

MINUTES OF THE MEETING OF MARCH 16, 1994

TIME: 12:05 PM to 3:00 PM
DATE: Wednesday, March 16, 1994
PLACE: Canal Commission Office
Prallsville Mills, Stockton, NJ



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Jessen, Jones, Kirkland, Marshall,
Pauley, Torpey, Zaikov; Mrs. Nash, Ms. Shaddow
(representative for Mayor Palmer)

STAFF: Mr. Amon, Mr. Dobbs, Ms. Holms
Ms. Carol Blasi, Deputy Attorney General

GUESTS: Paul Stern, D&R Canal State Park
Kay & Larry Pitt, Canal Society of New Jersey
Joe Bird
Frank J. Petrino, Atty. for Centex
Fred Brown, D&R Canal Watch
George Fries, East Windsor Township Engineer
Don Jones, East Windsor Fairgrounds, Inc.
Donald Jones Jr., East Windsor Fairgrounds,
Inc.
Jack Summiecs (sp?), E.W.S.
Carl Loutzenheiser, NJ Water Supply Authority
Lewis Goldshore, Firmenich, Inc.
Joe Butinsky, Centex
John Aubin, Connolly Environmental, Inc.
John Seiba
Paul Darmofalski, Firmenich Consulting Eng.
J.D. Hartlove, Firmenich Dir. of Eng.
Patrick McCauley, Nassau Office Park, Inc.

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.

MINUTES

Mr. Zaikov moved the approval of the minutes of February 16;
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	Robert C. Shinn, Jr. Frank J. Torpey	Winona D. Nash Douglas H. Palmer
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NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY
Christine Todd Whitman, Governor Robert C. Shinn, Jr. Commissioner

REVIEW ZONE ACTIONS

Mr. Dobbs presented one "B" Zone application for approval:

94-2144 NJ Turnpike Authority Interchange 8A Park & Ride Facility; South Brunswick Twp.; 1-story building plus parking lot on 24+ acres with 28% impervious surface.

Mr. Dobbs said that Commission standards for stormwater management and water quality had been met on this project and recommended approval. Mrs. Nash moved approval of the application, Mr. Pauley seconded that motion, and it passed unanimously.

Mr. Amon reviewed an application for an amendment to a project that has an existing Certificate of Approval:

86-1120 Sheffield Manors at the Trace - E. Windsor Twp.

Mr. Amon explained that the design of the detention basins for this project had been changed from that which was approved by the Canal Commission, at the request of the East Windsor Township Engineer. The Township Engineer required a larger outlet pipe; a plate was installed on this pipe reducing its opening to 8 $\frac{3}{4}$ ". This size opening was determined to result in the same release of water from the basin system. The retention period for the system as a whole is well within the standards set by the Canal Commission. Mr. Amon said that the staff has determined that the changes do not constitute a substantial deviation which alters the character of the project or impairs the intent of the Commission's standards for storm drainage and water quality impact review. He recommended amending the approval to accommodate the design change.

Mr. Jessen expressed concern that the plate would reduce the velocity of the water flowing in the pipe and would create more siltation. Mr. Amon said that the design of the entire system still meets the Commission's standards. He also said that the rate of runoff with this design, post-development, will be considerably lower than the rate at pre-development. Mr. Jessen moved approval of the resolution to amend the Certificate of Approval, as prepared by Mr. Amon, with a correction to change "8 inches" to "8 $\frac{3}{4}$ inches." Mrs. Nash seconded the motion.

Mr. Jones of East Windsor Township stated that he was a victim of this flooding situation. He said that the basins do not work, and the findings of the Commission's engineer are wrong. Mr. Amon replied that if the project has a detrimental effect on Mr. Jones' property, then he should take up the issue with the township. He said that the Canal Commission's jurisdiction is limited to the project's impact on the Canal Park, and the staff concluded that it is impacting the Canal Park in a way which is in conformance with the Commission's standards.

The Commissioners voted unanimously in favor of the motion.

Mr. Amon presented three "A" Zone projects:

87-1510 - Rude Residence Addition - Franklin Twp., Somerset County; 1-story addition to house in Griggstown Historic District.

Mr. Amon said that the proposed addition is in conformance with the historic character of the area and recommended approval.

94-2152 - Schwartz Residence - Delaware Twp.; new single family house on 25 acres.

Mr. Amon determined that there would be no harmful visual impact on the Canal Park from this residence.

92-2044 - Exxon Station Rebuild - Franklin Twp.; changes to an existing gas station that includes an addition of a car wash; water from car wash will be recycled.

Mr. Amon said the gas station was not visible from the Canal Park and recommended approval. Mr. Jones moved approval of all three "A" Zone projects; Mr. Jessen seconded the motion, and it passed unanimously.

Mr. Amon then presented an application to amend a Certificate of Approval given to Nassau Office Park. He said that the Commission approved the General Development Plan of the Nassau Office Park in October, 1993. Since then, the Canal Commission has adopted regulations which stipulate that General Development Plan approvals lapse if construction has not started within 10 years. The applicant has requested amending the approval to accommodate these new terms. Mr. Torpey moved amending the original approval; Mrs. Nash seconded the motion, and it passed unanimously.

Mr. Amon presented an application for waiver from strict compliance for the Commission's stream corridor regulation. Representatives for Firmenich in Plainsboro Township are requesting to develop within the stream corridor buffer (92,500 square feet). They would compensate by setting aside 144,000 square feet in a newly-defined stream corridor. In addition, the detention system will detain the entire site which includes existing buildings on land that drains to a tributary to the Millstone River. Mr. Jessen moved waiving the project from strict compliance with the stream corridor regulations; Mr. Jones seconded the motion and it passed unanimously.

NJ WATER SUPPLY AUTHORITY PROJECT: MOORE'S CREEK CULVERT REPAIR

Mr. Amon said that Moore's Creek flows underneath Route 29 and the canal--it is a two-barreled arch culvert, and in 1973, the east

headwall and tubings were covered with 6 inches of gunnite. The gunnite is presently cracking, the two "ice-breakers" are in bad shape, and there has been scouring underneath the entrance and exits. The Commission already passed concept approval on the proposed repairs; the Water Supply Authority is requesting final approval. The staging area will be located on the Route 29 side, and the contractor is required to maintain the path in its present condition. Mr. Jessen moved final approval of the project; Mr. Zaikov seconded the motion, and it passed unanimously.

NJ WATER SUPPLY AUTHORITY PROJECT: STABILIZATION OF DELAWARE RIVER BANK AT BULL'S ISLAND

Mr. Amon said that the Commission approved the stabilization of 450 feet of the Delaware River bank at Bull's Island with the condition that the rip rap be chinked and seeded. He said that the Army Corps of Engineers, the Hunterdon County Soil Conservation District, and DEPE Stream Encroachment have all denied this condition. Mr. Amon recommended the Commission pass a resolution rescinding the condition of chinking and seeding. Mr. Zaikov moved approval of the rescision, Mr. Torpey seconded the motion and it passed unanimously.

DIVISION OF PARKS & FORESTRY PROJECT: PAVING BULL'S ISLAND ROAD

Mr. Amon said that a section of the entrance road to Bull's Island dips down before leading to the campground. The dip allows the river flooding to wash out over the road; a 36" pipe underneath the road is not large enough to take care of the flooding which regularly washes the road away. The Division of Parks and Forestry is proposing to remove the pipe, install solid walls, raise the road, and blacktop it. Mr. Amon suggested that the Commission approve the project with the understanding that if guide rail is installed it must be a steel-backed timber guide rail that was approved by FHWA. Mrs. Nash moved approval of the project with the condition, Mr. Zaikov seconded the motion and it passed unanimously.

CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern said that the park staff has been spending time on repairing equipment and vehicles, plus attending training sessions. He said that the maintenance staff has been clearing downed trees from the path, as well as cleaning up many of the Canal Park structures.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon commented on communication he has had with Governor Whitman's Appointments representative.

Mr. Zaikov moved the following resolution:

Whereas the Open Public Meeting Act provides that a public body such as the Canal Commission may meet in closed session to discuss personnel matters and matters subject to attorney-client privilege;

Whereas the Commission desires to retire to closed session to discuss such personnel matters and matters subject to attorney-client privilege;

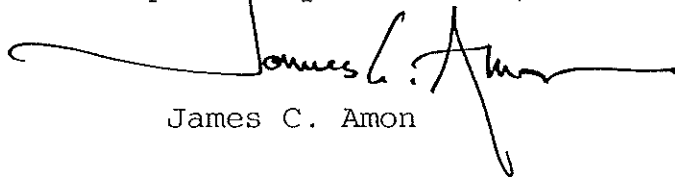
Now therefore be it resolved that the Commission shall at this time meet in closed session to discuss personnel matters and matters subject to attorney-client privilege, the substance of which will be disclosed publicly only if it does not constitute an unwarranted invasion of individual privacy and will not breach attorney-client privilege.

Mrs. Nash seconded the motion, and it passed unanimously. The Commission entered Executive Session at 1:15 PM.

The open public session resumed at 2:45 PM. Mr. Jones moved terminating the employment of Dean M. Dobbs with the Canal Commission effective April 15, 1994. Mr. Pauley seconded the motion, and it passed without dissent.

Mr. Zaikov moved adjourning the meeting, Mr. Jessen seconded the motion; the motion carried. The meeting adjourned at 3:00 PM.

Respectfully submitted,

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

James C. Amon