

MINUTES OF THE MEETING OF MAY 15, 1996

TIME: 12:15 PM to 3:45 PM
DATE: Wednesday, May 15, 1996
PLACE: Canal Commission Office
Stockton, New Jersey



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Kirkland, Torpey;
Ms. Goodspeed and Mrs. Nash

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

GUESTS: Kay & Larry Pitt, Canal Society of New Jersey
Paul Stern, D&R Canal State Park
Linda House, Canal Society of New Jersey
Bill McKelvey, Friends of NJ RR &
Transportation Museum
Edward A. Mack, KinderCare Learning Center

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

Ms. Holms distributed an amended version of the minutes of the meeting of April 17, 1996 to the Commissioners. Mrs. Nash moved the approval of the minutes as amended; Mr. Torpey seconded the motion and it passed unanimously.

REVIEW ZONE ACTIONS

Mr. Amon presented four "B" Zone applications:

- 95-2254 - KinderCare Learning Center - West Windsor Township
- 96-2274 - State Police Hangar - Ewing Township
- 96-2215B - Hopewell High School Additions and Parking - Hopewell Township
- 94-2159 - The Paddocks at Blackwell's Mills - Hillsborough Twp.

Mr. Amon said that the first three applications' stormwater management and water quality requirements had been met and recommended approval. The project known as The Paddocks at

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

EXECUTIVE DIRECTOR	COMMISSIONERS						
James C. Amon	Benjamin B. Kirkland <i>Chairman</i>	Martin D. Jessen <i>Vice-Chairman</i>	Winona D. Nash <i>Treasurer</i>	Sam Herzog R. William Pauley	Robert C. Shinn, Jr. Frank J. Torpey	Douglas H. Palmer Marfy Goodspeed	

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

Blackwell's Mills will be reviewed by the DEP's Stream Encroachment Division. Mr. Amon recommended, therefore, that it be waived from review by the Canal Commission for conformance with the Commission's stormwater management regulations. He also said that the applicant requested a waiver from strict compliance with the Commission's Stream Corridor Impact Regulation. The applicant proposes to have about 1 acre of lawn in the 100-foot buffer area. To compensate for this encroachment, the applicant proposes to keep an additional 3 acres outside of the stream corridor as pasture. Mr. Amon recommended that the Commission waive the project from strict compliance of the Stream Corridor Regulation, based on the applicant's proposal.

Mr. Amon also recommended that the approval be conditioned upon demonstration by the applicant that the stream corridor will be preserved, and that the corridor will be monumented so that all contiguous property owners will be able to know where the corridor boundary is located.

Mrs. Nash asked what type of monuments would be used. Mr. Amon suggested that the type of monument used in West Windsor's greenbelt, a 3-foot monument, be required. Mr. Weyl suggested that the Canal Commission be a joint recipient of the easement. Mr. Herzog suggested that the 3-foot monument requirement be part of the written condition of Approval.

The Commission discussed the problem of monitoring easements, and recommended that the staff adopt a policy of regularly inspecting these areas.

Mrs. Nash moved approval of the first three "B" Zone projects; Ms. Goodspeed seconded the motion, and it passed unanimously. Mr. Herzog then moved approval of the following resolution: that the project known as The Paddocks at Blackwell's Mills be waived from review of stormwater management, and that it be waived from strict compliance with the Canal Commission's Stream Corridor Impact Regulation, based upon the applicant's redefined buffer area. He moved that the project be approved with the condition that the applicant demonstrate to the Canal Commission that measures have been taken to preserve the stream corridor, and that 3-foot monuments will be installed in the buffer area so that all contiguous property owners within the development will be able to know where the buffer boundary is located. Mrs. Nash seconded the motion and it passed unanimously.

REVIEW OF DOT PLANS FOR SEVEN CANAL BRIDGES

Mr. Amon spoke of a recent inspection of seven canal bridges conducted by himself and representatives of D.O.T. to review proposed guard rail installations. Messrs. Jessen, Nordstrom, Stern, and Price also attended. He said that in general, the

D.O.T. was not receptive to his suggestions, but may make some minor concessions.

Mr. Herzog suggested that Mr. Amon put his specific comments regarding each bridge in writing. Ms. Goodspeed asked whether it would be beneficial for Senator Schluter to speak to the Department of Transportation on behalf of the Canal Commission. Mrs. Nash said that the Water Supply Authority should take a stronger stand on this issue because they have a responsibility toward their customers toward ensuring that their water supply is not impeded in any way. Mr. Herzog also suggested that Mr. Amon use the new Port Mercer bridge guard rail design as an example in negotiating with DOT.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon said that one of the Canal Commission's Review Zone Officers, Sandra Adapon, has resigned. He said that for the time being, having one part-time engineer (Madhu Guru) would probably be able to handle the current workload. He said that he would re-evaluate the situation at the end of Fiscal Year 1996 (June 30th).

He also said that it has been one year since the Canal Commission adopted a policy of waiving review of projects for compliance with the Commission's stormwater management regulations if a project required a permit from the DEP's Stream Encroachment Division. He said that overall, he felt that the policy was a good one, because the regulations of the two agencies were very similar in their requirements. Mrs. Nash moved approval of continuing the above-stated policy; Ms. Goodspeed seconded the motion, and it passed unanimously. Ms. Goodspeed added that the Commission should review the policy again in one year's time.

CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern reported that he was working with the Water Supply Authority on cataloguing their licenses and leases related to the Canal Park. He said there were approximately 150 of these documents that have been prepared over the last 50 years. He reported that two Walkathons took place in Franklin Township and Frenchtown. His staff is working with a friends group on developing a trail system at Six-Mile Run. He also reported two near drownings.

PUBLIC FORUM

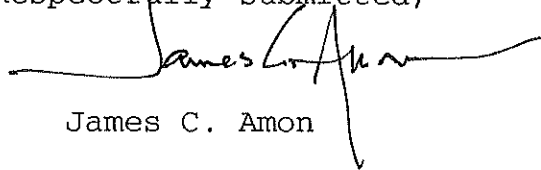
Linda House said that the Muletenders' Barracks had a very successful opening and expressed appreciation toward Mr. Stern and his staff plus all the volunteers who helped to clean and prepare the barracks for its opening.

TOUR OF THE FEEDER CANAL

Mr. Amon showed the Commissioners several sites along the feeder canal: the Holcomb-Jimison Farm, several sites in Lambertville, the Fireman's Bridge in West Amwell, Scudder's Falls in Ewing Township, and several locations in Trenton including sites at Chauncey Street, Montgomery Street and Hermitage Avenue.

The meeting adjourned at 3:45 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon", written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James C. Amon