



DELAWARE AND RARITAN
CANAL COMMISSION

7 April 1986

MINUTES OF THE MEETING OF 18 MARCH 1986:

TIME: 1:00 - 2:30 pm
DATE: Tuesday, 18 March 1986
PLACE: Ellarslie Museum, Cadwalader Park
Trenton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Zaikov, Kirkland, Torpey, Jessen
and Mrs. Nash

STAFF: Messrs. Amon, Baill & Mrs. Greenwald
George P. Cook, DAG

GUESTS: See attached list

Mr. Kirkland opened the meeting and stated that all applicable provisions of the Open Public Meeting Law of 1976 had been properly met.

MINUTES

Mr. Zaikov moved and Mr. Torpey seconded a motion to approve the minutes from the meeting of 28 January 1986. The motion carried unanimously.

REVIEW ZONE ACTIONS

Mr. Baill presented the following review zone projects to the Commissioners for their approval:

- 86-0928 Joseph Rossi
- 85-0845 Corporate Park Cranbury
- 86-0926 Wiltshire Corporation - Shopping Center
- 86-0926 Courtyard at East Windsor
- 85-0846 Alko General Maintenance
- 85-0866 Freewood Associates

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EXECUTIVE DIRECTOR James C. Amon	COMMISSIONERS Benjamin B. Kirkland <i>Chairman</i>	Martin D. Jessen <i>Vice-Chairman</i>	Donald B. Jones <i>Treasurer</i>	Stuart R. Zaikov Arthur J. Holland	Richard T. Dewling	Winona D. Nash Frank J. Torpey
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NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Thomas H. Kean, *Governor* Richard T. Dewling, *Commissioner*

Mr. Torpey moved that all of the above projects be approved with the exception of Freewood Associates. Mrs. Nash seconded the motion and it carried unanimously. Mr. Torpey then moved to reject the Freewood Associates project because it was incomplete. Mrs. Nash seconded the motion which carried unanimously.

PRINCETON SOUTH AT LAWRENCEVILLE

Mr. Amon informed the Commissioners of the developer's request to exchange wetlands near to the Canal Park with land that would be built upon further away from the park. This approval would be contingent upon the approval of the archeological survey by the Office of New Jersey Heritage. After some discussion Mrs. Nash moved approval of the exchange of land as long as the archeological work is performed. Mr. Zaikov seconded the motion which carried unanimously.

Mrs. Buchanan warned the Commission about setting a dangerous precedent by allowing wetlands to be filled. She stated that creating a new wetlands is unlikely to succeed. She is very much opposed to the swap.

SUITA REQUEST

Mr. James Suita, a resident of Lambertville, requested permission to purchase a track of land that is behind his antique shop in Lambertville. Mr. Suita stated that he wanted to develop this land into a park-like setting. Mr. Suita currently leases the land from the State. After some discussion Mr. Holland moved not to sell the land but to continue leasing the land to Mr. Suita. This motion carried unanimously following Mr. Zaikov's second.

GLEN AFTON FENCE

At its January meeting the Canal Commission agreed to reconsider its position on the erection of a fence by the State between the Canal Park and the Glen Afton neighborhood in Trenton. The Glen Afton Civic Association had been notified that this issue would be discussed at this meeting.

Mr. Kirkland opened the discussion by inviting Mr. Albert Segal, President of the Glen Afton Civic Association, to speak. He requested however that Mr. Segal and all subsequent speakers be brief.

Mr. Segal reviewed the history of the project and emphasized the neighborhood's need for the fence and how the State had finally agreed to build this fence. He also documented the

legitimacy of the Glen Afton Civic Association and the overwhelming vote by the Association in favor of the fence. At its meeting of 7 January 1986 the Association voted as follows:

- 78 in favor of a fence with one gate.
- 26 in favor of a fence with many gates.
- 22 in favor of no fence.

Ms. Linda Ditmars spoke again in opposition to the fence. She emphasized the value of the Canal Park to the neighborhood and advised the Commission that constructing a fence would seem to be in opposition to its stated goals for the Canal Park. She further asserted that the Civic Association does not represent the entire community.

A number of residents from Glen Afton then spoke in favor of or in opposition to the construction of a fence.

Mayor Holland stated that the City Council is in favor of the construction of a fence. He said that he is in favor of the fence but he strongly believes it should be built with gates for every homeowner whose property adjoins the Canal Park if they so desire.

Mr. Holland then moved that the Commission hold to the position that a fence be built. Mr. Torpey seconded the motion. In the ensuing discussion there was concern about the position of the State Park Service that only one gate be built.

Mr. Zaikov stated that he was strongly opposed to building a fence that would in effect deed State-owned land to the homeowners.

Mr. Holland said that there have been thefts and attacks on citizens because of this pathway.

Mr. Zaikov pointed out that the canal was there before the houses and if the residents are threatened then they should built their own fences.

Mr. Kirkland said that he is concerned about the precedent. He does not want to fence in the entire Canal Park.

Mr. Arthur Frank said that 45 people had signed a petition to oppose the fence.

Mr. Holland called the question. The commission voted unanimously in favor of calling the question.

Mr. Kirkland then called for a vote on the motion to approve construction of a fence. The vote was as follows:

Mr. Kirkland - No
Mr. Jessen - Yes
Mr. Holland - Yes
Mrs. Nash - No
Mr. Torpey - Yes
Mr. Zaikov - No

It was a tied vote so no decision was reached.

Mrs. Nash said that she had voted against the fence because the problem is larger than the relationship between the Canal Park and the Glen Afton neighborhood. Crime exists everywhere. If the canal is fenced here because of crime it could be fenced everywhere. She also expressed concern about fencing off some of the Canal Park. It amounts to giving away public land.

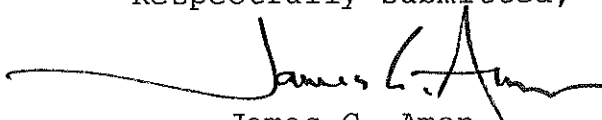
It was agreed that the question be continued at a future meeting. Mr. Kirkland said he would take responsibility for putting it on the agenda.

Mr. Holland said that he strongly believes in no fences but this is clearly a case that calls for an exception to that policy.

Further discussion continued but no further action was taken.

Before other agenda items could be raised the Commission's quorum was lost.

Respectfully submitted,


James C. Amon
Executive Director