

MINUTES OF THE MEETING OF MARCH 15, 1995

TIME: 12:10 PM to 1:50 PM  
DATE: Wednesday, March 15, 1995  
PLACE: Canal Commission Office  
Prallsville Mills, Stockton, NJ



DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

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

STAFF: Mr. Amon, Ms. Holms  
Mr. Lewin Weyl, Deputy Attorney General

GUESTS: Linda House, Griggstown Canal Museum  
Kay & Larry Pitt, Canal Society of New Jersey  
Gregg Chase, NJ Water Supply Authority  
Joe Bird  
Fred Brown, D&R Canal Watch  
Jim Irish  
Ron Taglairino, D&R Canal State Park  
Walter A. Seaman, Trenton Eng. Co.  
Ed Bialas  
Peter Cascone  
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.

MINUTES

Mrs. Nash moved the approval of the minutes of February 15;  
Mr. Jessen seconded the motion and it passed without dissent.

LEASES AND PERMITS

Mr. Amon presented a one-year special use permit application. The application is for use of Park property (size approximately 275' x 25') in Ewing Township next to Wilburtha Road. The Loveday stone yard has been using this property for stone storage; the permit would allow the company to continue to use it for a fee of \$1,000.

Mr. Pauley asked Mr. Amon to check if there was any language in the permit about height restriction for the stone piles.

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EXECUTIVE	COMMISSIONERS					
DIRECTOR	Benjamin B. Kirkland	Martin D. Jessen	Donald B. Jones	Stuart R. Zaikov	Robert C. Shinn, Jr.	Winona D. Nash
James C. Amon	Chairman	Vice-Chairman	Treasurer	R. William Pauley	Frank J. Torpey	Douglas H. Palmer

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY  
Christine Todd Whitman, Governor Robert C. Shinn, Jr. Commissioner

Mr. Amon then presented a one-year lease application for the Carnegie Road Canal House, to be leased to Mr. Dzialo for \$330 per month. He also presented a lease renewal application for the use of 220 square feet of Park property to Faherty's Pub in West Amwell, to be used as parking and access to the building.

Mrs. Nash asked whether photographs of the Carnegie Road Canal House interior could be made available to the Lawrence Historical Society.

Mr. Torpey moved the approval of the leases for the Carnegie Road Canal House and the property next to Faherty's Pub; Mr. Jessen seconded the motion and it passed unanimously.

#### REVIEW ZONE PROJECTS

Mr. Amon presented the following "A" zone project applications:

95-2206 - South Bound Brook Post Office

Mr. Amon said that the proposal is to expand the post office parking lot and install a landscape around its edges.

94-2160 - Shimalla Residence - Franklin Twp., Somerset County

The house will be located about 150 from the edge of the canal, and though visible from the Park, it will be seen as part of the community of East Millstone.

95-2207 - Harrison Tower Cellular Antennas

The antennas will not protrude above the roof of a tall apartment building which is about 600 feet from the canal. There will also be an equipment cabinet that will probably not be visible from the Canal Park.

Mr. Amon recommended that all three "A" zone applications be approved, because they would not create any harmful visual impact on the Canal Park. Mr. Jessen moved approval of the "A" zone projects; Mr. Pauley seconded the motion, and it passed unanimously.

Mr. Amon then presented two "B" zone project applications:

87-1567 - Stratford Woods - East Windsor Township

94-0779C - Greenbriar @ Whittingham Village 1.3 - Monroe Twp.

Mr. Amon said that Ms. Adapon had reviewed both applications for stormwater management and water quality and found them to be in compliance with the Commission's regulations. He recommended approval. Mr. Jessen moved approval of the two "B" Zone

applications; Mr. Torpey seconded the motion, and it passed unanimously.

Mr. Amon then presented a "B" zone project application to be waived from review and approval of the Commission's stormwater regulations. The Diocese of Trenton is proposing to build an addition to its Chancery in Lawrence Township. The project contains about one acre of new impervious surface and has been reviewed by NJ DEP's Stream Encroachment division. Mr. Amon recommended it be waived from review. Mr. Jessen moved waiving the project from review and approval; Mrs. Nash seconded the motion, and it passed unanimously.

Mr. Amon presented an application for waiver from strict compliance with the Commission's stream corridor preservation regulations. He said that proposed plans for a housing development in Lawrence Township on Drexel Avenue show a small area that encroaches onto the 100-foot buffer of the 100-year flood line of Shabakunk Creek. He said the developer has agreed to set aside a larger piece of land, partially wetlands, in exchange for the encroachment. He recommend approval of the waiver. Mr. Weyl suggested that the delineated open space to be set aside be specifically designated as part of the waiver agreement. Mrs. Nash moved approval of the waiver with the above condition; Mr. Pauley seconded the motion and it passed without dissent.

#### METLAR'S BROOK CULVERT REPAIR

Mr. Amon said that the Water Supply Authority is proposing to make repairs to the Metlar's Brook Culvert: the headwalls on both ends will be restored, silt will be excavated and repairs made to the wood floor, and the arch will be repaired and re-pointed. Because the towpath will be used for accessing equipment, the Water Supply Authority has proposed to restore the towpath after the work is completed to its existing condition. Mr. Amon said, however, that the existing condition is poor, and suggested that the towpath be improved. He said that after conferring with the Water Supply Authority, they have agreed to restore the towpath to Mr. Stern's satisfaction. Mr. Jessen moved approval of the culvert repair; Mrs. Nash seconded the motion, and it passed unanimously.

After reviewing the permit with the Loveday stone quarry, Mr. Amon found that there was no height restriction on the stone piles. Mr. Pauley suggested that this be part of the permit agreement, and moved that the Commission approve the permit, with a recommendation that the State Park Service consider adding to the permit an appropriate limit on height of the stone piles as a safety consideration. Mr. Jessen seconded the motion, and it passed unanimously.

#### HANOVER STREET CANAL HOUSE

Mr. Amon said that the Hanover Street canal house was restored in 1979 and was subsequently burned. The City of Trenton is proposing to restore it again, using historic photographs as guidelines, and adding a ramp for the disabled. Mr. Amon recommended approval of the plans as presented by the City of Trenton. Mr. Jessen moved approval of the Hanover Street Canal House restoration; Mrs. Nash seconded the motion, and it passed unanimously.

#### BEL-DEL RIGHT-OF-WAY IMPROVEMENTS

Mr. Amon presented plans by the City of Trenton to install a path, curbing, and parking spaces on a section of the Bel-Del railroad right-of-way between Fowler and Willow Streets, and between Fowler and Calhoun Streets. Trees would also be planted. Mr. Amon explained that this is part of the city's Canal Banks project, which is funded partly by both federal and state governments. He said that the City was looking for Canal Commission approval of State Park Service permission to make the improvements. Mrs. Nash moved approving the State Park Service permitting the City of Trenton to make the above improvements. Mr. Torpey seconded the motion and it passed unanimously.

#### EXECUTIVE DIRECTOR'S REPORT

Mr. Amon reported that his previous memo to the Commissioners about a discrepancy in bridge railing size requirements was refuted by the Department of Transportation's consultant, who referred to the latest edition of AASHTO's design standards.

#### CANAL SUPERINTENDENT'S REPORT

Mr. Taglairino, Chief Ranger for the western portion of the Canal Park, said that equipment was being readied for spring, brush had been removed between Bull's Island and Frenchtown, and trash cleanup crews are working every Tuesday in Trenton.

#### PUBLIC FORUM

Mr. Irish gave the Commissioners an update about the proposed Ingersoll Rand development in Montgomery Township. He said that a citizen's group had formed to try to preserve the land as open space, and urged the Commission to write a letter to Ingersoll Rand advocating preservation of the property.

Following the public forum, Mr. Jessen 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; and

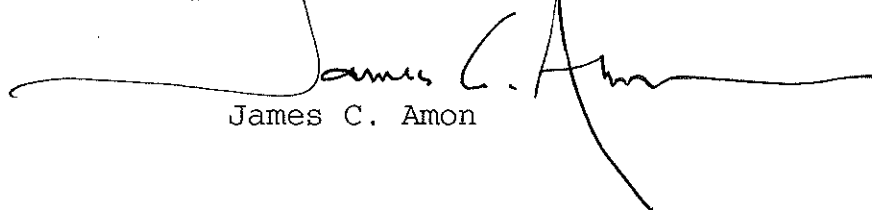
Whereas the Commission desires to retire to closed session to discuss such personnel matters and matters subject to attorney-client privilege; now

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 1:50 PM.

The open public session resumed and 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 stroke extending to the left and a vertical stroke extending downwards to the right.

James C. Amon