



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF 19 AUGUST 1987:

TIME: 12:15 - 2:10 pm
DATE: Wednesday, 19 August 1987
PLACE: Delaware River Basin Commission
State Police Drive
Ewing Twp., New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Kirkland, Jessen, Jones, Torpey, Holland,
Marshall and Mrs. Nash

STAFF: Messrs. Amon, Dobbs and Mrs. Greenwald
Mr. George P. Cook, DAG

GUESTS: A. Gregory Chase, N.J.W.S.A.
Larry Pitt, Canal Society of N.J.
Bill McKelvey, Canal Society of N.J.
Barbara Sigmund, Mayor, Princeton Borough
Babs Thomsen, Friends of Princeton Open Space
Robert V. Kiser, Princeton Township
Duggan Kimball, Regional Planning Bd, Princeton
Leo Laaksonen, Mercer County
Urusula Buchanan, D & R Canal Coalition
Andrew Janiw, Coastal Group Inc.
Dolly Minis, D & R Canal Coalition
Mary Tanner, Lawrence Twp. Conservation Foundation
Barbara Preston, Princeton Packet
Ellen Bodes, Chamber of Commerce, Princeton
Mark Gordon, Borough of Princeton
Penny Hueston, Chamber of Commerce, Princeton
Caryn Fenton, Princeton
Elizabeth Hutter, D & R Greenway Project
R. A. Pege, NJDOT
Jack Dunn, NJDOT
Lauralee Rappleye-Marsett, NJDOT
Andy Fekete, NJDOT
Laurie Gutshaw, NJDOT
Mark Sarna, Sarna Enterprises
Jeffrey Freireich, Kushner Companies

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

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EXECUTIVE	COMMISSIONERS					
DIRECTOR	Benjamin B. Kirkland	Martin D. Jessen	Donald B. Jones	Stuart R. Zaikov	Richard T. Dewling	Winona D. Nash
James C. Amon	Chairman	Vice-Chairman	Treasurer	Arthur J. Holland	John C. Bullitt	Frank J. Torpey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Thomas H. Kean, Governor Richard T. Dewling, Commissioner

MINUTES

Following a motion by Mr. Jessen and a second by Mrs. Nash, the minutes of the meeting of 15 July 1987 were unanimously approved.

LEASES AND PERMITS

Mr. Amon presented the Commissioners with a request by Marcia Taylor of Lambertville for either a lease or a permit for a retaining wall that she is constructing on the border of her property. The wall is also partly on canal park land, as is a corner of her house and a portion of an outside cellar door. After some discussion Mr. Jessen moved approval of either a lease or a permit for this area, with the understanding that the wall be built as close as practical to the property line. Mr. Torpey seconded the motion which passed unanimously following Mr. Marshall's request that Mr. Stern be in charge of issuing whatever type of permit (on a year to year basis) that he felt necessary. It was also stated that Mr. Stern would have the right to ask Ms. Taylor to remove the wall if at such time development of the area were to take place.

REVIEW ZONE ACTIONS

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

- 87-1476 - John Bullitt
- 87-1477 - Joseph Perricone

Mr. Jessen then moved approval of the above projects. Mr. Kirkland seconded the motion which passed unanimously with the inclusion of Mrs. Nash's amendment (to 87-1477), that evergreens would be planted along the back of the property.

Mr. Dobbs then presented the following B Zone projects to the Commissioners for their approval:

- 83-0166 Einstein Corporate Center Recertification
- 87-1255 West Windsor Estates II
- 87-1366 Lexington Estates
- 87-0837A 518 Business Park, Phase II
- 87-1279 Beefsteak Charlie Motel
- 87-1358 Jefferson Plaza
- 87-1278 Keller & Kern
- 87-1353 Public Storage Inc.
- 87-1425 Meadow Road Associates
- 86-1181 United Jersey Bank
- 87-1449 Township of North Brunswick (Clear Well)

Mr. Jessen felt that the Township of North Brunswick could donate a sign stating about the water purifying plant in connection with canal water.

Mr. Torpey felt that the color of the water tank should be considered. Mrs. Nash agreed with him. She stated that the specific color of these tanks in Lawrence Township is grey.

Following some discussion Mr. Jessen moved approval of all the above projects with the exception of 87-1449 Township of North Brunswick. The motion carried unanimously with Mr. Jones' second.

Mr. Torpey then moved that 87-1449 Township of North Brunswick be approved with the stipulation that the Township must obtain final approval of the color used for the water tank. Mrs. Nash seconded the motion which passed with yea votes from Messrs. Kirkland, Jones, Torpey, Holland, Marshall and Mrs. Nash and a no vote from Mr. Jessen.

YORKSHIRE VILLAGE PROJECT

Mr. Amon stated that a proposal has been made for very dense development of condominiums between the Mercer Mall and the Canal Park in Lawrence Township. He explained that this area is designated in the Commission's Master Plan as a natural environment and therefore the Regulation's guidelines call for at least a 250 foot set-back from the Canal Park. Mr. Amon said that Lawrence Township also requires at least a 250 foot set-back.

The prospective developer has proposed a varied set-back that, at its closest, would be about 190 feet from the canal (which is about 50 feet from the Canal Park edge). Mr. Amon had told the developer that he felt that this distance was too close and suggested that the Commission discuss it.

Mr. Mark Sarna, representing Sarna Enterprises, showed the Commission a sketch of the proposed development and discussed several features of the plan. It would leave the area near the Port Mercer Canal House without development and it would also leave some wetlands areas undeveloped. All of these undeveloped areas would buffer the project from the Canal Park. He felt that with the proper berming and landscaping the 190 foot distance would not be intrusive.

Mr. Amon showed the Commissioners some photographs of the site as it is now, and of Canal Pointe, a similar type of development near this site. He stated that the Canal Pointe structures were, in his opinion, too close to the canal. They have a 250 foot set-back from the canal.

Mrs. Buchanan asked about the wetlands. Mr. Sarna said that they would be forever undeveloped.

Mr. Laaksonen, Mercer County Planner, pointed out that this project includes a new bridge over the canal.

Mr. Jessen stated that he is more concerned about the drainage impact than the visual impact. He asked several questions about the storm water management plans. Mr. Sarna said that the engineering has not been done yet.

Mrs. Nash said that she and the Lawrence Township Planning Board are quite pleased with the proposal to have a lot of undeveloped space around the Port Mercer Canal House.

No official recommendation or motion was made.

PROPOSED HARRISON STREET BRIDGES

Mr. Amon reported that the DOT has submitted all design documents for the two Harrison Street Bridges and is requesting that the Commission grant final approval for this project. He reminded the Commissioners that at its June meeting they had granted conceptual approval to the canal bridge with the understanding that it would be a concrete structure with various design features that related to the historic bridge. At the July meeting no action was taken on either bridge when it was discovered that the FHWA might participate in the cost of a second sidewalk. Since that meeting, Mr. Amon attended a meeting with Commissioner Gluck and others at which it was clearly stated that under no circumstances would DOT consider a second sidewalk. The bridge would have to be accepted as is or the Commission must accept responsibility for there being an 18 month delay before anything would be done.

Mr. Amon said that he had several recommendations to the Commission. First, that they realize that there is still a possibility that the canal bridge be wooden. He said that the prohibition only applied to Federally funded projects and that the DOT has recently built wooden bridges over the canal on their own. It could be done here. Second, he urged that it be made clear that any approval given at this time be clearly indicated as being for this bridge only. This should not be construed as a precedent. Third, he urged the Commission to make it clear that the relationship between it and the DOT on this project was not satisfactory. The DOT should work with the Canal Commission, not present it with ultimatums.

Mr. Kirkland asked Mayor Barbara Sigmund if she would like to comment. She spoke at length about the importance to Princeton of this bridge and the harm that its continued closing would have. She urged its acceptance by everyone.

Mr. Kirkland then read a letter from Mrs. Caryn Fenton, of the Princeton Shopping Center, that also urged Commission approval.

Mr. Kirkland stated that he was extremely unhappy to have been put into a position by the DOT in which the Commission is left with no real choice but to approve their plan.

1:50 Mayor Holland left.

Mr. Torpey wanted it on record that he was not pleased with the handling of this situation by the DOT and to state that this is not a approval of the design for all canal park bridges, that they would be reviewed and approved on a one by one basis. He did not want this design for all future bridge replacements in the canal park.

Mr. Kirkland felt that a letter should be sent to DOT Commissioner Hazel Gluck expressing the Commission's dissatisfaction with the way DOT handled this project.


Following lengthy discussion Mr. Jessen moved conceptual approval of the Harrison Street bridges as presented by DOT with several design details to be worked out between DOT and Mr. Amon. Mrs. Nash seconded the motion which carried unanimously.

2:10 Messrs. Jessen and Marshall left. No longer a quorum.

ADJOURNMENT

The meeting was adjourned at 2:10 pm.

Respectfully submitted,


James C. Amon
Executive Director

Dictated by Mr. Amon, signed in his absence.