

MINUTES OF THE MEETING OF 15 APRIL 1992

TIME: 12:10 PM - 2:35 PM
DATE: Wednesday, 15 April 1992
PLACE: D & R Canal Commission
Prallsville Mills
Stockton, NJ



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

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

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

GUESTS: Paul Stern, D & R Canal State Park
Joe Bird
Kay & Larry Pitt, Canal Society of NJ
A. Gregory Chase, NJ Water Supply Authority
Daniel S. Eubanks, R/C Flying Club
Joe Palka, DKM Residential
Bill Moss, Canal Society of New Jersey
Fred Brown, D & R Canal Watch
Rick Marsden, Najarian Assoc.
Bill McKelvey, Friends of NJ Railroad &
Transportation Museum
Lester J. Kursau, Sky Pirates R/C Club
Erik Jetzt, Isles, Inc., D & R Canal Watch
Abigail Barrows
Bill Neil, NJ Audubon Society
Ed Buss, NJ Water Supply Authority
Don Kroeck, NJ Water Supply Authority
Nancy Jones, Delaware River Greenway, Bucks
County Audubon Society

Mr. Jessen 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.

MINUTES

Mr. Jones moved approval of the minutes of the meeting of 19 February 1992; Mrs. Nash seconded the motion and it passed unanimously.

PRALLSVILLE MILLS P.O. BOX 539 STOCKTON, NJ 08559-0539 609-397-2000 FAX: 609-397-1081

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

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
James J. Florio, Governor Scott A. Weiner, Commissioner

REVIEW ZONE PROJECTS

Mr. Amon presented four "A" Zone projects:

92-2026 - Rt. 1 Widening between Rt. 295 and
Quakerbridge Road
Lawrence Township, Mercer County

Mr. Amon said that the widening would not be visible from the Canal Park; Mr. Dobbs said that stormwater detention was not feasible in this area, and the Department of Transportation was putting in detention elsewhere to offset this drainage area.

86-1029B - Somerset Diner Expansion
Franklin Township, Somerset County

An addition not visible from the Canal Park is proposed; additional landscaping and a stockade fence will be installed in back of the site to keep debris from blowing into the park.

91-1992 - PSE&G Chauncey St. Breaker Station
Trenton, Mercer County

Construction started on the expansion of a breaker station without permits from the Canal Commission or the City of Trenton; PSE&G has agreed to screen the station with a fence and arborvitae. They have also agreed to contribute \$200,000 worth of improvements to the Canal Park as part of this project.

91-1996 - Improvements to Gold Run (NJ Manufacturers
Insurance Company) Ewing Township, Mercer County

The applicant is proposing expanded parking, alterations to a detention basin, and changes to Gold Run, which runs under the canal. A 25-foot high embankment is slowly eroding, possibly undermining trees which could damage the culvert and cause flooding upstream. A gabion armament is proposed to halt the erosion.

Mrs. Nash moved approval of the "A" Zone projects; Mr. Jones seconded the approval and the motion passed unanimously.

Mr. Dobbs presented three "B" Zone projects for reapproval:

88-1525 - Hillsborough Center
Hillsborough Township, Somerset County
ten 2-story office-retail buildings on 18 acres
with 38% impervious coverage.

Mr. Dobbs stated that Royce Brook runs to the south of the site, and that the project had been previously approved before the stream corridor regulations were adopted, but that construction has not started because of a delay with permitting from the Department of Transportation.

88-1616 - North Hills Estates
Montgomery Township, Somerset County
25 single family houses on 54+ acres with 10+%
impervious coverage.

The project was delayed for economic reasons. A stream corridor buffer has been added to the original plans, with a waiver for three small sections to be developed within the buffer, that had been approved by the Commission in February.

87-1565 - Planned Residential Communities - Country Hills
Millstone Township, Monmouth County
40 single family houses on 97+ acres with 7%
impervious coverage.

This project was also delayed for economic reasons; a stream runs through the property, and a buffer has been added to the site plans as a conservation easement.

Mr. Dobbs then presented the following new "B" Zone projects for approval:

92-2024 - Public Works Facility
Hopewell Township, Mercer County
three 2-story garages plus parking on 3+ acres
with 60% impervious coverage.

92-2028 - Reed Road Reconstruction
Hopewell Township, Mercer County
road widening and improvements plus storm drain
installation with 2 acres of new impervious
surface.

90-1942 - Plainsboro Municipal Complex
Plainsboro Township, Middlesex County
municipal complex on 28 acres with 16% impervious
coverage.

Mr. Dobbs stated that construction on this project started before obtaining Canal Commission approval; according to the township engineer, the error was due to an oversight.

91-2011 - The Village Square
West Windsor Township, Mercer County
3 retail and office buildings on 6+ acres with
58+% impervious surface.

Mr. Dobbs stated that all four new applications were in conformance with the Canal Commission's regulations. Mr. Jones moved approval of the "B" Zone projects. Mrs. Nash seconded the motion and it passed unanimously with the exception of Mr. Zaikov abstaining on the North Hills application.

Mr. Dobbs then presented an application to waive a small portion of

stream corridor buffer in a project known as Rushbrook in Princeton Township. According to Mr. Dobbs, the embankment of a detention basin will encroach upon the buffer area; if not waived, a significantly larger portion of woodlands would have to be cleared to allow for the construction of the basin. Mr. Zaikov moved waiving the small portion of buffer area where the basin is proposed to be installed from stream corridor requirements; Mr. Pauley seconded the motion, and it passed unanimously.

DISCUSSION OF MODEL AIRPLANE PERMIT

Mr. Amon reviewed the background of the permit application. A model airplane flying club has proposed to use part of the 100-acre field south of Lambertville for flying model airplanes; in exchange, they would mow the portion they were using, plus a trail that runs parallel to the river. Mr. Amon reported that he spoke with representatives from Somerset County Parks, Mercer County Parks, County and State parks in Pennsylvania, and the flying club that uses a field at Washington Crossing Flying Club, and concluded that the use of the proposed site for flying airplanes could pose a safety hazard as well as a being a detraction from the serenity of the area. He also stated that virtually every group that has some kind of association with the Canal Park suggested that it would be a mistake to permit this activity.

Mr. Zaikov reiterated his opinion from February that the Master Plan's objective of retaining a degree of serenity and separation from the man-made world was subject to interpretation.

Mr. Brown stated that the exclusive use of this site for airplane flying precluded any other type of passive recreational use in the area.

Mr. Kursau stated that the noise from the airplanes would be no louder than that from trucks or cars on Route 29.

Mr. Neil felt that the issue involved a proportion of compatibility; he stated that in the Assunpink Wildlife Management Area, model airplane flying was the most intrusive activity.

Ms. Jones stated that the area was prime habitat for nesting warblers, and that if flying were permitted, it be restricted to the non-nesting season (October through March).

Mr. Stern said that the activity conforms with the Master Plan because it is a recreational activity, that he felt that the safety risk factor was not great, and that access to the site could be improved.

Mr. Jones moved denial of the permit application; Mr. Torpey seconded the motion. Messrs. Jones, Pauley, Torpey, and Mrs. Nash voted in favor of the motion; Messrs. Jessen and Marshall abstained, and Mr. Zaikov voted against it. The motion passed.

WATER SUPPLY AUTHORITY PROJECT

Mr. Amon reviewed an application for concept approval involving repair and restoration of sluice gate mechanisms at the confluence of the canal and the Wickecheoke Creek. He stated that the mechanisms were not a part of the historic fabric of the canal, that the Office of New Jersey Heritage had reviewed it favorably, and he recommended approval. Mrs. Nash moved concept approval of the project, Mr. Pauley seconded the motion, and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon recommended that the Commission approve a merit raise for the Commission's Administrative Assistant, Janice Holms. Mr. Torpey moved approval of the merit raise, Mr. Pauley seconded the motion, and it passed unanimously.

Mr. Amon said that the US House of Representatives passed a bill declaring a portion of the Delaware River (from Milford, NJ to Trenton) as Wild and Scenic. Mr. Marshall said that the DEPE will support Senator Bradley's companion bill in the Senate which states that a study should precede the designation. Mr. Neil questioned why, after eight years of study already accomplished, that Senator Bradley and the DEPE feel that more study should be done. Mr. Jones moved to support the overall concept of declaring this portion of the Delaware River as Wild and Scenic, and to recommend that the process of passing the legislation be expedited. Mr. Zaikov seconded the motion, and it passed unanimously.

Mr. Amon reported that Governor Florio acknowledged the Canal Society's purchase of canal-related documents.

CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern said that a gate at South Bound Brook had been installed, ditching in the Millstone valley has been completed, 400 feet of chain link fence was installed at Church Street in Trenton, DOT has completed clearing at the Plainsboro aqueduct, and trimming has been done at Scudder's Falls and Fireman's Eddy. The Frenchtown Lion's Club installed picnic tables and benches south of the Frenchtown bridge.

PUBLIC FORUM

Mr. Neil expressed concern about DOT trucks spraying herbicide on the guardrail north of Stockton on Route 29. Mr. Amon said he had written at least twice to the DOT about this issue but has never received a satisfactory response. Mr. Neil offered to help find out if the spraying was necessary and what chemicals were being used.

Mr. Pauley commented on the pedestrian bridge recently installed in Griggstown. He also asked about the status of the restoration of

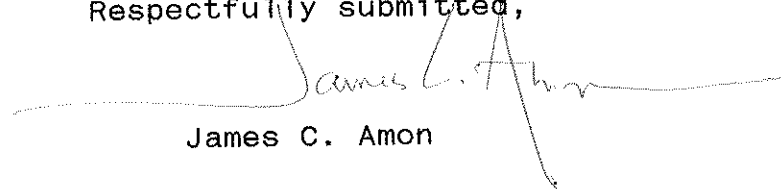
the three canal houses, and recommended making a greater effort in finishing this project. He announced that a Montgomery Historical Society Tour will take place May 2nd which will visit houses along George Washington's route.

Mr. Amon announced that Jan Holms would be leading a birdwatching walk in the Canal Park in Hamilton Township on May 9th.

Mr. Jetzt encouraged the Commission to keep Trenton in mind when developing Canal Park improvement plans.

Mr. Brown announced that D & R Canal Watch held a successful 3-mile run, with 300 runners participating, and thanked the Canal Park staff for helping to make the run a success.

Respectfully submitted,

A handwritten signature in cursive script that reads "James C. Amon". The signature is written in dark ink and is positioned above the printed name. It features a long horizontal stroke at the end.

James C. Amon