



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF 16 SEPTEMBER 1986

TIME: 12:15 - 2:47 pm
DATE: Tuesday, 16 September 1986
PLACE: D & R Canal Commission office
Prallsville Mills
Stockton, New Jersey

ATTENDING:

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

STAFF: Messrs. Amon, Baill, Mrs. Greenwald and
Ms. Blomkvest
Mrs. Dorothy M. Highland, DAG

GUESTS: Michael Galley, N.J.W.S.A.
Don Kroeck, N.J.W.S.A.
Richard Famularo, N.J.W.S.A.
Abe Shaikh, N.J.W.S.A.
Ursula Buchanan, D & R Canal Coalition
Babs Thomsen, D & R Canal Coalition
James T. Gaffney, Division of Water Resources
Larry Pitt, Canal Society of New Jersey
Bill McKelvey, Canal Society of New Jersey
David S. Hunter, Ebasco Services Inc.
Sydne B. Marshall, Ebasco Services Inc.
Louis J. Donvaugelo, Ebasco Services Inc.
Paul Stern, D & R Canal State Park

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

MINUTES

Mr. Zaikov stated that he had arrived at the meeting of 19 August 1986 at 12:25 not 1:25 as stated in the minutes. Following that correction Mr. Jones moved approval of the minutes of 19 August 1986. The motion carried unanimously upon Mr. Torpey's second.

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

EXECUTIVE	COMMISSIONERS						
DIRECTOR	Benjamin B. Kirkland	Martin D. Jessen	Donald B. Jones	Stuart R. Zaikov	Richard T. Dewling	Winona D. Nash	
James C. Amon	Chairman	Vice-Chairman	Treasurer	Arthur J. Holland	John C. Bullitt	Frank J. Torpey	

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

LEASES AND PERMITS

Mr. Amon presented the following leases to the Commissioners for their approval:

Griggstown Locktender's house
Griggstown Muletender's Barracks

A motion for approval of these leases was made by Mr. Jones, seconded by Mr. Torpey, and passed unanimously.

12:20 - Mr. Marshall arrived.

DISCUSSION OF STREAM CORRIDOR REGULATION

Mr. Amon distributed copies of his recommendations for the stream corridor regulations to the Commissioners. He requested adoption of these recommendations so that the stream corridor regulation policy could go to public hearing.

Mrs. Thomsen then read a letter from Lawrence Norris Kerr, President of the Friends of Princeton Open Space, urging the Commission to give strong support to stream corridor protection to help prevent flooding, to keep local streams and rivers alive and clean, and to provide a clear statement of the responsibilities of developers and individual property owners in the use of land along streams.

James Gaffney, Division of Water Resources, read a statement by Hermia Lechner, Division of Green Acres, supporting stream corridor preservation plans and informing the Commissioners of projects that are now underway.

There was discussion among the Commissioners regarding the size of a project that would be subject to this provision. Mr. Amon stated that his recommendation was for continued use of the existing definition of a major project and that the regulations should apply to major projects only.

Mr. Jessen asked if the Commission shouldn't differentiate between the streams that go into and those that go under the canal. Mr. Amon felt that he would rather not. He said that the policy was aimed at preserving natural corridors for the protection of the Canal Park as a natural area as well as at preserving water quality in the canal.

12:55 - Mr. Holland arrived.

Mrs. Nash recommended that the Shabakunk and Assunpink Creeks be included.

Mr. Jones moved to accept this proposal and to go to public hearings with the document. Mr. Torpey seconded the motion which carried unanimously.

Mr. Marshall felt that the Commission should check with the Bureau of Flood Plain Management to make sure that there was not a duplication of efforts.

REVIEW ZONE PROJECTS

Mr. Baill presented the following review zone projects to the Commissioners for their approval:

84-0590	R & T Corporation
85-0775	United Parcel Service
86-1083	Steward's Watch
86-1101	Princeton University Substation
86-1109	Paddington Park
86-1117	Carl F. Jacobelli

Mr. Torpey moved approval of the above projects with the exception of R & T Corporation. The motion carried unanimously following Mr. Jones' second.

Mr. Torpey then moved approval of the R & T Corporation project. Mr. Jones seconded the motion which passed unanimously with the exception of Mr. Zaikov who abstained.

SCOPE OF SERVICES

Mr. Amon distributed draft Scopes of Services for the following proposed Canal Park projects:

To hire designers for:

- A. Completion of multi-use path in Trenton and Lambertville.
- B. Restoration of three Canal Houses.
- C. Restoration of Major Structures at Prallsville Mills.
- D. Development of Access area at Freda Marden Common.

He requested approval of the scopes to be submitted to the Division of Building and Construction.

Mr. Zaikov moved conceptual approval of the scopes as submitted. This motion passed unanimously following Mr. Jones' second.

WATER SUPPLY AUTHORITY PROJECTS

Mr. Galley discussed with the Commissioners the fee to be imposed on developers for repair work to canal structures and the approach to be taken.

Mr. Galley then introduced the individuals from Ebasco who have been hired to do a study of sedimentation in the Feeder canal.

Dr. David Hunter presented a slide show detailing his company's plans for this study.

Dr. Sydne Marshall then spoke to the Commissioners about her company's concerns for environmental and cultural issues related to the work that they are doing.

1:47 - Mrs. Nash left.

Mr. Baill then informed the Commissioners that Somerset County is developing a plan for regional control of storm water runoff and will shortly come to a Commission meeting to seek approval.

REVIEW OF THE PRALLSVILLE MILLS MASTER PLAN

Mr. Amon requested approval of the Prallsville Mill Master Plan which had been previously distributed to the Commissioners for their review and comment. Mr. Amon explained that this document was required as part of the lease that the Delaware River Mill Society had with the State of New Jersey. Mr. Marshall stated that it would need the review and approval of the Division of Parks and the Office of New Jersey Heritage.

Mr. Zaikov then moved approval of the plan as submitted. This motion carried unanimously following Mr. Torpey's second.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon informed the Commissioners that the Governor's office had been in contact with him recently regarding the Glen Afton fence issue. The Governor's office suggested that the Commission get back on the issue and to do something about it.

Mr. Holland felt that the Glen Afton neighborhood should be viewed as an exceptional situation and a fence should be built.

Mr. Zaikov felt that it would set a precedent which could lead to fences along the entire canal.

Mr. Jones stated that in the beginning the Titusville people had requested a fence but now they are very pleased with the path and do not want it fenced.

Mr. Amon explained that the situation was more complicated than just erecting a fence. The Glen Afton residents want a fence erected about 20 feet onto State-owned land so that their backyards would be expanded free of charge by about that distance.

Mr. Zaikov said that residents who want a fence should erect one themselves on their own property. It is, he felt, not proper for the State to do it on State property at the State's expense.

Mr. Marshall replied that Glen Afton's answer was that the operation of the State Park is responsible for intrusions on their lands so the park should be responsible for security.

Mr. Zaikov did not agree with that statement. He stated that the railroad right-of-way was there long before the homes were built and therefore the intrusion was there from the beginning.

Mr. Marshall suggested that the State would work with the neighbors if they provided their own fence on their own property, or, where the situation warrants it, the State could give them a license to put a fence on canal property.

Mr. Zaikov moved that the Canal Commission, as a matter of policy, is against fences along the canal on state-owned property. This motion was seconded by Mr. Jones.

Mr. Holland offered a motion to amend Mr. Zaikov's motion to include the phrase "except where they are required."

Mr. Marshall pointed out that there are certain critical portions of the canal that need to be fenced for safety and security reasons by the Division of Parks and also the Water Supply Authority.

Mr. Zaikov stated that he wanted his motion to stand as is without any amendments.

Mr. Torpey then moved to call the question. This motion was seconded by Mr. Zaikov and unanimously approved.

Mr. Zaikov's motion then passed unanimously.

Mr. Jones then moved a second motion that states that "the Commission will consider deviations from the fence policy where it is necessary for the safety and security of Canal Park users, based upon a recommendation from the Division of Parks and Forestry, the Water

Supply Authority, or the Canal Commission staff." Mr. Torpey seconded this motion. Voting in favor of this resolution were Messrs. Zaikov, Jones, Torpey, Jessen and Marshall. Mr. Holland voted in opposition.

Mr. Holland moved that the wording "Canal Park users, based upon recommendation from the Division of Parks and Forestry, the Water Supply Authority, or the Canal Commission staff" be removed. There was no second to the motion.

The term, Canal Park users, was of critical importance to the other Commissioners who felt that fences should be built where people who are using the park might be endangered without a fence. The Commission wished to make it clear that they were distinguishing between the safety of people who are using the Canal Park and the safety of those who live near the park.

The Commission decided that it does not believe that is the State's responsibility to fence the Canal Park from all neighbors in order to assure their safety from intrusion through the park. It was widely agreed by the Commission that if any neighbor wishes to erect a fence on his/her own property they may do so, subject to the local and, where applicable, Canal Commission review process.

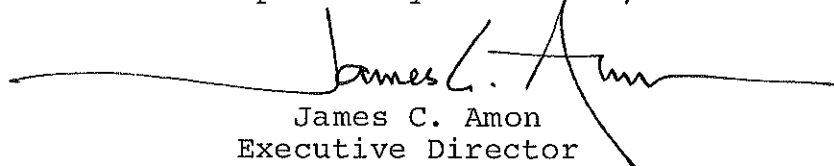
CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern informed the Commission of the various tasks that had been or are currently being undertaken by his staff.

ADJOURNMENT

The Meeting was adjourned at 2:47 pm

Respectfully Submitted,


James C. Amon
Executive Director