

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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James C. Amon

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Robert C. Shinn, Jr.
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

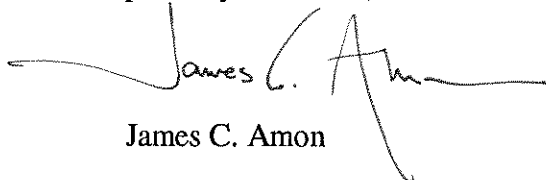
The Commissioners agreed to postpone a discussion of cellular towers until a future meeting. Mr. Ten Broek, however, announced that two towers, in Griggstown and East Millstone, were being proposed, and hoped that the Commission would oppose their installation.

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 written in a cursive style with a long horizontal line extending to the right.

James C. Amon