

MINUTES OF THE MEETING OF 20 NOVEMBER 1991

TIME: 12:10 PM - 3:05 PM
DATE: Wednesday, 20 November 1991
PLACE: D & R Canal Commission
Prallsville Mills
Stockton, NJ



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Kirkland, Jessen, Jones,
Marshall, Pauley, Torpey

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

GUESTS: Mike Zawacki, D & R Canal State Park
Joe Bird
Kay & Larry Pitt, Canal Society of NJ
Robert von Zumbusch
Fred Brown, D & R Canal Watch
G. Christopher Baker, McCarthy &
Schatzman
William F. King III, NLA Assoc.
Gordon Keith, Port Mercer Civic Assoc.
Frances McCarthy, Lawrence Hist. Society
Denise Hall, Lawrence Hist. Society
William McKelvey, Friends of NJ RR &
Transportation Museum
William Moss, Canal Society of NJ
W. Kevin Hayer, North Hills Dev. Corp.
Robert B. Heibell, Van Cleef Eng. Assoc.
Leo Laaksonen, Mercer County

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

Mr. Jessen moved approval of the minutes of the meeting of 16 October 1991; Mr. Pauley seconded the motion, and it passed unanimously.

LEASES AND PERMITS

Mr. Amon stated that PSE&G has requested permission to install a gas pipeline along the Griggstown Causeway and under the canal bridge. He said that there would be no

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EXECUTIVE
DIRECTOR
James C. Amon

COMMISSIONERS
Benjamin B. Kirkland
Chairman

Martin D. Jessen
Vice-Chairman

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Donald B. Jones
Treasurer

Stuart R. Zaikov
R. William Pauley

Scott A. Weiner
Frank J. Torpey

Winona D. Nash
Douglas H. Palmer

disruption of the natural landscape, and that the pipe would be fixed to the bridge underneath the sidewalk and would not be visible from the Canal Park. Mr. Jessen moved approval to authorize Mr. Amon to approve the permit; Mr. Jones seconded the motion, and it passed unanimously.

Mr. Amon then described a project that the Lawrence Historical Society has been working on--that of the installation of a pre-Civil War outhouse on the grounds of the Port Mercer Canal House. Mr. Jessen moved approval to authorize Mr. Amon to approve this permit; Mr. Torpey seconded the motion, and it also passed without dissent.

REVIEW ZONE PROJECTS

Mr. Amon presented two "A" Zone projects:

- 91-2009 - Franklin Township Sewer Line
Franklin Township, Somerset County
- 91-2104 - Pardun Residence
Franklin Township, Somerset County

New sewer lines are to be installed in existing streets near the Canal Park. Mr. Amon said that this neighborhood was already fully developed, and the new sewer lines would not promote new development. He also said that there would not be a harmful impact on the Canal Park. The Pardun Residence proposal is for a single family house set back 350 feet from Canal Road and will have mature woods between it and the road. Mr. Pauley moved approval of the projects, Mr. Jessen seconded the motion, and it passed unanimously.

Mr. Amon then presented an application for a waiver in the "A" Zone. An addition has been proposed for a building on West State Street in Trenton. Although within 1,000 feet from the canal, the building is blocked from view of the Canal Park by other buildings, and runoff would drain into the Delaware River. The addition would be complementary to the historic character of the building. Mr. Jessen moved waiving the proposed Trenton building addition, Mr. Torpey 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.
- 88-0936B- Franklin Business Park - Bldgs. 5,6,7,& 8
Franklin Township, Somerset County
4 office/warehouses

Mr. Dobbs said that the project called Stonegate which was postponed for review by the Commission in October, had a tributary to one of the Commission's designated stream corridors within its boundaries, but that this tributary drained less than 50 acres which made it exempt from the Stream Corridor Regulations. He stated that there were no changes in the plans for Franklin Business Park, and recommended that the Commission reapprove the two projects.

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

- 91-1983 - Peddie School Regional Basin
Hightstown, Mercer County.
increase in regional basin volume for future
impervious coverage.
- 86-1120 - Sheffield Manors at the Trace
East Windsor Twp., Mercer County.
69 homes on 25 acres, part of overall
development of 149 acres with 66% impervious
coverage.
- 91-2006 - Building "N" Parking Expansion
Cranbury Township, Middlesex County.
new parking on 34+ acres with 29+% impervious
coverage.
- 86-1007 - Briar Manor at Middlebush
Franklin Township, Somerset County.
83 houses on 83+ acres; 16% impervious
coverage and 25 acres open space.

Mr. Dobbs stated that in the case of the Peddie School, the applicant wished to modify previously approved plans by increasing the capacity of the regional detention basin by 50% to allow for an increase in impervious area that would drain to the basin. Mr. Dobbs said that stormwater management and water quality had been met for all projects. Mr. Pauley moved approval of all "B" Zone projects; Mr. Jones seconded the motion, and it passed unanimously.

Mr. Dobbs then presented two applications for waiver from the Stream Corridor Regulations.

- 91-2000 - Princeton Junior School
Lawrence Township, Mercer County

The proposed building would be on the north side of Fackler Road; the designated stream is on the south side, but the 100-foot buffer to the 100-year floodplain encroaches in one small section on the north side of the road, which would cut into the proposed entrance. Because of nearby wetlands, the entrance cannot be placed elsewhere. Mr. Jessen moved

approval waiving the stream corridor regulations for that section of the school's entrance; Mr. Jones seconded the motion, and it passed unanimously.

88-1616 - North Hills Estates
Montgomery Township, Somerset County

Mr. Dobbs said that there were three small areas in the corridor area of a stream that the applicant desired to be waived from review. These areas are within the 100-foot buffer, and not in the 100-year floodplain. The applicant proposes to use them as lawns for houses. The areas are presently clear of trees and above a very steep slope leading to the stream. Staff recommendation was for a waiver. Mr. Jessen moved waiving the Stream Corridor Regulations for the three designated sections in this project; Mr. Pauley seconded the motion and it passed unanimously.

POLICY ON "TOLLED" PROJECT RETURNING FOR REAPPROVAL

Mr. Amon reviewed the subject which involves exempting an applicant from review of the 1989 Stream Corridor Regulations. He stated that the Commission's previous Deputy Attorney General, Stephen Brower, had the opinion that if a previously-approved project is delayed because of another government agency's prevention of construction (as in the example of a township's moratorium on sewer permits), then the Commission could not impose the stream corridor regulations on the applicant as a requirement for reapproval. He said that if the delay is the result of the developer's inaction, then the Commission could require that the stream corridor regulations be met for a reapproval. Ms. Blasi concurred with the opinion and suggested that it be designated a guideline. Mr. Jones moved accepting as a guideline the policy that if a project is delayed because of another government agency's prevention, the Commission does not have to impose new intervening regulations. Mr. Jessen seconded the motion, and it passed unanimously.

DISCUSSION OF NEW CANAL PARK CROSSINGS

Mr. Amon reviewed existing Canal Park crossings, citing problems in Princeton and the Millstone Valley. In neither case, however, does it seem likely that alternatives can be constructed. He then reviewed the various proposals for new crossings in the Port Mercer area. There are two suggested crossing proposals in this area besides the existing one (Quakerbridge Road). One proposal is a bridge south of Quakerbridge Road, extending Provinceline Road through the proposed Port Mercer Village development, and connecting to

Quakerbridge Road. A second proposal is a bridge at Quaker Road's "elbow", north of Quakerbridge Road, going through Nassau Park, and connecting to Quakerbridge Road. Mr. Laaksonen, of Mercer County, said that various agencies and other involved parties have been meeting about this issue, and have concluded that the first alternative is preferable, although it has not been determined how it would be funded. He then asked the Commission for an opinion on the second alternative.

Mr. Pauley stated that Quaker Road was not a good road for promoting more traffic because it frequently floods. He said it would also be difficult to have a crossing at Quaker Road because of wetlands.

Mr. von Zumbusch stated that Quaker Road would have to be rebuilt, and that the character of the area as it exists now would be lost. Mr. Laaksonen said that Lawrence Township would not want Quaker Road closed because it would put more traffic on Provinceline Road. A four-lane bridge at Provinceline Road was discussed; Mr. von Zumbusch said that four lanes would present a formidable barrier to the towpath. Mr. Kirkland asked Mr. Laaksonen how the Commission could help, and Mr. Laaksonen replied by requesting that the Commission consider whether the Quaker Road crossing is a viable alternative. He said that if it was viable, space in the Nassau Park development would have to be allowed for it. If it was not a viable alternative for the Commission, then further coordination for a new road connecting Provinceline Road to Quakerbridge Road is needed.

Mr. Amon suggested making the Quaker Road crossing a lower priority alternative, and that the Commission stress their preference for the new crossing at Provinceline Road. He suggested that the Commission keep all options open.

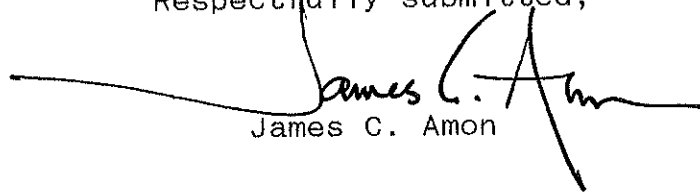
Mr. Baker asked that the Commission not pre-judge the Nassau Park application until it comes before them for approval. He stated that he recognizes that the development cannot be built until Provinceline Road is realigned and reconstructed. He also was surprised to hear discussion about a new bridge and road to Quaker Road.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon announced that federal funds in the amount of \$1.892 million have been appropriated for historic preservation projects in Trenton, which would include making improvements along the Delaware and Raritan Canal.

The meeting adjourned at 3:05 PM.

Respectfully submitted,

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

James C. Amon