

MINUTES OF THE MEETING OF 18 NOVEMBER 1992

TIME: 12:45 PM to 2:35 PM  
DATE: Wednesday, 18 November 1992  
PLACE: CANAL COMMISSION OFFICE,  
PRALLSVILLE MILLS, STOCKTON, NJ



DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Kirkland, Jones, Zaikov, Torpey, and Pauley

STAFF: Mr. Amon, Ms. Holms  
Ms. Carol Blasi, Deputy Attorney General

GUESTS: Abigail Barrows, F.C.O.P.  
Ursula Buchanan, D&R Canal Coalition  
Jean Brandies, Star Ledger  
Gordon Keith, Port Mercer Civic Association  
Kay & Larry Pitt, Canal Society of NJ  
Bill Moss, Canal Society of NJ  
Ann Brady, MSM  
Raj Khanna, Ogden Martin System  
Bob Bushar, Thermo Consulting Engineers  
Michael Textores, Van Cleef Engineering  
Jonathan Holmes, MCIA  
Fred Brown, D & R Canal Watch  
Robert Glover, Port Mercer Civic Association  
A. Gregory Chase, NJ Water Supply Authority  
Paul Stern, D & R Canal State Park  
S. J. Golembuski, MCIA  
Bryce Thompson, Thompson Land  
Leo Laaksonen, Mercer Company  
Frank Zabawski, FAZ Association  
David Steim, Mercer County Engineering  
Deborah Poritz, Jameson, Moore, Pesken & Spicer  
William F. King III, NLA  
Chris Baker, McCarthy & Schatzman

Prior to the start of the meeting, Mr. Stern gave the following information as the report of the Canal Park Superintendent:

In the preceding month Canal Park maintenance crews cleared the field near the park headquarters, completed planting and seeding a berm at the Millstone Aqueduct Access Area, constructed new gutters on the park office, winterized the Sherman house, removed tree roots from the tow path between Blackwells Mills and East Millstone, and began mowing fields in the park.

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

Donald B. Jones  
Treasurer

Stuart R. Zaikov  
R. William Pauley

Scott A. Weiner  
Frank J. Torpey

Winona D. Nash  
Douglas H. Palmer

Mrs. Buchanan asked if the Commission had a position on the idea of closing Canal Road periodically to all but bicycle and pedestrian traffic. Mr. Kirkland replied that this is an attractive idea but it is outside the Canal Commission's jurisdiction.

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. Zaikov moved the approval of the minutes of 21 October 1992; Mr. Pauley seconded the motion and it passed unanimously.

#### LEASES

Mr. Amon announced that there was only one lease for renewal this month. It is with Abraham and Jean Finkel for the lease of a strip of land next to their hardware store in Lambertville. The fee is \$75 per year. Mr. Amon recommended approval of the lease because he believed it was compatible with the Canal Park goals. Mr. Zaikov moved approval of the one year extension of the lease; Mr. Jones seconded the motion and it passed unanimously.

#### REVIEW ZONE ACTIONS

Mr. Amon said that he had an A zone application for which he recommends a waiver. The Trenton Water Treatment Plant proposes to expand their building on Calhoun Street. This building, and the proposed expansion, are within the A Zone but the site does not drain into the canal, the building cannot be seen from the canal, the project will have no traffic impact, and it is not located in a designated stream corridor. Mr. Jones moved that this project be waived from all review requirements; Mr. Pauley seconded the motion and it passed unanimously.

Mr. Amon presented two B Zone projects:

82-0121 - Haymarket Square, East Windsor Township, 42 dwelling units on 8+ acres with 34% impervious surface.

92-2069 - 84 Lumber Co. Additions, Hopewell Township; several buildings with a total of 45,340 square feet on a 10 acre site.

Mr. Amon stated that both of these projects met the Canal Commission's storm water drainage requirements and that no other Commission regulations were applicable. He said that Mr. Dobbs had reviewed both projects and recommended their approval. Mr. Zaikov moved the approval of both projects; Mr. Torpey seconded the motion and it passed unanimously.

Mr. Amon then presented a request for waiver from strict compliance to the Commission's Stream Corridor Preservation Regulation. The

project, 86-0996, is located in Hillsborough along a tributary of the Millstone River. The applicant proposes to intrude with a housing project into 4.9 acres of wooded stream corridor and is able to set aside 4.2 acres of comparable land adjacent to, but not in the corridor. The corridor land that would be used for the project is outside the 100-year flood plain but within the 100-foot buffer. Mr. Amon said that he and Mr. Dobbs had reviewed the project and concluded that the trade would not impair the ability of the corridor to function as a protective area for the Canal Park. They recommend approval of the waiver request. Mr. Jones announced that he has known the applicant socially for several years but he does not and has never had any business dealings with him. He said that he is confident that he can act impartially on this application and he moved approval of the request for waiver from strict adherence to the stream corridor regulations in accordance with the plans submitted. Mr. Pauley seconded the motion and it passed unanimously.

Mr. Amon then presented the application from the Mercer County Improvement Authority (MCIA) for approval of their proposed Duck Island Incinerator. Mr. Amon explained that the Commission had already approved the project, but it had subsequently been changed and the MCIA is now requesting a new approval. Mr. Amon distributed copies of a draft resolution of approval for this project. The resolution was amended as a result of suggestions by Mr. Jones and Ms. Blasi. Mr. Torpey and other commissioners expressed their concern that the MCIA should be fully committed to the construction of an environmental education center. Mr. Golembuski, representing the MCIA, explained that no such commitment could be made until agreements with the DEPE and the host community are made final.

Mr. Jones moved approval of the revised resolution (copy attached); Mr. Zaikov seconded the motion and it passed unanimously.

#### NASSAU PARK DISCUSSION

Mr. Amon reported that a complete application for the Nassau Park project has not been made but he wanted to be able to have a discussion that might give the applicant some guidance with regard to changes in the road network that will accompany the development. He displayed plans that showed the location of Nassau Park Boulevard, a new road leading from Quakerbridge Road through what is known as the Yorkshire Village project, a new bridge over the canal, and changes to Quakerbridge Road. He told the Commissioners that this plan was developed after the Commission had made it clear that it was concerned about protecting the historic canal community of Port Mercer from excessive traffic on the existing roads.

Mr. Amon reported that he is not satisfied that the plan which has been presented adequately protects Port Mercer. He pointed out that this plan calls for widening Quakerbridge Road to five lanes at the intersection with Nassau Park Blvd. This kind of road will probably create very high-speed traffic as well as serve as an

inducement to excessive numbers of cars.

Mr. Leo Laaksonen, Director of Planning for Mercer County, reported that the county is committed to constructing the new road network and the new bridge over the canal. It will assess the proper contribution from Nassau Park and other developers at a later date. He said that his staff and that of the County Engineer had been working with the applicant's consultants and that they were having difficulty finding an alternate alignment that would be both safe and protective of Port Mercer. He said that a plan developed by the Port Mercer neighbors was being examined but appeared to have some faults. He felt that a fruitful approach would be to retain the basic design that Nassau Park has developed but to alter some of the details like lane widths and landscaping to improve the impact.

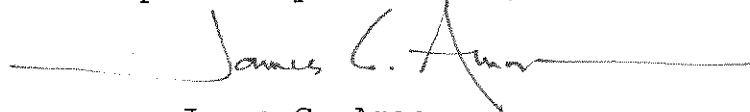
Both Mr. Frank Zabawski, who is a traffic consultant to Nassau Park, and Mr. Chris Baker, who is a lawyer for Nassau Park, assured the Commission that they were aware of the Commission's concerns about protecting the canal and Port Mercer and that the design that was presented was the best possible solution.

Messrs. Kirkland, Jones, and Pauley all expressed their dissatisfaction with the proposed road design because of the impact on the canal and on Port Mercer.

It was agreed by Mr. Laaksonen, the applicant, and the commissioners that it would be best for a subcommittee of the commission to meet with the other parties and to try to develop a satisfactory solution. Mr. Kirkland appointed Mrs. Nash and Mr. Pauley to the subcommittee.

The meeting adjourned at 2:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "James C. Amon". The signature is written in dark ink and is positioned above the printed name.

James C. Amon