



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
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Resolution No. 2019-07
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Date: August 5, 2019

R E S O L U T I O N

**AUTHORIZING A MEMORANDUM OF UNDERSTANDING AND ACTION PLAN
BETWEEN THE BOROUGH OF MILLSTONE, SOMERSET COUNTY
AND THE STATE PLANNING COMMISSION
AND EXTENDING AN INTERIM VILLAGE CENTER**

WHEREAS, pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et seq. (the Act), the State Planning Commission (the Commission) has prepared and adopted a State Development and Redevelopment Plan (the State Plan) which includes a State Plan Policy Map; and

WHEREAS, in adopting the State Plan, the Commission has utilized the concept of centers as the organizing planning principle for achieving a more effective and efficient pattern of development in the State of New Jersey; and

WHEREAS, the State Plan identifies five types of centers: Urban Centers, Regional Centers, Town Centers, Village Centers, and Hamlets, and sets forth policies regarding the identification, delineation, development and redevelopment of same; and

WHEREAS, the Commission is empowered, pursuant to N.J.S.A. 52:18A-203, to adopt rules and regulations to carry out and implement its statutory responsibilities and purposes; and

WHEREAS, pursuant to its authority under N.J.S.A. 52:18A-203, the Commission has adopted regulations, set forth in N.J.A.C. 5:85, that establish procedures for filing of petitions with the Commission for the purpose of, *inter alia*, seeking Plan Endorsement and amendments to the State Plan Policy Map as a means to implement the State Plan and to foster cooperation and coordination of planning activities between State agencies and county and local governments; and

WHEREAS, in October 2006, the Commission passed Resolution 2006-04 extending deadlines for initial Plan Endorsement for petitioners interested in continuing to work towards Plan Endorsement conditioned upon entering into a Memorandum of Understanding (MOU) and Action Plan with the Office of Smart Growth (OSG) for so long as petitioner exerts good faith efforts to work toward Plan Endorsement as determined by the Executive Director of the OSG; and

WHEREAS, in 2005 the Borough of Millstone (Millstone), Somerset County contacted the OSG, now known as the Office for Planning Advocacy (OPA), to seek Plan Endorsement and establish a Village Center; and

WHEREAS, OPA prepared a recently revised negotiated Action Plan from the original 2005 Action Plan, attached hereto and marked as **EXHIBIT A**, which sets forth the outstanding actions for State agencies and Millstone to take in order to achieve Plan Endorsement, including the timeframe(s) for completion of those requirements and the steps to be taken by relevant State agencies to review and support Millstone's petition for Plan Endorsement; and

WHEREAS, Millstone has consistently exerted good faith efforts to pursue Plan Endorsement, as evidenced by the following:

- June 16, 2014 – Millstone adopted an Environmental and Resource Protection Code;
- November 11, 2015 – Millstone approved its Master Plan Reexamination Report;
- March 21, 2016 – Millstone adopted a resolution to be a customer of the Hillsborough Township Sewer Authority and be serviced through the Somerset Raritan Valley Sewerage Authority in support of an inclusionary housing project;
- October 17, 2016 – Millstone adopted a Flood Damage Prevention ordinance;
- December 22, 2017 – Somerset County updated its Hazard Mitigation Plan with Millstone's participation;
- October 2018 – Millstone submitted its municipal chapter for the Somerset County Septic Management Plan;

WHEREAS, Millstone agrees to work with NJ Department of Environmental Protection and the Office for Planning Advocacy to review and revise the center boundary to eliminate flood prone and environmentally sensitive areas for a map amendment to the State Development and Redevelopment Plan (State Plan) Map; and

WHEREAS, the Executive Director has determined that Millstone, continues to work in good faith toward Plan Endorsement and recommends the Commission, Somerset County, and the Borough of Millstone enter into an MOU designating an interim Village Center in Millstone for one additional year, so long as Millstone continues to exert good faith effort toward Plan Endorsement; and

WHEREAS, it is the Commission's intention to allow for designation of interim centers for municipalities working in good faith to obtain Plan Endorsement, as determined by the Commission; and Resolution No. 2016-02 and Resolution No 2019-07

NOW, THEREFORE, BE IT RESOLVED, that the State Planning Commission hereby designates an interim Village Center in the Borough of Millstone, Somerset County to be effective until June 30, 2020.