



State of New Jersey

DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
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CHRIS CHRISTIE
Governor

GERRY SCHARFENBERGER, Ph.D.
Director

KIM GUADAGNO
Lieutenant Governor

Resolution No. 2013-02
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Date: January 16, 2013

RESOLUTION

AUTHORIZING A MEMORANDUM OF UNDERSTANDING AND ACTION PLAN BETWEEN THE BOROUGH OF MILLSTONE, SOMERSET COUNTY AND THE STATE PLANNING COMMISSION AND ESTABLISHING 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 of the State Plan 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 for so long as petitioner exerts good faith efforts to work toward Plan Endorsement as determined by the Executive Director of the Office of Smart Growth; and

WHEREAS, the Borough of Millstone (Millstone), Somerset County contacted the Office of Smart Growth (OSG) now known as the Office for Planning Advocacy (OPA) to seek Plan Endorsement and establish a Village Center; 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 appointed Plan Endorsement Advisory Committees by resolution
- May 11, 2009 – Millstone submitted Municipal Self-Assessment Reports
- July 17, 2009 – OPA submitted Opportunity and Constraint Reports to Millstone
- November 15, 2011 – OPA completed their consistency reviews for and provided them with an Action Plan that addresses outstanding requirements needed to complete prior to receiving Plan Endorsement
- December 12, 2012 – OPA provided a revised Action Plan that addresses outstanding requirements to complete Plan Endorsement

WHEREAS, the Director has determined that petitioner, Millstone, continues to work in good faith toward plan endorsement and recommends the Commission authorize a map change to designate an interim center for Millstone as it 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 petitioner; and

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

- is consistent with the intention of resolutions 2006-04 and 2008-07
- has been evaluated by OPA and deemed consistent with the State Development and Redevelopment Plan.

NOW THEREFORE BE IT RESOLVED, that the Commission hereby agrees to authorize a map change to reflect the negotiated interim Village Center boundary in Millstone for so long as petitioner continues to exert good faith efforts to pursue Plan Endorsement as determined by the Commission.

BE IT FURTHER RESOLVED, that the members of the Commission and the Executive Director and staff 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.

CERTIFICATION

This Resolution was adopted by the New Jersey State Planning Commission at its meeting held on Wednesday, January 16, 2013. Ayes: (11) Ken Albert, John Eskilson, Monique Purcell, Dominick Fiorilli, Joyce Paul, Shing-Fu Hsueh, Marc Larkins, Marilyn Lennon, Thomas Michnewicz, Andy Swords, Ed McKenna. Nays: (0). Abstains: (0).



Gerry Scharfenberger, Ph.D., Secretary
NJ State Planning Commission