



MINUTES OF THE SPECIAL MEETING OF THE DELAWARE AND RARITAN CANAL
COMMISSION HELD ON TUESDAY, 31 JULY 1979

TIME: 12:00 noon to 3:30 p.m.
PLACE: The Brook Hollow Farm
RT. 604
Sergeantsville, New Jersey
DATE: Tuesday, 31 July 1979

ATTENDING:

COMMISSIONERS: Messrs. Kirkland, Jessen, Jones, McManus, Graham,
Hamilton and Sayen

STAFF: Mr. Amon, Ms. Mahoney

DAG: Mr. Gray

GUESTS: Mr. Larry Schmidt, Office of Historic Preservation

Mr. Kirkland called the meeting to order and stated that the requirements for the Open Public Meeting Law had been properly met for the special meeting of 31 July 1979. The meeting was held to discuss the regulations for the review zone and disposition of surplus rails of the Belvedere-Delaware Railroad.

REVIEW ZONE REGULATIONS

Mr. Kirkland read from the minutes of the 17 July meeting concerning the review zone regulations and from the memos from Mr. McManus stating DEP's recommendations for the review zone.

The Commissioners discussed procedures that would be followed for a proposal in the A Zone and stressed the importance of a pre-application conference. It was agreed that much time and money can be saved by the developer by requesting a pre-application conference to discuss proposed plans and understand the requirements of the Commission set forth in the review zone regulations.

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EXECUTIVE COMMISSIONERS
DIRECTOR Benjamin B. Kirkland Martin D. Jessen Donald B. Jones Daniel J. O'Hern Joseph H. Burns James C. Sayen
James C. Amon Chairman Vice-Chairman Treasurer Bruce A. Hamilton Arthur J. Holland Frank J. Torpey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mr. Graham suggested that, to avoid another layer of review, the pre-application conference can be a joint hearing with the municipalities.

Mr. Graham further suggested that the Commission try to have the 22 communities that adjoin the Canal Park adopt ordinances which would be equivalent to the Commission's A Zone standards. If they adopt these standards, the Commission's review in Zone A could also be peremptory. Mr. Amon pointed out that most of the regulations for the A Zone are guidelines, not specific engineering standards. It would, therefore, be difficult for the 22 municipalities to interpret these guidelines in a manner that is consistent. Mr. Graham acknowledged that difficulty but pointed out that the Commission would retain final review anyhow and could assure a consistent interpretation.

Everyone agreed that the Commission should adopt the regulations as soon as possible, but make provisions for municipalities to assume review responsibility as they changed their ordinances to comply with the Commission's regulations.

Mr. Kirkland requested that Mr. Amon prepare a memo on maintenance and capitol improvements.

[At 2:00 p.m. Mr. McManus, Mr. Graham, and Mr. Gray left the meeting.]

Several more details were discussed concerning fees and an appeal process. It was felt that a process should be established to allow any one the right to appeal to the Commission to review its decision on a project. Mr. Jones moved to authorize Mr. Amon to amend the review zone regulations to eliminate any fees pursuant to the review process; to establish an appeal process; to include Zone A in the peremptory review process; and to make changes that are not of a substantial nature. The motion was seconded by Mr. Sayen and carried without dissent.

BELVEDERE-DELAWARE RAILROAD

Mr. Larry Schmidt of the Office of Historic Preservation addressed the Commission on the subject of the Bel-Del Railroad. He explained that the State of New Jersey inherited the canal with the reservation that the Bel-Del railroad retained the right-of-way for railroad purposes. In 1977 the Bel-Del was abandoned, making the easement null and void. The railroad is taking the position of ownership on the abandoned line, and is trying to sell the track, putting the monies in escrow until the case is settled.

Mr. Schmidt asked that a resolution be passed stating the Canal Commission has no objection to the removal of the tracks.

The Commissioners expressed concern that the Canal Park be left in a reasonable state. It was moved by Dr. Hamilton and seconded by Mr. Sayen to approve the removal of all railroad appertances in such a way that no debris is left behind and to have sufficient inspection by the Bureau of Water Facilities Operations to insure there is no damage to the canal. The motion was carried unanimously.

The Commission unanimously agreed to thank Mr. and Mrs. Jones for their gracious hospitality.

The meeting was adjourned at 3:30 p.m.