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May 29, 2019

Via email only hmauro@mercercounty.org

Board of Trustees
Mercer County Park Commission
c/o Heather Mauro
Executive Secretary
Administrative Office
197 Blackwell Road
Pennington, NJ, 08534

Re: Dam Site 21

Dear Members of the Board of Trustees:

This letter is regarding my grave concerns of the proposed development of Dam Site 21 (the "Site") and the public process in connection therewith. My wife and family have resided at 3 Ernies Court, Hamilton New Jersey 08690, which is located along the northerly side of the Site, for the last twenty (24) years. During that time my spouse has been an active member of the Rutgers Master Gardeners of Mercer County, we acquired an additional one and one half acre parcel to the north for conservation purposes, have conducted regular cleanups of the Site, consider ourselves good stewards of the Site and utilize all of the county parks. Accordingly, I trust that this letter will not be perceived as a not in my backyard ("NIMBY") letter, but rather as constructive criticism with a massive measure of common sense added.

I attended the focus group meetings on February 19 and 26, 2019 as well as the public meeting on March 7, 2019. As you know, the meetings were lead by Mr. Peter Simone of Simone Collins Architecture (the "Architect"). The Architect set forth as his underlying premise that the site is unique, was only going to be used for "passive recreation" that required a "soft touch" a "light hand". Regardless, the dynamic at the meetings was strained at best and although Mr. Collins continually repeated that the Site was only to be used for passive recreation, and that nothing was preordained, it was obvious that he had clearly been given direction to develop the Site. For

SPADACCINI

Board of Trustees
Mercer County Park Commission
c/o Heather Mauro
Executive Secretary
Administrative Office

example as the audiences repeatedly asked for the impetus and need to develop the site, a question he would not answer, he continually forced the narrative along the lines of, and I am paraphrasing, but if it had to be developed what would you want to see there, etc. Despite what the online survey indicates the responses during the public meetings were abundantly clear, make use of the site as is, with maintenance to the existing features and trail system without damaging same, connect it to Mercer County Park (the "Park") which is less than one mile away, and if any improvements are required be respectful of the neighbors and the wildlife inhabitants.

For those of you that are not thoroughly familiar with the Site, it is currently utilized for very passive recreation such as fishing, kayaking and walking of the existing trails, as well as sledding, all of which have virtually minimal effect on the neighbors surrounding the site. There is one parking lot on Hughes Drive that is very well buffered, does not impact neighbors and is able to support the Site on its busiest days which are generally the day after a snowstorm for sledding. From the aforesaid meetings it was clear that those in attendance desired and expected nothing more than a cleanup of the existing core trails, and additional access and parking, if even necessary, located at the vocational school and not much else.

Unfortunately I was unable to attend the May 9, 2019 public meeting. Upon reading the "Dam Site 21 Master Site Plan-Mercer County" (the "Site Plan") report the next day, I was appalled and in utter disbelief, and it became abundantly clear that although public hearings are being conducted they seem disingenuous at best, and a feigned attempt at transparency to cover up what appears to be the foregone conclusion of someone's agenda of active recreation and development of the Site. In fact upon reading the Site Plan *after* the aforesaid May 9, 2019 public meeting, one of the members of your own Community Advisory Committee stated, "Quite ambitious, not a passive park anymore." Did the Community Advisory Committee even have input to the Site Plan?

If the Architect actually listened to the public comments, it would be impossible to come up with the ideas and designs that are set forth in the Site Plan, if for no other reason than the Site Plan is not at all respectful of neighbors. Is a canopy tree walk that will provide an excellent view of residences six months of the year, along with two new parking lots, a maintenance area, restrooms and a ranger station that are all shoehorned into an approximately ten (10) acre area along Hughes drive respectful to neighbors? I believe all the county parks are closed dusk to dawn, so is a group camping area at the Site being respectful to neighbors? Is a proposed swimming area that will change the nature of the lake respectful to the neighbors and fisherman, etc? Is the noise that will be generated from all of the activity respectful of neighbors?

By way of example Mercer Meadows is considered passive recreation and as per the County Park Commission website has 10.4 miles of walking trails spread over 1600 acres or 0.0065 per acre. This Site currently has approximately 3 miles of trails, but the proposal is for 7.7 miles over 278 acres (at page 31 of the Plan) or 0.0285 per acre. If you use the same ratio as Mercer Meadows

SPADACCINI

Board of Trustees
Mercer County Park Commission
c/o Heather Mauro
Executive Secretary
Administrative Office

(0.0065) the Site should have no more than 1.755 miles of trails. If both Mercer Meadows and the Site are considered passive recreation shouldn't the trails be at least somewhat proportional, rather than the Site having 4.38 times the number of trails per acre than Mercer Meadows? How is this being respectful of neighbors? If I remember correctly, when the development of Mercer Meadows was being contemplated it was a much longer process with much more input from the immediate residents and the entire community, which resulted in a very passive 1600 acre site. Why is this Site and its neighbors not being shown the same common courtesy and respect?

The Plan (at page 65) for the first time also revealed that the Site is not the three hundred seventy (370) acres it was purported to be, but rather only two hundred seventy eight (278) acres, which is approximately thirty (30%) percent less than initially presumed. This is important to note because the site simply does not have the area to provide buffering to neighbors that the Park or Mercer Meadows is able to provide. Did this discovery slow down, or even give pause for reevaluation of the already over programmed Site Plan?

As set forth above, it has been a forced storyline and the clear question that has been repeatedly ignored is: what or who is the impetus, and where is the need for the proposed Site development, considering the fact that the two thousand six hundred (2600) acre Park is less than one mile from the Site? The Site Plan does not appear to consider that obvious fact and is without a doubt treating the Site as if it is a standalone location. Further, all of the planned development and each and every one of the proposed activities at the Site can easily be located at the Park with its already existing infrastructure and extensive buffering, without any impact on existing neighbors, roadways and unique features of the Site.

As constantly acknowledged by the Architect, the Site is unique and what makes it unique is that it is for the most part undisturbed. If the attraction is the uniqueness of the site simple access by way of the existing walking trails will suffice, but if the attraction is the development of the site (Canopy tree walk, camping area, swimming area), they can all be located at the Park which can easily support all of the uses with no impact to neighbors. As also repeatedly stated by the Architect in addition to being mindful of neighbors it would not be much of an experience if the visitors were looking at homes. Despite the obvious observations, the Architect has done the exact opposite and proposed a development that will change the character of the Site, no longer making it unique and at the same time being disrespectful of the neighbors.

As previously stated, the Architect did not answer many if any of the public's questions, but repeatedly steered the predetermined narrative. As a result, I kindly request that you consider the following questions and thoughts (some of which have already been set forth above, but bear repeating), which are in no particular order, and keep in mind that common sense should be exercised in doing so.

SPADACCINI

Board of Trustees
Mercer County Park Commission
c/o Heather Mauro
Executive Secretary
Administrative Office

- What is the impetus for the development of the Site?
- Are residents demanding the development of the Site?
- Is the public being underserved by the current County Park facilities?
- Who does the Park Commission report to, County Freeholders, etc?
- How is the Park Commission funded?
- How is the development of the Site going to be funded?
- Why hasn't the Park Commission been at the forefront in leading the discussions with the public rather than Mr. Simone?
- Why are no neighbors of the Site members of the Community Advisory Committee?
- Did the Community Advisory Committee even have input to the Site Plan, or review before unveiling?
- Have deeds, covenants and restrictions for all parcels making up the Site been made available in order to confirm that the proposed uses are permitted?
- Is it necessary to file an OPRA request for deeds, covenants and restrictions for all parcels making up the Site or will they be provided?
- Who is defining passive recreation?
- Regardless of who is defining passive recreation, the Plan is clearly a development plan and not a passive recreation plan.
- Does the Site actually remain unique if the proposed development comes to fruition?
- Preservation of open space is very important to the State of NJ as set forth in the purposes of the Municipal Land Use Law, accordingly, why can't it simply remain open space?
- Why can't the Site simply be connected to the Park, provide additional parking at the vocational school which does not impose on any neighbors and improve the core trails that already exist?
- Why can't the improvements such as the canopy tree walk, group camping area, swimming area, maintenance area, ranger station, etc. be located at the 2600-acre Park were there would be no detriment to neighbors?
- None of the proposals to the Site are unique to the site, they can all be developed at the Park which has more than ample room with its 2600 acres, and is less than a mile away without any detriment to neighbors.
- The Park already has all infra-structure in place, roads, parking lots, etc., why not locate the canopy tree walk, group camping area, swimming area improvements, maintenance area, ranger station, etc. at the Park so as to obviate the need for additional parking lots and other improvements at the Site.
- Is the proposed Ranger station on Hughes Drive an auxiliary site?
- If the proposed Ranger station on Hughes Drive is an auxiliary site why is it even necessary for a 278 site with the Park and existing Ranger Station less than one mile away?

SPADACCINI

Board of Trustees
Mercer County Park Commission
c/o Heather Mauro
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- Does the 1600 acre Mercer Meadows require a Ranger station?
- If the proposed Ranger station on Hughes Drive is to be the headquarters, why would you move it out of the Park?
- If the Site remains passive there is no need for a ranger station with parking lot.
- If the Site remains passive there is no need for a new parking lot at the Soil Conservation District.
- If the Site remains passive the need for the new parking lots is removed which eliminates the traffic concerns on Hughes Drive.
- Are you aware that Hughes drive is a residential zoning district?
- Isn't the proposed ranger station, parking lots, maintenance facility, restrooms etc, nothing more than commercial development in a residential zoning district?
- Although the county is not subject to local zoning ordinances, it doesn't make the commercial development in a residential zone right, does it?
- There is a fully signalized traffic light at the County College and vocational school entrances on Old Trenton Road with no impact to residences, why wouldn't all ingress, egress, parking and development take place at that location?
- Why is the proposed allegedly passive recreation at the Site so much more intense than the 1600-acre Mercer Meadows?
- Did you know that the proposed Site consisting of 278 acres is only 17% the size of the 1600 acre Mercer Meadows?
- Did you know that as per the County Park Commission website Mercer Meadows is considered passive recreation and contains 10.4 miles of walking trails spread over 1600 acres or 0.0065 per acre?
- Did you know that the Site currently has approximately 3 miles of trails, but the proposal is for 7.7 miles over 278 acres (page 31 of the plan) or 0.0285 per acre?
- Did you know that if you use the same ratio as Mercer Meadows (0.0065 per acre) the Site should have no more than 1.755 miles of total trails?
- Did you know the Site will have 4.38 times the number of trails per acre than Mercer Meadows, yet both are somehow considered passive recreation?
- The 278 acres site will have 5 vehicular access points, (Soil Conservation, Ranger Station, Vocational School and two at Line Road) whereas the Park which consists of 2600 acres only has 4 access points.
- Canopy tree walk can be developed at Mercer County Park with no detriment to any neighbors, whereas the proposed tree walk at Dam Site 21 will directly impact neighbors.
- How does the fact that the canopy tree walk will look out onto residences six months of the year make for a good user experience?
- There should not be any improvements that impact any residences, in light of the fact that same can be completed at the Park and not impact a single resident.

SPADACCINI

Board of Trustees
Mercer County Park Commission
c/o Heather Mauro
Executive Secretary
Administrative Office

- There should not be any access points that impact residents.
- Most of the proposed improvements to the Site are unnecessary and already exist at a site less than one mile away.
- Was the proposed location of the ranger station on Hughes Drive acquired for that purpose?
- The proposed plans for the Hughes Drive and Soil Conservation area are nothing more than development with two proposed parking areas, ranger station, maintenance area, restrooms and a canopy tree walk that are all squeezed into an area consisting of approximately 10-15 acres and that will directly impact residents. Why can't these improvements, if even necessary, be located at the Vocational School with no impact on neighbors?
- Mercer County Park is 2600 acres and has all necessary infrastructure in place to support all the proposed new uses.
- If you build the proposed improvements at the Park you alleviate any and all of the traffic issues at the site.
- If you build the proposed improvements at the Park you save the cost of building infrastructure at the Site.
- Does the County really have the extra money to build unnecessary infrastructure and improvements?
- If you build the proposed improvements at the Park there are no impacts to residents.
- Spend the funds to repair and maintain the Park before spending additional monies to develop the Site.
- If the county has the money for this, they should fix the existing main park facilities, paths, etc.
- Why impact residences if it is unnecessary?
- Isn't it a waste of taxpayer funds to build new infrastructure that already exists less than one mile away, duplication of services, etc?
- Wouldn't it be a better use of taxpayer funds to simply connect the Site to the park?
- Every municipal planning and zoning board in the State of NJ is concerned about the impact development has on adjacent properties, specifically residential neighbors, yet the County has apparently not considered the neighbors when you look at the Site Plan.
- Why is most intense part of the development taking place nearest to existing residences?
- The proposed parking lot at the current soil conservation building makes no sense, and is typical of the plan design and lack of consideration of adjoining property owners.
- Why would you eliminate the existing buffered parking at the sledding hill (the most utilized feature at the Site), when it is the most convenient location for families with young children and sledding gear?

SPADACCINI

Board of Trustees
Mercer County Park Commission
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Executive Secretary
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- The noise from all the proposed programming will change the nature/uniqueness of the site by ousting the various wildlife inhabitants?
- The size of the site is 278 acres prohibits adequate buffering to neighbors.
- Why have the Site's neighbors not been provided the same common courtesy as was provided during the development of the very passive Mercer Meadows Park?

There really are no answers, and certainly no good answers to the questions. The bottom line is that the two thousand six hundred (2600) acre Park, located less than one mile from this location, with all of its existing infrastructure, buffering etc., can easily accommodate all of the proposed development and programming without any impact on existing neighbors, and avert the need for unnecessary development at Dam Site 21 and disturbance of its wildlife inhabitants. Not to speak of the additional and needless cost to build and maintain new senseless infrastructure that already exists at the Park.

The simplest and most prudent way to enjoy the unique characteristics of the Site is in its current form. All that is needed which also happens to be the most economical, is a "soft touch", "light hand", perhaps a connection from the Park to the Site and improvements to the already existing Core walking trails, which can all be accomplished while being respectful of the Site's neighbors.

Some of you may wonder why I am so troubled by the process. One of the reasons is that near the end of the first focus group when it became uncomfortable for representatives to attempt to provide answers to very basic questions such as those above, Mr. Joseph Pizza, Deputy Director of the Mercer County Park Commission had the audacity and arrogance to say, "it's the county's land and we can do what we want with it". The last time I checked I am fairly certain that it is still a "...**government of the people, by the people, for the people....**" Abraham Lincoln.

For all of the obvious reasons contained herein it should be apparent to anyone with a trained or untrained eye, that the Plan as currently presented is illogical, fiscally irresponsible, unjustifiable and insulting to every resident and taxpayer.

In furtherance hereof I trust that this letter will result in open, honest and fruitful discussions between the Park Commission and the residents for a true collaboration, rather than the charade that it has been to date. If in fact there is a genuine interest in actual cooperation, I am more than willing to engage a landscape architect to assist with the process and have already contacted such person who also happens to be a neighbor and habitual user of the Site.

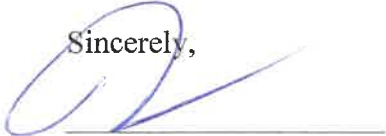
I plan on attending the Mercer County Park Commissioners meeting at 5:30 p.m. on Wednesday May 29, 2019 and kindly request that I be given an opportunity to be heard in order that the

SPADACCINI

Board of Trustees
Mercer County Park Commission
c/o Heather Mauro
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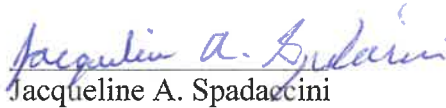
Commission commences a sincere dialogue with the public regarding use of the Site for passive recreation that will be mindful of its neighbors.

Sincerely,



Dino Spadaccini

Sincerely,



Jacqueline A. Spadaccini

cc: Hamilton Township Mayor and Council:
Hon. Kelly A. Yaede, *via email:* mayor@hamiltonnj.com
Council President Jeffrey Martin, *via email:* jmartin@hamiltonnj.com
Council Vice-President Richard Tighe, *via email:* rtighe@hamiltonnj.com
Councilman Anthony Carabelli, Jr., *via email:* acarabelli@hamiltonnj.com
Councilwoman Ileana Schirmer, *via email:* ISchirmer@HamiltonNJ.com
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