

MINUTES OF THE MEETING OF AUGUST 18, 1999

TIME: 12:15 P.M. - 3:30 P.M.  
DATE: Wednesday, August 18, 1999  
PLACE: Canal Commission Office  
Stockton, New Jersey



DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Jessen, Marshall, Pauley, Torpey; Ms. Armstrong,  
Ms. Goodspeed, and Mrs. Nash  
STAFF: Mr. Amon, Ms. Holms and Ms. Barth  
Mr. Lewin Weyl, Deputy Attorney General  
GUESTS: Bill McKelvey, Friends of NJ RR & Transportation Museum  
Jan Ten Broeke  
Joe Shepherd, NJ Water Supply Authority  
Jonathan Litt, Castle Senior Living, LLC  
Jim Cahill, Castle Senior Living, LLC  
Bruce Hamilton, Meadows Foundation  
Jeffrey R. Betz, ESP Associates  
Greg Valesi, ESP Associates  
Susan Herron, D&R Canal State Park  
Rebecca Williams, D&R Canal State Park  
Barbara Ross, D&R Canal Watch  
Rick Goeke, Franklin Twp. Historic Preservation Commission  
Mary Penney, Central Jersey Sierra Club  
Fred Scherrer, RBA Group  
Bob Stetkar, Golder Associates  
Charles Henry, NJ DOT  
Lee Solow, Princeton Regional Planning Board  
Bill Wolfe, Sierra Club  
Anthony Lumm, Princeton Environmental Commission  
Marylou Ferrara, Hopewell Township Committee  
Ron Southwick, Trenton Times



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Caroline J. S. Armstrong

Douglas H. Palmer  
Marfy Goodspeed

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Christine Todd Whitman, Governor Robert C. Shinn, Jr. Commissioner

Mr. Torpey 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 requested that an addition be made to the minutes of August 6, 1999. She said that she had asked representatives for Castle Senior Living whether a berm could be built to help buffer the building from the Canal Park; the representatives said it could not. With that addition, Mrs. Nash moved approval of the minutes for both meetings of July 21, 1999 and August 6, 1999; Ms. Goodspeed seconded the motion. The motion passed without dissent, with Ms. Armstrong abstaining from the vote on the minutes of July 21, 1999.

## REVIEW ZONE PROJECTS

### 99-2518 - Castle Senior Living; Franklin Township, Somerset County

Mr. Amon reviewed the meeting of August 6, 1999, when Commissioners met in Franklin Township to view helium-filled balloons representing the top of a proposed 5-story building to be constructed on Easton Avenue, across from the Canal Park. He said that after the meeting, he inspected the buffer area and felt that the tallest trees representing the canopy would probably be removed, according to the site plans. After meeting with engineers for the project, it was determined that the slope leading to Easton Avenue could be made steeper, which would save the taller trees. Mr. Amon suggested that a conservation easement be given to the Canal Commission for the area that will not be disturbed. Mr. Jessen moved approval of the project, conditioned upon receipt of a revised landscape plan acceptable to the Commission's Executive Director, and a conservation easement for the area that will not be disturbed. Ms. Armstrong seconded the motion and it passed unanimously.

### 99-2536A - Route 29 Drainage Improvement Modifications - Lambertville

A representative and two consultants for the Department of Transportation presented a revised proposal to install a trunk line under Route 29 and the canal to help control flooding. They explained that they originally attempted tunneling but that there were too many large cobbles for the tunneling equipment. They now propose an open cut for Route 29 and Delaware Street; the canal will be tunneled by miners. Mr. Jessen moved approval of the revised trunk line project; Mrs. Nash seconded the motion, and it passed unanimously.

### 99-2566 - Sunoco Station Improvements - Trenton

The applicant is proposing to construct a mini-mart store and new gas station structures on an existing gas station site. The new building will be screened by two existing hedgerows and a proposed evergreen row. Ms. Goodspeed moved approval of the application, Mrs. Nash seconded the motion, and it passed unanimously.

99-2560 - Eglewski House & Garage Demolition - Franklin Township, Somerset County

This 19th century farmhouse was damaged by fire and the owner wishes to demolish it and sell the 6-acre lot to the State for inclusion in the Canal Park. Mr. Goeke encouraged the Commissioners to approve the demolition conditioned upon retaining the foundation. Mr. Jessen moved approval of the demolition, but encouraged the Division of Parks and Forestry to keep the foundation if possible. Ms. Goodspeed suggested installing an interpretive sign. Mrs. Nash seconded the motion and it passed unanimously.

Mr. Amon presented the following "B" Zone project applications:

- 99-2531 - Wicoff Estates; Plainsboro Township
- 98-2423 - Arcaro Tract - Princeton Township
- 98-2470 - Princeton Airport Expansion - Montgomery Township
- 99-2545 - Carnegie Center II, Building 302 - West Windsor Township
- 99-2444A - Windsor Crossing - East Windsor Township
- 98-2453 - Amwell Road Subdivision - Franklin Township, Somerset County
- 98-2478 - Lexington Woods - Montgomery Township
- 98-2494 - Morris Craft Warehouse - Cranbury Township
- 98-2500 - Princeton Nursing and Rehab Center - Princeton Township
- 99-2551 - Montgomery Elementary School Phase II Addition - Montgomery Township
- 97-2402 - Zaitz Property/Calton Homes - East Windsor Township

Mr. Amon stated that the staff had reviewed the projects for conformance with the Commission's regulations for drainage and stream corridor impact and recommended approval. Mrs. Nash moved approval of the "B" Zone projects, Mr. Pauley seconded the motion, and it passed unanimously.

#### DISCUSSION OF COMMISSION ACTION ON MILLSTONE BYPASS

Mr. Amon opened the discussion by suggesting that he write a letter to the Department of Transportation clarifying the Commission's regulations that are relevant to this project, and making sure that the Department presents alternatives to the proposed bypass, and why they may or may not be feasible. Mrs. Nash questioned a map that she saw recently in a newspaper which showed the bypass continuing to Alexander Road; Mr. Amon replied that it was incorrectly drawn.

Ms. Penney encouraged the Commission to request an Environmental Impact Statement for the project. Several other members of the public were also in favor of the Commission requesting an EIS. Mr. Weyl stated that nothing in the Regulations prohibits the Commission from requesting an EIS. He also said that the Commission can require a submission of alternatives.

After further discussion regarding the Millstone Bypass, the Commissioners agreed that they would like to have Mr. Amon prepare a draft letter to the DOT which they would review at the September meeting.

Mr. Amon then acknowledged the hard work and time that Ms. Penney volunteered toward a Sierra Club project that involved the installation of interpretive signs throughout the entire Canal Park.

#### DISCUSSION OF POLICY REGARDING CELLULAR TOWERS

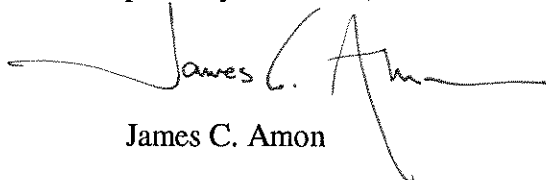
The Commissioners agreed to postpone a discussion of cellular towers until a future meeting. Mr. Ten Broek, however, announced that two towers, in Griggstown and East Millstone, were being proposed, and hoped that the Commission would oppose their installation.

#### OLD BUSINESS

Mr. Amon updated the Commissioners on the recent path projects that were being implemented by the New Jersey Department of Transportation. The Commissioners agreed that Commissioner Weinstein should be notified that the Commission has received many compliments from the public about the new path projects, and that the Department is to be congratulated.

The Commission adjourned at 3:30 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon". The signature is fluid and cursive, with a long horizontal stroke extending to the left and a vertical stroke extending downwards to the right.

James C. Amon



MINUTES OF THE SPECIAL MEETING OF AUGUST 6, 1999

TIME: 10:10 A.M. - 10:50 A.M.  
DATE: Friday, August 6, 1999  
PLACE: D&R Canal State Park at Easton Ave. and DeMott Lane  
Franklin Township, New Jersey

DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Herzog and Pauley; Ms. Armstrong, Ms. Goodspeed and Mrs. Nash  
STAFF: Mr. Amon and Ms. Holms  
GUESTS: Robert Mettler, Franklin Twp. Historic Preservation Commission  
Tom Gale, Franklin Twp. Historic Preservation Commission  
Jeffrey R. Betz, ESP Associates  
Greg Valesi, ESP Associates  
David Brook, Franklin Twp. Environmental Commission  
Jonathan Litt, Castle Senior Living  
Rick Goeke, Franklin Twp. Historic Preservation Commission  
Lou Dima  
S. Delgado, Princeton Public AG  
Michael Gianotto, Franklin Twp. Planning Board  
Penny Sherwood, Franklin Twp. Historic Preservation Commission  
Alex Kusma, Mayor, Franklin Twp.  
Harry Weber  
Marilee Herzog  
Chris Stelatella, Jr., Franklin Twp. Shade Tree Commission  
Joanne Kaiser, Meadows Foundation

Mrs. Nash opened the meeting and announced that this was a special meeting of the D&R Canal Commission scheduled to view the site of a prospective development project in Franklin Township, and that all provisions of the Open Public Meeting Law of 1976 had been met.

Mr. Valesi described the project, noting that the distance between the Canal Park and the proposed building would be 1,038 feet. He said that five helium balloons were placed at the



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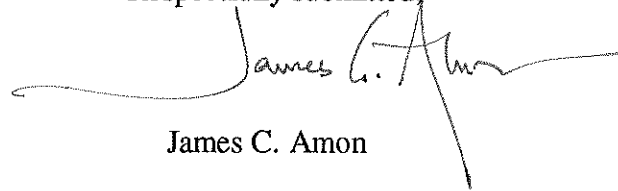
building site, representing corners of the building site, and that elevations had been determined so that the tops of the balloons represented the top of the building (52 feet high). Two balloons were visible. He said that none of the trees representing the top of the canopy would be removed.

Mr. Valesi was asked if the front building could be switched with the less imposing building proposed for the rear; he replied that because of the slope, the rear building would be just as imposing or more so than the front one.

Ms. Goodspeed asked whether more trees could be planted in the area that is proposed to be graded. Mr. Valesi said that could be done. Mrs. Nash asked why the building could not be reduced to four stories and expand its footprint instead. Mr. Valesi responded that more clearing would be necessary, plus steeper slopes and more retaining walls would be required.

The meeting adjourned at 10:50 A.M.

Respectfully submitted,

A handwritten signature in black ink that reads "James C. Amon". The signature is written in a cursive style with a long horizontal stroke extending to the left and a vertical stroke extending downwards to the right.

James C. Amon