

MINUTES OF THE MEETING OF 16 OCTOBER 1991

TIME: 12:05 PM - 3:10 PM
DATE: Wednesday, 16 October 1991
PLACE: Ellarslie, Trenton City Museum
Trenton, NJ



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Kirkland, Jessen, Jones,
Marshall, Pauley, Torpey, Zaikov;
Mrs. Nash

STAFF: Messrs. Amon and Dobbs; Ms. Holms
Ms. Carol Blasi, Deputy Attorney General

GUESTS: Paul Stern, Div. Parks & Forestry
Joe Bird
Barbara Thomsen, D & R Canal Watch
Kay & Larry Pitt, Canal Society of NJ
A. Gregory Chase, NJ Water Supply Auth.
Ursula Buchanan, D & R Canal Coalition
Robert von Zumbusch
Rae Roeder, West Windsor Twp. resident
Lil Ferracone, West Windsor Twp. resident
Jeanette R. Flickenjjer, West Windsor Twp.
resident
Fred Brown, D & R Canal Watch
Chris Baker, McCarthy & Hicks
Richard Moralle, T & M Associates
Maren King, Hanna/Olin Ltd.
Frank Zabawski, FAZ Associates
Michael Kraus, The Stubbins Assoc.
Architects
Jack K. Rimalover, Rockingham Assoc.
Adra Fairman, Rockingham Assoc.
J. Gottsegen, MSM Regional Council
William F. King III, NLA Assoc.
Alan Landis, NLA Assoc.
Elizabeth Johnson, City of Trenton
Joseph J. Skupien, Somerset County
Gordon Keith, Port Mercer Civic Assoc.
Frances McCarthy, Lawrence Hist. Society
Denise Hall, Lawrence Hist. Society
Mary Tanner, D & R Canal Watch
Robert Britton, Jr., Ewing Twp. Historic
Preservation Commission
Christiane Biamonte, Trenton Times

PRALLSVILLE MILLS P.O. BOX 539 STOCKTON, NJ 08559-0539 609-397-2000 FAX: 609-397-1081

EXECUTIVE
DIRECTOR
James C. Amon

COMMISSIONERS
Benjamin B. Kirkland
Chairman

Martin D. Jessen
Vice-Chairman

1
Donald B. Jones
Treasurer

Stuart R. Zaikov
R. William Pauley

Scott A. Weiner
Frank J. Torpey

Winona D. Nash
Douglas H. Palmer

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
James J. Florio, Governor Scott A. Weiner, Commissioner

Mr. Kirkland opened the meeting and announced that this was a regular meeting of the D & R Canal Commission and that all provisions of the Open Public Meeting Law of 1976 had been met.

MINUTES

Mrs. Nash moved approval of the minutes of the meeting of 18 September 1991; Mr. Jones seconded the motion, and it passed unanimously.

PERMITS

Mr. Amon reviewed an application for a one-year renewable permit to operate a hot dog truck on the west side of Route 29, across from the Trap Rock/Moore's Station quarry. Ownership of this land is in question, but DEPE has agreed to take care of permitting, and Mr. Amon recommended approval of this one-year renewable special use permit. Mrs. Nash moved approval of the permit, Mr. Pauley seconded the motion, and it passed unanimously.

REVIEW ZONE PROJECTS

Mr. Amon presented one "A" Zone project:

91-2003 - Kennedy/Kelly Addition, Stockton

Mr. Amon stated that the proposed addition would be adequately screened from the Canal Park and would be in keeping with the character of the neighborhood. He recommended approval. Mr. Pauley moved approval of the project, Mrs. Nash seconded the motion and it passed unanimously.

Mr. Dobbs presented two "B" Zone projects for reapproval:

88-1686 - Stonegate, East Windsor Twp., Mercer County
179 homes on 45+ acres with 65% impervious coverage.

88-1665 - Ettl Farm at Princeton, Princeton Twp.,
Mercer County.
188 homes on just under 200 acres with 12%
impervious coverage.

Mr. Dobbs stated that the plans had not changed since they had originally been approved, thereby satisfying the Commission's stormwater management and water quality requirements; he recommended reapproval. Mrs. Nash asked whether there were streams on the property that would require

buffers with respect to 1989's stream corridor regulations. Mr. Dobbs responded that in the case of the Ettl Farm, the Stony Brook adjoins the property but the earlier-approved plans are in compliance with the Commission's Stream Corridor Preservation regulation. As for Stonegate, the buffer for Rocky Brook on the property does not fully comply with the Commission's 1989 stream corridor regulations; however, Mr. Dobbs reported that the project has been postponed because of the municipality's delay in expanding the township's sewage system. Therefore, according to the Commission's former Deputy Attorney General, this "tolling" would preclude compliance with the stream corridor regulations. Mrs. Nash stated that she would like to see stronger regulations in this matter, and Ms. Blasi said that she would review the issue. Mr. Jones moved tabling the Stonegate project, Mrs. Nash seconded the motion, and it passed without dissent.

Mr. Torpey and Mr. Jessen arrived at 12:25.

Mr. Dobbs presented the following "B" Zone projects:

- 90-1947 - Truck Weigh Station, Hopewell Twp., Mercer County.
Inspection station and parking on 16+ acres with 33% impervious coverage.
- 90-1927 - Pennington School Phase I, Pennington, Mercer County.
2 buildings on 44+ acres with 10% impervious coverage.
- 91-1997 - South Middlesex Industrial Park SM 1210, Monroe Township, Middlesex County.
Office/warehouse on 11 acres with 53% impervious coverage.
- 91-1984 - Forsgate Industrial Complex S-117, South Brunswick Township, Middlesex County.
Building addition plus parking on 23+ acres with impervious coverage increasing from 44% to 55%.

Mr. Dobbs stated that requirements for stormwater management and water quality had been met for all projects. Mr. Zaikov moved approval of all "B" Zone projects except for Stonegate; Mr. Pauley seconded the motion, and it passed unanimously.

PRESENTATION OF NASSAU PARK PROJECT

Mr. Christopher Baker, representing the developer for Nassau Park, gave an update on plans for the project. He stated that they have been working with West Windsor, Lawrence Township, and Mercer County on traffic concerns, and have

agreed to make improvements to Province Line Road. The applicant is asking for "General Development" approval from West Windsor. The project would be built in five phases over a period of several years. He stated that the current plan uses 330,000 square feet less than the original plan.

Mr. Kraus, architect for the applicant, said that 40,000 square feet of building space has been shifted from the Canal Commission's "A" Zone to the "B" Zone. Of the two buildings closest to Port Mercer, three stories have been reduced to two, and parking has been reduced. A berm with plantings will be built to screen the buildings from the park. The two 4-story buildings in the "A" Zone have been moved slightly away from the canal. Although the berm would be built in Phase I, the buildings closest to the canal would not be built until Phase V. The "A" Zone would have 18% impervious coverage, while the "B" Zone would have 72% impervious coverage. Of 162 acres, 43 would remain as open space.

Ms. King, a landscape architect, described the berm and plantings proposed for the project.

The applicant's traffic consultant, Mr. Zabawski, stated that the entire roadway system would be built in Phase I. Province Line Road improvements include a slight widening in some places to turn the road into 4 lanes and add a turning lane to ease current traffic problems at Mercer Mall. Mr. Zabawski stated that because the development was largely retail stores, traffic generated from Nassau Park would occur after peak morning rush hour. He said that an updated traffic study would accompany each building phase.

Mr. Amon reviewed the cumulative effect of nearby major projects and proposed construction of major housing developments, shopping centers, and office space, and concluded that there was enormous pressure on Port Mercer. He also said that although the retail store traffic may not adversely impact morning rush hour, it would adversely impact traffic during the time when most Canal Park visitors would be using the park. Mr. Amon expressed a desire to see a much more significant portion of the project in the "A" Zone as open space, and suggested applying more density in the four-story buildings in order to get rid of the two-story buildings closest to the Canal Park.

Mr. Pauley stated that the traffic issue was paramount, and felt that it seemed unreal that DOT would approve this plan that includes additional stop lights. He also stated that in regard to Port Mercer, the applicant has not moved far enough. He said that the proposed berm with trees will take

away the view of the village, and wants to see more space. He, too, felt that more stories could be added to buildings closer to Route 1 in exchange for moving buildings away from the Canal Park and Port Mercer.

Ms. Rae Roeder of West Windsor expressed her disapproval of this project, warning that the "General Development" approval ordinance would protect the developer from rezoning for 12 years. She also took note of another township ordinance that increased the retail use for this area, which was in contradiction to the township's Master Plan. She recommended taking time to look at the impact of traffic, and not to rely on "hindsight traffic studies".

Mr. von Zumbusch stated that no development in the "A" Zone should be the goal of the Commission, that the traffic impact requires careful study, and that construction should not be permitted until a new bridge crossing the canal has been built. He felt that the berm buffering the Canal Park from the buildings was not enough--that because the Canal Park is so narrow, it requires a significant land buffer surrounding it.

Mr. Keith of Port Mercer acknowledged that the developers have been working with Port Mercer residents, but that surrounding development is quietly having a detrimental impact on the village; Mercer Mall, Squibb, and ETS are all expanding.

Ms. Thomsen of D & R Canal Watch stated she supports the protection of the "A" Zone.

Ms. Buchanan expressed disapproval of proposed construction when so many buildings already built are not being used.

Mrs. Nash stated that she will not approve this project until a road and a bridge are in place to take Nassau Park's traffic away from Port Mercer. Mr. Jessen said that it is to the Canal Park's advantage to get traffic crossing the canal as far away from specially designated "nodes" as possible. Mr. Kirkland stated that he wants the "A" Zone to remain undeveloped, and that the transportation problem must be addressed.

Several Commissioners suggested that Mr. Amon communicate with representatives of DOT and the county regarding the traffic issue.

SOMERSET COUNTY DRAINAGE ON CANAL ROAD

Mr. Joseph Skupien from Somerset County's Engineering Department said that they would like to eliminate a ditch between Weston Canal Road and the canal in the vicinity of 10 Mile Lock. Their work will be entirely confined to the road right-of-way except where the pipe enters the canal. At this point the existing headwall will be completely restored. Mr. Amon pointed out that no additional drainage will be collected, the existing system will be changed from a ditch to a pipe. He also said that he discussed the matter with the WSA and they had no objections.

RESOLUTION ON FUTURE ROCKINGHAM SITE

Mrs. Nash moved approval of a resolution stating that if the State of New Jersey purchases land for the purpose of the new Rockingham site, the Canal Commission would no longer require an easement on this land. Mr. Jessen seconded the motion, and it passed without dissent.

INTERPRETIVE SIGN NEAR MANSION HILL ESTATES

Mr. Britton of the Ewing Township Historical Preservation Commission presented the Commissioners with maps and interpretive materials regarding the area in Ewing Township historically known as Greensburgh. Mr. Jones moved approval of a resolution thanking Mr. Britton for his hard work on this matter. Mr. Jessen seconded the motion and it passed unanimously. It was agreed that a copy of the resolution would be sent to the Ewing Township Mayor.

CANAL PARK SUPERINTENDENT'S REPORT

Superintendent Stern stated that the maintenance staff was installing a fence on Church Street in Trenton, and that they were finishing moving some material out of the right-of-way, and that this would be the final work done as part of the Trenton cleanup project. He said that drainage was still a problem in the area.

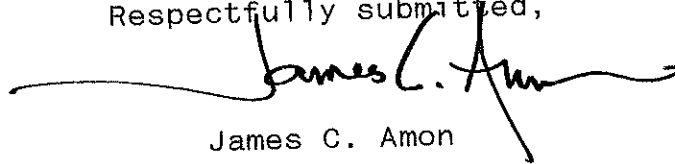
PUBLIC FORUM

Mrs. Thomsen asked Mr. Marshall about the status of the National Heritage Corridor in the Division of Parks and

Forestry. Mr. Marshall responded that Mr. Hampton and Ms. Zerbe were working on it.

The meeting adjourned at 3:10 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon". The signature is written in a cursive style with a long horizontal line extending to the left and a vertical line extending downwards from the end.

James C. Amon