



*State of New Jersey*

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

CHRIS CHRISTIE  
*Governor*

GERRY SCHARFENBERGER, PH.D.  
*Director*

KIM GUADAGNO  
*Lieutenant Governor*

August 11, 2016

Mr. Curt Emmich  
Planning Board Chair  
Millstone Borough  
1358 Main Street  
Millstone Borough, New Jersey 08844

**Re: Millstone Borough Plan Endorsement – Interim Village Center, Action Plan,  
MOU-Renewal**

Dear Mr. Emmich:

Attached you will find a fully executed copy of the Memorandum of Understanding between State Planning Commission and the Borough of Millstone, Somerset County. Please be advised that the Interim Center Boundary for the Borough of Millstone will expire on August 8, 2018.

If you have any questions related to the MOU or the Plan Endorsement process please contact me or Barry Ableman, Principal Planner from my office at (609) 292-3228 or [barry.ableman@sos.nj.gov](mailto:barry.ableman@sos.nj.gov).

Sincerely,

A handwritten signature in cursive script that reads "Gerry Scharfenberger".

Gerry Scharfenberger, Ph.D.  
Director

Cc: Denise Pizkowski, Planning Board Secretary

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**STATE PLANNING COMMISSION**  
**AND**  
**THE BOROUGH OF MILLSTONE, SOMERSET COUNTY**

This Memorandum of Understanding (MOU), dated 8/9, 2016 is hereby entered into by and between the New Jersey State Planning Commission (the "Commission") and the Borough of Millstone, Somerset (the "Petitioner") to set forth terms for achieving consistency with the State Development and Redevelopment Plan (the "State Plan") and qualifying for plan endorsement.

**WHEREAS**, the Petitioner has, pursuant to N.J.A.C. 5:85-7, submitted a petition for Plan Endorsement to the Office for Planning Advocacy, successor to the Office of Smart Growth, (referred to herein as the "Office" or "OPA"); and

**WHEREAS**, the Commission evaluates petitions on the basis of the consistency of plans with the goals, policies and strategies of the State Plan, and is authorized to enter into an agreement in the form of a Memorandum of Understanding (MOU) that includes the attached Action Plan (which is incorporated by reference) so that a petitioner's plan may be found to achieve consistency with the State Plan and Plan Endorsement by the Commission; and

**WHEREAS**, the Petitioner wishes to establish an interim center pursuant to N.J.A.C. 5:85-7.15(c) as it works through the attached Action Plan to achieve Plan Endorsement; and

**WHEREAS**, the Petitioner and the Commission wish to enter into an MOU that specifically sets forth requirements for Petitioner and actions by State agencies and attached Action Plan, to achieve State Plan consistency, including establishing the boundaries of an interim Village Center; and


**WHEREAS**, entering into this MOU is strictly voluntary.

Accordingly, in recognition of the forgoing the parties hereby agree as follows:

1. OPA and relevant State agencies have reviewed the petition and supporting documentation to evaluate that information and determine any actions necessary for the Petitioner to take in order to be found consistent with the goals and policies of the State Plan.

2. OPA has prepared a negotiated Action Plan, attached hereto and marked as **EXHIBIT A**, which sets forth the actions for State agencies and Petitioner 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 the Petitioner's petition for Plan Endorsement.
3. OPA, relevant State agencies and the Petitioner have negotiated the boundaries of an interim Village Center, attached hereto as **EXHIBIT B**, that was designated by the Commission on May 1, 2013 for two years.
4. On May 18, 2016, the SPC authorized OPA to execute an MOU designating an interim Village Center boundary in Millstone for an additional 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
5. All deadlines contained in the attached Action Plan were reached through voluntary agreement between the petitioner and the SPC and may only be amended for good cause shown at the discretion of the Director of OPA.
6. In the event the Petitioner fails to meet the timelines agreed to in the attached Action Plan, the Petitioner's Plan Endorsement petition will be evaluated based on the current State Plan as of the date of the default.
7. In the event that the failure to meet the timelines agreed to in the Action Plan is the result of the failure of a State agency to take a necessary action or complete a review of the Petitioner's submitted documents within the time specified by the Action Plan, the Petitioner will be granted a reasonable extension of the deadline by the Director of OPA contained in the Action Plan impacted by said failure.


The terms of this MOU and the attachments hereto are hereby agreed to between the Commission and the Petitioner.

 mayor  
Petitioner (name, title)

 P.B. Chair  
Attest

Date: 7/24/16

 Schenberger  
State Planning Commission

8/9/16  
Attest  


Date: