

MINUTES OF THE MEETING OF OCTOBER 15, 1997

TIME: 12:05 PM to 1:45 PM  
DATE: Wednesday, October 15, 1997  
PLACE: Canal Commission Office  
Prallsville Mills, Stockton, NJ



DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Jessen, Marshall, Pauley; Mrs. Armstrong and  
Ms. Goodspeed  
STAFF: Mr. Amon, Mrs. Jones  
Mr. Lewin Weyl, Deputy Attorney General  
GUESTS: Joanne M. Chrestos, State Park Service  
Tom Price, NJ Water Supply Authority  
Fred Brown, D&R Canal Watch  
Bill McKelvey, Friends of NJ Railroad & Transportation Museum  
Chris Richter, Bohler Engineering  
Rich Murphy, Cherry Valley Country Club  
Kevin Moore, Jamieson, Moore, Peskin & Spicer  
Richard Pantel, Tectonic  
Charles Henry, NJ Dept. of Transportation  
Fred Scherrer, The RBA Group

Mr. Jessen 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. Pauley moved the approval of the minutes of September 17th, 1997, Mrs. Armstrong seconded the motion, and it passed unanimously.

LEASES AND PERMITS

Mr. Amon said that a gas station on Easton Avenue in Franklin Township had a faulty tank that had been leaking gas for sometime. It was determined that a pump be installed to pump the groundwater into a sewer system to be cleaned. The proposed pumping station will be on Canal Park property and will require a permit from the State Park Service. Mr. Pauley objected to the cupola and curved door, saying it was not the same style as other structures in the D&R Canal Historic District. Mr. Pauley moved the permit be approved with the conditions that the cupola be removed and the design of the door be changed to a square shape. Mrs. Armstrong 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. Shirn, Jr.  
Caroline J. S. Armstrong

Douglas H. Palmer  
Marfy Goodspeed

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

Mr. Amon then presented an application for both a WSA permit and a Certificate of Approval. The Department of Transportation is proposing to install a drainage pipe in Lambertville. The Commission approved Phase I of this project; Phase II involves the construction of a pit at the end of Delaware Avenue, next to the canal. The purpose of the pit is to enable machinery to tunnel under the canal so that the pipe will drain to the Delaware River. As part of the project, a stormwater pipe that currently empties into the canal would be removed, and the embankment would be restored. Cofferdams would be installed on either side of the tunnel in the canal to protect against any possible canal breaches. Although the project will take approximately seven months to complete, recreational access to the path may only be impacted for about two weeks. Ms. Goodspeed made a motion to approve the permit and project, with the provision that landscape restoration must be satisfactory to the Executive Director. Mrs. Armstrong seconded the motion and it passed unanimously.

## REVIEW ZONE PROJECTS

Mr. Amon presented the following "A" Zone project applications:

97-1042B - Somerset Village Sign - Franklin Township  
97-2392 - Fischer Residence Addition - Hopewell Township

Mr. Amon said that in both cases there would not be a harmful visual impact on the Canal Park and recommended approval. Mr. Pauley moved approval of the two "A" Zone projects; Ms. Goodspeed seconded the motion, and it passed unanimously.

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

96-2279 - Agridor Farm - Montgomery Township; 9 houses on 11.78 acres with one detention basin.

91-2002 - Rock Brook Estates - Montgomery Township - 39 houses on 115+ acres with two detention basins; an easement held by the township will protect the stream corridor.

97-2370 - Hillsborough High School Addition - Hillsborough Township; a 110,000 square foot addition to a high school; stormwater runoff and water quality will be handled by a regional detention basin and a grass swale.

97-2355 - Candlewood Hotel - Franklin Township, Somerset County; a hotel on 2.44 acres with 75% impervious surface.

Mr. Amon said that the Commission's Review Zone Officer, Ms. Guru, reviewed the "B" Zone projects and found them to be in compliance with the regulations. Ms. Goodspeed moved approval of the "B" Zone applications; Mrs. Armstrong seconded the motion and it passed unanimously.

Mr. Amon presented two requests for waiver from strict compliance with the Stream Corridor Impact Regulation. Representatives for Cherry Valley Country Club in Montgomery Township have proposed a stream corridor buffer averaging plan. Mr. Richter, project manager, said that the project consists of 171 residential units. Of a total 138 acres, 65 acres will be dedicated as open space. A tributary to Beden's Brook plus two sub-tributaries flow through the property. Mr. Richter pointed out the intrusions into the stream corridors, as well as areas adjacent to the stream corridor that would be "credited" (preserved areas outside the regulated stream corridor for compensation). Mr. Amon said that the proposed averaging would be beneficial because the tributaries' headwaters would be protected in exchange for narrowing the corridor in some places. Mr. Pauley moved approval of the waiver request for strict compliance with the Commission's Stream Corridor Impact Regulation; Ms. Goodspeed seconded the motion, and it passed unanimously.

Mr. Pantel, project manager for Brookside at Harlingen in Montgomery Township, presented an application for waiver from strict compliance with the Stream Corridor Impact Regulation. He said that the township's health department determined that part of the designated stream corridor would be the most appropriate location to put septic disposal fields (a DRCC conditional use in stream corridors). He said that this area was currently being farmed. Mr. Amon said that the project was designed in a way that it would not be possible to compensate for the septic field intrusions with other land adjacent to the stream corridor. The applicant has agreed, however, to plant about 60 native trees in the buffer, and install a split rail fence along the buffer boundary. Mr. Marshall moved approval of the waiver from request for strict compliance with the Stream Corridor Impact Regulation; Ms. Goodspeed seconded the motion and it passed unanimously.

Mr. Amon spoke of a project in Lambertville involving the restoration of an old factory building for various commercial uses. The applicant wishes to adjust the parking lot design and needs a new approval; however, they have not yet received municipal approval. They wish to begin construction before the next regularly scheduled Canal Commission meeting. Mr. Amon and Mr. Weyl agreed that holding a meeting (in compliance with the Open Public Meeting Law) by conference call could be done. The Commissioners were willing to participate in a conference call for this project if they are available.

#### DISCUSSION OF GUIDE RAILS IN FRANKLIN TOWNSHIP

Mr. Amon said that Franklin Township wished to install new guide rails along Canal Road but that the cost was prohibitive. He said that the township was requesting funds from the Department of Transportation's Municipal Aid Fund, and that the project would be done in sections over several years. Mr. Amon said that the D&R Canal Transportation Safety Study Commission recommended an FHA-approved design (for federal lands' roads) for steel-backed wooden beam guide rail that has passed crash tests of up to 60 MPH. The speed limit for most of Canal Road is 35 MPH. Franklin Township is requesting the Canal Commission to endorse the application to the Department of Transportation for funds to install this type of guide rail. Ms. Goodspeed moved approval of endorsing the Franklin Township's request for funds to construct

steel-backed wooden guide rails; Mrs. Armstrong seconded the motion and it passed unanimously.

#### EXECUTIVE DIRECTOR'S REPORT

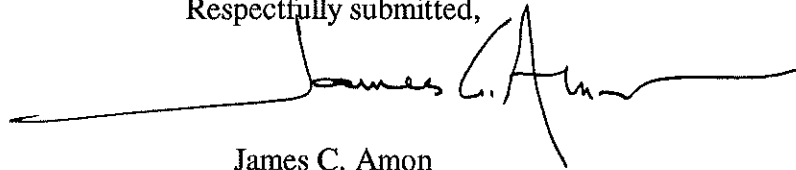
Mr. Amon distributed flyers announcing the Commission's Public Forums to be held in November. He also spoke of the latest meeting held by members of the canal boat ride subcommittee. He said that the committee determined that the boat would probably be motor-powered, and that several locations would be chosen and recommended to the future concessionaire.

#### PUBLIC FORUM

Fred Brown of D&R Canal Watch commented on the efforts of volunteers and Canal Park staff to assemble and install benches along the canal.

The meeting adjourned at 1:45 PM.

Respectfully submitted,

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

James C. Amon