



DELAWARE AND RARITAN  
CANAL COMMISSION

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James C. Amon

MINUTES OF THE MEETING OF MAY 16, 2001

TIME: 12:45 P.M. – 4:00 P.M.  
DATE: Wednesday, May 16, 2001  
PLACE: Plainsboro Municipal Building  
Plainsboro, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, and Pauley;  
Ms. Armstrong and Mrs. Nash  
STAFF: Mr. Amon and Ms. Holms  
Mr. Lewin Weyl, Deputy Attorney General  
GUESTS: see attached list

Mr. Jessen 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.

MAPLETON ROAD REALIGNMENT/WIDENING AND VILLAS AT TUSCANY

Mr. Amon described the proposed realignment and widening of Mapleton Road and discussed the Canal Commission's purview regarding the project. He said that the Commission had the authority to review and approve or deny the project with regard to its visual, drainage, stream corridor and traffic impact. He said that the proposed re-design of the intersection of Mapleton Road and Seminary Place would be 900 feet from the canal, making it an "A" Zone project. He said that the road surface will not be visible from the Canal Park, but that cars, signals, signs and perhaps guide rail would be visible from the Canal Park in winter. He said that runoff from the new intersection would be managed by a detention basin being built for the proposed Villas at Tuscany. He also said that approximately 600 square feet of the Millstone River stream corridor would be encroached upon by a new driveway for an existing house to be built as part of the project; however, the applicant is proposing to preserve 27 acres on this site. Of this total, 14-15 acres are outside of the stream corridor's boundaries.

With regard to traffic impact, Mr. Amon listed four standards that new or improved road applications must meet. Recreational access to the Park and use of the Park cannot be impeded, historic features of the Park cannot be adversely impacted, the Park's ecological character cannot be adversely impacted, and increased traffic will not have an adverse visual or noise

impact on the Park. He said that the portion of Mapleton Road north of the intersection was over 1,000 feet from the canal, and therefore well buffered by the land, trees and buildings. After studying traffic reports both from the applicant and from a consultant hired by those opposing the project, he concluded that it was not conclusive how the realignment would impact traffic use on Mapleton Road south of the intersection (the portion that is in the "A" Zone). He said that without evidence that there would be increased traffic as a result of the change to the intersection he recommended approving the project.

Mr. Amon then described the proposed residential development known as Villas at Tuscany. He said the project must comply with the Commission's Regulations for Visual, Drainage and Traffic Impacts. He said that the 18 buildings (220 units on 23.6 acres) would be located more than 950 feet from the canal (the Commission's minimum setback for this location is 250 feet), and that the tops of the buildings would not be seen over the tree canopy. He said that the Commission's engineer, Madu Guru, reviewed the stormwater management design and found it to be in conformance with the Regulations. The Regulations stipulate that should there be an adverse traffic impact, the Commission would then determine whether there were alternative planning techniques to direct traffic away from the Park. He said that directing traffic from the Villas directly onto Seminary Drive would be hazardous, and concluded that there were no feasible alternatives. He recommended approval of the project.

Mr. Knights, representing Princeton University, said that the University bought the property in 1986 and had originally intended to build 1,050 homes on it. Public pressure persuaded the University, however, to preserve 100 acres in exchange for retaining development rights east of Mapleton Road. He said Plainsboro Township approved the Villas at Tuscany in December, 2000, and that part of the approval was for 31 acres to be preserved. He said that the proposed intersection was moved further east to preserve more open space.

Mr. Letizia, representing the contract purchaser for Villas at Tuscany, said that he concurred with the Mr. Amon's recommendation that all criteria had been met to conform with the Commission's regulations.

Mr. Jessen then asked the public for their comments.

1. Charles Dietrich said that the proposed widening and re-alignment of Mapleton Road would increase traffic, and that the present stop sign limits traffic. He said that there would be more noise and pollution from increased truck volume. He also said that the road and cars on the road could be seen from the Canal Park. He said that the historic resources of the Canal Park include its surrounding environment, and that Mapleton Road is one of these historic resources.
2. Elaine Young said that the road changes will not improve the traffic problems in Kingston. She said that the increased congestion in Kingston would result in making access to the Canal Park more difficult. She asked how many parking places will be in the Villas at Tuscany development and was told that there would be 550.

3. John Hellings said that an increase of cars on Mapleton Road would result in more oil going into the canal, especially if they were stopped at the proposed traffic light.
4. Allan Ritchie said that the realignment of Mapleton Road would result in more traffic on the southern portion of the road, which is very close to the canal. He said the increased traffic would have an adverse ecological, visual and noise effect on the Park.
5. Susan Smiley spoke of a petition with over 600 signatures protesting the proposed development and road realignment. She said this area should be a park and referred to a traffic analysis prepared by Sam Schwartz that said the D&R Canal Park would likely be affected by the road realignment. She said there would be more trucks and higher vehicular speeds, and that the beauty and wildlife of the park would be diminished.
6. Dick Greene said that the massive nature of the dense development (eighteen buildings) is unlike anything that presently exists.
7. Charles Cochrane said that an updated traffic survey should be prepared, because there has been a great increase in traffic since 1998.
8. Elizabeth Hutter said that she had attended meetings where Princeton University representatives said they would drop development proposals between the canal and Mapleton Road.
9. Rita Ludlum spoke on behalf of the League of Women Voters and said that the Villas at Tuscany development falls short of the standards for wise land use. She urged the Canal Commission to review the proposed traffic and environmental impact from a regional perspective.
10. Corrington Hwang said that Kingston has been designated one of the 10 most endangered historic sites in New Jersey, and that small towns like Kingston are threatened with extinction. He said that Seminary Drive should be reconfigured so that a safe entrance to the Villas could be located there.
11. George Schindler said that the cumulative effect of small developments will have a degrading impact on the park and quality of life.
12. Mary Penney of the Sierra Club said that there is not enough information yet to make an informed decision on the proposed projects. She said more traffic data is needed, and that the Villas at Tuscany should be moved back beyond 1,000 feet from the Canal Park.
13. Jan ten Broeke said that the historic districts along the canal are part of the canal's character and should be preserved. He said that Mapleton Road could become part of the Millstone Scenic Byway system.
14. Anne Zeman, of the Joint Citizens Advisory Task Force for the Village of Kingston, said that this group endorses preserving a greenbelt around Kingston, and clustering new development on Route One. She said the Canal Commission is the only regional planning authority with the power to stop this project. She felt that if the projects are approved, the destruction of Mapleton Road is assured.
15. George Hawkins said that segmentation and cumulative impact are the main issues here. He asked the Commission whether the road intersection was part of an overall plan for improvements, and whether the Commission sought information from NJ DOT, as well as engineering departments of Middlesex and Mercer Counties to see how the project fits in with other future plans.

16. Liz Palius encouraged the Commission to delay their decision, and suggested that a retention basin would be better than a detention basin. She said that Mapleton Road should be closed, which would keep traffic away from the Canal Park.
17. Sandra Shapiro said that even at 1,000 feet, the proposed development would be imposing on the Canal Park and would take away from enjoyment of the park. She, too, felt that traffic would increase as a result of the intersection redesign and development.
18. Steve Pothier said that extensive development near the Canal Park would yield more pedestrians and cyclists using the Park, resulting in diminished wildlife.
19. Kathy Bagley of Friends of Princeton Open Space said that the historic context of the Canal Park is as important to the park's historic character as are the canal's structures themselves. She said Mapleton Road is an historic road, and that the road as it presently exists is self-limiting with regard to traffic and that changing the road would increase traffic.
20. Alan Godber said that the issues here were protecting Kingston and the D&R Canal Park. He said he didn't know how increased traffic could be avoided if the road were realigned. He said quality of life was important to people now as well as to future generations.
21. Sid Palius said that developers should be required to pay a development impact fee, and if they did, there would be less development.
22. Mike Kruimer of the Central Jersey Bicycle Club and East Coast Greenway Alliance said he distrusted the traffic numbers presented by the applicant's traffic consultant and felt that vehicles would drive faster as a result of the realignment. He said the Commission should deny the project applications.
23. Dorothy Renk said the canal should be preserved.
24. Chip Knutson said that the high density of the buildings at the Villas is what gives it a strong visual impact. He said that the project should be spread out over a larger area.
25. Richard Barrett, speaking for Jean Mahoney as well, referred to the State Plan, which cites the importance of the Canal Park. He said that the State Highway Access Code considers a 10% increase in traffic a significant impact. He also spoke of the detrimental effect on the environment of cumulative impacts.
26. Karen Linder said the Commission should oppose both the Villas at Tuscany and the road redesign because of increased runoff and noise. She said viewsheds would be destroyed, and that the traffic numbers cited were inadequate. She spoke of the Villas at Tuscany being only part of a much bigger development plan for the area.
27. Rosemary Blair said that this property is on the D&R Greenway's Master Plan as a priority for open space acquisition. She suggested making the Villas connection to Route One similar to the cul de sac at Princeton Landing. She said that the land proposed for development should be an arboretum.

Mr. Jessen opened the discussion to the Commissioners. Mrs. Nash felt that Mapleton Road should be left in its present condition, and that traffic should be directed to College Road instead.

The discussion was interrupted when it became known that there would no longer be a quorum after 4:00. The Commissioners decided to review and take action on the remaining review zone projects, and return to the Mapleton Road/Villas at Tuscany discussion afterward.

Mr. Amon presented four "A" Zone projects for review and approval:

01-1741B – Princeton Theological Seminary Charlotte Newcombe Center Addition – West Windsor Township  
00-2654 – Wellsford Parking Expansion – Franklin Township  
01-2677 - Head Start Headquarters Building – Trenton  
01-2738 – 460 Southard Street Building Addition – Trenton

Mr. Amon said that the first three were reviewed for their stormwater management design and were found to be in compliance with the Commission's Regulations. He said that the four "A" Zone projects would not create any adverse visual impacts on the Canal Park, and recommended approval. Mr. Herzog moved approval of the four "A" Zone projects; Ms. Armstrong seconded the motion, and it passed unanimously.

Mr. Amon then presented four "B" Zone projects:

01-2215C – Hopewell Valley Central High School Additions – Hopewell Township  
00-1758A – Compressor Station 205 Warehouse Addition – Lawrence Township  
01-2391D – Bristol Myers-Squibb Cafeteria Expansion – Lawrence Township  
00-2701 – Great Spring Water Warehouse – Franklin Township

Mr. Amon said that the applications had been reviewed by the Commission's engineers and were found to be in conformance with the Commission's Regulations for Storm Drainage and Water Quality. Mrs. Nash moved approval of the four "B" Zone applications; Mr. Herzog seconded the motion, and it passed unanimously.

Ms. Holms presented two requests for waiver from strict compliance of the Stream Corridor Regulation:

00-2689 – TC Northeast Metro Office/Warehouse – South Brunswick Township

Ms. Holms said that the applicant proposes to compensate for intrusion into the stream corridor with additional land adjacent to the corridor at a 1:1 ratio.

99-2547 – Ten Mile Run Development – Franklin Township

Ms. Holms said that the applicant also is proposing a 1:1 averaging of preserved land adjacent to the corridor in exchange for using part of the stream corridor for playing fields. She said that the applicant also requested using a small portion of the stream corridor as a staging area for the construction of a detention basin; after construction, the applicant has agreed to plant native-species trees for any that were removed as part of the construction. She recommended approval of both waiver requests. Mr. Herzog moved approving the waiver of strict compliance from the Stream Corridor Impact Regulation for the two projects as presented; Mrs. Nash seconded the motion and it passed unanimously.

#### MINUTES FROM THE RETREAT AND MEETING OF APRIL 16, 2001

Mrs. Nash moved approval of the minutes for both the retreat and public meeting held April 16, 2001. Ms. Armstrong seconded the motion and it passed unanimously.

Mr. Weyl announced that counsel representing applicants for the Mapleton Road realignment/widening and Villas at Tuscany consented to adjournment to the next regularly scheduled Commission meeting. Mr. Letizia concurred with Mr. Weyl. Mr. Weyl said that written comments from the public regarding the two applications could be submitted up to nine days before the next regularly scheduled meeting.

Mrs. Nash moved the following resolution:

In order for an application to be placed on a meeting agenda, all submission requirements must be received, reviewed and determined to be complete by Commission staff by the end of the fourth business day before the day of the Commission meeting.

Mr. Herzog seconded the motion and it passed unanimously.

The meeting adjourned at 4:00 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