



State of New Jersey
DELAWARE AND RARITAN CANAL COMMISSION
PRALLSVILLE MILLS | 33 RISLER STREET | P.O. BOX 539
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www.nj.gov/dep/drcc



STAFF REPORT

DRCC #: 26-6336A

DATE: February 11, 2026

PROJECT NAME: 1165 Easton Avenue -- Emergency Standby Generator

Latest Submission Received: February 11, 2026.

Applicant:

Willow Creek Pro, LLC
2290 Route 70
Toms River, NJ 08755
chaim@dynamicdesignassoc.com

Engineer:

Josip Medic, P.E.
Terranova Consultants, LLC
65 Oberlin Avenue S
Suite 302-112
Lakewood, NJ 08701
info@terrancvc.com

Project Location:

Road	Municipality	County	Block(s)	Lot(s)
1165 Easton Avenue (Somerset County Route No. 527)	Franklin Township	Somerset	259	79.01

Jurisdictional Determination:

Zone A	Minor	Nongovernmental
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Subject to Review for:

Drainage	Visual	Traffic	Stream Corridors
	X		

Documents Received: Site Plans (3 sheet) dated August 27, 2025, prepared by Terranova Engineering Consultants, LLC.

**THIS STAFF REPORT IS ISSUED AS A GUIDE TO APPLICANTS IN
COMPLYING WITH DRCC REGULATIONS. IT IS NOT AN APPROVAL. NO
CONSTRUCTION SHALL BEGIN UNTIL A CERTIFICATE OF APPROVAL
HAS BEEN ISSUED.**

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The application is complete and shall be presented to the Commission for their action with a staff recommendation of approval at the February 18, 2026, meeting based upon the following analysis:

Existing Conditions: The project site is a 284,075 square-foot (6.5 acres) lot located on the easterly side of Easton Avenue in Franklin Township, Somerset County, immediately abutting the Delaware and Raritan Canal and within Commission Review Zone A.



In the existing condition, the site is improved with a one-story masonry building, constructed in 1970, which operates as a nursing home, along with paved driveways and parking areas, sheds, concrete walks, curbs, pads, and stairs, as well as areas of maintained lawn and landscaping. Impervious surface coverage totals 159,186 square feet (3.65 acres) which appears on historic aerial imagery dating to 1974.

Proposed Project: The applicant proposes to install an emergency standby generator above a diesel fuel tank on a concrete pad. The project would result in the creation of 512 square feet (0.01 acre) of impervious surface coverage, and the disturbance of 2,000 square feet (0.05 acre) of land.

Stream Corridor: An uncoded tributary is located on the southern portion of the lot where it emerges from a culvert and headwall at Easton Avenue. The 100-year floodplain to this watercourse subsumes almost the entire project site. After a distance of approximately 150 feet, the tributary enters a headwall and a 48-inch reinforced concrete pipe (RCP) west of the project site, where it is conveyed beneath the parking lot at the retail shopping center. Although this tributary has a contributory drainage area of 70.4 acres at the project site according to the U.S. Geological Survey StreamStats online mapping tool, the entire 100-year floodplain is conveyed through the RCP water control structure at the location of the proposed generator.

The installation of the emergency standby generator is considered a prohibited intrusion pursuant to N.J.A.C. 7:45-9.3. Since the entire property is located within the Commission-

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regulated stream corridor, the applicant requests a waiver of strict compliance from the stream corridor impact review standards based upon the existence of a compelling public need pursuant to N.J.A.C. 7:45-12.3(c), which provides that an applicant shall be deemed to have established compelling public need if the applicant demonstrates, based on specific facts, that:

1. The proposed project will serve an essential public health or safety need;
2. The public health and safety require the requested waiver;
3. The proposed use is required to serve existing public health or safety needs; and
4. There is no alternative available to meet the established public health or safety need.

The applicant has submitted a narrative in support of the waiver request which notes that the proposed emergency standby generator will serve an essential public safety function by providing emergency backup power to the existing nursing home facility. The public health and safety require the requested waiver because continuous electrical service is critical for the health and safety of the facility residents, many of whom may rely on electrically powered medical equipment and life-safety systems during emergency conditions. Finally, the applicant notes that there is no feasible alternative location for the proposed generator onsite, since the existing electrical room and boiler room are located adjacent to the proposed transfer switches and splice boxes to which the generator must connect. Locating the generator elsewhere onsite would require extensive and impractical rerouting of critical electrical infrastructure. Due to these site constraints and the fixed locations of the existing building systems, no other area on the property can reasonably accommodate the proposed generator.

Commission staff determines that the applicant has met the criteria at N.J.A.C. 7:45-12.3(c) and has established compelling public need for the proposed emergency standby generator. Accordingly, staff recommends that the Commission grant the requested waiver.

Stormwater Runoff Quantity: The project is a minor project in Review Zone A that will not result in the creation of 800 square feet or more of impervious surface coverage, cumulatively since January 11, 1980. Therefore, the project is not subject to stormwater runoff and water quality review pursuant to N.J.A.C. 7:45-8.

Visual, Historic and Natural Quality Impact: N.J.A.C. 7:45-10.2(a) directs that the Commission shall review all projects in Zone A to determine if the project is in accord with the goals for the Delaware and Raritan Canal State Park as defined in the park's Master Plan. The visual, historic and natural quality impact review is intended to assure that development within Zone A is not harmful to the character of the environmental types identified in the Master Plan as comprising the park.

The project is located in a Suburban canal environment as described in the Master Plan. The Suburban canal environment is characterized at N.J.A.C. 7:45-10.2(a) as an area in which there is a dominant feeling of open space, but that space is chiefly defined by structures. The Master Plan at Pages 28-29 notes that this long and relatively straight section of the park was improved by the erection of a pedestrian bridge at Demott Lane and proposed an additional crossing at the Freda Marden Common (never constructed).

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The Master Plan further notes that the Raritan River is a close neighbor to the multiuse trail throughout this section of the park, while on the opposite bank, Easton Avenue comes quite close at places with four lanes of high-speed traffic and shopping areas backing onto the park. The Master Plan also calls for improved access at Five Mile Lock, improvements to the Locktender's house (since demolished), and development of a major access area at Freda Marden Common (since abandoned). Therefore, nothing with respect to the proposed generator project is inconsistent with these goals.

The provisions of N.J.A.C. 7:45-10.3(a) and (b), respectively, which discourage projects in certain canal environments and authorizes that the Commission require specific compensatory measures that mitigate the project's potential for harmful impact on the Delaware and Raritan Canal State Park, are inapplicable to the proposed project as it is located in a Suburban environment.

N.J.A.C. 7:45-10.4(a) directs that projects in Review Zone A shall be set back from the Delaware and Raritan Canal State Park sufficiently far so that the winter visual and natural quality of the park are not adversely affected. In the Suburban canal environment, all structures shall be located 200 feet or more from the park. The proposed emergency standby generator would be located approximately 420 feet from the nearest boundary of the Delaware and Raritan Canal State Park. Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(b) directs that projects in Review Zone A shall maintain a reasonable height and scale relationship to nearby structures or vegetation. In the Suburban canal environment, structures shall be limited to a height of 40 feet above existing grade where existing vegetation does not provide adequate winter screening. The submitted plans indicate that the fenced enclosure for the proposed generator 8.0 feet in height. Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(c) directs that for projects in Review Zone A, the exterior appearances of a project shall be in keeping with the character of the Delaware and Raritan Canal State Park's individual environments. Specifically, colors used shall harmonize with the man-made or natural surroundings of the project and shall be typical of colors found in the park environment, and building materials and texture shall harmonize with the surrounding man-made and natural materials. The submitted plans depict a black vinyl coated metal fence with metal chain link that would be covered by black PVC slats, which would block any view of the generator machinery. Commission staff determines that the proposed materials and colors are typical of the built environment of the commercialized area along Easton Avenue, and that the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(d)1 directs that for projects in Review Zone A, electric, telephone, cable television, and other such lines and equipment shall be underground or otherwise not visible from the Delaware and Raritan Canal Park. The submitted plans indicate that all proposed utility lines would be located underground; therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(d)2 directs that exposed storage areas, out-buildings, exposed machinery service areas, parking lots, loading areas, utility buildings, and similar ancillary

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areas and structures shall either be completely concealed from view from the Delaware and Raritan Canal State Park, or designed to minimize their visual impact on the park. As noted above, the proposed generator would be installed within a chain link fence with PVC slats enclosure. This enclosure would be concealed from the view of the park by the existing building and a row of mature vegetation at the rear (i.e., west) portion of the site. Therefore, the project is in compliance with this requirement.

The provisions of N.J.A.C. 7:45-10.4(d)3 and 4, respectively, which regulate the location and dimensions of commercial signs or outdoor advertising structures, are inapplicable to the project, which proposes no signage.

The provisions of N.J.A.C. 7:45-10.4(d)5, which direct that wherever possible, natural terrains, soils, stones, and vegetation should be preserved, and that new vegetation, stones and soils should be native to the environment in which they are placed, are inapplicable to the proposed project, which proposes no landscaping.

N.J.A.C. 7:45-10.4(d)6 directs that projects located in any officially designated Federal, State, or local historic district or site shall be assessed for their impact upon that district or site. Recommendations to avoid, minimize, and/or mitigate the impacts of a project on a listed property shall be made in consultation with the New Jersey Historic Preservation Office (SHPO) and based upon the United States Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

As noted hereinabove, the proposed emergency standby generator would be approximately 420 feet from the Delaware and Raritan Canal State Park. This is approximately 120 feet beyond the boundaries of the Delaware and Raritan Canal Historic District, which encompasses the canal bed and all structures within 300 feet of the centerline of the canal. A review of the "LUCY" SHPO online cultural resources inventory viewer indicates that that there are no other historic districts or listed properties on the project site. Therefore, this requirement is inapplicable to the proposed project.

Staff Recommendation: Staff recommends approval.

Sincerely,



John Hutchison
Executive Director

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c. Somerset County Planning Board
Franklin Township Planning Board

Please refer to the Commission project number (DRCC #) when making a submission, a resubmission, or transmitting project correspondence or documents.