



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF 19 AUGUST 1986

TIME; 12:10 - 2:45 pm
DATE: Tuesday, 19 August 1986
PLACE: Delaware River Basin Commission
State Police Drive
Ewing Township, New Jersey

ATTENDING:

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

STAFF: Messrs. Amon, Baill and Mrs. Greenwald
Mr. George Cook, DAG

GUESTS: Michael Galley, N.J.W.S.A.
Richard Famularo, N.J.W.S.A.
Kenneth Standig, TAMS
Kalman Szalay, TAMS
Thomas Baxter, Metcalf & Eddy, Inc.
Paul Stern, D & R Canal State Park
Jonathan Gell, NJ Heritage
Todd Bryan, SBMWA
Larry Pitt, Canal Society of NJ
Mary Otto, Princeton Packet
Dolly Minis, D & R Canal Coalition
Ursula Buchanan, D & R Canal Coalition
Babs Thomsen, D & R Canal Coalition
David MacRae, D & R Canal Coalition
K. Hansen, Princeton Resident
Doug Steiner, Sudler Company
Steffan Stern, Sudler Company
Rosemary Blair, 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.

Mr. Kirkland introduced Mr. John Bullitt to the members of the Commission and public. Mr. Bullitt is appointed to fill the opening that was created when Dr. Hamilton left the Commission.

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

Stuart R. Zaikov
Arthur J. Holland

Richard T. Dewling

Winona D. Nash
Frank J. Torpey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Thomas H. Kean, *Governor* Richard T. Dewling, *Commissioner*

MINUTES

Mr. Jessen moved and Mrs. Nash seconded a motion to approve the minutes of the meeting of 15 July 1986. The motion carried unanimously.

LEASES AND PERMITS

Mr. Amon presented a request to the Commissioners from the Trans-continental Pipeline Company to put a 24" pipe under the canal. Mrs. Nash stated in the future she would like an area map that is more detailed so that the exact location of these projects could be clearly seen.

Mr. Bullitt questioned if the 24" pipe would cause any damage to the canal. Mr. Amon informed him that the WSA reviews these requests and they found this one to be of no harm to the canal.

Mr. Kirkland then moved approval of the Pipeline's request. The motion carried unanimously following Mrs. Nash's second.

REVIEW ZONE ACTIONS

Mr. Baill presented the following Review Zone B projects to the Commissioners for their approval:

85-0726 Princeton Manor Motor Hotel
86-0929 West Windsor Estates
86-0966 RH Development - BA-102
86-0984 Russ Berrie & Company
86-0990 Princeton Corporate Center - Bldg. #2
86-1082 Vantage-NJ Inc. - Unit Capital Corp.
Conditioned upon receipt of a typed resolution
from the East Windsor Township Planning Board.
86-1015 Isaac Heller
86-1058 Continental Insurance

Mr. Amon then presented the following Review Zone A projects to the Commissioners for their approval:

86-1097 Niece Lumber Company Roof
86-0211-A Quail Crest II

Mr. Jessen then moved approval of both A & B Review Zone projects. His motion was seconded by Mr. Jones and unanimously approved.

Mr. Bullitt felt that a letter should be written to Niece Lumber putting in writing what Mr. Amon had informed them that this land is

in the beginning stages of planning for a park area and that they might have to move the building to accommodate a recreational path.

1:25 Mr. Zaikov arrived.

WATER SUPPLY AUTHORITY PROJECTS

Mr. Galley explained that the Water Supply Authority is considering the purchase of a new machine to dredge the canal.

Mr. Thomas Baxter of Metcalf & Eddy, Inc., whose firm had been hired to study alternatives for the Water Supply Authority, reported that they had given full consideration to the environmental impact that each type of equipment would have on the canal. They concluded that a floating dredge was the best solution and chose a model for the WSA.

Mr. Amon expressed concern about the impact that this management technique would have on the appearance of the park. It was agreed that further study would be required before the Commission could take action.

GRIGGSTOWN CULVERT BLOWOUT

Mr. Famularo told the Commissioners that a culvert in Griggstown had failed and significant emergency repairs would be required. He introduced Mr. Kenneth Standig of TAMS, a consultant hired by the WSA to look into the repair work, who reviewed three alternatives for the repair of the culvert. He said that TAMS has recommended building a reinforced concrete structure with a brick and stone facade to give it a historic appearance.

Mr. Bullitt questioned if tree roots were the cause of this problem. He was informed that they were part of it. Mr. Bullitt felt that if the tree roots were the cause then the area around culverts should be cleared of trees to prevent future blowouts.

Mr. Jessen moved to approve the technique recommended by the Consultant. Mr. Jones seconded the motion.

Mr. Amon suggested that this was an issue that should be carefully considered before the Commission took action. He said that there is a significant difference between a repair job that looks historic and a repair job that is a historically accurate reconstruction of the structure. He pointed out that since the canal is on the National Register of Historic Places the Commissioners should not allow its gradual replacement with historic looking new structures.

Jonathan Gell then responded that this repair work would have to be authorized by the Historic Sites Council.

Mr. Standig pointed out that you shouldn't lose sight of the fact that the canal is a water supply system.

The Commissioners then unanimously voted in favor of the resolution. Mr. Amon then questioned their intent and the Commissioners expressed their desire to have the final solution worked out in a fashion that allowed Mr. Amon latitude to influence the design. Mr. Amon suggested that their motion did not give such latitude so Mr. Zaikov moved that the previous motion be amended to allow Mr. Amon to negotiate changes in the design with the WSA. Mr. Jones seconded this motion and it passed unanimously.

CHANGES TO THE REVIEW ZONE REGULATIONS

Mr. Amon reviewed the documents sent to the Commissioners which contain changes to the MASTER PLAN and REVIEW ZONE REGULATIONS that address the impact of roads. He told the Commissioners that these changes will give the Commission the authority to address the impact on the Canal Park that is a result of increased traffic. He said that these changes will have to go through a series of public hearings and now the Commission should approve the changes for public review and comment.

Mr. Jones suggested that paragraphs 2A and 2D be more precise. Mr. Cook agreed that precise language is best for regulations.

Mr. Kirkland asked Mrs. Blair for comments. She pointed out that she had not received the draft material but she supports the philosophy of this change. She further recommended that the Commission pursue the prospect of having Franklin Township's Canal Road declared a historic road.

Mr. Jessen said that he views this document as a tool to use in discussions with the State Department of Transportation and with county and local engineers.

Mrs. Nash moved to approve these documents for public hearings with the changes discussed earlier. Mr. Zaikov seconded the motion and it carried unanimously.

RESOLUTION ON SOLID WASTE LANDFILL SITE IN HUNTERDON

Mr. Kirkland introduced a resolution which expresses the Commission's grave concern about Hunterdon County's plan to locate a landfill in the headwaters of the Lockatong Creek.

Mr. Jessen felt that the word "drinking" should be added to the last paragraph of the resolution before the words "water system".

Mr. Zaikov then moved approval of the resolution with the addition. His motion was seconded by Mr. Jessen.

Mr. Marshall did not feel that the Commission should state in the resolution that it would refuse to permit the landfill. DAG Cook said that he also had problems with the language in that paragraph.

Mr. Zaikov then called the question which was seconded by Mr. Jessen and unanimously approved, with Messrs. Jones, Marshall, and Torpey abstaining.

Mr. Torpey said that he abstained because he feels that there are probably more effective ways to indicate our concerns rather than this resolution.

2:05 Mrs. Nash left.

POLICE FIRING RANGE IN SOUTH BOUND BROOK

Mr. Torpey said that Assemblyman Kavanaugh had contacted him about the South Bound Brook Police Department's use of the Canal Park for pistol practice. He said that the police were actively seeking another site and it would be a good idea for the Commission to allow them continued use for a short time.

Mr. Jones moved to permit them to continue their present practice until the end of 1986, subject to the agreement between the Borough and the Division of Parks. Mr. Torpey seconded the motion.

Mr. Marshall added that this authorization for them to continue for a certain period of time in no way incurs liability or injury for the State.

Mr. Jones then moved to rescind the motion of the meeting of 15 July 1986. Torpey seconded, and it was unanimously carried.

MISC

Mr. Kirkland appointed himself Chairman of a committee to discuss with WSA the matter of the dredging barge and nominated Mr. Jessen to serve on that committee also. Mr. Marshall would like someone from the park staff to also be on this committee along with Jonathan Gell of the Office of New Jersey Heritage. Mr. Kirkland concurred.

REVIEW ZONE APPLICANTS AND CANAL REPAIR

Mr. Amon stated that last month's decision on the Matzel Enterprises project, which requires developers to repair pipes that bring runoff into the canal, seems to be a great problem to administer.

He told the Commissioners of a recent meeting with Messrs. Galley and Ricci of the WSA, and comments from Dorothy Highland, DAG., regarding a possible fee schedule to be charged to developers in the review zone to have such repair work done. Mrs. Highland stated that the Commission could not accept such money but that the WSA could accept and administer these fees. Mr. Ricci did not, however, want to be put in the position of having developers earmarking their fees for certain repair work. If the fee schedule is to go into effect then the WSA would have to have control over what repair work is done and where.

Mr. Jones questioned if the Commission wasn't doing enough by requesting that the applicants construct detention basins.

Mr. Amon indicated that WSA doesn't feel that any additional increase in runoff should enter the canal. These developers are, therefore, harming the canal and should be held responsible for the cost of repair.

Mr. Bullitt felt that the developer should be held accountable for the necessary repairs.

Mr. Jones moved to rescind the condition of the Certificate of Approval on the Matzel project. Mr. Jessen seconded the motion with it carrying unanimously with the exception of Mr. Torpey who abstained.

Mr. Kirkland directed Mr. Amon to work with WSA to get a fee schedule for discussion at the next Commission meeting.

2:40 Mr. Bullitt left.

PUBLIC FORUM

David McRae stated that the Carnegie Lake pumping area was bare of trees and wanted to know why. Mr. Amon informed him that trees were planted but had died. He also informed him that the trees came with a 2 year guarantee and that new ones would be planted in early fall.

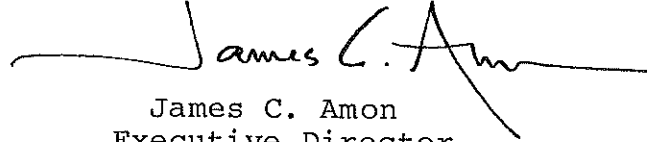
Mr. Bryan asked to be informed of the proper procedures when an applicant comes to the Commission for approval of a project.

2:45 Mr. Marshall left.

ADJOURNMENT

The meeting was adjourned at 2:45.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon". The signature is written in a cursive style with a long horizontal line extending to the right.

James C. Amon
Executive Director