



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF SEPTEMBER 17, 1997

TIME: 12:10 P.M. - 2:50 P.M.
DATE: Wednesday, September 18, 1997
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Pauley, Torpey; Ms. Armstrong,
Ms. Goodspeed and Mrs. Nash
STAFF: Mr. Amon and Ms. Holms
Mr. Lewin Weyl, Deputy Attorney General
GUESTS: Paul Stern, D&R Canal State Park
Bill McKelvey, Friends of NJ Railroad and Transportation Museum
Tom Price, NJ Water Supply Authority
Joe Mutinsky, Centex
David Roskos, Sterns & Weinroth
Kevin Moore, Jamieson, Moore, Peskin & Spicer
Rich Murphy, Gale & Wentworth
Chris Richter, Bohler Engineering
Abe Shaikh, NJ Water Supply Authority
Robert von Zumbusch
Tom Gale, Franklin Twp. Historical Preservation Commission

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 approval of the minutes of August 20, 1997; Mr. Pauley seconded the motion and it passed unanimously.

LEASES AND PERMITS

Mr. Amon presented a permit application for a monitoring well to be installed in the Canal Park in Lawrence Township adjacent to the former Saturn Chemical Plant, now a hazardous waste site. The well would be placed either flush or below the path's surface. Mr. Jessen moved approval of the test well installation, Mrs. Nash seconded the motion, and it passed unanimously.

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EXECUTIVE
DIRECTOR
James C. Amon

COMMISSIONERS

Frank J. Torpey
Chairman

Martin D. Jessen
Vice-Chairman

Winona D. Nash
Treasurer

Sam Herzog
R. William Pauley

Robert C. Shinn, Jr.
Caroline J. S. Armstrong

Douglas H. Palmer
Marfy Goodspeed

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

REVIEW ZONE ACTIONS

Mr. Amon presented six "B" Zone applications for approval:

96-2323 Windwood at Plainsboro - 30 single family houses on 58.7 acres with one detention basin; a stream corridor runs through the site.

Mr. Amon said that the applicant for Windwood proposed increasing the width of the stream corridor in exchange for an area (three residential lots) that would intrude about 50 feet in the corridor.

89-1830A Beekman Shopping Plaza - Franklin Township; 2 retail buildings with one detention basin on 2.92 acres.

97-2379 Berwick Manors at the Trace - East Windsor; 26 single family houses with one detention basin.

97-2362 Cherry Valley Country Club/Inverness Drive - Montgomery Township; construction of 2,100 linear feet of a 30' roadway.

97-2346 Cedar Brook Corporate Center - Cranbury Township; office/warehouse building on 6.93 acres with one detention basin.

97-2374 Alexander Park Phases IV, V & VI - West Windsor Township; 3 office buildings with parking and one detention basin.

Mr. Amon said the projects all conform with the of the Storm Drainage Regulations and recommended approval. Mr. Herzog moved approval of the "B" Zone applications; Mrs. Nash seconded the motion, and it passed unanimously.

Mr. Amon then presented three "A" Zone project applications for approval:

97-2382 Valentine/Rittenhouse Structure - Hopewell Township; a proposal to build an enclosed one-story porch on an existing building that is about 10 feet from the edge of the canal.

Mr. Amon said that the enclosed porch would be architecturally similar to the existing building and recommended approval. Ms. Goodspeed moved approval of the Valentine/Rittenhouse porch; Mr. Jessen seconded the motion and it passed unanimously.

Demolition of Trap Rock Houses

Mr. Amon presented an application for two historic houses owned by Trap Rock Industries in Franklin Township to be demolished. The houses are located on Canal Road opposite the canal; one may date from the 1700's and one from the early 1800's. They are abandoned and have been vandalized in recent years. It would be difficult to move the houses because they are built into a stone embankment. The Franklin Township Historical Commission took the position that these houses should not be demolished, but the Franklin Planning Board reversed this decision and voted to grant the demolition permit, conditioned upon receiving Canal Commission approval. Mr. Amon recommended demolition of the upper portions but retention of the stone foundations and installation of an interpretive sign.

Ms. Goodspeed said she was reluctant to allow the two historic houses to be demolished because the houses were visual markers to the historic road, Old Georgetown Road. Mr. Herzog said that if there was an opportunity for Trap Rock to demolish the houses, that would probably be their preference. He said if the houses were properly boarded up, however, there could be solutions in the future for their restoration.

Mr. Gale, of the Franklin Township Historical Preservation Commission, said that the Historic Commission reached its decision to deny the demolition permit partly because Trap Rock requested demolition in 1990, was denied, and then failed to maintain the houses.

Mr. von Zumbusch felt that these houses should be preserved, even if they are boarded up. He encouraged the Commission to deny the demolition permit.

Mr. Stern said that a group of township residents suggested that Trap Rock secure and stabilize the houses in a manner that would prevent further deterioration and vandalism. He referred to the abandoned yet secured structures in the Canal Park that were not habitable, but neither were they eyesores. Mr. Herzog agreed.

Mr. Jessen suggested that someone appeal to Trap Rock representatives by saying that these houses are too valuable to be demolished, and that they should do their civic duty by restoring them. He said the Commission should table the request because the application is incomplete and that Trap Rock should submit plans and specifications, considering all alternatives: 1) complete demolition, 2) demolition except for the foundations, 3) boarding and securing the houses, and 4) restoration. Mr. Herzog moved tabling the demolition application because it was incomplete; Ms. Goodspeed seconded the motion, and it passed unanimously.

Mr. Amon then presented another "A" Zone application:

97-1570A Amoco Oil Company - Franklin Township

The applicant had earlier requested a waiver from the Commission's setback guidelines for the

construction of a gas station and muffler repair shop. At this meeting he requested a waiver for the gas station alone. Mr. Richter, the engineer for the applicant, proposed placing an easement on part of the unused portion of the site in exchange for encroaching into the 200-foot setback. The area protected by easement would be the same size as that of the encroachment. He also proposed planting Red Cedars to further screen the site.

Mr. Jessen moved concept approval of the waiver request from setback guidelines based upon the Concept Plan presented to the Commission, with the following understandings: 1) an easement will be given to the New Jersey Water Supply Authority that will allow them to have access on the southern part of the lot so that they can clear the culvert under the canal and the portion of Seeley's Brook between the Canal and Easton Avenue, and 2) a conservation easement will be given to the Canal Commission covering the portion of Block 259, Lot 74 that is within the 200-foot setback line as designated in the above-referenced plan. Excluded from this easement will be the portion of the building envelope as shown on the plan that is within the 200-foot setback line. A portion of the site outside that setback line that is comparable in size to the intrusion will be added to the easement. Mr. Herzog seconded the motion, and it passed unanimously.

REVIEW OF WATER SUPPLY AUTHORITY PLANS FOR REPAIR OF FOUR-MILE SPILLWAY

Mr. Amon presented a proposal by the New Jersey Water Supply Authority to repair a 650-foot spillway between South Bound Brook and Landing Lane Bridge, near the Rutgers Preparatory School. They would restore, where necessary, the hand-laid embankment stone in the canal, install a concrete pad with stones on top on the surface of the spillway, install a concrete cutoff wall to keep water from seeping under the spillway, and put dumped rip-rap on the river side of the spillway. The Authority is seeking concept approval; Mr. Amon said that he recommended approval except for the dumped rip-rap on the river side, because there is presently a hand-laid stone wall there. He felt that the wall should be restored where possible and should not be covered up. Mr. Shaikh cited cost as being the main reason for the proposed rip-rap installation, but that a compromise might be possible by restoring the top, most visible section of the stone wall. Mr. Amon also questioned why a cultural resource report had not been prepared. Mr. Jessen moved concept approval of the spillway repair, with the understanding that further investigation would be made into the historic character of the structure and that a more historically suitable design be made for the spillway's eastern side. Mr. Herzog seconded the motion and it passed unanimously.

REVIEW OF PEDESTRIAN BRIDGE AT MILLSTONE AQUEDUCT

PSE&G is proposing to construct a pedestrian bridge on existing piers across the Millstone River, next to the Millstone aqueduct. Mr. Amon said that other reviewing agencies may require minor revisions, but he recommended the Commission approve the bridge. The bridge would connect the towpath to another path that is an oil pipeline right-of-way. Ms. Armstrong moved approval of the pedestrian bridge; Mrs. Nash seconded the motion, and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon reported that two dates and locations have been set for the Commission's Public Forums: November 5th at the Princeton Township Hall, and November 12th at Prallsville Mills. He spoke of a serious bicycle accident that occurred recently north of Bull's Island, and he updated the Commissioners on progress regarding the Canal Linkages project.

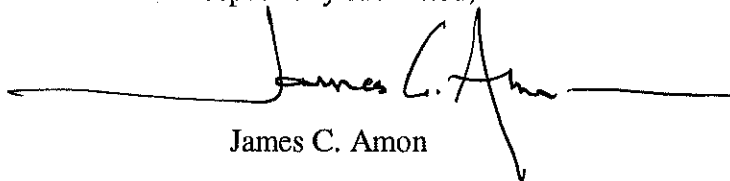
He told the Commissioners that an environmental firm has requested their support of a wetlands mitigation bank in Monroe Township that borders Millstone River. After some discussion, the Commissioners decided against endorsing this proposal.

CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern said that there was a successful Cancer Care 5K walk in Princeton, and that volunteers had performed more work at Six-Mile Run. He said that bids for completing the multi-use path in Lambertville and Trenton came in too high, and that the Division of Parks was considering where funds could be obtained. He also said that the East Millstone Canal House was being repaired.

The meeting adjourned at 2:50 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon", is written over a horizontal line. The signature is stylized and cursive.

James C. Amon