



DELAWARE AND RARITAN
CANAL COMMISSION

18 September 1985

MINUTES OF THE MEETING OF 10 SEPTEMBER 1985:

TIME: 12:00 - 1:50 p.m.
DATE: Tuesday, 10 September 1985
PLACE: Port Mercer Canal House, Lawrenceville, N.J.

ATTENDING:

COMMISSIONERS: Messrs. Kirkland, Jones, Hamilton, Torpey, Zaikov, Jessen
and Mrs. Nash

STAFF: Messrs. Amon and Baill
Mrs. Dorothy Highland, DAG

GUESTS: Mrs. Abigail Barrows, D & R Canal Coalition
Mrs. Ursula Buchanan, D & R Canal Coalition
Ms. Barbara Thomson, D & R Canal Coalition
Mr. Donald Kroeck, N.J.W.S.A.
Mr. Richard Famularo, N.J.W.S.A.
Mr. James Sayen, D & R Canal Coalition

Mr. Kirkland opened the meeting and stated that all applicable provisions of the Open Public Meeting Law of 1976 had been properly met.

MINUTES

Mr. Zaikov moved and Mrs. Nash seconded a motion to approve the minutes from the meeting of 20 August 1985. The motion carried unanimously.

LEASES AND PERMITS

Mr. Amon presented three leases to the Commission with his recommendation for approval of all three. They are:

Kate Roebling	Land	\$50.00 per year
G.A.F.	Land	\$450.00 per year

PRALLSVILLE MILLS P.O. BOX 539 STOCKTON, NJ 08559-0539 609-397-2000

**EXECUTIVE
DIRECTOR**
James C. Amon

COMMISSIONERS
Benjamin B. Kirkland
Chairman

Martin D. Jessen
Vice-Chairman

Donald B. Jones
Treasurer

Robert E. Hughey
Bruce A. Hamilton

Stuart R. Zaikov
Arthur J. Holland

Winona D. Nash
Frank J. Torpey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Delaware River Mill Society Railroad Right-Of-Way \$0

Mr. Jessen moved that all three be approved, Mr. Torpey seconded the motion, and it passed unanimously.

REVIEW ZONE PROJECTS

Mr. Baill presented the following review zone projects to the Commission with his recommendation for approval:

85-0696	Aspen Associates
85-0684	J.T.J. Associates
85-0757	John S. Sincak
85-0706	Makita U.S.A., Inc.

In order to avoid the appearance of conflict of interest each project was acted upon separately as follows:

Aspen Associates - Mr. Jessen moved approval, Mr. Zaikov seconded the motion and it was approved unanimously.

J.T.J. Associates - Mr. Jessen moved approval, Mr. Jones seconded the motion and it was approved unanimously.

John S. Sincak - Mr. Jessen moved approval, Mr. Jones seconded the motion and all members voted approval except Mrs. Nash who abstained.

Makita U.S.A., Inc. - Mr. Jones moved approval, Mr. Kirkland seconded the motion and all members voted approval except Mr. Jessen, who abstained.

Mr. Amon then presented an A Zone project for a single family house on a lot off of Easton Avenue in Franklin Township. Mr. Amon said that a steep bluff prevented this house from being seen from the Canal Park and therefore he recommended that it be waived from review. Mr. Hamilton moved that it be waived, Mr. Jessen seconded the motion and it passed unanimously.

Mr. Baill then discussed the project proposed by the Trenton Psychiatric Hospital. At the August meeting their request for waiver from the review zone regulations was denied by the Commission. Mr. Baill reported that they are now committed to fulfilling the stormwater management regulations but they have not yet completed their application. Mr. Philip Petore, representing the Division of Building and Construction, said that if they do not receive the Commission's approval now they will be delayed by six months because of the problems in doing work during the winter. He requested, therefore, that the Commission approve the project conditioned upon Mr. Baill's subsequent approval of their stormwater management plan.

Several Commissioners expressed reluctance to the idea of approving a project before it has completed its application. Mr. Zaikov pointed out that such a request would not even be considered if the applicant were a private developer. Upon being questioned by Mr. Amon, Deputy Attorney General Highland stated that the Commission has adequate authority to stop the project if it proceeds without complying with the Commission's regulations. Considerable skepticism was expressed about the likelihood of this happening. Mr. Baill was asked for his recommendation and he advised the Commission to approve it conditioned upon his ability to report at the next Commission meeting that the application was acceptable. Mr. Jones then made that motion, Mr. Torpey seconded it and it was passed with ayes from Mrs. Nash, Messrs. Kirkland, Jones, Jessen, Torpey, and Hamilton. Mr. Zaikov voted no.

Mr. Kroeck of the Water Supply Authority then presented three projects which are related to the dredging project but are not part of that contract. The first is a repair and rebuilding of a retaining wall in the vicinity of the former Tattersall coal yard. Mr. Kroeck reported that there have been problems with leaks here and this work is intended to stop those leaks.

The second project is also to repair a leak in a concrete wall. This problem occurs adjacent to the tubes that carry the canal under U.S. Route One.

The third project is the reconstruction of a masonry wall along Route 29 near Maddox Road. This is a highway retaining wall that has collapsed. The plan is to rebuild the wall so that its appearance is the same as it was originally. Mr. Baill said that he understood that there were serious structural problems with the highway at this place and questioned the wisdom of building a wall without repairing the highway. Mr. Kroeck said that the D.O.T. has refused to cooperate and he cannot deal with the highway problems.

Mr. Amon recommended that the Commission grant approval to the plans for the Tattersall wall and the U.S. One wall but that the Route 29 wall be approved conditionally. Since he has not had a chance to review the plans for the Route 29 wall and because of the highway problem brought up by Mr. Baill he recommended that this project be approved conditioned upon the satisfaction of the Commission staff that all details are worked out. Mr. Jessen made this motion, Mr. Hamilton seconded it, and it passed unanimously.

Mrs. Buchanan asked about saving fish when the canal is dewatered for this work. Mr. Kroeck reported that Fish and Game would save game fish but that "trash" fish would not be saved.

REVIEW OF FUTURE PROJECTS

Mr. Amon reported that several long-range projects are underway and should be apparent soon. He outlined the following:

1. A newsletter should be published before the end of this month. This newsletter will be published four times a year (if possible) and aimed at informing the community of issues that are important to the canal. Each issue will focus upon a single subject but have other topics in a secondary role. The first subject is the impact of the entire dredging project.
2. The DEVELOPMENT GUIDE should be published any day. This document will help the Commission articulate the development needs for the Canal Park.
3. Mr. Amon has talked with some consultants about a re-examination of the "A" portion of the review zone regulations. He hopes to hire someone before too long.

Mr. James Sayen, representing Project Greenway, urged the Commission to adopt a policy of requiring open space as part of its review zone regulations. He urged a 40% preservation ratio, especially within the "A" portion. The Commissioners discussed this with considerable sympathy but expressed concern that any such policy must be tied to preservation of the Canal Park. Mr. Amon said that it would be part of a consultant's study of the regulations.

4. Development of a Delaware River Corridor recreational area has not gone very far but, Mr. Amon reported that he has been working with the Friends of the Delaware Canal in preliminary steps toward a master plan for their park. This plan will reflect the D & R - Delaware Canal connection.

LANDSCAPE MANAGEMENT POLICY

Mr. Amon said that from listening to the tapes of the August meeting he concluded that the Commission would like to consider a written policy statement on management of the landscape along the towpath. Mr. Amon passed out a draft policy statement for the Commissioners' consideration and suggested that it be reviewed and discussed at the October meeting.

EXECUTIVE DIRECTOR'S REPORT

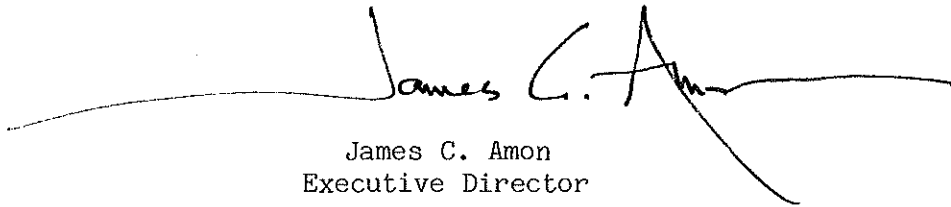
Mr. Amon reported that the public meeting that had been tentatively scheduled for October 26th or November 2nd has now been postponed until the first Saturday in May. There were many reasons for this change, principally the unavailability of the Griggstown Muletenders Barracks.

Mr. Amon also pointed out the nearby areas of the Canal Park that he recommended for the Commissioners to look at while they are in Port Mercer

ADJOURNMENT

The meeting was adjourned at 1:50 p.m.

Respectfully submitted



James C. Amon
Executive Director