



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
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DONNA A. RENDEIRO
Executive Director/Secretary

Resolution No. 2021-09
Date: April 7, 2021

Page 1 of 3

RESOLUTION

**ADOPTING PLAN ENDORSEMENT PETITION FOR
THE BOROUGH OF MILLSTONE, SOMERSET COUNTY
AND DESIGNATING A HAMLET 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, Town Centers, Village Centers, 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. 5:85-7.1 to -8.7, 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 Office of Smart Growth (OSG), now known as the Office of Planning Advocacy (OPA); and

WHEREAS, in 2005 the Borough of Millstone (Millstone), Somerset County, contacted the OSG to seek Plan Endorsement and establish a Hamlet Center; and

WHEREAS, the petition and supporting documents were received and comprehensively reviewed since they were received by the State agencies represented on the Commission; and

WHEREAS, on January 16, 2013 the Commission adopted Resolution #2013-02 creating the Interim Hamlet Center coterminous with the boundary of the Borough of Millstone with a two-year expiration; and

WHEREAS, at the same time, OPA prepared an Action Plan, attached hereto, and marked as **EXHIBIT A**, which set forth the outstanding 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, on May 18, 2015, the Commission extended the Millstone Interim Hamlet Center for two years, so they could complete the outstanding items on the Action Plan; and

WHEREAS, on August 5, 2019 the Commission extended the Millstone Interim Hamlet Center until June 30, 2020, so they could complete the outstanding items on the Action Plan; and

WHEREAS, Millstone has consistently exerted good faith efforts to pursue Plan Endorsement, as evidenced by the following:

- 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 to be a customer of the Hillsborough Township Sewer Authority and be serviced through the Somerset Raritan Valley Sewerage Authority in support of an inclusionary housing project;
- October 17, 2016 – Millstone adopted Flood Damage Prevention ordinance;
- October 7, 2017 – Millstone approved its Master Plan Reexamination Report;
- 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;
- October 2020 – Millstone addressed all the items in the Action Plan; and

WHEREAS, Millstone and the Staff and Executive Director of the OPA, in consultation with relevant State agencies, have collaborated and refined the Interim Hamlet Center and Planning Area, as shown in the Map, EXHIBIT B attached hereto; and

WHEREAS, the State Plan Map will also depict Critical Environmental Sites (CES) within the Hamlet Center for users to be aware of them as they plan; and

WHEREAS, a Planning Implementation Agreement (PIA) in association with this Petition has been negotiated and agreed upon between the relevant State agencies and the Borough, a copy of which is attached hereto as EXHIBIT C; and

Date: April 7, 2021

WHEREAS, the Plan Implementation Committee (PIC), a subcommittee of the Commission, reviewed and considered the Petition, concurred with the recommendation to approve the Petition and the proposed PIA, and moved the Petition for consideration by the full Commission at its next regularly scheduled meeting; and

WHEREAS, the PIC has recommended that the Commission approve the Petition, grant Plan Endorsement of the plan, and formerly amend the State Plan Policy Map, EXHIBIT B attached hereto; and

WHEREAS, the Commission has determined the Plan submitted by the Borough, including changes to the State Plan Policy Map designations and the designation of a center as shown in Exhibit B, is consistent with the State Plan, provided the terms of the PIA, EXHIBIT C, and this Resolution are satisfied.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby affirms the Executive Director's determination that the Petition for Plan Endorsement is consistent with the State Plan and approves the Petition for Plan Endorsement, thus granting Plan Endorsement to the Petition submitted by the Borough; and

BE IT FURTHER RESOLVED, that the Commission acknowledges that the PIA:

- Memorializes the agreed upon planning implementation mechanisms;
- Reflects a commitment on the part of the Borough to implement its plan;
- Reflects a commitment on the part of the relevant State agencies to provide agreed upon benefits; and
- Reflects a commitment on the part of the Borough and relevant State agencies to work together to effectively implement the goals, strategies, and policies of the State Plan; and

BE IT FURTHER RESOLVED, that the Commission hereby authorizes formal amendments to the State Plan Map in the Borough, as shown in EXHIBIT B; and

BE IT FURTHER RESOLVED, that notwithstanding the Commission's Plan Endorsement and the map amendments, establishing a Hamlet Center and Planning Area modifications, any proposed development and/or disturbances to the sensitive resources within the Borough will be reviewed by NJDEP in the permitting stages of any proposed project within NJDEP's regulatory jurisdiction.

BE IT FURTHER RESOLVED, that in approving the Petition and granting Plan Endorsement, it is understood that the Commission's endorsement may be revoked if the Commission determines that the Borough has made substantial changes to its endorsed plan without adhering to the rules governing Plan Endorsement, N.J.A.C. 5:85-7.1 et seq., and amending the State Plan Policy Map, N.J.A.C. 5:85-8.3 et seq., or substantially violated the terms of the PIA, EXHIBIT C, so that the plan of the Borough is no longer consistent with the State Plan.

I hereby certify that this resolution was
duly adopted by the State Planning Commission
at its meeting on April 7, 2021



Donna A Rendeiro, Secretary
State Planning Commission
Dated: April 7, 2021