



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF 17 MARCH 1987:

TIME: 12:15 - 2:00 pm
DATE: Tuesday, 17 March 1987
PLACE: D & R Canal Commission Office
Prallsville Mills
Stockton, New Jersey

ATTENDING:

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

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

GUESTS: Richard Famularo, N.J.W.S.A.
Bill McKelvey, Canal Society of N.J.
Paul Stern, D & R Canal State Park
Larry Pitt, Canal Society of N.J.
Robert Killius, CASCO Corporation

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

MINUTES

Following a motion by Mr. Jessen and a second by Mr. Kirkland, the minutes of the meeting of 17 February 1987 were unanimously approved.

LEASES AND PERMITS

Mr. Jessen moved approval of the lease to the Gallup's at a cost of \$65.00 per year. Mr. Kirkland seconded the motion which was passed unanimously.

Mr. Amon then reported that the Water Supply Authority was seeking approval to do repair work on the bank next to the wingdam in Lambertville. The bank has partially collapsed, allowing the Delaware River to wash around the dam. There is a danger that the entire bank could be taken out if the Delaware River is high enough.

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

Mr. Famularo said that the Water Supply Authority had received recommendations from a consultant, Woodward-Clyde, which calls for dumping stone as a temporary safe-guard and outlined five alternatives for permanent repair as follows: 1) Grouted riprap on 1:1 slope; 2) Gabion wall; 3) Fabricast concrete wall; 4) Reinforced concrete wall; 5) Combination of grouted riprap and soil-cement. Their preliminary evaluation indicated that Alternative 3 was likely to be the strongest and cheapest solution. Mr. Famularo passed out the bags that would be filled with concrete and explained the procedure to the Commissioners. The Commissioners did not like this alternative and felt that it would be an eyesore. Mr. Amon said that he had told Mr. Famularo that his recommendation would be for the Commission to require a solution that leaves the bank looking more natural. The Commissioners agreed.

Mr. Famularo stated after lengthy discussion that he is seeking the Commission's approval for at least permission to temporarily repair the area using 1 1/2" - 2" stone. Mr. Jessen suggested that larger stone would be better. Mr. Famularo said that the WSA would stick with their consultant's recommendation so Mr. Jessen then moved approval of the temporary filling of stone and that a permanent solution be worked out to make it appear more natural, subject to the approval of the Commission. Mr. Zaikov seconded the motion which carried unanimously.

REVIEW ZONE ACTIONS

Mr. Dobbs presented the following review zone project to the Commissioners for their approval:

86-1134 Toys "R" Us

Mr. Jessen moved approval of the above project. Following a second by Mr. Jones the motion carried unanimously.

DISCUSSION OF MEETING DATES

Mr. Amon reported that the meeting date as it currently stands is becoming a conflict for a few of the Commissioners. After some discussion of possible dates and times the Commissioners agreed that if Mayor Holland could make the third Wednesday of each month that the meeting would be changed to that day. The Secretary was told to check into this and inform the Commissioners of the outcome. The next meeting, if this date is good, will be held on Wednesday, 15 April 1987.

DISCUSSION OF REVIEW ZONE REGULATIONS

Mr. Amon told the Commissioners that ever since last October we have been waiting for the DEP Office of Regulatory Services to finish reviewing the proposed revisions to the Review Zone Regulations. He

said that he has just received a draft version of their work and that there is one more issue which the Commissioners should consider.

At present the Regulations require Commission review of all projects in the "A" portion of the Review Zone and of major projects only in the "B" portion. A major project in the "B" portion is any residential project with 25 or more units or any non-residential project which results in more than an acre of additional impervious surface. Mr. Amon said that he felt that the one acre threshold for non-residential projects was good but that 25 residential units was too high, particularly for projects that are near the canal.

He showed the Commissioners a map which had been colored to display the entire Review Zone and those parts of it within one, two, and three miles of the canal. He suggested that the 25 unit threshold remain in effect outside the two mile line but that 12 or 15 units be used inside that line.

The Commissioners discussed the merits of this and of several other alternatives at considerable length. Eventually Mr. Jessen suggested that the regulatory program would be simplified and the desired goal reached if all residential, as well as non-residential projects, in any part of the "B" portion of the Review Zone are major if they add an acre or more of impervious surface. After discussion of this idea Mr. Jessen moved that the Commission adopt the following change in the Review Zone Regulations (subject to all appropriate legal processes):

Any project in the "B" portion of the Review Zone which results in an acre or more of additional impervious surface is considered a major project.

Mr. Jones seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Proposed Route 92 Crossing of the Canal Park.

Mr. Amon drew up a draft response incorporating a number of issues mentioned by the Commissioners and forwarded the draft to each of the Commissioners for comment. After some discussion it was moved by Mr. Zaikov that the draft be finalized and sent to the Department of Transportation. Following Mr. Jessen's second the motion carried unanimously.

ADVISORY COMMITTEE FOR THE CANAL COMMISSION

Mr. Amon reported that he and Messrs. Kirkland and Bullitt had discussed the idea of forming a special Advisory Commission consisting of professionals, to advise the Commission on some of the highly complicated issues it must consider. Included in this

category would be highway development, solid and hazardous waste siting, and major private developments. The purpose of this committee would be to serve as a sounding board for the Executive Director. Mr. Amon said that David Kinsey has been suggested as the chairman of this group. These would be informal meetings of professionals only. After some discussion Mr. Amon was told to prepare more information on this idea and introduce it again at a future meeting.

Outlet Lock in New Brunswick

It was reported that DOT was having a special meeting today regarding the restoration of the outlet lock in New Brunswick.

Mr. Bill McKelvey said that he had attended the meeting and he told the Commissioners that about twenty or thirty people attended in order to protest the proposal of the City of New Brunswick and the DOT. Their proposal was to cancel the 1976 Memorandum of Agreement which calls for restoration of the outlet lock and to partially fill them instead.

After some discussion it was agreed that the Canal Commission's position on this was that the terms of the Memorandum of Agreement of 1976 should be upheld.

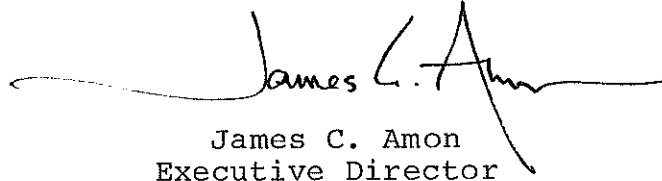
Mr. Zaikov moved that Mr. Amon write a letter stating that the terms of the original agreement were satisfactory and should be carried out. Mr. Jessen seconded the motion which carried unanimously.

2:00 Mrs. Nash left. No Quorum.

ADJOURNMENT

The meeting was adjourned at 2:00 pm.

Respectfully submitted,


James C. Amon
Executive Director