plan Area shall be installed underground.
- All utilities shall be placed where they will not interfere with the placement of street trees or landscaping on the individual lots.

- If the development is to be carried out in phases, each phase shall be so planned that the intent of this Plan shall be fully complied with at the completion of any phase. Any phased development shall be fully described and defined on the site and subdivision plans.
- All streets, whether public or private, shall have a right-of-way.
- Drive-through windows to service any use shall be prohibited on the front or sides of buildings within the Plan Area.
- Storm water management systems may be located in the vicinity of the County detention basin located on the south side of C.R. 514, if applicable, or underground on site.

#### ***L. Planning Board Authority to Modify Design Requirements***

The Borough Planning Board may, at its discretion, waive any of the design requirements included herein if compliance therewith is unnecessary for the purpose of accomplishing the objectives of this Plan.

### **VIII. Historic Preservation Requirements**

- A. To the extent that any property is located within the Borough's Historic District or abutting any public lands, it will be necessary to submit architectural plans for approval by the Millstone Borough Historic District Commission.
- B. It will be necessary for the Borough to prepare the following reports for the SHPO to review before any structure is moved or elevated:

**New Jersey Register Review:** This report will explain all of the alternatives for preservation and justify why elevation or relocation is appropriate. It will also describe the process for the implementation of the recommended alternative.

**Phase 1a Archeological Survey:** This analysis will be required for the sites from which a structure is to be moved, and may also be needed for the receiving site. The Phase 1a survey may warrant a Phase 1b Archeological Review, the results of which may warrant a Phase 2 Archeological Review.

**Section 106 Study:** To the extent that there will be Federal funds involved, this report will be required. It is similar in nature to the New Jersey Register Review described above.

### **IX. Redevelopment Plan Implementation**

This Plan shall be implemented by a redevelopment entity designated by the Borough in the ordinance adopting this Plan. The redevelopment entity shall have all of the powers and duties set forth for such entities within the LRHL, including, without limitation, the authority to designate redevelopers to carry out the activities authorized by the Plan, the authority to enter into redeveloper agreements with such designated redevelopers setting forth the terms and conditions under which those activities shall take place and the authority to directly carry out such tasks as may best be accomplished by the redevelopment entity itself.

## **X. Review and Approval**

- A. Prior to the construction or relocation of any building as may be authorized by this Plan, the Planning Board shall conduct site plan review for the affected property in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.). Decisions with respect thereto shall be based solely on this Redevelopment Plan, the Municipal Land Use Law, and the Development Ordinance to the extent not inconsistent herewith, and applicable state law.
- B. No Certificate of Occupancy of any type shall be issued for any construction until the Planning Board has given final site plan approval for such improvements.
- C. Any subdivision of lots and parcels of land within the Area shall be in accordance with the requirements of this Plan.
- D. This redevelopment plan shall supersede all provisions of the Zoning Ordinances of the Borough. The Planning Board shall have the authority to grant deviations from the requirements of this Plan, but only as provided herein and as provided within the Municipal Land Use Law. Upon final adoption of this Plan by the municipal council of the Borough, the Zoning Map of the Borough shall be amended to indicate the redevelopment area covered by this Plan.

## **XI. Schedule for Performance**

Each designated redeveloper shall begin and complete the development of the land and the construction of improvements within a reasonable amount of time as may be set forth in the agreement designating the redeveloper.

## **XII. Duration of Plan**

The provisions of this Plan shall be in effect for a period of fifteen (15) years from the date of approval by the municipal council of the Borough.

## **XIII. Procedure For Amending The Plan**

This Redevelopment Plan may be amended from time to time, subject to the limitations on amendment as may be included in any Redevelopment Agreement then in effect. If the amendment is to be considered at the request of a designated redeveloper, the redeveloper shall pay the costs of amending the Plan.

Amendments may only be made in accordance with the requirements set forth in the LRHL.

## **APPENDICES**

### **A.1 Redevelopment Area Map with Sub-Areas A-E Shown**

### **A.2 Millstone Borough Proposed Zoning Map**

### **B. Borough Resolutions and Documents**

#### **Borough Council (4/3/09):**

Resolution Authorizing and Directing the Planning Board To Review Whether A Certain Area Within the Borough Of Millstone Should be Determined to be An Area in Need of Rehabilitation, Pursuant to N.J.S.A. 40A:12A-14

#### **Borough Planner (Carter van Dyke Associates, 5/26/09)**

Certification of Conditions for Determination of an Area in Need of Rehabilitation

#### **Borough Planner (Carter van Dyke Associates, 5/26/09)**

Redevelopment Report Maps (Exhibit A)

#### **Planning Board (5/26/09):**

Resolution of the Planning Board of the Borough of Millstone Recommending That A Certain Area Within the Borough Of Millstone Should be Determined to be An Area in Need of Rehabilitation, Pursuant to N.J.S.A. 40A:12A-14

#### **Borough Council (6/15/09):**

Resolution of the Borough of Millstone Determining That A Certain Area Within the Borough Of Millstone is An Area in Need of Rehabilitation, Pursuant to N.J.S.A. 40A:12A-14

#### **Affidavit of Publication for Public Borough Planning Board Visioning Process (10/16/09)**

### **C. Concept Plan Sketches**

Alternative One

Alternative Two

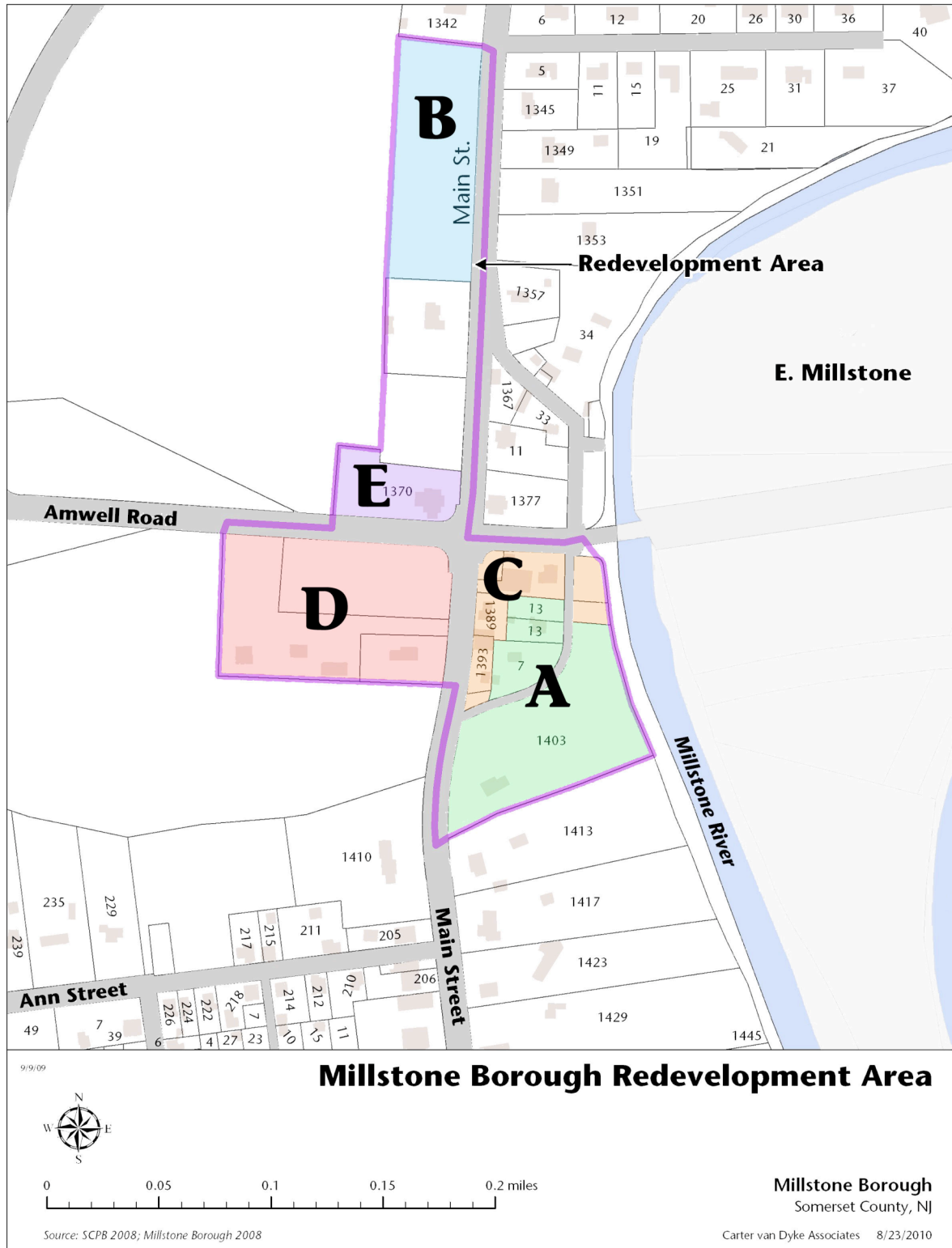
### **D. Additional Maps**

Millstone Borough Redevelopment Area 9-09

Millstone Borough Floodplains & Historic District Overlay 2-09

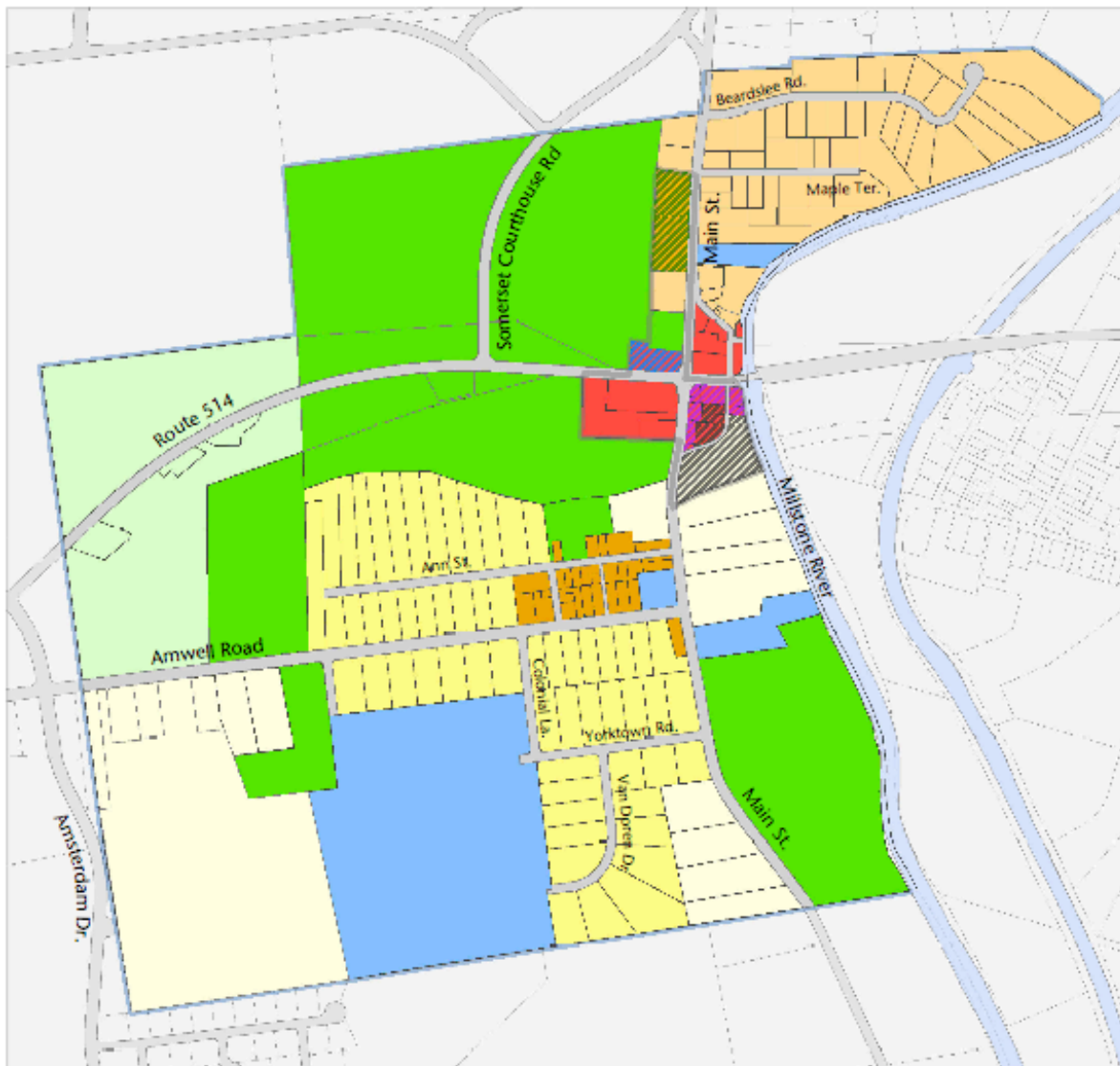
Millstone Borough Zoning Ordinance (Proposed) 8-25-09

## Appendix A.1: Redevelopment Area Map with Sub-Areas A-E Shown



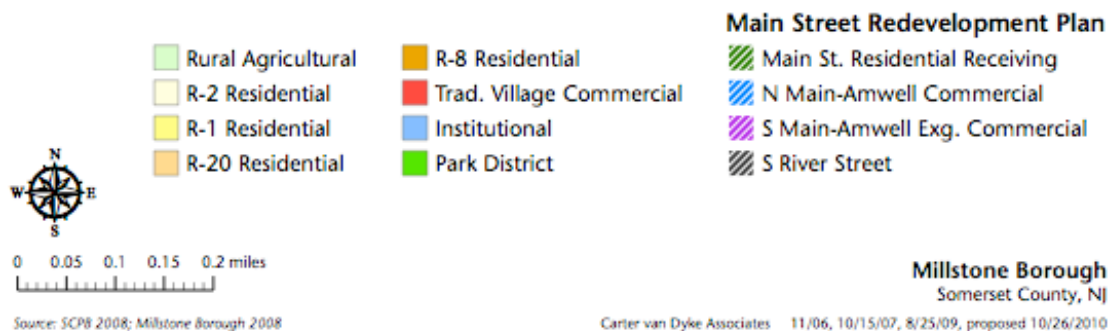


## Appendix A.2: Zoning Map with Redevelopment Sub-Areas Shown



10/26/10

### Millstone Borough PROPOSED Zoning Map



## **Appendix B. Borough Resolutions and Documents**

**Resolution Authorizing and Directing the Planning Board  
To Review Whether A Certain Area Within the Borough  
Of Millstone Should be Determined to be An Area in  
Need of Rehabilitation, Pursuant to N.J.S.A. 40A:12A-14**

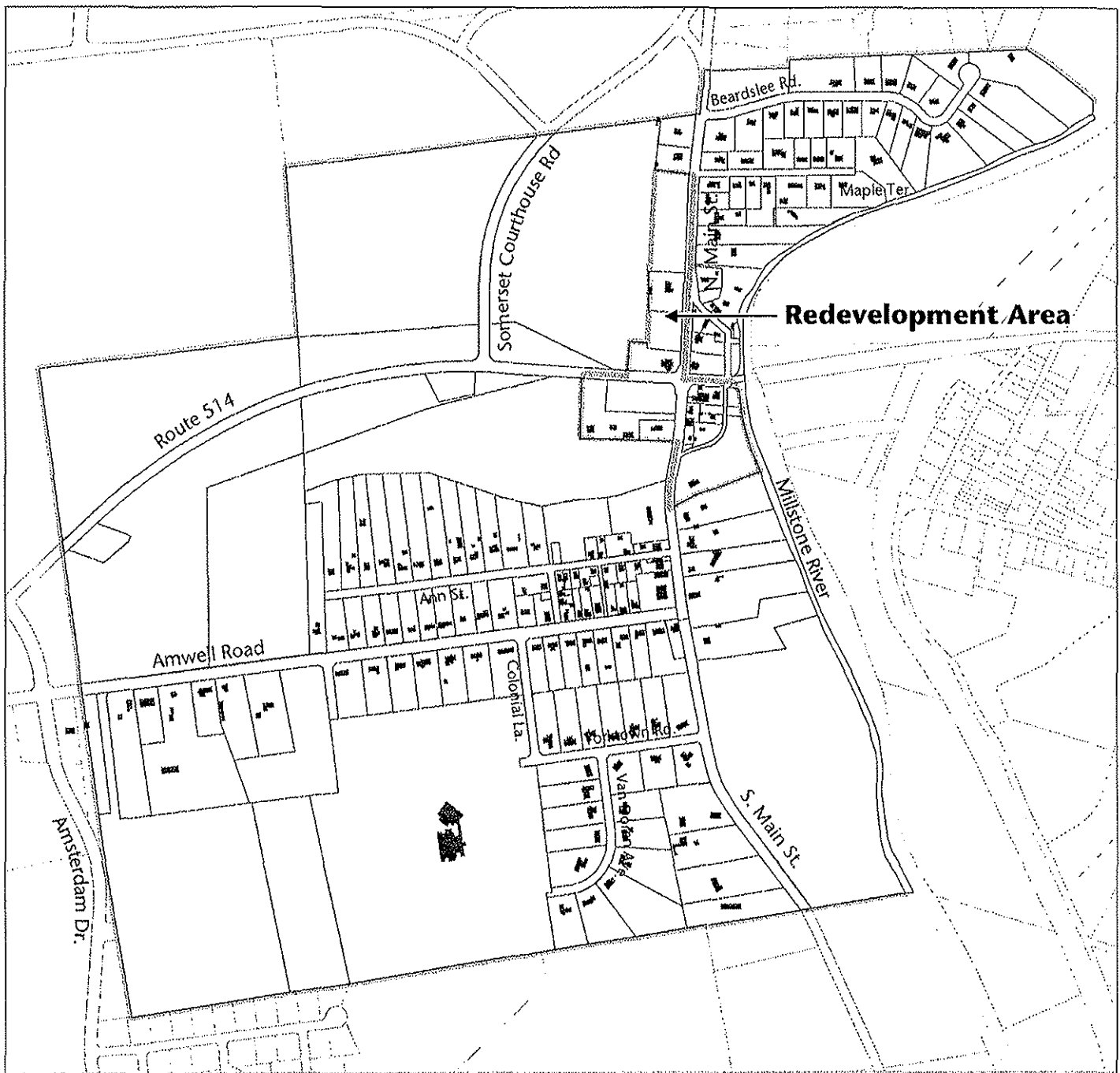
**Whereas**, the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) (hereafter the "LRHL") provides that a delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that certain conditions exist within that area: and

**Whereas**, the LRHL provides further that, prior to making such a determination, the governing body shall submit it to the municipal planning board for its review; and

**Whereas**, the Borough Council believes that such conditions may exist within the area described in Exhibit A, which is attached to this resolution and made a part hereof:

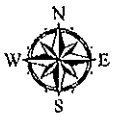
**Now therefore, be it resolved by the Borough Council of the Borough of Millstone, County of Somerset, New Jersey, that:**

1. The Planning Board is hereby authorized and directed to undertake a review to determine whether the area described in the attached Exhibit A meets the criteria set forth in N.J.S.A. 40A:12A-14 for such area to be determined to be in need of rehabilitation, as such term is defined within the LRHL.
2. The Planning Board is further authorized and directed to undertake such review in the manner required by the LRHL, including the publication of notice and the conduct of public hearings, to the extent such may be required under the law.
3. The Planning Board is further authorized and directed to report its findings and recommendations, if any, to the municipal council within 45 calendar days after the date of the adoption of this resolution.



4/1/09

## Exhibit A: Millstone Borough Redevelopment Area



0 0.05 0.1 0.15 0.2 miles

Source: SCPB 2008; Millstone Borough 2008

Millstone Borough  
 Somerset County, NJ

Carter van Dyke Associates 4/1/2009

## Certification of Conditions for Determination of an Area in Need of Rehabilitation

I hereby certify that I\* have examined all of the properties located within the area deccribed in the attached Exhibit A for the purpose of determining whether the area meets the criteria required to permit the area to be determined to be an area in need of rehabilitation, as such term is defined in N.J.S.A. 40A:12A-1 et seq. The results of that examination is as set forth below.

Block	Lot	Address	Use	Approx. Year Built	Aprox. Age of Bldg.	Source of Age Inform.**
1.01	4	1364 Main Street: HOUSE/ (1364 Main Street: BARN)	residential	1986 / (c. 1830)	23 / (170)	M/M Henry Stashek, owners of house. Original house burned and was replaced by new house in mid 1980s.
1	7	1398 Main Street [Rezem Family Trust]	residential, agriculture?	?	?	1 house, 2 barns, age unknown. Has been farmed in past.
1	8A	Main Street (no street number available) [Babiak proprty]	residential	?	>83 years	83 year old Millstone resident Henry Stashek testifies that this house was standing when he was a child
4	4	13 South River Strret	residential	1860?	>150 years	Assessment of materials and construction. This lot with house shown on 1860 and 1874 Millstone maps.
4	5	7 South River Street	residential	c. 1780	approx. 229	Millstone nomination petition for National Historic District recognition. This lot with house shown on 1860 and 1874 Millstone maps.
4	7	1393 Main Strret	residential	?	>100 years	Was old Millstone Post Office, shown in an old photograph with a horse-drawn mail coach parked in front. (see attached photo sheets.)
4	8	1389 Main Street	residential	c. 1835	c. 174 years	Millstone nomination petition for National Historic District recognition
7	3	1403 Main Street	residential	1760-1838	foundation 249 years; present house 171 years	Millstone nomination petition for National Historic District recognition. Present house built on foundation of orginal house.
1.01	5	1370 Main Street	commercial	1969	40	Millstone Borough building permit
4	1	1387 Main Street [store] – attached to 1008 Amwell Road, but with a different address	commercial	?	44-45 years	Millstone records
4	1	1008 Amwell Road [gas station] – attached to 1387 Main Street, but with a different address	commercial	1965	40 years	Millstone records
4	1	1014 Amwell Road [business]	commercial	?	40 years	Millstone records

\* In order to determine the accurate age of the above referenced properties, I consulted 2 members of the Millstone Borough Historic District Commission, Patricia Morris (former Planning Board Chair) and Portia Orton (Chair, Historic District Commission). Both Ms. Morris and Ms. Orton are both very knowledgeable about the Borough's history.

\*\* Review of Millstone Borough records in Borough Hall such as building permits; National Register of Historic Places nomination documents.

**Based on the foregoing, I hereby certify that the area does meet the criteria required to permit the area to be determined to be an area in need of rehabilitation.**

Carter van Dyke, ASLA, AICP, PP

PP #04952

---

**Name (Print or Type)**

---

**License #**



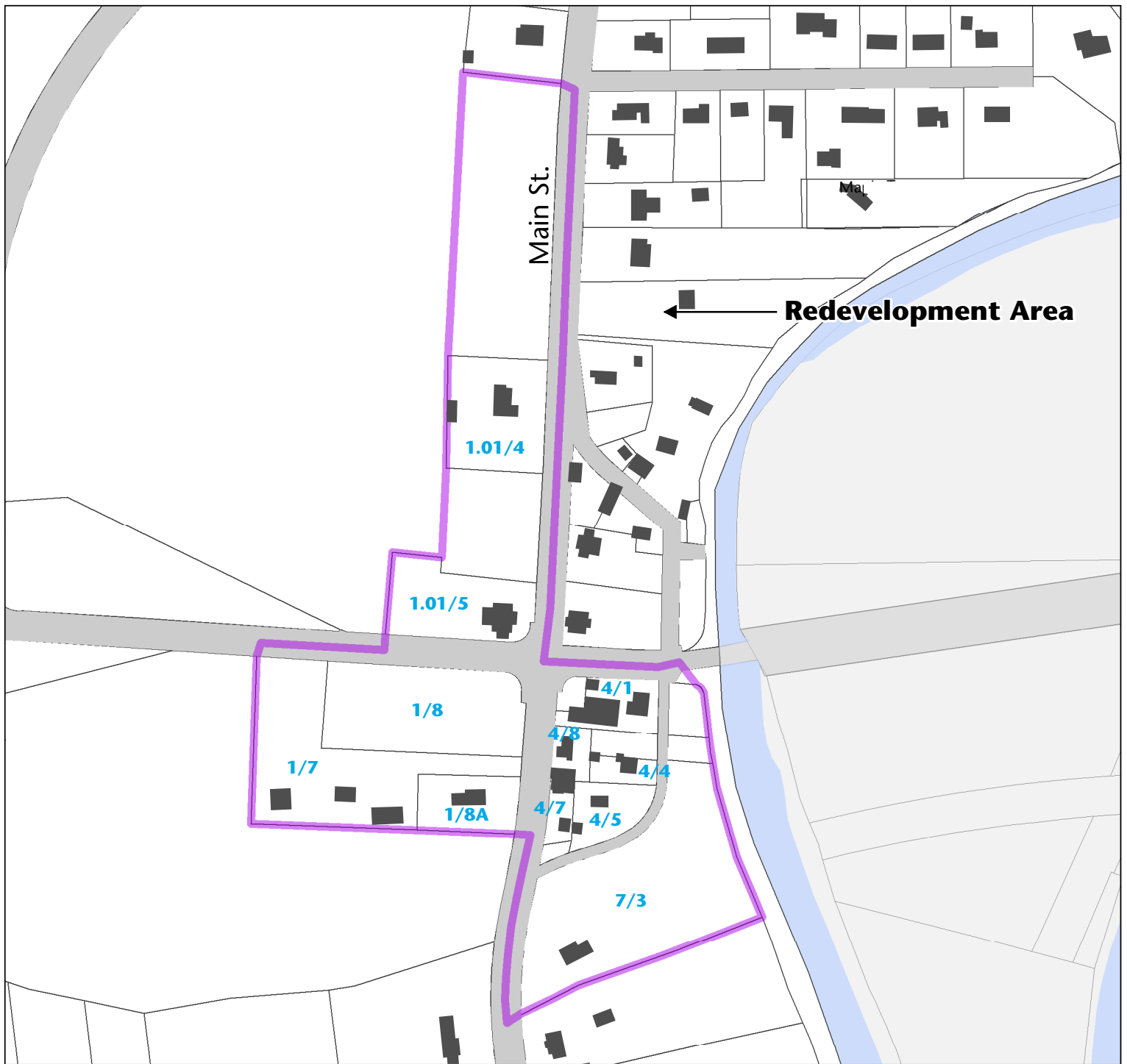
26-May-09

---

**Signature**

---

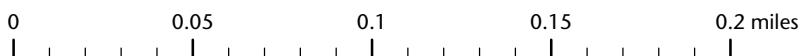
**Date**



5/10/09

## Exhibit A: Millstone Borough Redevelopment Area

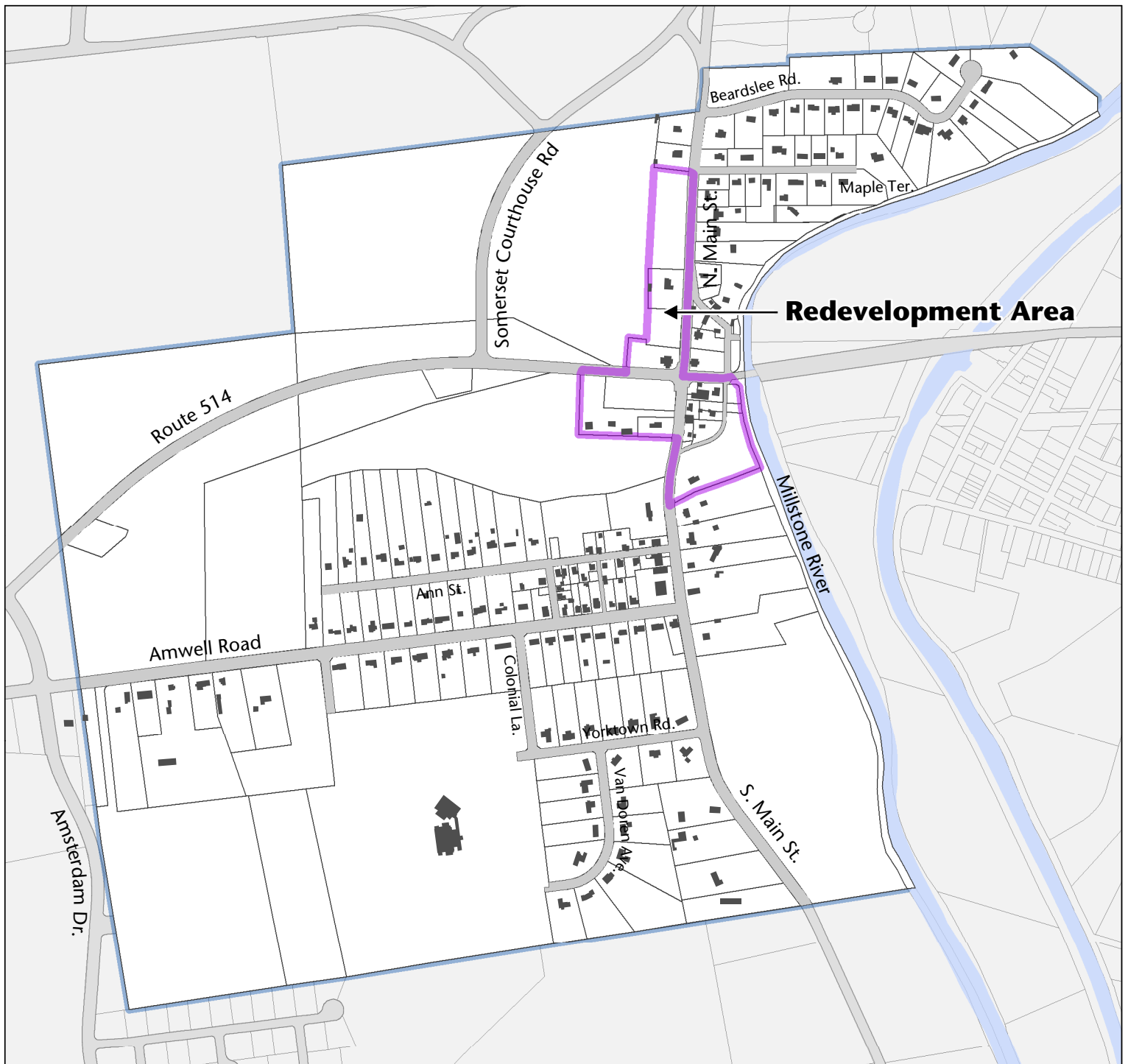
**Block/Lot**



Source: SCPB 2008; Millstone Borough 2008

**Millstone Borough**  
Somerset County, NJ

Carter van Dyke Associates 4/1/2009



4/1/09

## Exhibit A: Millstone Borough Redevelopment Area



0 0.05 0.1 0.15 0.2 miles

Source: SCPB 2008; Millstone Borough 2008

**Millstone Borough**  
 Somerset County, NJ

Carter van Dyke Associates 4/1/2009



**Resolution of the Planning Board of the Borough of Millstone**  
**Recommending That A Certain Area Within the Borough**  
**Of Millstone Should be Determined to be An Area in**  
**Need of Rehabilitation, Pursuant to N.J.S.A. 40A:12A-14**

**Whereas,** the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) (hereafter the "LRHL") provides that a delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that certain conditions exist within that area: and

**Whereas,** the LRHL provides further that, prior to making such a determination, the governing body shall submit it to the municipal planning board for its review; and

**Whereas,** the Municipal Council of the Borough of Millstone has previously directed the Planning Board to conduct a review of the area described in the attached Exhibit A and to report its findings and recommendations as to whether that area meets the statutory criteria; and

**Whereas,** the Planning Board has considered the matter at its meeting held on May 26, 2009, at which time it considered all of the information presented to it regarding this matter;

**Now therefore, be it resolved by the Planning Board of the Borough of Millstone, New Jersey, that:**

1. Based on the information presented, the Board finds that more than half of the housing stock in the delineated area is at least 50 years old; and
2. The Board also finds that a program of rehabilitation, as defined in section 3 of P.L.1992, c.79 (C.40A:12A-3), may be expected to prevent further deterioration and promote the overall development of the community; and
3. Such conditions are sufficient for the governing body to make a determination that the area described in the attached Exhibit A is an area in need of rehabilitation; and
4. The Board recommends that the Municipal Council of the Borough determine by resolution that the area described in the attached Exhibit A is an area in need of rehabilitation.

ADOPTED:

I hereby certify this is a true copy of a Resolution adopted by the Millstone Borough Planning Board at its meeting held on the 26th day of May, 2009.

---

Denise Piskowski  
Planning Board Secretary  
Millstone Borough

**Resolution of the Borough of Millstone**  
**Determining That A Certain Area Within the Borough**  
**Of Millstone is An Area in Need of Rehabilitation,**  
**Pursuant to N.J.S.A. 40A:12A-14**

**Whereas**, the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) (hereafter the "LRHL") provides that a delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that certain conditions exist within that area; and

**Whereas**, the LRHL provides further that, prior to making such a determination, the governing body shall submit it to the municipal planning board for its review; and

**Whereas**, the Borough Council of the Borough of Millstone previously directed the Planning Board to conduct a review of the area described in the attached Exhibit A and to report its findings and recommendations as to whether that area meets the statutory criteria; and

**Whereas**, the Planning Board considered the matter at its meeting held on May 26, 2009, at which time it considered all of the information presented to it regarding this matter; and

**Whereas**, based on that review the Planning Board has found that the area meets the required criteria and has recommended that the Borough Council determine that the area is an area in need of rehabilitation; and

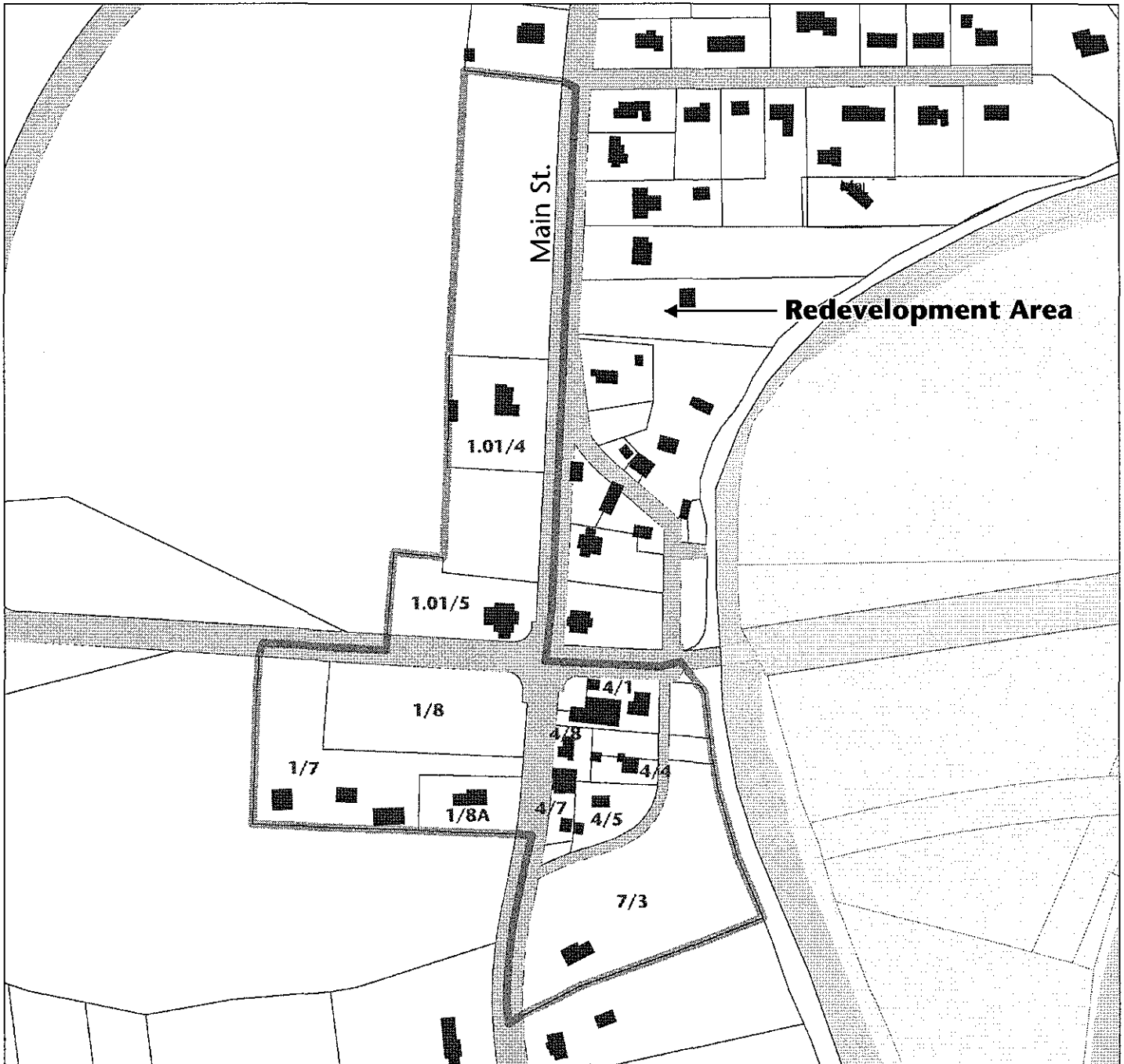
**Whereas**, the LRHL also provides that no redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation; and

**Whereas**, the LRHL also provides that the governing body of a municipality may direct the planning board to prepare a redevelopment plan or an amendment or revision to a redevelopment plan for a designated redevelopment area;

**Now therefore, be it resolved by the Borough Council of the Borough of Millstone, New Jersey, that:**

1. Based on the information provided from the Planning Board review of the area, the Borough Council finds that more than half of the housing stock in the delineated area is at least 50 years old; and
2. The Council also finds that a program of rehabilitation, as defined in section 3 of P.L.1992, c.79 (C.40A:12A-3), may be expected to prevent further deterioration and promote the overall development of the community; and

3. Such conditions are sufficient for the governing body to make a determination that the area described in the attached Exhibit A is an area in need of rehabilitation; and
4. The Borough Council hereby determines that the area described in the attached Exhibit A is an area in need of rehabilitation, as such term is defined in the LRHL.
5. The Planning Board is hereby authorized and directed to prepare a recommended redevelopment plan for the area that has been determined by this resolution to be an area in need of rehabilitation and to present such recommended redevelopment plan to the Borough Council for its consideration within 45 calendar days after the date of adoption of this resolution.



5/10/09

## Exhibit A: Millstone Borough Redevelopment Area

Block/Lot



0 0.05 0.1 0.15 0.2 miles

Source: SCPB 2008; Millstone Borough 2008

Millstone Borough  
Somerset County, NJ

Carter van Dyke Associates 4/1/2009

## Affidavit of Publication

Publisher's Fee \$12.32    Affidavit \$35.00

**State of New Jersey**                      } **SS.**

**Somerset County**

Personally appeared                     **Dayna Carlo**                     

Of the **Courier News**, a newspaper printed in Freehold, New Jersey and published in Somerville, in said County and State, and of general circulation in said county, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

10/16/09


                    **CATHERINE M. WILLIAMS**                     

                    **NOTARY PUBLIC OF NEW JERSEY**                     

                    MY COMMISSION EXPIRES JUNE 1, 2012                     

                    **A.D. 2009**                     

                                            
Sworn and subscribed before me, this  
**16 day of October, 2009**

  
Notary Public of New Jersey

### BOROUGH OF MILLSTONE

#### NOTICE

PLEASE TAKE NOTICE that on October 27, 2009 at 7:30 p.m. or as soon thereafter as the matter may be heard, the Millstone Borough Planning Board will conduct a public hearing at the Municipal Building, 1353 Main Street, Millstone, New Jersey to continue the Vision Planning process of the Revitalization Plan for the Borough Commercial District, per the requirements of Plan Endorsement.

All persons in attendance will be given an opportunity to present evidence and be heard.

Miller Porter Müller & Gaynor, P.C.

Attorneys for  
Millstone Borough

Planning Board

By: /s/ Gerald J. Muller

(\$12.32)

043598

## **Appendix C: Concept Plan Sketches**

# **Millstone Borough Redevelopment Area Concept Sketch Plan: Alternative 1**



500 Feet

400

300

200

100

0

**Millstone Borough**  
Somerset County, NJ

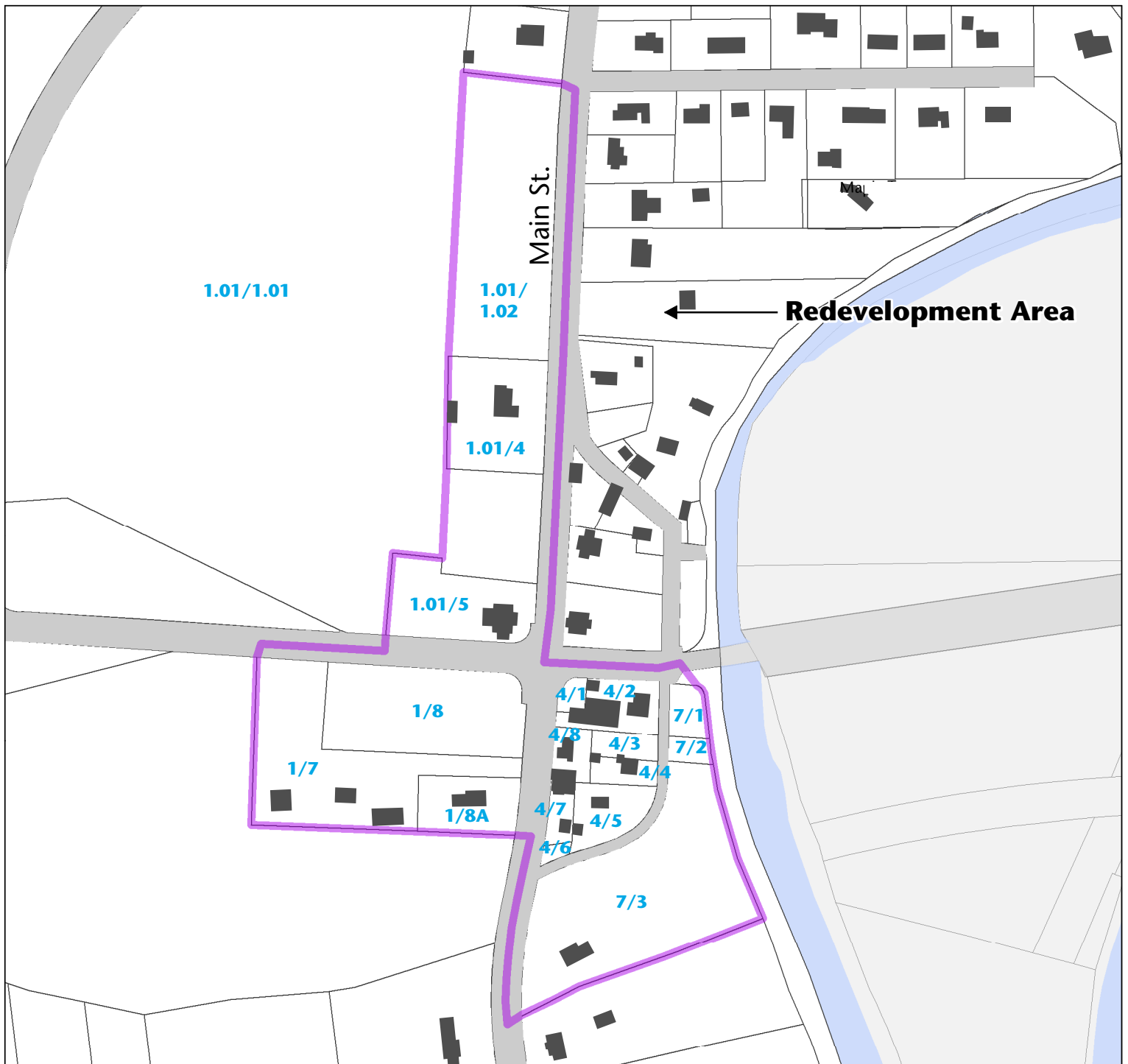


# **Millstone Borough Redevelopment Area Concept Sketch Plan: Alternative 2**





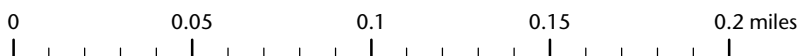
## **Appendix D. Additional Maps**



9/2/09

## Millstone Borough Redevelopment Area

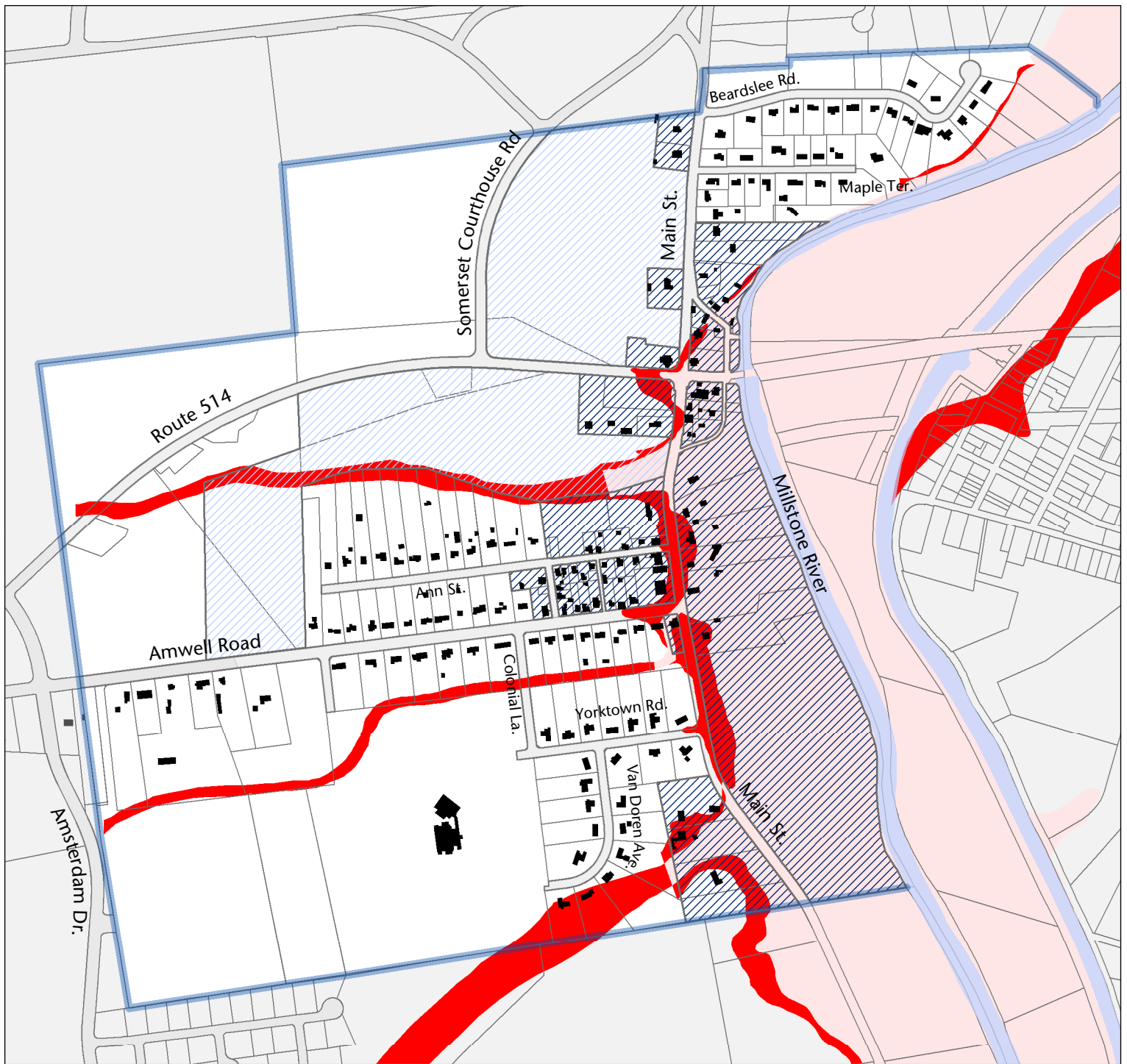
**Block/Lot**



Source: SCPB 2008; Millstone Borough 2008





**Millstone Borough**  
Somerset County, NJ

Carter van Dyke Associates 9/2/2009

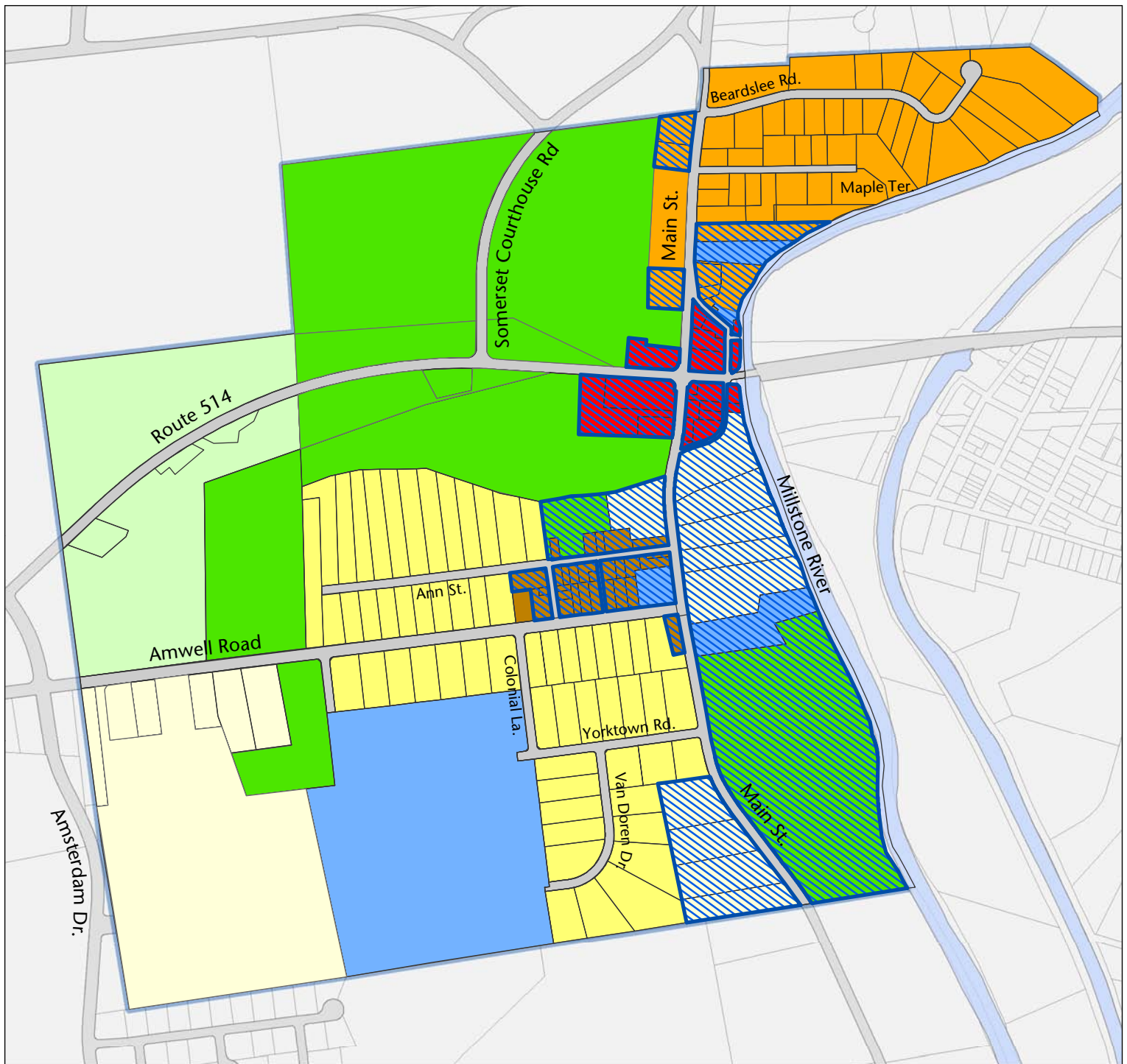


0 0.05 0.1 0.15 0.2 miles

## Flood Plains with Historic District Overlay

-  existing Historic District
-  proposed Historic District
-  100 year flood
-  500 year flood

**Millstone Borough**  
Somerset County, NJ



8/19/09

## Millstone Borough Zoning Map

- |                    |                          |
|--------------------|--------------------------|
| Rural Agricultural | R-8 Residential          |
| R-2 Residential    | Trad. Village Commercial |
| R-1 Residential    | Institutional            |
| R-20 Residential   | Park District            |
|                    | Historic District        |



0 0.05 0.1 0.15 0.2 miles

Source: SCPB 2008; Millstone Borough 2008

**Millstone Borough**  
Somerset County, NJ

Carter van Dyke Associates 11/2006, 10/15/2007. proposed 8/25/2009