



MINUTES FOR THE MEETING OF 16 FEBRUARY 1982

TIME: 12:00 Noon
 PLACE: The Canal House
 25 Calhoun St.
 Trenton, New Jersey
 DATE: Tuesday, 16 February 1982

ATTENDING:

COMMISSIONERS: Messrs. Kirkland, Jessen, Jones, Hamilton, Bridges, Zaikov

STAFF: Mr. Amon, Mrs. Perilli, Mr. Kropp

DAG: Mr. Engel

GUESTS: Parks: Messrs. Kraml, Garcia, Guidotti, Stern
 WSFE: Messrs. Galley, Kroeck, Shaikh
 DOT: Mr. Monahan; Mr. Collabella, consultant
 PRC HARRIS: Messrs. Talerico, Dionisio, Wern, Ms. Dunne

Mr. Kirkland called the meeting to order and stated that all applicable provisions of the Open Public Meeting Law of 1976 had been properly met for the meeting of 16 February 1982.

It was moved by Mr. Jessen and seconded by Dr. Hamilton to approve the minutes of the meeting of 8 December 1981 as submitted. The motion was carried unanimously.

Mr. Kirkland welcomed Mr. Stuart Zaikov as a new Commission member.

Election of Vice Chairman and Treasurer

Mr. Jones moved to re-elect Mr. Jessen as Vice Chairman. Dr. Hamilton seconded the motion and it was carried unanimously.

Mr. Jessen moved to re-elect Mr. Jones as Treasurer. The motion was seconded by Dr. Hamilton and carried unanimously.

Review Zone Action

Mr. Amon told the Commission that no projects required formal action but he

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**EXECUTIVE
 DIRECTOR**
 James C. Amon

COMMISSIONERS

Benjamin B. Kirkland	Martin D. Jessen	Donald B. Jones	Robert E. Hughey	Stuart Zaikov	James C. Sayen
<i>Chairman</i>	<i>Vice-Chairman</i>	<i>Treasurer</i>	Bruce A. Hamilton	Arthur J. Holland	Frank J. Torpey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Thomas H. Kean, *Governor* Robert E. Hughey, *Commissioner*

wanted to inform them of a proposed project in Franklin Township. The project, D&P Industrial Park, is located on Canal Road near the Weston Causeway and consists of four one-storey light industrial buildings. The project is closer than the 200 foot buffer recommended in the regulations, but with the embankment, existing vegetation, and supplemental planting the buffer should be adequate.

As a condition of approval, Somerset County wants Canal Road widened an additional 12 feet. Mr. Amon wrote to the Somerset County Planner expressing his disapproval and reminding the county that this would require Canal Commission approval.

Although no formal action was necessary, it was the general agreement of the Commission that the setback distance would not be a problem provided the road is not widened.

Dredging Project

Mr. Kroeck introduced the representatives from PRC Harris and told the Commissioners that a series of public information meetings will be held 16-18 March and at that time local review groups will be established to work with the Water Supply Authority to review the environmental impact assessment (EIA) and later the plans and specifications.

Mr. John Dionisio, engineer for PRC Harris, explained that a draft program document has been completed which includes the scope of work, a detailed description of construction alternatives and comparative construction costs, an outline of the EIA, and a list of the agencies involved who require permits.

He distributed a schedule which was incorporated into the program document, but explained that this will have to be revised due to Army Corps of Engineers involvement. The processing of Corps of Engineer permits will delay the project at least six months.

The Commission was concerned by this delay and questioned the Corps involvement. Mr. Kroeck informed them that if a waterway was ever navigable, is navigable, or could be navigable, it is under the jurisdiction of the Corps of Engineers.

Mr. Dionisio explained in detail the changes in the schedule and discussed the various methods that might be used in the project. He explained that the dry method would involve dewatering the canal in sections with controlled access points for contractors. Using this method, the excavated material would be trucked to a final disposal site (as yet undefined). If this method is chosen, the work might only be done in the winter months because of the strong odor of the dewatered canal in the summer.

The wet method would involve using a small hydraulic dredge that would pump the dredged material to a central spoil bank in the canal where the material would be dewatered. When dry, the material would be removed to the final disposal site. The advantage of this method would be to avoid upland disposal areas and minimize the impact on surrounding areas.

Concern was again expressed about the Corps of Engineer involvement. Mr. Jones moved to express the Canal Commission's feeling that the Corp of Engineers

should not be involved; that this is a unique situation; and that the Corps of Engineers requirements would impede progress on the project which would result in an unjustified financial burden on the state. Mr. Jessen seconded the motion and added that the Canal Commission views the canal as a water conduit not a navigable waterway. Mr. Bridges added that it is not the intent of the Canal Commission to cut the environmental elements by bypassing the Corps of Engineers, but to expedite the process. Mr. Amon stated that it is the Canal Commission's conviction that review by DEP's Office of Cultural and Environmental Services and by the Canal Commission will adequately protect the Canal Park's cultural resources. The motion and its amendments were passed unanimously.

D & R Canal Capital Improvement Program

Mr. Kroeck distributed a report on the proposed capital improvements for the canal. These improvements include feasibility studies, rehabilitation of the Port Mercer Dike, rehabilitation of four canal culverts, rehabilitation of canal control structures, four canal aqueducts, three flood waste gates, and silt removal, in addition to the dredging project.

Perdicaris Place Flood Gate

Plans have been submitted to rehabilitate the Perdicaris Place waste gate, located in Trenton between Calhoun and Prospect Streets. The plans include installation of an automatic gate, rip-rap repair 55 feet on either side of the small building, and the gate house foundation will have a stone facing.

Mr. Amon pointed out that the slope of the rip-rap appears to be too shallow. Mr. Galley will confer with the consultants on this matter. It was agreed that the rip-rap will be in accordance with the standards approved by the Canal Commission.

It was moved by Mr. Jessen and seconded by Dr. Hamilton to approve the plans as submitted with the addition of stone facing on the concrete wall of the gate house. The motion was carried without dissent.

Bike Trail -- Washington's Crossing to Scudder's Falls

Mr. Kraml introduced Charles Monahan, the DOT project manager, and Mr. Collabella, the consultant working with DOT.

Mr. Kraml explained that final approval of the plans for the section of the bike trail from Washington's Crossing to Scudder's Falls is requested, reminding the Commission that preliminary approval had previously been given to the surface of the trail.

Mr. Monahan explained that there would be no planting along the trail with the exception of grasses and that Mr. Amon had alerted him to a problem with the seed mix which will be taken care of.

Mr. Amon suggested some changes to the parking lot at Scudder's Falls. He recommended that the guardrail should enclose the parking area instead of having telephone poles laid on the ground. He also pointed out that the Canal

Commission has been recommending the tree planting design prepared by Rutgers to private developers seeking Canal Commission approval and he feels that the State should utilize the design it recommends.

Mr. Amon also raised another issue concerning public opposition to the project. A representative of the Ewing Township Committee delivered a package to the Commission requesting that it be entered into the minutes. The package included a letter from Commissioner English, a letter from Assemblyman Watson supporting Ewing's opposition of the trail, a letter from the Scudder's Falls Civic Association and a copy of the Ewing Township Committee's resolution of 15 November 1979. Mr. Amon read each letter to the Commission.

Mr. Amon explained that this project was given conceptual approval by the Canal Commission in 1975. The project was 90% funded by the federal government in April of 1978. Since the beginning there has been tremendous opposition to the trail. Mr. Amon feels that the opposition is a result of the DEP's refusal to address the issues raised by the local citizens or to be concerned with public opinion.

Mr. Jessen asked if more public hearings would be held. None are planned.

Mr. Collabella said that the state has a liaison with both Ewing and Hopewell Townships to resolve any problems and has encouraged questions and comments. No comments were received.

Mr. Amon told the Commission that he received the plans for this project on Thursday, 11 February, and was told that no changes could be made to the plans without holding the project up at least six weeks. He found no basic problems with the plans with the exception of the public opposition.

It was moved by Mr. Jones to approve the plans subject to 1) the recommended planting design for the parking lot be used; and 2) the public relations problems be dealt with to Mr. Amon's satisfaction. The motion was seconded by Mr. Jessen and carried unanimously.

Acquisition

Messrs. Guidotti, Kraml, and Garcia reviewed the acquisition program that had been approved by the Commission several years ago. They suggested several changes, principally the cancellation of conservation easements along the canal in Mercer County.

The Commission approved the changes as proposed in a motion made by Mr. Jessen, seconded by Dr. Hamilton, and passed unanimously.

Executive Director's Report

Mr. Amon suggested that the Commission send a package of prints of the canal to Governor Kean and Commissioner Hughey. The suggestion was well received and Mr. Jessen further suggested that the prints be framed and the location of each scene be identified and labeled, and sent with a cover letter from Mr. Kirkland.

The meeting was adjourned at 3:40 p.m.