



State of New Jersey

DEPARTMENT OF STATE
BUSINESS ACTION CENTER
OFFICE OF PLANNING ADVOCACY
PO BOX 820
TRENTON, NJ 08625-0820

PHILIP D. MURPHY
Governor

TAHESHA WAY
Secretary of State

SHEILA Y. OLIVER
LT. GOVERNOR

DONNA A. RENDEIRO
Executive Director

MEMORANDUM

TO: Plan Implementation Committee
FROM: Donna Rendeiro
RE: Proposed Millstone Endorsement
DATE: March 17, 2021

As you may know, the Borough of Millstone has been actively involved in the Plan Endorsement process since 2013. They have a rich history of good land use practices and have shown through their actions that the Borough balances economic activity appropriate for their size and conservation and environmental protection. As indicated by Mr. Ableman's memo and subsequent presentation, there is a history of concrete actions taken to ensure their community remains sustainable through the long term.

There is one matter that has resulted in much discussion between staffs of OPA and DEP that we acknowledge and are prepared to discuss at the PIC presentation. One block and lot in Millstone's historic district is in a floodway and as a result, DEP has some concerns regarding placing it in the Center. The maps presented to you will include that block and lot in the Center as we at OPA believe there are good planning reasons to include it.

First, as part of Millstone's historic district, it is in an area meant to attract visitors. Since a Center is meant to be an area of concentrated activity, it makes sense for this area attraction to be in the Center. Second, Millstone has no intention to develop the site out of character with the historic nature of the area. Third, DEP has other regulations that would prevent development of the site in a way that would further harm the floodway and as a result is protected. Millstone fully understands the sensitivity of the area and has committed to act accordingly.

It is in light of the above and the details in Mr. Ableman's memo, I support the Endorsement of the Borough of Millstone.



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TO: Donna Rendeiro
FROM: Barry Ableman
RE: Borough of Millstone
PE Status Update, Map and Draft PIA
DATE: March 16, 2021

The Borough of Millstone is a small municipality of less than 1 square mile (0.7 sm) with a long history dating back to before the Revolutionary War. The Borough of approximately 400 people has embraced its heritage through proper planning aligned with the State Plan. By working with the State and Somerset County, more than half of the Borough is now open space/parkland. Located adjacent to the Raritan River and partially in the floodway, they have addressed resiliency head on. They originally sought Village Center designation and Plan Endorsement to create a sewer system that would foster sustainability with affordable housing, economic development and address failing septic systems. The Borough has requested Endorsement so that they can continue to provide quality land use practices for their residents.

Background

- ▶ January 16, 2013 – SPC Adopted resolution that created Millstone Interim Village Center for 2 years with Action Plan
- ▶ May 18, 2016 – SPC Adopted resolution that extended Interim Village Center for 2 years more
- ▶ August 5, 2019 – SPC Adopted resolution that extended Interim Village Center until June 30, 2020
- ▶ Action Plan Complete (see attached)

Actions taken

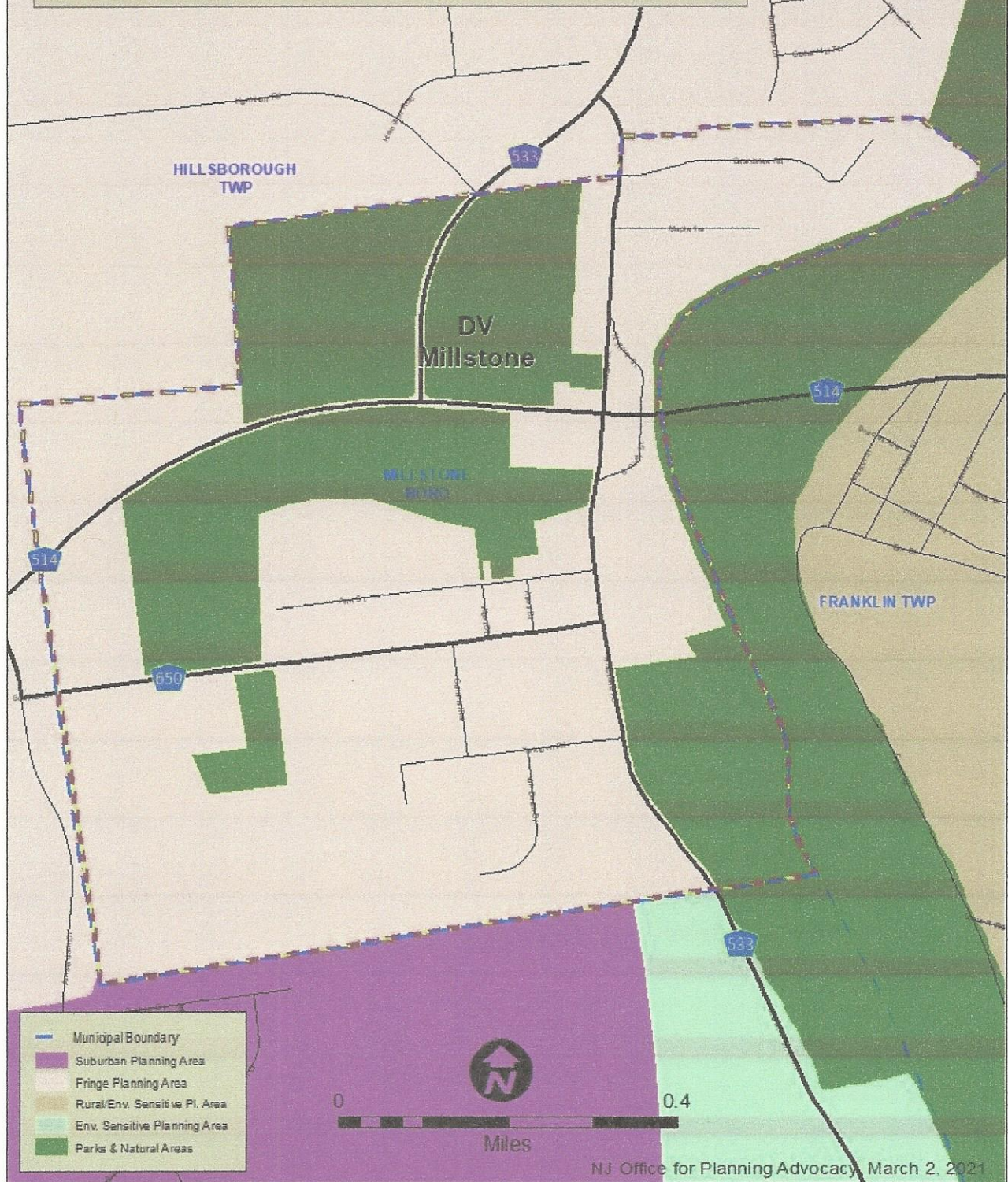
- ▶ June 16, 2014 – Millstone adopted an Environmental and Resource Protection Code
- ▶ November 11, 2015 – Millstone approved its Master Plan Reexamination Report
- ▶ March 21, 2016 – Millstone adopted a resolution authorizing sewer service from the Hillsborough Township Sewer Authority and servicing 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
- ▶ Participated in Blue Acres. Properties have been purchased in the flood Plain and structures relocated

- ▶ Implemented a program to raise houses that are in vulnerable areas
- ▶ Borough and Rezem, the property owner/developer of affordable housing project taking next steps toward construct of sewers
- ▶ Planning continues on Historic tourist district
- ▶ Main Street Redevelopment plans ready for implementation, along with redevelopment and remediation of gas station

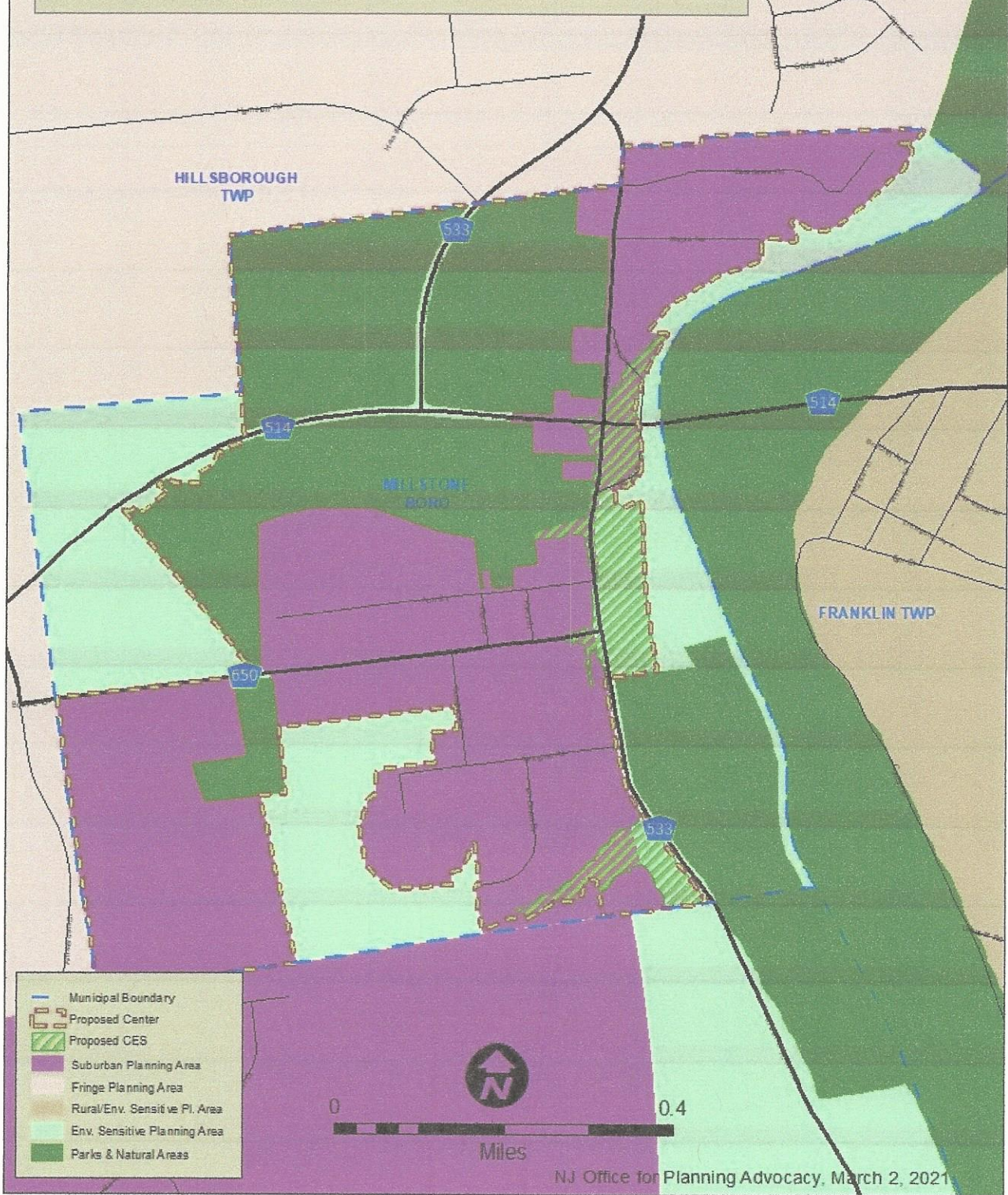
The Plan Implementation Agreement (PIA) Status Report and the Proposed Maps are attached.

In light of the all of the above actions taken and Millstone's continued commitment to good planning practices, it is my recommendation that the PIC approve moving Millstone's request for Plan Endorsement to the State Planning Commission for consideration.

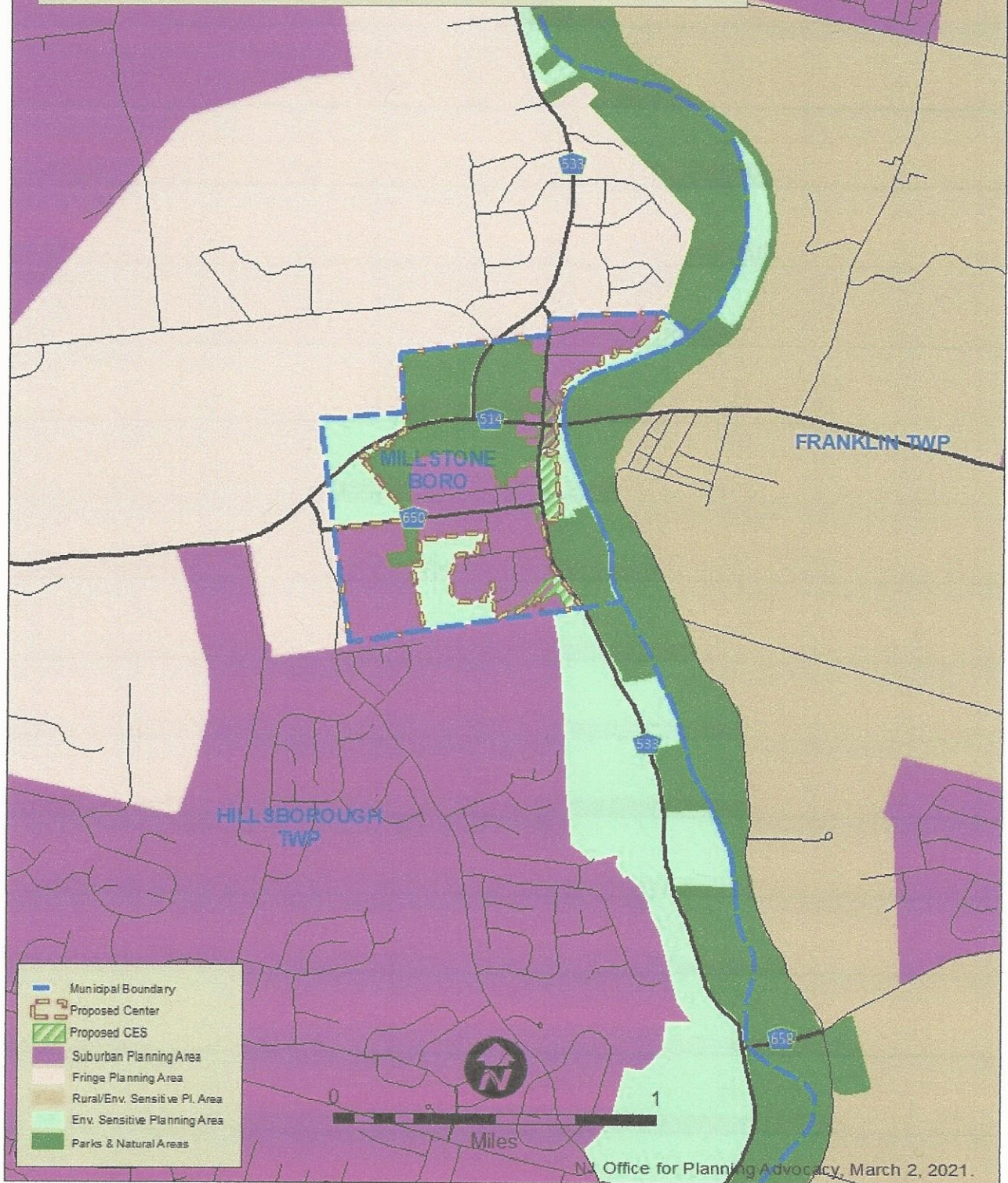
MILLSTONE BOROUGH ENDORSEMENT EXISTING MAPPING



MILLSTONE BOROUGH ENDORSEMENT PROPOSED MAPPING



MILLSTONE BOROUGH ENDORSEMENT PROPOSED REGIONAL MAPPING



Borough of Millstone Plan Implementation Agreement

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Topic	Item No.	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold <i>italics</i>)
State Plan Map	1	State Plan Map is Updated	Petitioner receives and signs documents sends back to OPA	OPA		OPA publishes in NJ Register, sends to petitioner, updates GIS and posts on OPA website.
Land Use	A1	Update Master Plan, zoning ordinance and revise official zoning map based on current plans for rehabilitation, development and preservation. Also update MP to address issues discovered during PE: Sustainability, Climate Change, Environmental Justice, Historic Preservation, Open Space, GHG, Circulation, Redevelopment, Economic Development, Housing, Farmland Preservation , etc.	Planning Board and Municipal Committee	County, OPA and State Appropriate State Agency technical assistance	Within 2 years from Endorsement	P.L.2021, c.6, was signed by Governor Murphy on 2/4/21 amending the M.L.U.L. OPA & State Agencies will provide specific items to be addressed Items that need to be addressed within a shorter time period should be added as new items on the PIA
Land Use	A2	Review and update Master Plan goals and objectives as directed by the MLUL. Add and update elements as needed	Planning Board and Municipal Committee	OPA	Ongoing	As required by the M.L.U.L. address updates P.L.2021, c.6, was signed by Governor Murphy on 2/4/21 amending the M.L.U.L.
Land Use	A3	Review parking and circulation plans to ensure that non-vehicular transportation is encouraged.	Planning Board and Borough Committee	NIDOT technical assistance	Ongoing	Main Street Redevelopment Plan for an Area in Need of Rehabilitation has proposed road improvements and has included new parking standards for the redevelopment area.
Land Use	A4	Review ordinances, and make necessary modifications, to ensure that innovative roofing alternatives and materials (such as green roofs) are permitted. You may also consider approving incentives for using such innovative roofing alternatives and materials.	Planning Board and Municipal Committee and or Green Team	OPA, NJDEP technical assistance	Immediate and Ongoing	This could also gain points for Sustainable Jersey Certification.
Land Use	A5	Review ordinances and Green Building Plan, and make necessary modifications, to ensure that innovative and sustainable construction alternatives and materials (such as green roofs) are permitted. You may also consider approving incentives for using such innovative roofing alternatives and materials.	Planning Board and Borough Committee	OPA, NJDEP technical assistance	Immediate and Ongoing	

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Topic	Item No.	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold <i>italics</i>)
Land Use	A6	Adopt/Update an Open Space & Recreation Plan (OSRP) and/or ROSI.. Explore open space and recreation opportunities by working with the State, County and the neighboring community of Hillsborough. Explore purchases of additional properties for active recreation or preservation as well establishing easements.	Work with Somerset County	Green Acres Funding	Ongoing	Borough has been working closely with the Somerset County Improvement Authority, the purchaser of the open space formerly known as the Rezem tract. Four lots have been subdivided from the property to serve as "receiving lots" for any properties that are relocated out of the flood zone of the Borough. The Borough is working with County Counsel to draft agreements for the trading of the receiving lots and the "sending lots," which will become County property and permanent open space. The Chair of the Planning Board has continued discussions with Hillsborough Township regarding future open space in Hillsborough Township that is adjacent the Millstone Borough open space.
Land Use	A7	Provide documentation detailing recent, upcoming, or pending development within the Borough	Planning Board and Borough Committee	OPA	Ongoing	As required by the M.L.U.L.
Housing	B1	Implement affordable housing plan from the 2015 Housing Element and the 2018 Court settlement	Prepare a Housing Element	NJDCA and Somerset County	Ongoing	Ensure that affordable housing is not planned or built in flood prone areas. Submit a status report at the biennial review.
Transportation	C1	Continue to explore options to address circulation along County Route 514 / Amwell Road.	Planning Board and Borough Committee	Somerset County	On going	Status at biennial review
Transportation	C2	Examine traffic calming measures Update complete Streets Policy to consider green streets per DOT guidance. Link the green streets initiative to stormwater control plan.	Borough Committee (Main Street Rehabilitation Plan) -Apply for appropriate funding programs or seek NJDOT assistance	When requested, NJDOT will give priority consideration to providing assistance consistent with program requirements and subject to the availability of funding and staff resources	On going	Main Street Redevelopment plan for an Area in Need of Rehabilitation of 2010 has proposed a number of traffic calming measures, including on-street parking and street trees, for the redevelopment area. The implementation of traffic calming measures will depend largely on when new development can begin in the center of the Borough, which in turn depends on the provision of sewers to Millstone. In 2017 the Borough adopted a Complete Streets Initiative as an amendment to the Master Plan of 2005, as amended.

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Topic	Item No.	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold <i>italics</i>)
Transportation	C3	Improve pedestrian mobility	Engineer, Borough Committee -Apply for appropriate funding programs or seek NJDOT technical assistance	When requested, NJDOT will give priority consideration to providing assistance consistent with program requirements and subject to the availability of funding and staff resources	On going	
Transportation	C4	Explore, where applicable, the appropriateness of developing Access Management Plans for pertinent sections of state highways as provided for in the State Highway Access Management Code	Engineer, Borough Committee - Apply for appropriate funding programs or seek NJDOT technical assistance	When requested, NJDOT will give priority consideration to providing assistance consistent with program requirements and subject to the availability of funding and staff resources	On going	
Transportation	C5	Revise Circulation Element of Master Plan to address opportunities for shared parking, truck traffic, improvements to bicycle and pedestrian access along with continued growth in the community.	Planning Board	NJDOT, Somerset County	Ongoing	The Main Street Redevelopment Plan for an Area in Need of Rehabilitation of 2010 has developed shared parking and sidewalk standards for the redevelopment area. In addition, the TND design for the Van Cleef tract includes a pedestrian connection between the residences and the commercial center of the Borough.

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Topic	Item No.	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold <i>italics</i>)
Transportation	C5	Develop a Complete Streets Implementation Plan	Engineer, Municipal Committee -Apply for appropriate funding programs or seek NJDOT technical assistance	When requested, NJDOT will give priority consideration to providing assistance consistent with program requirements and subject to the availability of funding and staff resources	In 2 years from Endorsement, since Complete Streets Policy already adopted	Taking Complete Streets further, possible Sustainable Jersey points
Transportation	C6	Monitor Complete Streets Implementation Plan	Engineer, Municipal Committee -Apply for appropriate funding programs or seek NJDOT technical assistance	When requested, NJDOT will give priority consideration to providing assistance consistent with program requirements and subject to the availability of funding and staff resources	Ongoing after Complete Street Implementation Plan is adopted	Taking Complete Streets further, possible Sustainable Jersey points
Infrastructure - Utilities	D1	Keep to up to date, the a 6 year capital improvement plan	Planning Board	NJDCA and OPA	Status update in biennial review to ensure on tract	https://www.nj.gov/dca/divisions/dlgs/resources/rules_docs/15_30/njac_5304.pdf
Infrastructure - Utilities	D2	Evaluate and update the Stormwater Pollution Prevention Plan and Stormwater Management Plan and Stormwater Control Ordinance to be sure that they comply with current rules.	Engineer, Borough Committee and Planning Board	NJDEP and Somerset County technical assistance	Plan submitted and Ordinance 2005-004	Although completed confirm that it is up to date at the biennial review.
Infrastructure - Utilities	D3	Evaluate and update the Stormwater Pollution Prevention Plan and Stormwater Management Plan. Ensure that Stormwater Control Ordinance is up to date and reflects current rules	Engineer, Municipal Committee and Planning Board	NJDEP and County technical assistance	Status update in biennial review to ensure on tract	

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Topic	Item No.	Activity	Local Effort	Assistance	Time Frame	Comment (updates in <i>bold italics</i>)
Infrastructure - Utilities	D4	Confirm the condition and capacity of the stormwater drainage system through creation of a Utilities Element of the Master Plan	Planning Board	NJDEP	Ongoing	The Borough's Master Plan of 2005 has a Utility Element that should be updated to reflect progress in sewer acquisition. This has been addressed as a recommendation in the 2015 Master Plan Reexamination Report adopted November 2015.
Infrastructure - Utilities	D5	At Millstone Borough's request, DEP can help in identifying potential financial sources for water system projects that may also result in water conservation. DEP recommends Millstone Borough review the information at http://www.nj.gov/dep/watersupply/loanprog.htm . DEP is requested to provide information to the County and Borough that demonstrates the existing or anticipated water supply deficit.	Planning Board and Borough Committee	NJDEP & Somerset County	Ongoing	
Infrastructure - Utilities	D6	Work with NJDEP to develop and adopt a wastewater management plan	Planning Board and Borough Committee	NJDEP & Somerset County	Ongoing	
Infrastructure - Utilities	D7	Develop a water supply plan	Planning Board and Borough Committee	NJDEP & Somerset County	TBD	
Economic Development	E1	Implement municipal rehabilitation plans.	Planning Board and Borough Committee	NJEDA, DCA	Ongoing	Implementation of the rehabilitation plans for the heart of Millstone is still in the planning stages. The Borough and a potential developer, however, remain committed to the plan. Acquisition of sewers will be a major factor in the date at which the plan is put into action. DEP does not have 2010 Redevelopment Plan.
Economic Development	E2	Promote public art in public spaces	Borough Committee could place provision in redeveloper agreements	NJ Arts Council & OPA, Somerset County Cultural & Heritage Commissioner	Ongoing	By 2023, model ordinance to be provided
Economic Development-Historic Resources	E3	Enhance streetscape in the Historic Central Business District	Planning Board	Identification of grant sources, SHPO, Main Street New Jersey	Ongoing	OPA, Somerset G35County Hillsborough, Franklin and Manville

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Topic	Item No.	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold <i>italics</i>)
Economic Development-Historic Resources	E4	Some suggestions to expand Historic Preservation efforts: 1. Millstone shall continue working with the State Historic Preservation Office and Somerset County to evaluate alternatives for the appropriate use of the former Rezem tract as well as coming up with alternatives for historic properties that are identified as repetitive loss properties. 2. DEP recommends that Millstone continue to work on innovative historic preservation planning and incentive programs. 3. If the Borough has not done so already, the historic preservation ordinance should be changed to conform more closely to state nomenclature and conform more strictly to the MLUL, certified local government requirements, the preserving New Jersey recommendations, and Open Public Meetings Act requirements (as identified on page 23 of the Borough's Master Plan). 4. DEP will provide technical assistance, at Millstone's request, in efforts in expanding the Town's Historic District and determining the proper placement and use of historic sites and if additional listings are appropriate for the National and State Registers of Historic Places.	Historic Advisory Committee and Borough Committee	SHPO, Somerset County	Ongoing	1 year after endorsement at biennial review provide a list of ordinances that need to be updated and then within 2 years adopt new ordinances.
Economic Development-Historic Resources	E5	Review the NJ Historical Commission's (NJ Department of State) grant program at http://www.nj.gov/state/divisions/historical/grants .	Historic Advisory Committee and Borough Committee	SHPO, Somerset County	Ongoing	
Economic Development-Historic Resources	E6	Review and update Historic and Cultural Resources Inventory to reflect new locations of relocated assets and the Historic Preservation Plan Element of the 2005 Master Plan.		SHPO	Ongoing	Status at biennial review
Economic Development-Historic Resources	E7	Develop and adopt a Historic Preservation Ordinance		SHPO	2 years after endorsement	Work with SHPO to develop an ordinance. Some guidance is provided at https://www.nj.gov/dep/hpo/images/_MULT_DG_32_v2_ID14078r.pdf

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Topic	Item No.	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold <i>italics</i>)
Environmental - Conservation	G1	<p>Adopt and/or update following Conservation ordinances if not already adopted where applicable:</p> <ul style="list-style-type: none"> •Permit sustainable construction alternatives and materials (green roofs) •Adopt a Pet Waste Management •Tree Protection •Community tree save 	Planning Board and Borough Committee	DEP technical assistance	If not adopted by biennial review status and explanation	<p>Flood Damage Protection with the current NJ Riverine Model Ordinance at https://www.nj.gov/dep/floodcontrol/modelord.htm in order to stay compliant with NPIP.</p> <p>The model Riverine Model ordinance provided by NJDEP was updated in December 2020 at: https://www.nj.gov/dep/floodcontrol/modelord.htm</p> <p>DEP needs to provide model ordinances for Tree Protection and Community Tree Save</p>
Environmental - Conservation	G2	Implement a Community Forestry Program		NJDEP	Ongoing for your consideration	<p>DEP has a Community Forestry Program that is available for reference at https://www.state.nj.us/dep/parksandforests/forest/community/information_for_municipalities.html</p>
Environmental - Conservation	G3	The Borough will assess whether a Septic Management Plan is necessary, because the Borough will be switching to a sanitary sewer service via SRVSA and the Hillsborough Utility Authority. If it is deemed necessary, they will implement the Septic Management Plan.	Borough Committee and Planning Board	NJDEP - Office of Water Resource Management Coordination	Assessment- 1 year after sewer construction	The final determination regarding need for Septic Management Plan will be in consultation with Office of Water Resources. Status updates at biennial review.
Environmental - Conservation	G4	Continue to identify flood prone, severe loss, and repetitive severe loss properties to address in the flood control plan and continue to work with Blue Acres to mitigate properties		NJDEP, Blue Acres	Ongoing	Blue Acres information can be found at https://www.nj.gov/dep/greenacres/blue_flood_ac.html
Environmental - Conservation	G5	Continuemto participate in in the National Flood Insurance Program (NPIP)	Planning Board and Borough Committee	NJDEP & Somerset County	Ongoing	Report in biennial review
Environmental - Conservation	G6	Update the Flood Control Plan to account for increased flooding associated with climate change		NJDEP	TBD	
Environmental - Conservation	G7	Update the Natural Resource Inventory and Conservation Plan from the 2005 Master Plan		NJDEP & Somerset County		Things to address: CES Overlay and climate change

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Environmental Justice & Social Equity	H1	Work with NJDEP to develop, adopt, and implement an Environmental Justice Action Plan in accordance with the PE Guidelines		NJDEP	TBD	
Environmental Justice & Social Equity	H2	Work with NJDEP to evaluate and update all ordinances to consider environmental justice and social equity accordingly.		NJDEP	TBD	Information on Environmental Justice can be found at https://www.nj.gov/dep/ej/ .
Energy	11	To address greenhouse gas (GHG) emissions, conduct energy audits of municipal facilities and operations, at a minimum, and community-wide audits, if feasible, and 2) using the results of these audits, develop action plans for reducing municipal energy consumption and GHG emissions (using NJ's 2020 GHG emissions reduction target as a goal). The Board of Public Utilities (BPU) Clean Energy Program provides funding for municipal energy audits (http://www.njcleanenergy.com/commercial-industrial/programs/local-government-energy-audit/local-government-energy-audit).	Governing body	DEP, BPU		Although Millstone support these efforts, the only public building in Millstone is the Municipal Building which has no air conditioning and is on the Historic Register. Adopting a GHG Reduction Plan is still required by the Guidelines. The town may possibly request a partial waiver from OPA for vehicle fleet requirements and building/facility decarbonization and energy efficiency requirements, but should still implement applicable recommendations in renewable energy generation and develop a strategy. The borough can still take actions to promote use of EV's and renewable energies.
Energy	12	The North Jersey Transportation Planning Authority prepared a greenhouse gas (GHG) inventory for the geographic area covered by that MPO (http://www.njtpa.org/plan/Element/Climate/documents/NJTPAGHInventoryFINALReport_.pdf). This inventory provides county and municipal-level GHG emissions information for the various major community sectors/activities (e.g., residential, transportation, waste generation). It is recommended that Millstone acquire its local inventory data and use this information as the basis for developing a community GHG reduction action plan, including GHG reduction targets. A number of models and case studies are available to guide this process.	Planning Board and Borough Committee	DEP - Bureau of Sustainability, NJTPA		Although Millstone support these efforts, the only public building in Millstone is the Municipal Building which has no air conditioning and is on the Historic Register.

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Topic	Item No.	Activity	Local Effort	Assistance	Time Frame	Comment (updates in bold <i>italics</i>)
Open Space and Recreation	J1	Identify options for improving pedestrian access to the Millstone River, village retail area, and Colonial Park.	Planning Board Borough Committee and Somerset County	DEP - Bureau of Sustainability	Ongoing	The Main Street Redevelopment Plan of 2010 includes provisions for increasing pedestrian access within the Borough itself. With the completion of the lot swap with Somerset County, there is a potential for a direct linkage between Borough streets and the Millstone River.
Recycling	K1	Continue to expand recycling efforts through education and by developing innovative ways to reduce waste and promote recycling for homeowners and businesses. Update Recycling Statement of Consistency to comply with current PE guidelines	Planning Board and Borough Committee	DEP - Bureau of Recycling and Hazardous Waste Management, Bureau of Sustainability & Somerset County	2023	Should be updated, because Recycling Ordinance was last updated in 2012
Climate Resilience Planning	L1	Continue to work to take steps to minimize future asset exposure, by changes to zoning, land development requirements or other methods.			TBD	
Climate Resilience Planning	L2	Work with NJDEP to develop, adopt, and implement a Local Resilience Strategy in accordance with the PE Guidelines		NJDEP	TBD	
Climate Resilience Planning	L3	Work with NJDEP to evaluate and update all ordinances to consider climate change impacts accordingly.		NJDEP	TBD	Information on climate change can be found at https://www.nj.gov/dep/climatechange/ .
Intergovernmental Coordination	M1	After adoption, the Petitioner shall submit any new or modified land use ordinance or other planning document that supplements previously submitted material.	Planning Board and governing body	OPA, Somerset County Hillsborough and Franklin	Ongoing	
Intergovernmental Coordination	M2	Continue to work with Somerset County to advance the implementation of the County Investment Framework.	Planning Board and governing body	Somerset County	Ongoing	
Report to SPC	N1	By April, 2022 and biennially thereafter, report to the SPC about the status of your planning efforts.	Planning Board and Borough Committee	OPA	1 year after PE and then every 2 years after	