



Carter van Dyke Associates

40 Garden Alley
Doylestown, Pennsylvania
18901-4325

Voice 215 345 5053
Fax: 215 345 4324
Web: www.CVDA.com

MEMO

Date: May 9, 2011
To: Office of Planning Advocacy
NJ Department of State
From: Carter van Dyke, ASLA, AICP, PP # 4952
Subject: Plan Endorsement process and OCA response

Millstone Borough began the Plan Endorsement process so that it could help ensure that it could receive sewers and so that it could also receive specific state assistance available to municipalities with endorsed plans (in the Borough's case, this might include help with sewers, river access, or traffic calming). The Borough also decided that it would ask for designation as a Village Center, again to establish sewer service where growth is being encouraged, including the portion of the Borough that has since been zoned as a "Traditional Neighborhood Development" (TND). The area in question is what is commonly referred to as the Van Cleef tract in the SW corner of the Borough.

At the same time as the basic steps of PE were occurring, the Borough also began to formulate a Redevelopment Plan for the crossroads of Routes 514 and 533. The basic purpose of the Redevelopment Plan was to encourage a strengthening of services and businesses in the heart of the Borough while providing a means to relocate structures that are subject to frequent flooding. In addition, the County was also completing purchase of the Rezem tract for its open space system, thus fulfilling a key element of the Millstone Borough Master Plan. Responding to the Borough's needs to provide receiving lots for any relocated flood-prone homes, the Somerset County Improvement Authority purchased 2.6+ acres on Main Street, across from Borough Hall for this purpose. The Redevelopment Plan was passed by Borough Council in February 2011.

Comments on OSG Opportunities & Constraints Analysis (7/17/09)

Format: The *Opportunities & Constraints Assessment* Report (OCA) consists of a number of sections, each prepared by a different partner in the Plan Endorsement process: the NJ Department of Community Affairs Office of Smart Growth (OSG), the NJ Department of Environmental Protection (NJDEP), and the NJ Department of Transportation (NJDOT).

Responses to specific report statements will refer to the originating department documents with page numbers and are made in **Roman (sans-serif) text**. In a few cases such as maps, where the originating state department did not include numbers on its pages, the page numbers in this response refer to the PDF page number of the OCA PDF document.

Basic Findings

The State used the old zoning of 2000 for its build-out analysis, rather than the new amendments and GIS that were included in the submission package. Because the Rezem site has been purchased by the County, however, the build-out figures for both residential and commercial uses are no longer applicable anyway.

There are several points in the DEP section of the OCA that need to be questioned, specifically, the number of known contaminated sites in the Borough. The report (NJDEP pp. 17-18) says there are 20 sites, but in mapping these by address, the only one that actually seems to be within the Borough is the gas station at Amwell and Main Street (River Road).

OCA Conclusions

The OSG states that there are several points that must be addressed before a recommendation for Plan Endorsement can be made:

1. (OSG p. 5): There needs to be an up-to-date GIS map that reflects which properties are now public open space.

This is being done by our office. We have spoken to the Somerset County Planning Board staff and they will provide us with revised GIS layers for mapping.

2. (OSG p. 5): The Borough must coordinate with the County on the Wastewater Management Plan and resolve issues about the possible future use of the St Joseph site for a group home.

The State, specifically the DEP, wanted the Borough to amend its Fair Share Plan if it wanted to include the small portion of the St Joseph site next to Colonial Drive and the utility ROW in the Sewer Service Area (SSA). The County was willing to pursue this. The Borough indicated that it would also pursue the inclusion of this parcel in the SSA. The Wastewater Management Plan (WMP) posted by the County on its website has included the site in its proposal to the state.

<http://www.co.somerset.nj.us/planweb/wastewater/maps/MillstoneProposed.pdf>.

The DEP had also proposed a SSA that cuts through lots; in one case, it cut through a home. This office and the County actively pursued a more rational provision for the SSA. This is also reflected in the County's submission to DEP for the WMP, which does not cut through properties except in flood zones near waterways, and includes all houses in the Borough as well as the proposed Van Cleef TND development.

3. (OSG p. 5): Affordable Housing Sites: The OCA notes that the suggestion of the St. Joseph site as the possible location of a group home is contrary to the MSA that states the Millstone Borough's Fair Share would be met on the Van Cleef site.

This is not quite accurate. The St. Joe's site was never suggested as being part of the current COAH settlement, only as a potential *future* site that the Church may or may not be interested in using. It was only in the context of having the potential site be in the SSA that it was mentioned at all.

4. (NJDEP p.26): Heritage Park: Both Green Acres and SHPO have concerns that the former Rezem site might not be viable as a heritage park because there may not be enough archaeological evidence on the site, despite the fact that it is well documented as the location of Revolutionary War activity.

The Borough will work with the County to determine how to best use the preserved open space as a park that highlights the history of the Borough. While it may not be large enough or significant enough for a major visitors' center, it would appear that there may be enough evidence on the site to create an interpretative site.

5. (NJDEP p.28): When the Borough submitted its MSA, there were no specific plans for the Redevelopment Area, and this was so noted in the text. Since that submission, planning for an Area in Need of Rehabilitation has gone forward. The OSG needs more information about the Redevelopment Plan.

The recently passed Main Street Redevelopment Plan and ordinance is included in this submission.

6. (NJDEP p.29): Village Center: The OCA mentions that multiple (two) Village Center GIS files were submitted to OSG.

The original boundaries of the Village Center were based on the areas of existing development and proposed Van Cleef development. The bounds reflected the Mixed-use Mandatory Cluster (MUMC) zoning district in place before the purchase of the Rezem site. When the residential component of the Rezem site was eliminated by its preservation as open space, this section was removed from the Village Center proposal.

The DEP suggests that the entire Borough be included in the Village Center. A new GIS shape file reflecting this has been prepared by this office and is being submitted with the package requesting a waiver from the Visioning process. [See map at end of this memo]

7. (NJDEP p.29): State Planning Area Changes: The DEP recommends that the entire Rezem site be mapped as PA 5 (environmentally sensitive).

The maps submitted for the Plan Endorsement MSA by the Borough reflected the MUMC zoning in place prior to the Somerset County purchase of the Rezem site. This site is now permanent open space owned by Somerset County. Whether the former Rezem site needs to be changed to PA5 as recommended by DEP, since it is now a county park, still needs to be addressed,

Individual Issues: OSG Report

- (OCA p.3): "During this period people relocated out of Millstone in part, because of severe flooding that caused tremendous damage."

Borough resident, former Chair of the Planning Board, and head of the PEAC, Patricia Morris takes issue with this statement and feels that the population decrease was almost entirely due to the "aging out" of the Borough.

- Appendix C: Millstone Borough 2001 State Plan Policy Map and Appendix D: Millstone Borough 2009 Draft Final State Plan Policy Map

The PEAC is curious about how the historic resources of the Borough have been mapped. The Borough's Historic District is not included in either map.

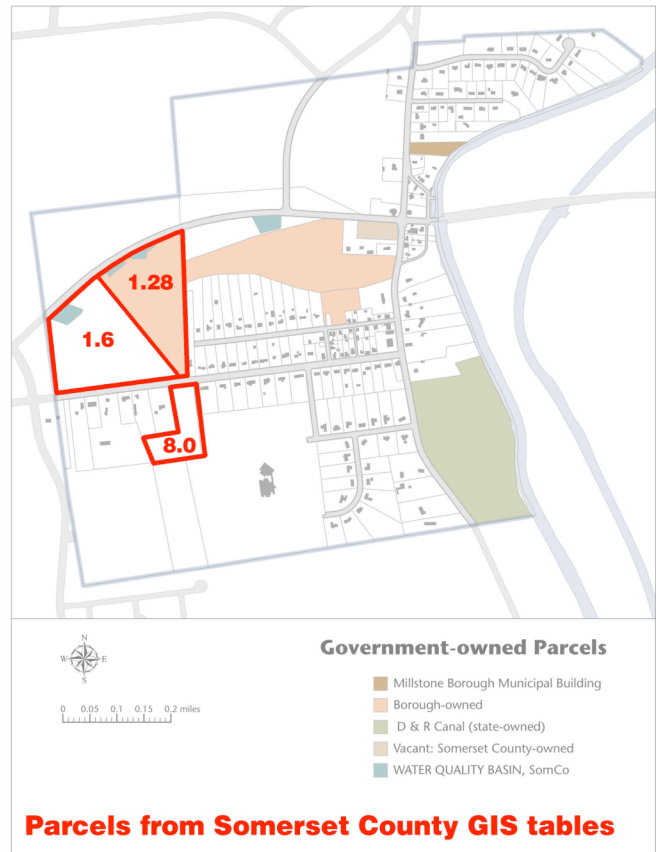
Individual Issues: DEP Report

- *DEP Millstone Borough Open Space map*

The open space parcels owned by the Borough are shown incorrectly in the DEP map. We have attached a map documenting the errors. The County already has this information.

This office has followed up with the Somerset County Planning Board to correct both the shapes of Block/lot 1.6 and 1.28 and the ownership of 8.0. The County will submit corrected GIS files to the state.

The 1997 tax map below shows the correct parcel shapes.

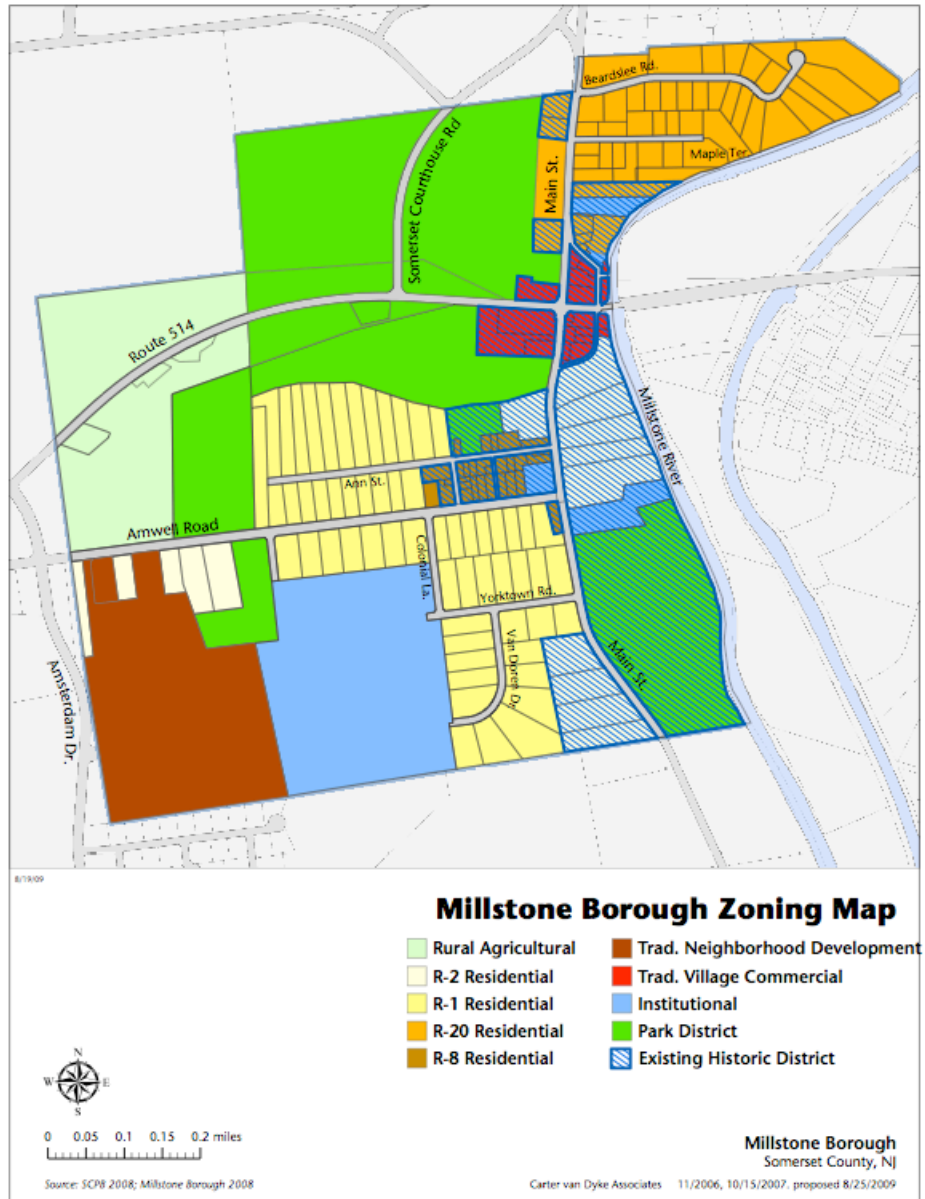


- [PDF p.55]: **DEP Millstone Borough Historic Resources map**

The Historic District as shown in the response document is inaccurate.

The PEAC would like to know the basis of the archeological grid.

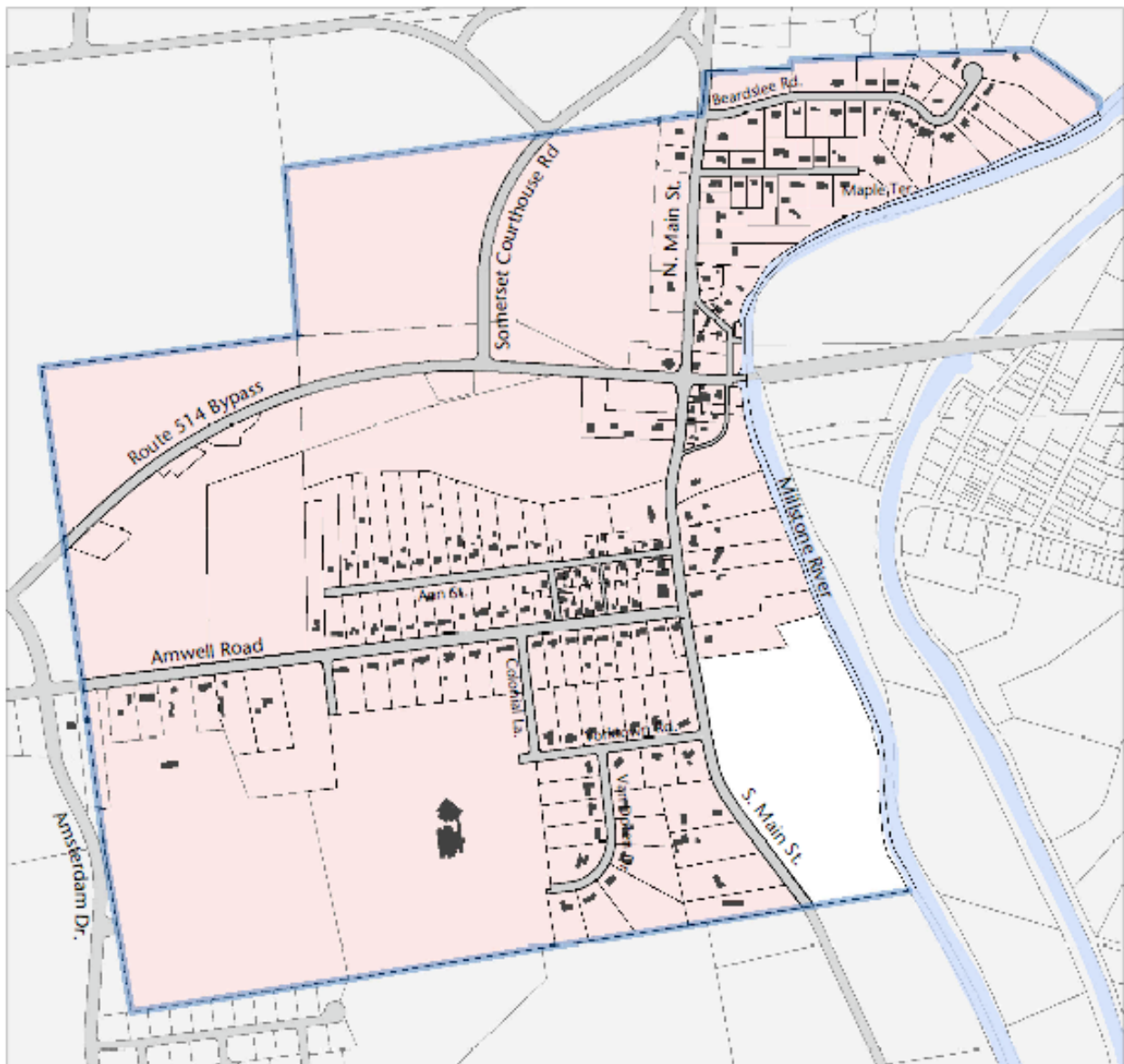
The correct Historic District is shown below. Note that this map does not include the Redevelopment Plan zoning districts (Ordinance 2011-001):



- [PDF p. 46]: **DEP Millstone Borough Water Supply map**

The entire Borough is shown as being supplied by public water.

This is not the case. As mentioned on p. 25/78 of the Self-Assessment, only 44% of the properties are served by NJ American Water.



Millstone Borough: Proposed Village Center

proposed Village Center 4/2011



0 0.05 0.1 0.15 0.2 miles

Source: Somerset County 2008

Millstone Borough
Somerset County, NJ

Carter van Dyke Associates April 2011