

MINUTES OF THE MEETING OF 18 JANUARY 1989:



TIME: 12:15 - 2:10 pm
DATE: Wednesday, 18 January 1989
PLACE: Canal Commission's Office
Stockton, New Jersey

DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Kirkland, Jones, Torpey, Guidotti, Pauley,
& Mrs. Nash

STAFF: Mr. Dobbs and Mrs. Greenwald
Stephen Brower, Deputy Attorney General

GUESTS: Paul Stern, D & R Canal State Park
Larry & Kay Pitt, Canal Society of N.J.
John Kraml, Division of Parks & Forestry
Eugene Gross, NJ Water Supply Authority
Frederick Brown, D & R Canal Watch
Ursula Buchanan, D & R Canal Coalition
Milton Levin, Lawrence Historical Society
Charolette Wengel, Blackwells Mills Canal Association
Dolly Minis, D & R Canal Watch
Bill McKelvey, Canal Society of New Jersey
Joseph Skupien, Somerset County
Norm Mathis, Somerset County

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 announced that Mr. Amon had the flu and therefore would not be present at the meeting. All Commissioners wished him a speedy recovery.

Mr. Kirkland then announced that Mrs. Greenwald had accepted a classified position within the DEP and would no longer be working for the Commission. The Commissioners expressed their sadness but wished her well.

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

EXECUTIVE DIRECTOR James C. Amon	COMMISSIONERS Benjamin B. Kirkland <i>Chairman</i>	Martin D. Jessen <i>Vice-Chairman</i>	Donald B. Jones <i>Treasurer</i>	Stuart R. Zaikov Arthur J. Holland	Christopher J. Daggett R. William Pauley	Winona D. Nash Frank J. Torpey
--	--	--	-------------------------------------	---------------------------------------	---	-----------------------------------

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Thomas H. Kean, Governor Christopher J. Daggett Acting Commissioner

MINUTES

Mr. Jones moved to approve the minutes of the 21 December 1988 meeting. The motion carried unanimously following Mr. Torpey's second.

ELECTION OF OFFICERS

Upon a motion by Mr. Jones and a second by Mr. Pauley it was unanimously voted that Mr. Jessen would remain Vice-Chairman.

Upon a motion by Mr. Kirkland and a second by Mr. Torpey it was unanimously voted that Mr. Jones would remain Treasurer.

LEASES AND PERMITS

Mr. Dobbs presented the Finkle Hardware lease to the Commissioners with his recommendation for approval. Following a motion by Mr. Jones and a second by Mr. Pauley the lease passed unanimously.

12:25 Mr. Guidotti arrived.

REVIEW ZONE PROJECTS

Mr. Dobbs presented the following B Zone projects to the Commissioners with his recommendation for approval:

- 88-1674 - Grosso, Richard
- 88-1729 - Linpro, Enterprise Business Center
- 88-1636 - Banchoff Park

Mr. Dobbs stated that he had another project, Montgomery Meadows Phase I, for the Commission's action, which he described, but requested voting on it be delayed until Somerset County had presented their plans on regional detention facilities. The Commissioners agreed.

Mr. Jones moved approval of all the above projects. Following Mr. Pauley's second the motion carried unanimously.

REVIEW ZONE REGULATIONS

Mr. Dobbs explained that Mr. Amon had hoped to have some news on the status of the stream corridor and traffic impact sections of the Regulations. But the Office of Regulatory Services had not prepared the papers for presentation to the Commission for their approval for publication. We hope to have the necessary documents by the February meeting. Mrs. Nash wanted it on record how important that the traffic impact rules are regarding the Canal Park especially for projects like Yorkshire Village.

MASTER PLAN REVISIONS

Mr. Dobbs informed the Commissioners that Mr. Amon would like to have their comments on the proposed revisions to the second edition of the Master Plan. These changes will be the final revision prior to issuance of the official document. Mr. Pauley felt that #4 should be expanded to state exactly what we want as to who or what population is being served. Mrs. Nash moved to adopt the recommended revisions as presented in Mr. Amon's letter. Her motion carried unanimously following Mr. Pauley's second.

SOMERSET COUNTY PRESENTATION

Mr. Joe Skupien and Norm Mathis of the Somerset County Engineering Department attended the meeting this month to present information regarding the Royces Brook and Pike Run Stormwater Management Studies. The Royces Brook plan was adopted by the Commission two years ago and Joe Skupien said that one regional basin has been constructed and a second one is being planned for construction in 1989.

1:30 Mr. Brower arrived.

The Commission approved the regional plan for Dead Tree Run in 1988. This is a portion of the larger Pike Run area. The stormwater plan for the entire Pike Run should be ready to present to the Commission by April. The regional basin for the Dead Tree Run is presently being designed with construction scheduled for early 1990.

The County's reason for being at the January meeting was to convince the Commission to approve the "Simsbury West" and "Montgomery Meadows Phase I" projects without full storm water detention, but with water quality protection. By allowing this to happen the county would then be able to receive a contribution to their fund for future construction of regional detention basins. Mr. Skupien assured the Commission that computer runs prepared by Elston Killiam Associates for the Pike Run study showed that there would be no detrimental effect down stream if the full detention were not built on these two sites. He further assured the Commission that this information was in final form and would not change in the official Pike Run plan when presented to the Commission.

After extensive discussion on the advantages of regional detention, and the method of constructing regional basins, Mr. Jones moved that the Larken Associates Project (Montgomery Meadows, Phase I) be approved with the provision that the applicant is required to build a water quality detention basin and that he has the option to construct a full detention basin or to contribute the additional cost to the County. Mr. Pauley seconded the motion.

Mr. Guidotti questioned the idea of giving authority to administer the Commission's regulations to someone else. Stephen Brower felt that the regional planning being undertaken by Somerset County would take care of the Commission's responsibility to protect the canal from storm water flow.

Mr. Mathis of Somerset County stated that he would keep Mr. Dobbs up to date on this and any other projects.

Mr. Brower would like to look over the language of this motion to make sure that it is not interpreted in any way other than in which the Commission voted it.

Following the above discussions the motion carried unanimously.

FOCUS OF THE CANAL COMMISSION

Mr. Amon had distributed a document on the focus of the Canal Commission for 1989, and requested comments.

The basic topic, as suggested by Mr. Pauley, that seemed to arise was the need for more camping. It was felt that camping generates public awareness of an area and would help the Canal Park, especially in the New Brunswick area. Mr. Pauley also suggested we look into methods of encouraging use of the park.

Mrs. Nash said that Brailey track in Lawrence should be limited for passive recreation and including camping. Mercer County has a beautiful park, why not put camping in there.

Ursula Buchanan stated that people do not want beer drinking, loud music, etc. in the park.

Paul Stern stated that any land that is currently part of the Canal Park that would be suitable for a camping area is in the flood plain, which would preclude the construction of associated buildings (bathrooms, etc). He did not feel that camping is possible anywhere in the park except at Bull's Island, or maybe at Bell Mountain.

Mr. Pauley was concerned with the disposal problems which will arise from proposed incineration sites. Mr. Torpey added that we should monitor the proposed incinerator at American Cyanamid in Bound Brook which could impact the Millstone River and the Canal.

CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern brought the Commissioners up to date on the coming and goings on in the Canal Park.

EXECUTIVE DIRECTOR'S REPORT

Mr. Brower stated that Mr. Jessen had asked about getting a alternate for Mayor Holland when the Mayor can not attend. Mr. Brower looked into the laws and stated that there is no provision for an alternate for the Mayor. He did suggest that the Mayor could send someone to keep him up to date on Commission actions, but that person would not have the authority to vote.

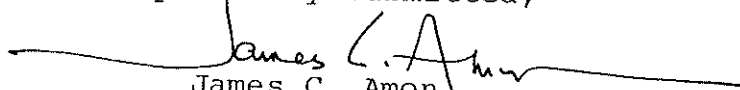
Mr. Amon had asked whether the Canal Commission has the authority to develop the Review Zone Regulations to which the answer was No. The Commission has the right to develop them for submission to the DEP but that the DEP has the overall say regarding them.

Mr. Brower then stated that Mr. Amon had requested an official opinion on the extension of the park past Frenchtown and whether the Commission would have regulatory review. That answer also was No. It doesn't appear that the Canal Commission's jurisdiction would be legal past what we already have, it would require a amendment to the legislation that created the park. This will be looked into further. The portion of the abandoned railroad bed will remain under the control of the parks department.

ADJOURNMENT

Following a motion by Mr. Jones and a second by Mr. Pauley the meeting was adjourned at 2:10 p.m. The motion carried unanimously.

Respectfully submitted,


James C. Amon
Executive Director