

MINUTES OF THE MEETING OF 18 NOVEMBER 1986

TIME: 12:20 - 3:15 pm  
DATE: Tuesday, 18 November 1986  
PLACE: D & R Canal Commission Office  
Prallsville Mills  
Stockton, New Jersey 08559



DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

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

STAFF: Mr. Amon, and Mrs. Greenwald  
Mrs. Dorothy M. Highland, DAG

GUESTS: Larry Pitt, Canal Society of New Jersey  
Bill McKelvey, Canal Society of New Jersey  
Bill Stratton, Ewing Township Engineer  
John Hutchinson, Ewing Township Police Department  
Harry Masterson, Ewing Township Police Department  
Rich Famularo, N.J.W.S.A.  
John Auciello, Chief Ranger, D & R Canal State Park  
David MacRae, Princeton Township  
Ursula Buchanan, D & R Canal Coalition  
Dolly Minis, D & R Canal Coalition  
Abigail Barrows, Franklin Township  
Russell Wilbert, Developer - Mansion Hills  
Fran Goeke, Engineer - Mansion Hills

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. Jones moved approval of the minutes of the meeting of 28 October with the addendum, reproduced below. Mr. Torpey seconded the motion which carried unanimously. The addendum is as follows:

Mr. Galley introduced Mr. Otto Millgram of Sidney M. Johnson & Associates. Mr. Millgram will be the project manager for the preparation of plans and specifications for the following rehabilitation projects:

Raven Rock Intake Lock  
Alexauken Creek Aqueduct  
Swan Creek Aqueduct  
Millstone River Aqueduct

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  
John C. Bullitt

Winona D. Nash  
Frank J. Torpey

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Thomas H. Kean, *Governor* Richard T. Dewling, *Commissioner*

Mr. Millgram stated that his firm has extensive experience in this kind of engineering work. He further stated that he is fully aware of the historic significance of these structures and he expects to work with the Canal Commission and the Office of New Jersey Heritage.

#### LEASES AND PERMITS

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

Lester Terhune	Farmland	\$150.00 per year
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Following a motion by Mr. Kirkland and a second by Mr. Bullitt the motion unanimously carried with the exception of Mr. Jessen who abstained.

#### SUN PIPELINE PERMIT

Mr. Amon reported that the Sun Pipeline Company has agreed to hire a contractor who will remove all of the trees killed in January, 1986, during the fire in Princeton and West Windsor. He said that plans for restoration of the area will be worked out after the dead trees are removed and an assessment can be made of how to restore the area in a manner that compliments the natural process of restoration that has already begun.

A permit from the State Park Service is needed for the removal work. Mr. Amon explained that a State forester is to supervise the work, the contractor is severely restricted on areas available for his heavy equipment, and video tapes will be taken before construction to be used as a guide for restoration upon completion of the work. He recommended approval of the permit. Following discussion Mr. Jones moved approval of the permit. His motion was seconded by Mr. Jessen and unanimously approved.

#### REVIEW ZONE ACTIONS

Mr. Amon distributed copies of a form that is presently being utilized by Commission staff for project compliance until a new engineer is hired and brought on board.

Mr. Bullitt expressed concern of the over-all maintenance of the detention basins once they are constructed. Mr. Amon informed him that the Commission just does not have the appropriate staff to do field inspections of completed and proposed basins.

The following projects were then unanimously approved by the Commission following a motion by Mr. Jones and second by Mr. Torpey, with the exception of Mr. Jessen who abstained.

85-0688	Rivers Edge
86-0938B	Society Hill at North Brunswick Two, Village Center and Commerce Center
86-0964	Forsgate Industrial Complex
86-0979	Jefflands II
86-1081	ASR Company
86-1103	Morris Industrial Builders

MANSION HILL PROJECT - WIDENING OF WILBURTHA ROAD

Mr. Amon informed the Commissioners of the proposed Mansion Hill project and Ewing Township's request to widen the northbound land of Wilburtha Road. Mr. Amon did not feel that this widening is necessary, and would detract from the attractive character of this part of the Canal Park.

Mr. Bill Stratton, Ewing Township Engineer, then presented his case for widening the road for safety reasons.

Mr. Russ Wilbert, Developer of the Mansion Hill project, stated that he was convinced that Mr. Stratton's request was reasonable and that he urges to the Commission to permit the road widening.

Mr. Jessen stated that the Commission should not be against anything that is for the safety of the residents.

Mr. Amon stated that he did not feel that there was any evidence of a safety problem in the area. Mr. Stratton stated that two accidents had occurred in 1986. One, however, occurred after the driver had a heart attack and ended up in the canal. Mr. Stratton reported that the other accident occurred in December 1985. Mr. Amon stressed that these accidents did not happen because of the road and that there really weren't any accidents that had occurred directly as a result of not widening the road. Mr. Amon also pointed out that the Township had received a petition signed by nearly all of the Wilburtha Road residents requesting that the road not be widened.

Mr. Stratton repeated his conviction that this was needed for safety reasons. Mr. Torpey then moved to respect the Township's wishes to widen the road. This motion carried unanimously following Mr. Jessen's second.

DISCUSSION OF HUNTERDON COUNTY SOLID WASTE SITE PROPOSAL

Ms. Terry Martin, Director, Hunterdon County Solid Waste, informed the Commissioners of the proposed plans to site a landfill in Hunterdon County. Ms. Martin spoke at great length about the safety measures that would be incorporated into the landfill that is being planned. When questioned about the criteria used in selecting a site, she stated that the watersheds of the Round Valley and Spruce Run Reservoirs were excluded. The watershed of the canal was not

excluded because the canal is not an impounded water supply system.

Concern was expressed that this exception did not reflect an understanding of how the potential pollutants would function in a flowing water supply system.

Several members of the Commission expressed concern that the County's choice of a site in the headwaters of the Lockatong, which is a tributary to the canal, was the result of insufficient attention to the canal's role as a water supply system.

Mr. Bullitt recommended that the Canal Commission contact the agency in DEP that has review jurisdiction on the landfill so that our concern can be expressed.

After lengthy discussion it was decided that a special meeting would be held on 13 January at 12:00 at the Commission's office in Stockton.

#### REVIEW ZONE REGULATIONS DISCUSSION

Mr. Amon reported that several people have suggested that the Canal Commission reconsider its threshold for review of residential projects in the B zone of the Review Zone. He reminded the Commissioners that no residential project is subject to Commission review unless it has at least 25 units. He said that many options were available to the Commission if it should want to change, including: creating an intermediate zone between the present A and B zones in which ten to fifteen units would be the threshold; reducing the number for all of the B zone; using different thresholds for streams that are tributary to the canal from those used in other streams.

It was suggested that Mr. Amon study the issue and make a recommendation at the December meeting.

Mr. Bullitt said that his reading of the statute requires the Commission to review all projects in any part of the Review Zone. This was discussed and referred to Mrs. Highland for an opinion at the December meeting.

#### LEGISLATIVE SUPPORT

Mr. Amon distributed copies of Assembly Bill 2808 to each Commissioner. This bill, if passed by all parties, would appropriate monies to the Commission to fund all of the projects listed in Priority One of the Development Guide.

Mr. Kirkland felt that a letter of appreciation should be sent to Mayor Rafferty for his sponsoring of this bill.

Mr. Torpey felt that the Commission should send written communications to each of the sponsors thanking them for their support and also offering the Commission's help.

Mr. Jessen felt that it might be appropriate to issue "Friends of the Canal" certificates to each of the sponsors.

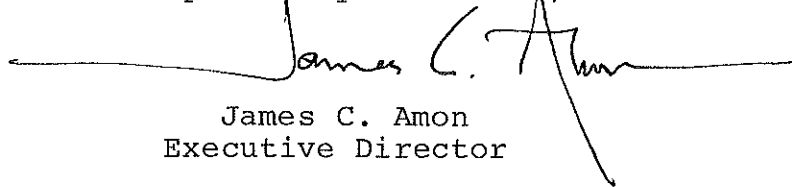
3:10 Mr. Bullitt left.

It was decided that a letter, to be signed by Mr. Kirkland, would be sent to each of the Assemblymen involved in the sponsoring of this bill.

ADJOURNMENT

The meeting was adjourned at 3:15.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon", is written over a horizontal line. The signature is stylized and extends to the right of the line.

James C. Amon  
Executive Director