

MINUTES OF THE MEETING OF 20 JUNE 1990

TIME: 12:15 NOON - 2:45 PM  
DATE: Wednesday, 20 June 1990  
PLACE: D & R Canal Commission  
Prallsville Mills  
Stockton, NJ



DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Jessen, Jones, Kirkland  
Pauley, Torpey, Mrs. Nash

STAFF: Messrs. Amon and Dobbs; Ms. Holms  
Deputy Attorney General Stephen Brower

GUESTS: Bill Moss, Canal Society of New Jersey  
Barbara Thomsen, D & R Canal Watch  
Bill McKelvey, American Canal Society  
Kay & Larry Pitt, Canal Society of NJ  
John Kraml, Jr., Div. of Parks & Forestry  
Robert von Zumbusch  
Jean Brandeis, Star-Ledger  
James Schemmer, NJWSA  
Edward Buss, NJWSA  
Richard Walling, Preservation Coalition  
of New Jersey  
June Sadlowski, Preservation Coalition of  
New Jersey  
Joe Bird  
Janet A. Fittipaldi, NJDOT Archeologist  
Lauralee Rappleye-Marsett, NJDOT  
David Stires, Donald H. Stires Asso.  
Phyllis Plitch, Hunterdon County Democrat  
Mary Tanner, D & R Canal Watch  
Gordon Keith, D & R Canal Watch  
Gregory Lago, NJDOT  
Miriam Crum, NJDOT - BEA  
Arlene Weiss, NJ Division of Law  
Mary Jane Post, Preservation Coalition of  
New Jersey  
F. T. Bogdan, NJDOT - Reg 3 Design  
Mike Martynenko, NJDOT - Reg 3 Design  
Peter Therkelsen, NJDOT - Reg 3 Design  
Gary Toth, NJDOT - BEA

Mr. Kirkland opened the meeting and announced that this was a regular meeting of the D & R Canal Commission and that all

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<b>EXECUTIVE DIRECTOR</b> James C. Amon	<b>COMMISSIONERS</b> Benjamin B. Kirkland <i>Chairman</i>	Martin D. Jessen <i>Vice-Chairman</i>	Donald B. Jones <i>Treasurer</i>	Stuart R. Zaikov R. William Pauley	Judith A. Yaskin Frank J. Torpey	Winona D. Nash
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NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
James J. Florio, Governor Judith A. Yaskin, Commissioner

provisions of the Open Public Meeting Law of 1976 had been met.

#### MINUTES

Mr. Jessen moved approval of the Minutes from the meeting of 16 May 1990; Mr. Torpey seconded the motion and it passed unanimously.

#### LEASES

Mr. Amon reported that he had four leases for Commission action:

- James Suita, who pays \$150 per year for several hundred square feet in Lambertville.
- Kate Roebeling, who pays \$50 per year for a narrow strip of land in Trenton.
- Bernard's Canoe Rental in Kingston.
- Titusville Canoe Rental (formerly Abbott's).

Mr. Amon recommended approval of all four leases. Mr. Jessen moved approval; Mr. Pauley seconded the motion and it passed unanimously.

#### REVIEW ZONE

Mr. Amon presented the following eight "A" Zone projects:

- 90-1897 - Thompson Residence - Additions to a house in Stockton.
- 90-1887 - Cook Barn - Alteration of a barn in Stockton.
- 90-1896 - North Main Street - Construction of four town-houses in Lambertville.
- 90-1894 - Titusville Church Fence - Construction of a fence in Titusville.
- 90-1884 - EL Bethel Baptist Church Addition - Addition to a church in Trenton.
- 90-1886 - Dreyhaupt Residence - Additions to a house in Griggstown (Franklin Twp.).
- 90-1900 - Mukerji Residence - Addition to a house in Somerset (Franklin Twp.).
- 90-1904 - Stony Brook Bridge - Temporary truss bridge on Alexander Road over the Stony Brook.

Mr. Amon recommended approval of all eight projects. Mr. Jessen moved their approval; Ms. Nash seconded the motion and it passed unanimously.

Mr. Dobbs then presented eight "B" Zone projects:

- 90-1867 - Village Park
- 89-1841 - Janssen Pharmaceutica, Phase I
- 88-1661 - Grayston Estates
- 89-1838 - The Summit at Millstone
- 89-1757 - Griffin Project
- 89-1799 - Wincrest
- 83-0265 - Huntington Inc.
- 87-0492A - Regency Industrial Campus

Mr. Dobbs stated that DRCC Project #83-0265 had been tabled at the 16 May 1990 meeting to see if it would have to meet the stream corridor regulation. It had been approved in 1983 but was not built and now needed a renewed Certificate of Approval. Mr. Dobbs said that he checked with the Deputy Attorney General on this issue and was advised that the applicant would not be held to new standards if he did not start construction for reasons outside his control. In this case the project was held up because the municipal sewerage treatment plant needed expansion.

Mr. Dobbs therefore recommended approval of all projects. Mr. Jessen moved approval; Mr. Jones seconded the motion and it passed unanimously with Mr. Torpey abstaining.

#### DOT/DUCK ISLAND

Mr. Kirkland stated that he regretted that he missed the Commission's special meeting of 6 June 1990 and that he had asked Mr. Amon to re-schedule this subject today.

Mr. Amon started to explain the procedure for reconsidering the resolution passed at the 6 June meeting when Mr. Brower arrived and announced that he had an Attorney General's opinion on the question raised on 6 June.

Mr. Jessen moved that the Commission enter executive session to receive advice from its legal counsel; Mr. Pauley seconded the motion and it passed unanimously.

Upon returning to public session, Mr. Kirkland announced that the Commission had received the Attorney General's opinion, discussed it with Mr. Brower, and agreed that the opinion would not be released at this time. It will, said Mr. Kirkland, be made public after the Commission has had the opportunity to study it and understand it fully.

Mr. Kirkland then asked Mr. Fred Bogden of the Department of Transportation if he would make a brief presentation summarizing the proposed alignment of the Lambert Road Connector and its alternative alignments.

Mr. Bogden reviewed the routes, paying particular attention to an alternative that would go between the two sludge lagoons. His conclusion was that this and the other alternatives are infeasible.

Mr. Pauley asked about the possibility of a berm with trees to buffer the preferred alignment from Lock #2. Mr. Toth of the DOT said that he would be willing to meet with Mr. Amon to review landscaping.

Mr. von Zumbusch stated that he does not think that the 60 feet between Lock #2 and the road as proposed by the DOT is sufficient. He urged that the DOT, DEP, MCIA, and DRCC staff meet to see if this complex issue can be resolved to relocate the road.

Mr. Walling then asked a series of questions, most of which related to the completeness and accuracy of the DOT's Environmental Impact Statement. He concluded by asking the Commission not to take action until after the Attorney General's opinion has been reviewed by the public.

Mr. Kirkland asked Mr. Amon for his advice to the Commission. Mr. Amon stated that the criteria with which the Commission is to review this project is its compliance with the Canal Park Master Plan. The Master Plan calls for the excavation and re-watering of approximately 800 feet of canal above Lock #2. The DOT proposal would give approximately 75 feet above the lock, which would bring traffic closer to the lock and would eliminate the visual tie between the canal and Sturgeon Pond. But, Mr. Amon pointed out, the distance given by the DOT would be enough to make Lock #2 a logic terminus for the abandoned portion of the canal, and it seemed that no real alternative was available to the DOT. Mr. Amon therefore recommended approval with two conditions:

1. That Mr. Amon and DOT consider landscaping.
2. That the DOT and DRCC continue to look for opportunities to relocate the road in the future in order to make the project comply more closely to the Development Plan (a part of the Master Plan).

Mr. Jessen moved approval of the DOT's Route 129 and Lamberton Road Connector plans with the two conditions recommended by Mr. Amon. Mr. Pauley seconded the motion.

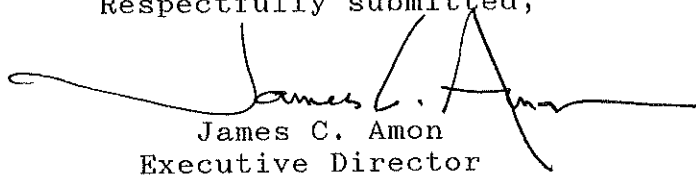
Mrs. Nash wished to make it clear that she is appalled by the amount of money spent on historic research when all it has produced are drawings and notes. The same amount of money could have totally restored Lock #2, Lock #1, and all of the canal between the locks, she said.

Mr. Jessen and others agreed.

Mr. Kirkland then called for a vote, and the motion was passed unanimously.

The meeting was adjourned at 2:45 p.m. after a motion by Mr. Torpey and a second by Mrs. Nash.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon". The signature is stylized with a long horizontal line extending to the left and a large, prominent letter "A" at the end.

James C. Amon  
Executive Director