



MINUTES OF THE MEETING OF 20 MAY 1980

TIME: 12:00 noon to 3:30 p.m.
PLACE: The Canal House
25 Calhoun Street
Trenton, NJ
DATE: Tuesday, 20 May 1980

ATTENDING:

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

DAG: Ms. Fields

STAFF: Mr. Amon, Mrs. Perilli

GUESTS: Mr. Galley, WFSEM
General Whipple, consultant

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Mr. Kirkland called the meeting to order and stated that the requirements for the Open Public Meeting Law had been properly met for the meeting of 20 May 1980.

It was moved by Mr. Sayen and seconded by Mr. Jones to approve the minutes of the special meeting of 1 April 1980 as submitted. The motion was carried unanimously.

LEASES

In addition to the leases submitted, Mr. Amon presented two more leases to be approved, the Mohawk Canoe Club lease, and the Finkle lease. Mr. Jones moved to approve all leases as submitted. The motion was seconded by Mr. Torpey and carried without dissent.

PUMPHOUSE ALTERATION PROPOSAL

Mr. Amon explained that near the I-295 crossing of the canal in Lawrence Township there is a pumphouse and fuel tank owned

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EXECUTIVE COMMISSIONERS
DIRECTOR Benjamin B. Kirkland Martin D. Jessen Donald B. Jones Jerry F. English 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
Brendan Byrne, Governor Jerry F. English, Commissioner

by Diamond-Shamrock. This company wants to enclose the pump-house and tank to protect the tank from vandalism by building a lean-to onto the pumphouse. The base of the lean-to would also serve as a reservoir. Mr. Sayen moved to give conceptual approval to the plans. The motion was seconded by Mr. Jessen and carried unanimously.

LAWRENCE TOWNSHIP ZONING PROPOSAL

Mr. Amon explained that there has been much discussion in Lawrence Township concerning the land between the D & R Canal and Mercer Mall and how that area can best be zoned. The planning consultant to the Lawrence Township Planning Board wrote to Mr. Amon stating that he would like to suggest to the township a zoning arrangement that would allow for structures up to 100 feet tall if the buildings and impervious surface did not exceed 15% of the site and with a 400 foot setback. This would conform to the Commission regulations; however, the Commission expressed concern regarding access to the canal, preservation of the aesthetic quality of the canal and the effect such development would have on the Port Mercer community, which is part of the historic survey. The Commission felt that they would like to see more formal plans and zoning laws, and suggested that Mr. Amon invite the planning consultant to make a presentation at the next meeting.

LAWRENCE TOWNSHIP ACQUISITION PROPOSAL

Winona Nash, Chairperson of the Lawrence Historical and Aesthetic Commission, addressed the Commission regarding a proposal for DEP to acquire a parcel of land along the canal in Lawrence Township. Mrs. Nash stated that the tract of land of approximately 5 acres between Mulberry Street and Whitehead Road and owned by the La Mond Chemical Company would be an ideal location to provide additional recreational facilities in an urban location. Lawrence Township has already acquired additional lands adjacent to the canal and they are requesting that the State acquire this parcel. It was moved by Mr. Sayen and seconded by Mr. Torpey to request DEP to investigate the possible acquisition of the property. The motion was carried with no dissenting votes.

SOMERSET COUNTY BRIDGE PROPOSAL

Mr. Amon explained that the bridges over the Millstone River and the canal on Rt. 518 in Rocky Hill are in need of repair. Somerset County proposes to elevate both bridges and make them into a single structure. An alternate proposal is to build a new bridge, leaving the old roadway to provide access to the canal and to parking. Mr. Amon prepared a memo with the Commission's proposed response, stating concerns regarding the impact of the proposed construction. (Memo dated 21 May 1980) The Commission directed Mr. Amon to amend the memo requiring Somerset County to contact Mr. Galley and Mr. Guidotti and send the memo to Somerset County.

PORT MERCER EMBANKMENT PROJECT

Mr. Sayen moved to approve the specifications for the Port Mercer embankment project with the stipulation that the Division of Water Resources must approve the job and sign off as complete. The motion was seconded by Dr. Hamilton and carried unanimously.

Mr. Amon expressed his concern that, in the specifications, the rip rap slope of one to one results in a stepping stone effect and would like the specifications clarified.

(Mr. Graham left the meeting.)

REVIEW ZONE PROJECTS

Princeton Forrestal Center and Bowers Development:

Mr. Amon informed the Commission that no official approval was required for the Forrestal regional detention plan since it has not received municipal approval; however, by approving the Bowers Development project, which is the first to utilize the regional detention plan at the Forrestal Center, the Commission is, in effect, approving the regional detention master plan. Construction of the detention basin may be delayed until sufficient development (50 acres -- about 5% of total impervious surface) requires the basin.

Mr. Jessen felt that the detention basin should be installed first; that 50 acres is too large an area to have no detention basin system, and he expressed his concern that areas might be developed and the builders then neglect their obligation to build the basin.

General Whipple explained that the regional detention basin system is designed in a way that saves two-thirds in construction costs and four-fifths in maintenance costs, covers less area, and is better maintained.

Mr. Amon pointed out that the plan is in complete conformance with the adopted regulations.

Mr. Sayen moved to approve the Bowers Development project (#80-26-0003) and to accept the concept of the regional detention basin subject to conditions attached (Schedule A). The motion was seconded by Mr. Torpey, and the Commission was polled, passing the motion unanimously.

The Linpro Company project:

One condition of this project is that the detention basin be constructed first.

Ms. Fields suggested that the Commission receive a copy of the deed restriction within 30 days of the issuing of the Certificate of Approval.

(Dr. Hamilton left the meeting.)

The Commission requested the DAG to draft appropriate wording for the deed restriction. It was moved by Mr. Torpey and seconded by Mr. Jessen to pass the resolution subject to approval as to form by counsel. The Commissioners were polled and the motion was carried without dissent.

BUDGET FY82

Mr. Amon explained to the Commission that he had received notice of approval for a review zone officer at a salary of \$17,600. Steven Waddell was hired at this salary, and, upon submission of paperwork for this position, Mr. Amon was told that the salary could not exceed \$14,500. The DAG suggested that Mr. Amon and Mr. Kirkland meet with Mr. Hofgesang to upgrade the position. In the meantime, however, the present workload does not require that the position be filled.

The budget for fiscal year 1982 was examined and questions arose concerning critical problems of the Canal Park.

Mr. Torpey felt that not enough has been done to upgrade the Canal Park and suggested that the Commission express its concerns to Mr. Graham regarding the lack of Canal Park improvements and maintenance.

It was moved by Mr. Jessen and seconded by Mr. Sayen to adopt the proposed budget. The motion was carried unanimously.

STONY BROOK MILLSTONE WATERSHED ASSOCIATION PROJECT

Mr. Amon told the Commission of a proposed project with the Stony Brook-Millstone Watershed Association (SBMWA) to introduce greater environmental sensitivity into site plan ordinances of municipalities in the watershed and in the review zone of the Canal State Park. This objective will be reached in three stages: 1) a review and analysis of master plans and site plan ordinances in the municipalities; 2) publication of a handbook of model ordinances; and 3) convincing the municipalities to adopt these ordinances.

The Canal Commission will sign a contract for \$15,000 so the Watershed Association can hire a staff researcher for preliminary work for the first year (steps 1 and 2). The second year will be funded through the SBMWA.

Mr. Amon felt that the municipalities in the watershed would be receptive to legal ways of guiding development.

Mr. Sayen moved to approve the proposal as presented. The motion was seconded by Mr. Jones and carried unanimously.

EXECUTIVE DIRECTORS REPORT

Mr. Torpey made a motion in support of a grant application made by the Delaware River Mill Society to provide assistance in the restoration work at Smith's Mill. The motion was seconded by Mr. Jones and carried with no dissenting votes.

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