

MINUTES OF THE MEETING OF AUGUST 21, 1996

TIME: 12:15 P.M. - 1:50 P.M.
DATE: Wednesday, August 21, 1996
PLACE: Canal Commission Office
Stockton, New Jersey



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Kirkland, Marshall, Torpey;
Ms. Goodspeed and Mrs. Nash
STAFF: Mr. Amon and Ms. Holms
Messrs. George Cohen and Lewin Weyl, Deputies Attorney
General
GUESTS: Kay & Larry Pitt, Canal Society of New Jersey
Gary Dahms, T&M Associates
Kevin Moore, Jamieson, Moore, Peskin & Spicer
Doug McMurrain, Hendon Prop. Assoc.
Richard Vaccaro, Richards Farm Market
Sandy Federico, Byron-Hill
Bill McKelvey, Friends of NJ RR & Transportation Museum
Marin Maves, Lichtenstein Eng.
Rick Kreppel, Lichtenstein Eng.
Rich Moralle, T&M Assoc.
Sean Reilly, T&M Assoc.
Paul Stern, D&R Canal State Park

Mr. Torpey 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 minutes of the meeting of July 17, 1996; Mr. Kirkland seconded the motion, and it passed unanimously.

LEASES AND PERMITS

Mr. Amon presented one permit application: the Division of Parks and Forestry is proposing to install a Par Course (exercise path) in the Canal Park between Jacobs Creek and Scudders Falls. It would consist of eight stations with exercise equipment such as chin-up bars, etc. The project is to be funded by Squibb. Mr. Jessen moved approval of the permit application; Ms. Goodspeed seconded the motion, and it passed without dissent.

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EXECUTIVE DIRECTOR James C. Amon	COMMISSIONERS Frank J. Torpey <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. Benjamin B. Kirkland	Douglas H. Palmer Marfy Goodspeed
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NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Christine Todd Whitman, *Governor* Robert C. Shinn, Jr. *Commissioner*

Mr. Stern then presented a proposal by Parks and Forestry to refurbish the back door to the Canal Park office to make it handicapped-accessible. Plans call for demolishing the existing porch and erecting a new porch constructed of painted wood. Mrs. Nash moved approval of the new porch, Mr. Herzog seconded the motion, and it passed unanimously.

REVIEW ZONE ACTIONS:

Mr. Amon presented one "A" Zone application:

96-0389A - Rutgers Prep Additions - Franklin Twp., Somerset County

Mr. Amon said that the following additions to the existing campus were being proposed: a gymnasium and associated parking, theater barn, addition to upper school building, library bridge, and lower school addition. He said that a dense hedgerow along the canal's edge would screen the new additions. He also said that the project required a Stream Encroachment permit, and therefore recommended that it be waived from review of storm water management and approved. Mr. Herzog moved waiving the application from review of storm water management and approval of the project; Mr. Jessen seconded the motion and it passed unanimously.

Mr. Amon presented a second "A" Zone application:

96-2291 - Nassau Park Pavilion - West Windsor Township

Mr. Amon said that the project was subject to review for storm water management, visual and natural impact, traffic impact, and stream corridor impact. With regard to storm water management, Mr. Amon said that the applicant proposes to combine new and existing detention facilities, and that according to the Commission's review zone officer the proposed plans complied with the Commission's regulations. As for traffic impact, Mr. Amon said that the bulk of road improvements had already been made as part of the Wal-Mart and Provinceline Road and bridge projects, but that some minor improvements were being proposed for Nassau Park Boulevard. Mr. Amon then discussed the project's visual and natural impacts. He said that presently the site was an open field with no trees, and that there was an existing berm separating Port Mercer from the shopping center. The applicant proposes to extend the berm to help screen the shopping center, and plant 25-foot evergreens on the slopes of the berms.

With regard to stream corridor impact, Mr. Amon said that there were some intrusions already existing in the corridor, namely a wetlands mitigation area and a detention basin. The applicant proposes another detention basin plus some paved areas which will be compensated by preserving another natural area adjacent to the corridor. Approximately one-half acre will be added as part of the compensatory exchange.

Mr. Amon said that as part of this application, Vaccaro's Farmstand will be relocated to the Nassau Park property.

Mr. Jessen moved the following resolution: (attached)

Mr. Kirkland seconded the motion; Messrs. Kirkland, Jessen, Marshall, Torpey, Ms. Goodspeed and Mrs. Nash voted in favor of the motion. Mr. Herzog abstained. The motion passed.

Mr. Amon then presented four "B" Zone applications:

96-2267 - Summerwood Properties - East Windsor Township;
2 restaurants with one detention basin.

96-2288 - Amwell Road Realignment - Hillsborough Township and Millstone Borough;
new road resulting in 9.27 acres of new impervious surface and 6 storm water management basins.

95-1467A - Heather Knolls East - South Brunswick Township;
40 detached houses on 43+ acres with one detention basin.

95-2234 - Heather Knolls West - South Brunswick Township;
51 houses on 50+ acres with one detention basin.

Mr. Amon said that the four applications conformed with the standards of the Commission's storm water management regulations and recommended approval, with one exception. He said that in the case of the Amwell Road Realignment, he recommended that the application be approved with the condition that a crosswalk conforming with NJ DOT standards be constructed where the towpath crosses Amwell Road. Mrs. Nash moved approval of the "B" Zone applications with the recommended condition for the Amwell Road Realignment; Mr. Kirkland seconded the motion, and it passed unanimously.

Mr. Amon then presented the application known as Heathcote Joint Venture. He reviewed his memo to the Commissioners that recommended denying without prejudice the request for waiver of strict compliance of the stream corridor regulation for that portion of the project known as the hotel area. He then stated that the applicant had subsequently met with him with revised plans. The revised plans called for no paved surfaces within the 100-year flood line portion of the corridor, removal of an office building, and expansion of the hotel's footprint. Mr. Amon felt that the revisions justified his new recommendation that the hotel portion of the project be waived. Mr. Jessen moved waiving the hotel portion of the application from strict compliance with the stream corridor regulation, based on the map entitled "Byron-Hill Heritage Hotel," prepared by T&M Associates, undated but appearing in a report to the Commission with a letter dated August 21, 1996. Mr. Herzog seconded the motion, and it passed unanimously.

WATER SUPPLY AUTHORITY PROPOSAL FOR REPAIR OF CANAL EMBANKMENT NEAR LOCKATONG CREEK

Mr. Amon said that this proposal had received concept approval earlier. Mr. Kreppel described the type of repair, which would include timber facing on concrete. Mr. Jessen asked whether stone facing could be used instead, because it would last longer. Mr. Kreppel answered that it would be more expensive, and that this design had been approved in concept form earlier. After further discussion about the merits of stone facing versus timber facing, Mr. Herzog moved that the project be approved with the condition that stone facing be used from at least one foot below the water line to the top of the concrete embankment, unless the Historic Preservation Office disapproves of it. Mr. Kirkland seconded the motion, and it passed unanimously.

DISCUSSION OF SAFETY STUDY COMMISSION REPORT

Mr. Amon mentioned several issues that were being recommended by the D&R Canal Transportation Safety Study Commission Report: restoration of review authority by the Canal Commission and the Historic Preservation Office; specs for wood guide rails; installation of crosswalks where the towpath crosses a road, and continuation of the multi-agency task force. Mr. Jessen moved approval of the following resolution: the Canal Commission has reviewed the Safety Study Commission Report, fully endorses it, and urges the enactment of its legislation. Mr. Kirkland seconded the motion, and it passed unanimously.

Mr. Amon mentioned that he had heard that 68% of New Jersey's bridges were in need of repair, but that none of the canal bridges were part of this 68%. Mr. Herzog recommended that Mr. Amon research the origin of this fact, and then make it known to legislators.

DISCUSSION OF CANAL PARK IMPROVEMENT PROJECTS

The Commissioners agreed to table this discussion until September's meeting.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon reported that Congressman LaRossa will convene a meeting on September 9th to discuss Mercer County flooding problems and has invited the Commissioners to attend.

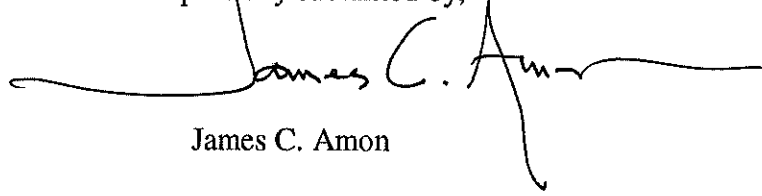
He also said that the new Elizabethtown Pumping Station has been built (designed to look like a barn) and that he was very pleased with the result.

CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern reported that gates were being repaired at Port Mercer, mowing was continuing, and that a bench was installed at the Lambertville wing dam. He said that the City of Trenton would soon be renting canal houses on Calhoun and West Hanover Streets.

The meeting adjourned at 1:50 P.M.

Respectfully submitted by,

A handwritten signature in black ink that reads "James C. Amon". The signature is written in a cursive style with a long horizontal line extending to the left and a vertical line extending downwards from the end.

James C. Amon