

MINUTES OF THE MEETING OF DECEMBER 18, 1996

TIME: 12:10 P.M. - 1:50 P.M.
DATE: Wednesday, December 18, 1996
PLACE: Canal Commission Office
Stockton, New Jersey



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Kirkland, Marshall, Pauley, Torpey;
Ms. Goodspeed and Mrs. Nash
STAFF: Mr. Amon and Ms. Holms
Mr. Lewin Weyl, Deputy Attorney General
GUESTS: Kay & Larry Pitt, Canal Society of New Jersey
Linda J. House, Canal Society of New Jersey
Bill McKelvey, Canal Society of New Jersey
Scott Lynn, Van Cleef Engineering Associates
Neil Van Cleef, Van Cleef Engineering Associates
Thomas A. Price, NJ Water Supply Authority

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 approval of the minutes of the meeting of October 16, 1996; Mr. Kirkland seconded the motion, and it passed unanimously. Mr. Jessen then moved the minutes of the meeting of November 20, 1996; Mr. Kirkland seconded the motion, and it passed without dissent.

LEASES AND PERMITS

Mr. Amon presented a 10-year lease agreement between the Delaware River Mill Society and the D&R Canal Commission for the purpose of maintaining the grounds and exterior of the building. The lease stipulates that the Commission agrees to pay the Mill Society \$2,500 per year for this service. Ms. Goodspeed moved approval of the lease agreement; Mrs. Nash seconded the motion; Messrs. Herzog, Jessen, Kirkland, Pauley, Torpey, Mrs. Nash and Ms. Goodspeed voted in favor of the motion; Mr. Marshall abstained. The motion passed.

Mr. Amon then presented a license agreement request by Kimber Petroleum to access and maintain test wells located between Easton Avenue and the canal (a permit to install the wells was given previously). It was suggested that as part of the agreement, the Commission receive

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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*

copies of the monitoring reports. With that condition, Mrs. Nash moved approval of the license agreement, Mr. Pauley seconded the motion, and it passed unanimously.

MEETING SCHEDULE FOR 1997

Mr. Herzog moved approval of the meeting schedule of every third Wednesday at noon for 1997; Mr. Pauley seconded the motion, and it passed unanimously.

REVIEW ZONE PROJECTS

Mr. Amon presented one "A" Zone application:

96-1776B - Lambertville House - The Livery - Lambertville

Mr. Amon said that the applicant is proposing to renovate an old garage and reuse it for commercial purposes, as part of a larger historic hotel restoration project. He recommended approval. Ms. Goodspeed moved approval of the project, Mr. Kirkland seconded the motion, and it passed unanimously.

Mr. Amon then presented the following "B" Zone applications:

89-1751 - Kingsbridge Center - Hillsborough Township
88-1452 - The Commons - West Windsor Township
95-2252 - Comfort Suites - South Brunswick Township
94-2184 - Stone Henge Estates - Franklin Township, Somerset County
96-2295 - Fast America Warehouse - Ewing Township
96-2318 - Elizabeth Avenue Elementary School Addition

Mr. Amon said that the above projects conformed with the Commission's standards for stormwater management and water quality and recommended approval. He said that with regard to Kingsbridge Center and The Commons, these projects had been previously approved but were due to expire at the end of the year. Mr. Weyl suggested that the Certificate of Approval for these projects state that the approval will lapse once the municipal approval expires. Mrs. Nash moved approval of the "B" Zone applications, Mr. Herzog seconded the motion, and the motion passed unanimously.

Mr. Amon then presented the following "B" Zone application:

96-2242A - Phase IG of Country Classics Phase I - Hillsborough Township

Mr. Amon said that the applicant was proposing to build 36 single family residences as part of a much larger development, and would build a swale to temporarily manage stormwater runoff. He said that the applicant declined to design a detention basin for the project at this time, because the

basin would be located somewhere in the area of the subsequent phase of development which had not yet been designed. Mr. Van Cleef maintained that it would not be practical to build the detention basin now, but assured the Commission that it would be built in the future.

Mr. Amon said that the area downstream of this project had severe flooding problems, and that the Commission's regulations did not allow for stormwater facilities to be built post construction. For these two reasons, he could not recommend approval. Mr. Van Cleef said that both the municipality and the county approved the project, with the proviso that a bond be posted to assure that detention facilities be built within two years. He said that there would be no adverse effects as a result of this plan. Mr. Herzog moved tabling the application until proper documentation regarding stormwater facilities be presented to the Commission; Mrs. Nash seconded the motion, and it passed unanimously.

Mr. Amon presented an application for waiver from strict compliance with the Stream Corridor Impact Regulation. He said that a project in West Windsor known as the Village Grande at Bear Creek contains a designated stream corridor. The applicant is proposing a residential development whereby a total of 1.84 acres of stream corridor would be encroached upon. In addition, 7.43 acres of corridor would be used for detention basins, a conditional use. To compensate for the encroachment, the applicant proposes setting aside an additional 2.25 acres adjacent to the stream corridor. Mr. Amon recommended approval. Mr. Jessen moved approval of waiving the project from strict compliance with the Stream Corridor Impact regulation; Ms. Goodspeed seconded the motion, and it passed unanimously.

WSA Emergency Repair of Lockatong Spillway

Mr. Price described emergency repair work that took place in October at the Lockatong Spillway as a result of a severe storm that occurred October 19th. He said that sandbags were installed in 1994 and 1995, but that they had failed; after the October storm, a large section of the spillway had badly deteriorated. The Authority installed a gabion basket wall and covered the baskets with stones from the creek. A permanent design for restoring the spillway will be built in 1997-98. Mr. Jessen moved approval of the emergency repair, Mrs. Nash seconded the motion, and it passed unanimously.

DISCUSSION OF AGENDA AND FORMAT FOR RETREAT

Mr. Amon said that the facilitator, Mr. O'Neil, suggested that the Commission consider goals and objectives of the Commission, and ways to implement them. Mr. Torpey agreed with the format, and said he looked forward to a good brainstorming session, covering the basic questions "where to go from here" and "how to get there."

DISCUSSION OF DRAFT 1996 ANNUAL REPORT

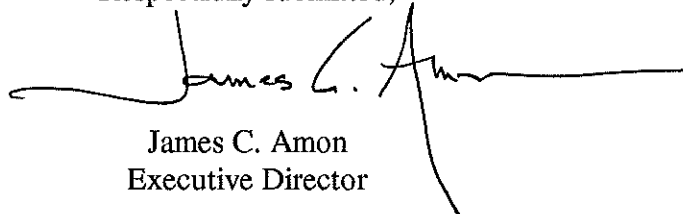
Mr. Amon asked for comments on the draft annual report that was distributed to the Commissioners. The Commissioners expressed enthusiasm for the report; Mr. Herzog suggested that the report mention the wide diversity of the Commissioners' backgrounds.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon reported that Hendrick's Island, a 112-acre island in the Delaware River within view of the Commission's office was recently purchased by the Commonwealth of Pennsylvania and will be included as part of the Delaware Canal State Park.

The meeting adjourned at 1:50 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon", with a long horizontal flourish extending to the right.

James C. Amon
Executive Director