



## *State of New Jersey*

DEPARTMENT OF STATE  
NEW JERSEY STATE PLANNING COMMISSION  
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*Governor*

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*Director*

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*Lieutenant Governor*

Resolution No. 2016-02  
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Date: May 18, 2016

### **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, Towns, Villages, 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 June 2008, the Commission passed Resolution 2008-07 further extending Plan Endorsement deadlines for petitioners proceeding with Plan Endorsement as authorized pursuant to resolution 2006-04; and

**WHEREAS**, 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 negotiated Action Plan, attached hereto and marked as **EXHIBIT A**, which sets forth the 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:

- September 18, 2005 – Millstone attended a pre-petition meeting with the OSG and representatives of relevant State Agencies, expressing interest in pursuing Plan Endorsement, with the intention of establishing a Village Center boundary;
- April 21, 2008 – Millstone adopted a resolution appointing Plan Endorsement Advisory Committees;
- May 11, 2009 – Millstone submitted Municipal Self-Assessment Reports to the OPA;
- July 17, 2009 – OPA submitted Opportunity and Constraint Reports to Millstone;
- 2010 – Millstone adopted a Main Street Redevelopment Plan for an Area in Need of Rehabilitation;
- November 15, 2011 – OPA completed its review for consistency with the State Development and Redevelopment Plan and provided Millstone with an Action Plan that addresses the outstanding requirements it needs to complete prior to receiving Plan Endorsement;
- December 12, 2012 – OPA provided Millstone with a revised Action Plan that addresses the outstanding requirements for Millstone to complete the Plan Endorsement process;
- June 16, 2014 – Millstone adopted an Environmental and Resource Protection Code;
- November 11, 2015 – Millstone approved Master Plan Reexamination Report;

**WHEREAS**, the Director has determined that Millstone, continues to work in good faith toward Plan Endorsement and recommends the Commission and Millstone enter into an MOU designating an interim Village Center in Millstone for two years, so long as Millstone continues to exert good faith efforts 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

**WHEREAS**, an interim Village Center boundary has been negotiated and agreed upon between the relevant State agencies and Millstone; and

**WHEREAS**, the negotiated interim Village Center boundary for Millstone as shown in Exhibit B attached hereto:

- is consistent with the intention of the Commission's prior resolutions 2006-04, 2008-07 and 2013-02
- has been evaluated by the OPA and deemed consistent with the State Development and Redevelopment Plan.

**NOW THEREFORE BE IT RESOLVED**, that the Commission hereby authorizes the execution of an MOU designating an interim Village Center boundary in Millstone for two years, so long as Millstone continues to exert good faith efforts to obtain Plan Endorsement, including continued progress on the Action Plan, as determined by the Commission; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Commission and the Director of the OPA are hereby authorized and directed to execute such documents and to take such other actions as may be necessary or appropriate for the implementation of this resolution.