

MINUTES OF THE MEETING OF 17 JULY 1991

TIME: 12:20 PM - 2:20 PM  
DATE: Wednesday, 17 July 1991  
PLACE: D & R Canal Commission Office  
Prallsville Mills  
Stockton, NJ



DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Kirkland, Jessen, Marshall,  
Pauley, Zaikov; Mrs. Nash

STAFF: Messrs. Amon and Dobbs; Ms. Holms  
Ms. Carol Blasi, Deputy Attorney General

GUESTS: John M. Sheehan, Ewing Township Historic  
Preservation Commission  
Paul Stern, Div. Parks & Forestry  
Joe Bird  
Babs Thomsen, D & R Canal Watch  
Bill Moss, Canal Society of NJ  
John Kraml, Jr., Div. Parks & Forestry  
Kay & Larry Pitt, Canal Society of NJ  
D.S. Schaeffer, Mansion Hill Estates  
Robert B. Britton, Jr., Ewing Township  
Historic Preservation Commission  
Abe Shaikh, NJ Water Supply Authority

Mr. Kirkland opened the meeting and announced that this was a regular meeting of the D & R Canal Commission and that all provisions of the Open Public Meeting Law of 1976 had been met.

Mr. Kirkland announced that John Kraml, a good friend of D & R Canal Park enthusiasts, would be retiring from the Division of Parks and Forestry at the end of July, after 39 years of service. On behalf of the Commissioners and staff, Mr. Kirkland expressed gratitude and appreciation for the work that Mr. Kraml has done toward the improvement of the D & R Canal State Park.

MINUTES

Mr. Jessen moved approval of the minutes of the meeting of 19 June 1991, Mrs. Nash seconded the motion, and it passed unanimously.

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EXECUTIVE  
DIRECTOR  
James C. Amon

COMMISSIONERS  
Benjamin B. Kirkland  
Chairman

Martin D. Jessen  
Vice-Chairman

Donald B. Jones  
Treasurer

Stuart R. Zaikov  
R. William Pauley

Scott A. Weiner  
Frank J. Torpey

Winona D. Nash  
Douglas H. Palmer

## LEASES

Mr. Amon reviewed the application for a lease for 10 acres of land which is used as a crop field by Lester Terhune of Griggstown. He recommended approval. Mr. Jessen moved approval, Mr. Pauley seconded the motion, and it carried unanimously.

## REVIEW ZONE PROJECTS

Mr. Amon presented four "A" Zone projects:

- 91-1988 - Borden Tire Co.; Trenton  
tire store renovation
- 91-1989 - Hanasewych Subdivision; S. Brunswick Twp.  
minor subdivision
- 91-1994 - Rotkowski Residence; Stockton  
deck addition
- 91-1995 - Steffanelli Pool; Stockton  
above-ground swimming pool

Mr. Amon said that the tire store, on Passaic Street in Trenton, was on the opposite side of the street from the park. He said that a chain-link fence would be installed around the property with trees along Passaic Street facing the Canal Park. Regarding the Hanasewych subdivision, Mr. Amon said that although the applicant plans to build a house on the newly-created lot, visual impact on the Canal Park will be minimal because of topography and a buffer of trees. The Rotkowski deck would be added to the side of the house which is 100 feet from the canal. The Steffanelli pool would be partially screened by a hedgerow that presently exists at the rear of the property. In both cases, Mr. Amon said there is no harmful visual impact on the Canal Park, and recommended approval for all four projects. Mrs. Nash asked about specific landscaping plans for the Borden Tire store-- Mr. Amon replied that three trees would be planted between the fence and the curb. Mr. Jessen moved approval of the "A" Zone projects, Mr. Zaikov seconded the motion, and it passed unanimously.

Mr. Dobbs presented the following "B" Zone projects:

- 88-1664 - Thaynes Investments N.V.; S. Brunswick Twp.  
34 office/commercial buildings on 318 acres  
with 40% impervious coverage. Previous  
approval due to expire.

- 90-1944 - Hopewell Acres; Hopewell Township  
19 single family houses on 128+ acres with  
13+% impervious surface.
- 89-1746 - Crestmont Hills Phase I; Hillsborough Twp.  
115 clustered single family houses and 24 Mt.  
Laurel garden apartments on 49+ acres with 37%  
impervious surface.

Mr. Dobbs reported that all of these projects were in compliance with the Commission's stormwater management regulations, and he recommended approval.

Mr. Pauley moved approval of Thaynes Investments project, Mrs. Nash seconded the motion. Messrs. Jessen, Kirkland, Pauley, and Mrs. Nash voted in favor of the motion; Mr. Zaikov abstained. The motion passed. Mr. Pauley then moved approval of the Hopewell Acres application; Mrs. Nash seconded the motion. The motion carried unanimously. Mr. Pauley moved approval of the Crestmont Hills project, and Mrs. Nash seconded the motion. Messrs. Jessen, Kirkland Pauley, and Mrs. Nash voted in favor of the motion; Mr. Zaikov abstained. The motion passed.

#### DEPUTY ATTORNEY GENERAL'S REPORT

Ms. Blasi summarized findings that were requested of her at June's meeting. She stated that if a Commissioner felt that a conflict of interest may be involved between the Commissioner and a project applicant, the Commissioner could not take part in any discussion regarding the project. She also stated that an abstention resulting from a conflict of interest could result in a lack of quorum. If, however, a Commissioner abstained from voting for reason of lack of opinion, then a quorum is still maintained.

Mr. Zaikov asked Ms. Blasi whether requiring applicants to list owners owning 10% or more in the property was adequate protection against possible conflicts of interest for Commissioners. Ms. Blasi suggested that the 10% procedure be a part of the regulations, thereby requiring applicants to abide by this rule. A discussion then ensued regarding how the Commissioners could determine whether there was a conflict of interest. Ms. Blasi said that there was no definitive test, and that it was the Commissioners' responsibility to determine whether they had a conflict of interest. She suggested that the staff submit reports with a list of owners to the Commissioners in advance of the meeting, so that the Commissioners could further research these owners if necessary. She also suggested having the

applicant's address on the staff report to the Commissioners.

#### NEW JERSEY WATER SUPPLY AUTHORITY PROJECT: CULVERT AT STATION 2344+17

Mr. Amon stated that the Commissioners gave concept approval to this project in December of 1990. The headwalls are to be rebuilt in accordance with historic masonry, and a steel sleeve with grout will be installed. Mr. Jessen moved approval of the project, Mr. Zaikov seconded the motion, and it passed unanimously.

#### MANSION HILL ESTATES

Mr. Amon reviewed the status of this project. He said that at last month's meeting the Canal Commission accepted the concept of an interpretive display and required the applicant to post a \$10,000 letter of credit or performance bond. Between the Commission's action and the posting of the bond, the Commission was to notify Ewing Township that it would approve the release of one building permit and one certificate of occupancy. The builder was given the deadline of the end of the year to have all permits needed to construct the interpretive display, and a deadline of April 1st, 1992, to have the interpretive display constructed.

Ms. Schaeffer requested assurance that all the governing bodies involved in the interpretive display planning process agree on plans in a timely manner, so that the deadlines imposed by the performance bond would not be difficult to meet. Mr. Britton summarized the suggestions that the Ewing Historic Preservation Commission made for the display; Mr. Amon said that the Division of Parks and Forestry, the Water Supply Authority, the Canal Commission, and Ewing Township would be able to work out final plans in a reasonable amount of time. Mr. Kirkland expressed appreciation for the work done by the Ewing Township Historic Preservation Commission.

#### NATIONAL HERITAGE CORRIDOR DISCUSSION

Mr. Amon stated that if the D & R were to receive National Heritage Corridor status, he would like to see four goals as part of the legislation: 1) implementation of the Canal Commission's existing planning documents, 2) an enlarged focus from the canal to the corridor, with possible exploration of the Revolutionary War corridor's role, 3) development of a strong interpretive program, and 4) study of economic development within the canal corridor.

Mr. Jessen suggested that interpretation of the corridor's industrial history needs more emphasis; Mr. Pauley agreed, adding that the agricultural history, too, could be better interpreted.

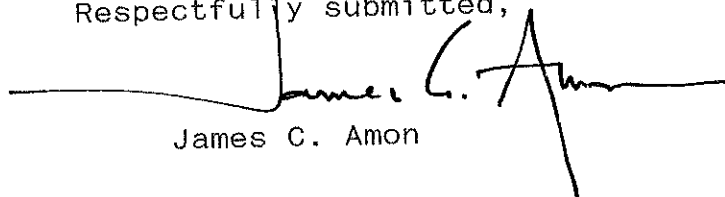
Mr. Moss stated that the goals for both the Morris Canal and the D & R Canal should complement each other--he suggested that the interpretive sites be spread out evenly throughout the corridor.

Mr. Jessen also suggested that Lambertville be chosen as a primary interpretive site.

Mr. Marshall stated that, in regard to the New Jersey Coastal Heritage Trail, the National Park Service did a very thorough job in development of plans, but is now encouraging the State to cover the cost of implementing these plans.

The meeting was adjourned at 2:20 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon". The signature is written in a cursive style with a long horizontal line extending to the left and a vertical line extending downwards from the end.

James C. Amon