



DELAWARE AND RARITAN  
CANAL COMMISSION

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Robert C. Shinn, Jr.

EXECUTIVE DIRECTOR  
James C. Amon

MINUTES OF THE MEETING OF JUNE 20, 2001

TIME: 12:05 P.M. – 3:20 P.M.  
DATE: Wednesday, June 20, 2001  
PLACE: Prallsville Grist Mill  
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Marshall, Pauley and  
Torpey; Ms. Armstrong and Mrs. Nash  
STAFF: Mr. Amon and Ms. Holms  
Mr. Deborah Gnatt, Deputy Attorney General  
GUESTS:

Audrey Johnson, Friends of Sayre Drive  
Chris Altomari, Stony Brook-Millstone Watershed Assoc.  
David Knights, Princeton Forrestal  
Neil Acevedo, Princeton Forrestal  
Richard Orth, Orth Rodgers Assoc.  
Louise Kinsky, Fieldstone Assoc.  
Tom Letizia, Esq., Pepper Hamilton LLP  
Chris Baker, McCarthy and Schatzman, PA  
Allan Ritchie, Friends of Sayre Drive  
Susan Smiley, Friends of Sayre Drive  
Ernie Johnson, Friends of Sayre Drive  
Karl Eisenman, Kingston Resident  
Susan Herron, D&R Canal State Park  
Peter Doviak, Kingston Resident  
Lucille Doviak, Kingston Initiative  
Linda Barth, Canal Society of New Jersey  
Barbara Ross, D&R Canal Watch  
Shirley Eberle, Franklin Township Deputy Mayor  
Filomena Russo, Kingston Garden Club  
Donna Clayton Lawder, Kingston Resident  
Anne M. Zeman, Joint Citizen Adv. Task Force for Kingston  
Corrington Hwong, Kingston Historical Society  
Cirl Leedom, South Brunswick Twp. Historian  
Rebecca Williams, D&R Canal State Park  
Lauren O'Neil, Kingston Initiative  
Sheila Goeke, Kingston Resident  
Richard Barrett, D&R Canal Coalition  
Sandra Shapiro, W. Windsor Resident  
Penelope Seambly Schott, Griggstown Historical Society  
Carolyn Foote Edelman, Princeton Resident  
Jan ten Broeke, Millstone Valley Preservation Coalition  
Barbara ten Broeke, Millstone Valley Preservation Coalition  
Janet Bleck, Mapleton Road homeowner  
Sarah Hollister, STOP  
Lincoln Hollister

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Donald T. Di Francesco, *Acting Governor*

Robert C. Shinn, Jr., *Commissioner, Dept. Environmental Protection*

Jean Mahoney, Millstone Bypass Alert & STOP  
 William Cerynik, State Parks Central Region  
 Ted Thomas, Friends of Princeton Open Space  
 Robert von Zumbusch  
 Charles Alden  
 Pauline Alden  
 David Campbell, Princeton Packet  
 Elizabeth Ranney, Kingston Resident  
 Pam Hersh  
 Tracy Carluccio  
 Nick D'Amore  
 Joe Shepherd, NJ WSA  
 Jennifer Jaroski, Tri-State Transportation Campaign  
 Ken Bogen  
 M. Smith  
 R. Smith

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 moved approval of the minutes of the meetings of May 16, 2001; Mr. Herzog seconded the motion. Messrs. Herzog, Pauley, Torpey, Mrs. Nash and Ms. Armstrong voted in favor of the motion; Mr. Marshall abstained. The motion passed.

#### MAPLETON ROAD REALIGNMENT/WIDENING AND VILLAS AT TUSCANY

Mr. Amon reviewed the input by the public regarding the two Plainsboro applications, saying that there had been two hours of public testimony and that copies of each of the 40 letters received by the Commission had been sent to each member of the Commission. He gave an overview of the Commission's regulatory authority and limitations. After reviewing the applications, he concluded that both would be in conformance with the Commission's regulations, provided that several conditions were met. For the Mapleton Road Realignment/Widening, he recommended that 1) both right turn lanes on the proposed new road intersection be eliminated, and that steel-backed wood guide rail be used; 2) curbing and lighting design must be approved by the Commission's Executive Director, 3) dense plantings, locations and species to be approved by Mr. Amon, are to be installed to establish a "gateway effect at the entrance to the southern portion of Mapleton Road, 4) the location of the path be approved by the Commission's Executive Director, Plainsboro and the applicant; Plainsboro and South Brunswick Townships place 4-ton load limits on Mapleton Road and Seminary Drive; 5) Plainsboro and South Brunswick Townships place 4-ton load limits on Mapleton Road and Seminary Drive; 6) the Commission's Executive Director work with South Brunswick Township to develop landscaping methods of "calming" traffic on the northern portion of Mapleton Road; and 7) the Executive Director will work on an on-going basis with Princeton Forrester Center to assure the development of the 3 million square feet of non-residential space

on Princeton Nursery land is designed in a manner that minimizes traffic on Mapleton Road. Mr. Amon then said that in his opinion the application known as Villas at Tuscany was in compliance with the Commission's Regulations, and recommended approval. He then returned his discussion back to the intersection application, saying that he also recommended that strict compliance with the stream corridor impact regulation be waived, so that a driveway to an existing house could be re-located, resulting in 600 square feet of encroachment into the corridor. He said that the applicant is proposing to preserve over 30 acres of land adjacent to the Canal Park.

Mr. Torpey opened discussion of the projects by inviting comments from the applicants. Messrs. Baker and Letizia said that they were in agreement with with Mr. Amon's recommendations.

Mr. Torpey then asked others for their comments. Mr. von Zumbusch said that if the intersection can be reduced, then it is also able to be eliminated. He said that the continuity of historic roads should be preserved, in keeping with the State Plan. Mr. Olden said that these projects would generate more traffic. Ms. Edelmann said she was disappointed in Princeton University's lack of fiduciary responsibility. Mr. Ritchie said he appreciated Mr. Amon's recommendation to reduce the number of lanes for the proposed intersection, but that the proposal should be rejected altogether, and a new entrance for the Villas at Tuscany should be designed for Seminary Drive. Ms. Schott said that the proposals would cause traffic to increase. Mr. Hwang said that the landscaping proposal was a minimal effort at mitigating the proposed intersection, and that the Commission should require that all traffic be directed to the proposed loop road and Route One. Ms. Barth asked what the speed limit would be. Mr. Amon replied that Mapleton Road presently has a speed limit of 45 mph, and that it would be reduced to 35 mph, 25 mph at the intersection. Mr. Hollister asked why a map showing the canal wasn't used for the presentation, as well as a cross section showing the potential visibility of the buildings (Villas at Tuscany) from the Canal Park. Ms. Mahoney said that these proposals will impact other areas, and that narrowing the intersection was merely a bandaid and would not be permanent. Mr. ten Broek said that the University should find a donor to create an arboretum at this location. Ms. Zeman pointed out that while the ratables go to Plainsboro, the traffic goes to Kingston. She advocated re-designing the Villas access onto Seminary Drive. Ms. Eberle, mentioned the recent Franklin Township resolution which recommended denying approval of these projects. Ms. O'Neill said that police have clocked car speeds on Laurel Avenue in Kingston at 90 mph. Mr. Barrett said that the overall goals of the regulations included protecting the park's historic character, which was derived from the context of its setting. He said that the intersection improvements were not necessary for the Villas at Tuscany. Ms. Smiley commented on the extent of traffic backup that would be generated by these proposals and urged the Commission to re-consider the approval of the Mapleton Road re-design. Ms. Ranney said that the Commission should be about protecting the Canal Park against this very type of development. Ms. Hollister said she was leery of relying on traffic experts or handbooks.

Mr. Torpey then opened the discussion to the Commissioners. Ms. Armstrong asked the applicant to comment on the overall purpose of the new intersection. Mr. Knights replied that since 1989 a regional planning group had recommended traffic improvements for the region and that this was part of a 20-year Master Plan. Mrs. Nash felt that the access drive to the Villas at

Tuscany could be re-routed to Seminary Drive. She said that Mapleton Road was eligible to be a scenic byway, as part of the initiative known as "Crossroads of the American Revolution." She asked Mr. Knights whether the general development plan for this area had been approved by Plainsboro, and if it had ever been presented to the Canal Commission. Mr. Knights said yes to both questions. She also asked whether the proposed Route 92 could help alleviate traffic in this area. Mrs. Nash concluded her remarks by saying that she was not in favor of a signal or changing the intersection, and that the Villas at Tuscany should move their proposed access drive to Seminary Drive. She also advocated a 3-way stop at the present intersection, and installation of rumble strips on both Mapleton Road and Seminary Drive.

Mr. Pauley also liked the idea of a 3-way stop. Mr. Torpey quoted from a letter from Robert von Zumbusch to the Commissioners, which stated that Princeton University's responsibilities included forging a new vision for this region, worthy of a great institution, that would be coordinated with the State Plan.

Ms. Armstrong said that the Commission would not be able to regulate beyond its scope, and that citizens opposed to development should get more involved in local planning. She felt that, with regard to the intersection, a "no-build" alternative could be feasible.

Mr. Herzog asked the applicant about the motivation to spend the funds on the proposed intersection. Mr. Knights responded that both Princeton University and Plainsboro Township have been looking at the long view of this region for a long time, and that the eventual build-out of Forrestal Center will require improved infrastructure.

Mr. Amon reiterated to the Commissioners that they needed to review the proposals in light of whether they were in compliance with the regulations.

Mrs. Nash moved denying the Mapleton Road Realignment/Widening, suggesting that the applicant consider the following: that there be no change to the intersection, no traffic signal, have it be a 3-way stop, and install five rumble strips on Mapleton Road north and south of the intersection, and on Seminary Drive. She also moved approving the Villas at Tuscany with the condition that the access road be moved to Seminary Drive.

A discussion ensued about the wording of the motion. Mr. Baker asked how the Commission could deny an application when the Executive Director said it complied with its regulations. Mrs. Nash replied that she was not just denying the application but making suggestions as to how it could be accepted by the Commission. Mr. Marshall moved entering closed session; Mr. Herzog seconded the motion and the motion passed unanimously. The Commission entered closed session at 2:10 PM. Mr. Herzog then moved resuming the public meeting; Ms. Armstrong seconded the motion and it passed unanimously. The public meeting resumed at 2:40 PM.

Ms. Armstrong made the following motions: 1) approve the Villas at Tuscany conditioned upon providing an alternate access road onto Seminary Drive, and 2) deny the Mapleton Road Realignment and Widening without prejudice, with the suggestion that the applicant return to the

Commission to discuss impacts and possible alternatives. Mrs. Nash seconded the motions. Messrs. Herzog, Pauley, Torpey, Mrs. Nash and Ms. Armstrong voted in favor of the motions. Mr. Marshall abstained. The motions passed.

#### LEASES AND PERMITS

Mr. Amon presented a permit application from PSE&G to excavate a driveway and install a culvert in the abandoned section of the canal, as part of a wetlands mitigation required for the proposed light rail route. Mr. Marshall moved approval of the permit, Mrs. Nash seconded the motion and it passed unanimously.

Mr. Herzog left the meeting at 2:50 PM.

#### REVIEW ZONE ACTIONS

Mr. Amon presented the following "A" Zone applications for review and approval:

- 01-2749 – Duchai Residence Additions – Franklin Township, Somerset County
- 01-2741 – Armstrong Residence Porch Repair – Lambertville
- 01-2758 – Kleiber Residence Additions – Franklin Township, Somerset County
- 01-2337G – Canal Walk Pumping Station #1 – Franklin Township, Somerset County

Mr. Amon said that none of the projects would have a harmful visual impact on the Canal Park and recommended approval. He said that there would not be a quorum to vote on the Armstrong Residence Porch Repair (Ms. Armstrong would not vote), therefore the application would be approved automatically because it will have exceeded the 45-day period in which it was declared complete. Ms. Armstrong moved approval of the remaining three "A" Zone applications; Mr. Pauley seconded the motion and it passed unanimously.

Mr. Amon then presented the following "B" Zone applications for review and approval:

- 00-2647 – Coventry Chase – Hillsborough Township
- 00-2659 – Nissei America Warehouse – Franklin Township, Somerset County
- 01-2723 – Pennington Shopping Center Expansion – Hopewell Township
- 00-2700 – Jasna Polana Estates – Lawrence Township
- 97-2326 – Fountain Plaza Phase II – Hillsborough Township
- 99-2586 – Faraci Subdivision – North Brunswick Township
- 01-2744 – Hopewell Township New Elementary School – Hopewell Township
- 00-2701 – Mary, Mother of God Church – Hillsborough Township
- 01-2215D – Hopewell Valley High School Additions
- 99-2550 – Comfort Inn – Franklin Township, Somerset County
- 93-2084 – The Estates at Country Classics – Hillsborough Township
- 01-2687A – I-95 & Scotch Road Improvements (Revision)
- 00-2696 – Applegate Subdivision – Cranbury Township

Mr. Amon said that the applications were in conformance with the regulations for storm drainage and water quality impact. With regard to the I-95 & Scotch Road Improvements project, Ms. Holms said that the Commission approved the project in April with the condition that a wetlands mitigation site proposed by the applicant be preserved in exchange for encroachment into the stream corridor. She said that because this site was bought by Hopewell Township through Green Acres funds it may not be permitted to be used as a wetlands mitigation site. Ms. Holms recommended the Commission approve the project, conditioned upon preservation of a site as mitigation for encroachment into the corridor deemed suitable by Commission staff, allowing a one-year extension to satisfy this condition so that roadwork may begin. Mrs. Nash moved approval of the "B" Zone applications, Ms. Armstrong seconded the motion and it passed without dissent.

#### CANAL PARK SUPERINTEDENT'S REPORT

Ms. Herron reported that Rockingham has been scheduled to be moved on July 10<sup>th</sup>. She said that the interpretive program attendance is continuing to grow, and that a fishing derby will be held at Washington Crossing on July 23<sup>rd</sup>. She also said that as part of the interpretive program, Fish and Wildlife will donate a black bear, beaver, and otter, which will be mounted by a taxidermist, also as a donation.

#### WATER SUPPLY AUTHORITY REPORT

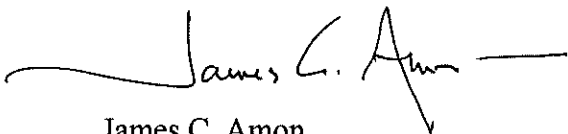
Mr. Shepherd reported that the Griggstown Spillway reconstruction was almost complete, that the contract for new instrumentation was underway, and that the left bank of the canal at Bull's Island was being dredged.

#### PUBLIC FORUM

Mr. von Zumbusch reiterated the need to plan regionally—he said that River Road and Canal Road should be a part of the canal corridor as defined in the State Plan.

The meeting adjourned at 3:20 PM.

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 line extending to the right.

James C. Amon