

MINUTES OF THE MEETING OF JUNE 19, 1996

TIME: 12:15 PM to 3:00 PM
DATE: Wednesday, June 19, 1996
PLACE: Muletender's Barracks
Griggstown, New Jersey



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Kirkland, Pauley,
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
Abigail Barrows
Ursula Buchanan
Thomas Price, NJ Water Supply Authority
Carl Loutzenheiser, NJ Water Supply Authority
Bob Bushar, Bettigole, Andrews & Clark

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. Herzog moved the approval of the minutes of May 15, 1996; Mrs. Nash seconded the motion and it passed unanimously.

LEASES AND PERMITS

Mr. Amon presented an application for a Special Use Permit to install and maintain a monitoring well in Franklin Township between Easton Avenue and the canal for the purpose of complying with DEP's requirement to monitor groundwater pollution. Mr. Jessen moved the approval of the Special Use Permit, Mr. Torpey seconded the motion, and it passed unanimously.

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EXECUTIVE DIRECTOR James C. Amon	COMMISSIONERS 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
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NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Christine Todd Whitman, *Governor* Robert C. Shinn, Jr. *Commissioner*

REVIEW ZONE ACTIONS

Mr. Amon presented four Review Zone applications:

"A" Zone: 96-2174A - Niece's Lumber Rehab Phase I - Lambertville

Mr. Amon said that the proposed storage building is part of an existing lumber yard. It will be about 150 feet from the canal and stormwater runoff will be directed to a culvert that goes under the canal and into the Delaware River. He recommended approval. Mr. Jessen moved approval of the application, Mr. Herzog seconded the motion and it passed unanimously.

"B" Zone:

93-2123 - Princeton-Hightstown Road Widening - West Windsor Twp.

The project involves the widening of an existing road; two detention basins will manage stormwater runoff. The application conforms with the Commission's stormwater management regulations, and Mr. Amon recommended approval. Mrs. Nash moved approval of the road widening, Mr. Jessen seconded the motion, and it passed without dissent.

96-1676A - Pennington Hills II - Hopewell Twp.

Mr. Amon said the applicant proposes to build six new houses on a 13.97-acre lot with one detention basin. A small stream corridor will be deed restricted. Mr. Amon recommended approval conditioned upon receipt of a site plan which indicates the location of the stream corridor and evidence that the corridor is protected by a deed restriction. With that condition, Mr. Herzog moved approval of the project, Mr. Jessen seconded the motion, and it passed unanimously.

Meadow Lakes Expansion - Block 29, Lot 2 - East Windsor Twp.

The applicant has requested the Commission waive the project from strict compliance with the Stream Corridor Impact regulation. An existing building intrudes into the designated corridor; the proposed new building addition would also be in the stream corridor, but that portion of the existing building in the corridor would then be demolished. Mr. Amon said that the existing structure is actually closer to the stream, and that the end result would be better from an ecological standpoint. Mrs. Nash moved waiving the project from strict compliance of the Stream Corridor Impact regulation based on the determination that the proposed project will not have an adverse impact upon the stream corridor's present ability to function as a buffer for the stream's ecological health and as a natural area. She stipulated as part of the motion, however, that the proposed demolition of the existing

structure occur before any new construction. Mr. Herzog seconded the motion and it passed unanimously.

Mr. Amon discussed an issue regarding missing records of an old project that requires a new review. The Commissioners suggested that Mr. Amon visit the site to determine what has been built and research the township's files regarding the project.

WATER SUPPLY AUTHORITY PLANS FOR REHABILITATION OF WORKHOUSE SPILLWAY

Mr. Amon explained that the current concrete spillway (south of the Mercer County Workhouse on Route 29) was built perhaps in 1912 and that a portion of it is collapsing. The Water Supply Authority proposes to construct a new concrete wall and remove the collapsed wall along with three existing aprons. Mr. Jessen moved concept approval of the spillway rehabilitation, Mrs. Nash seconded the motion, and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon reported that Chairman Kirkland, Mr. Pauley, and he attended the opening of the American Canal Museum in Easton, Pennsylvania. He also reported that Caroline Armstrong, Chairperson of the Canal Transportation Safety Study Commission, spoke to Senator Schluter about DOT's intention to replace guide rails on canal bridges. As a result of the Senator's efforts, DOT has agreed to table their present plans, devise new plans, and work with the Water Supply Authority, Parks and Forestry, the Historic Preservation Office, and the Canal Commission.

CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern reported that 40 camping sites were now open at Bull's Island, and that 20 people participated in a Volunteer Cleanup for Six Mile Run.

PUBLIC FORUM

Mrs. Nash asked Mr. Price about the storm that caused the canal to overflow its banks. Mr. Price explained that extreme measures were taken to try to prevent any damage, but that the tremendous amount of rainfall still caused spillways to overtop and 15 to 20 feet of embankment to collapse.

Mr. Torpey thanked Linda House for hosting the meeting at the Muletender's Barracks.

Mrs. Buchanan complained about the traffic speed on Canal Road. Mrs. Barrows suggested designating part of Canal Road for cyclists on weekends as part of the Canal Park.

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 1:30 PM.

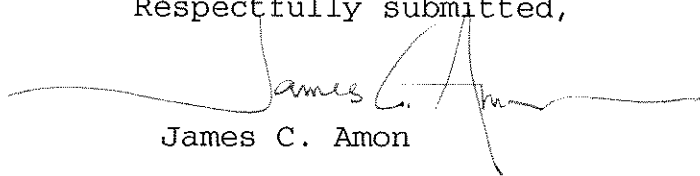
The open public session resumed at 1:45 PM.

TOUR OF THE FEEDER CANAL

Mr. Amon showed the Commissioners several sites along the main canal. Stops were made at Rocky Hill, Kingston, Millstone Aqueduct, and Port Mercer.

The meeting adjourned at 3:00 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James C. Amon", written in dark ink. The signature is fluid and extends across the width of the page.

James C. Amon