

MINUTES OF THE MEETING OF JANUARY 21, 1998

TIME: 12:10 PM to 2:50 PM
DATE: Wednesday, January 21, 1998
PLACE: Canal Commission Office
Prallsville Mills, Stockton, NJ



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Jessen, Pauley, Torpey; Ms. Armstrong, Ms. Goodspeed and Mrs. Nash
STAFF: Mr. Amon, Ms. Holms
Mr. Lewin Weyl, Deputy Attorney General
GUESTS: Ronald Natriello, Bell Atlantic New Jersey, Inc.
Thomas Price, NJ Water Supply Authority
Bart Hoebel
Chris Richter, Bohler Engineering
Sean Martini, Mid-Jersey Mulch Products, Inc.
Nelson Johnson, GAF
Rich Murphy, Cherry Valley Country Club

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

Ms. Holms noted two corrections to the minutes of December 17, 1997--the meeting took place at the Van Wyckle House in Franklin Township (not Stockton), and Brearley House was incorrectly spelled (last paragraph, page 3). With those corrections, Mrs. Nash moved approval of the minutes of December 17, 1997; Mr. Jessen seconded the motion and it passed unanimously.

ELECTION OF VICE-CHAIR AND TREASURER

Mr. Pauley moved that Mr. Jessen serve as Vice-Chairman and Mrs. Nash serve as Treasurer; Ms. Goodspeed seconded the motion. The motion passed unanimously.

LEASES AND PERMITS

Mr. Amon reported that Bell Atlantic has proposed replacing a metal box for telephone equipment along the canal path in Titusville with a slightly larger one. The present box is approximately eight feet long, five feet tall, and two feet deep, and is about fifteen feet from the

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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*

path. Mr. Amon recommended approval with the understanding that a landscape screen approved by him would be installed after the box was installed. Mr. Jessen moved the approval with the above-stated proviso; Mr. Pauley seconded the motion, and it passed unanimously.

Mr. Amon then said that the Division of Parks and Forestry is proposing to partially rehabilitate the East Millstone Canal House, which would then be used by the Meadows Foundation as part of a bookshop. The proposal calls for securing the building so that it would not further deteriorate. Mr. Jessen moved approval of the rehabilitation with the condition that Mr. Stern document with photos any significant architectural features that are removed. Mr. Pauley seconded the motion and it passed unanimously.

REVIEW ZONE ACTIONS

Mr. Amon presented three "A" Zone projects:

95-2246 - Rainbow Rascals Learning Center - Franklin Twp., Somerset County

Mr. Amon said that a swale would be provided for water quality control; he also said that the visual impact on the Canal Park would be minimal because Easton Avenue runs between the site and the park.

98-2414 - Fiber Optic Cable Crossing - Ewing Township

The proposal is for a 6"-diameter pipe to be attached to the side of a railroad bridge crossing the canal in Ewing Township. The pipe will be similar in appearance to the pipe railing that exists now on the bridge.

98-2415 - Mid-Jersey Mulch Products - Lawrence Township

Mr. Amon said that a wood recycling center is being proposed on 16 acres, approximately 250 feet from the Canal Park. An existing mature stand of trees will screen the center from the park.

Mr. Amon recommended approval for all three projects. Ms. Goodspeed moved approval of the "A" Zone projects; Mr. Jessen seconded the approval, and it passed unanimously.

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

97-2342 - Bellemead Development Corporation - South Brunswick Twp.; 2-story office building and parking lot on 5.9 acres with one detention basin on an adjoining lot.

97-2343A- Morris Cranbury Warehouse Modifications - Cranbury Twp.; modifications to buildings, parking, and detention basins to a previously-approved project.

97-2351 - Elizabethtown Water Company Operations Center - Hillsborough Township; operations center and associated buildings on 15 acres with 37% impervious coverage and one detention basin.

97-2385 - Cherry Valley Country Club Phase III - Montgomery Twp.; 171 single family homes; a

stream corridor will be protected by a conservation easement.

With regard to Cherry Valley Country Club Phase III, Mr. Amon said that he recommended approval with the condition that a satisfactory conservation easement be prepared and recorded before releasing the Certificate of Approval. He recommended approval for the others. Ms. Goodspeed moved approval with the condition stated above; Mr. Jessen seconded the motion and it passed unanimously.

Mr. Amon then presented a request for waiver from strict compliance with the Commission's Stream Corridor Impact Regulation. He said that the applicant for a project known as Pennington Point West Phase 1 in Hopewell Township, consisting of senior housing and office buildings, is proposing to add approximately 3 acres of wooded area to the protected stream corridor in exchange for encroaching into the 100-foot buffer. The total area of encroachment would be about 2 acres and would be used primarily for detention basins. Mr. Amon recommended approval of the waiver request. Mr. Jessen moved approval of the waiver from strict compliance with the Stream Corridor Impact regulation; Mrs. Nash seconded the motion and it passed unanimously.

GAF REMEDIATION PROPOSAL

Mr. Amon reported that Mr. Torpey, Ms. Goodspeed and he met with GAF representatives in South Bound Brook to look at the proposed remediation site. He suggested that the next step would be to meet with all DEP reviewing agencies to see if another solution other than what has been already proposed may be found and mutually accepted. Mr. Torpey noted that South Bound Brook is anxious for a speedy resolution to this problem. Mr. Johnson expressed concern that the meeting may not accomplish what Mr. Amon is hoping for, and suggested that the Canal Commission come up with an alternative first. Ms. Goodspeed said that the current GAF proposal was unacceptable, in part because it could set a precedent for other contaminated sites near the Canal Park. Mr. Jessen suggested meeting one-on-one with key agencies instead of meeting as a group. It was decided that Mr. Amon would confer with Mr. Marshall about scheduling a meeting and who should attend.

TRAP ROCK HOUSES

Mr. Amon asked the Commission to postpone this discussion until he has had a chance to meet again with Trap Rock representatives.

CANAL BOAT RIDE

Mr. Amon reported that the Canal Boat Ride Committee met with two possible candidates for starting a boat ride concession. He said that there were serious obstacles to overcome, the main one being that of providing parking. It was determined that Mr. Amon would prepare a proposal document which itemized options with regard to types of boat and locations. He would also prepare a Request For Proposal, and meet with officials from other relevant agencies. Mr. Hoebel discussed his proposal for a steamboat in the vicinity of Princeton and Rocky Hill.

Mr. Jessen moved approval of a resolution supporting and actively pursuing an animal-pulled boat ride along the D&R Canal; Mrs. Nash seconded the motion and it passed unanimously. Mr.

Jessen also moved approval of a resolution supporting the concept of a steam-powered boat ride in the vicinity of Kingston; Ms. Goodspeed seconded the motion and it too passed unanimously.

NEW BUSINESS

It was determined that next month's meeting would include a "mini-retreat" to discuss goals and objectives of the Canal Commission, and would be scheduled for 10:00 AM, February 18th, at the Commission's office in Stockton.

REVIEW OF DRAFT OF ANNUAL REPORT FOR 1997

Mr. Amon asked for comments from the Commissioners on the draft annual report. Mr. Jessen suggested adding a section on the proposed canal boat ride. Ms. Armstrong suggested expanding the portion that discusses the Wild and Scenic Management Plan for the Delaware River.

REVIEW OF GOALS AND ACTIVITIES RELATED TO THE JANUARY, 1997 RETREAT

Mr. Amon suggested that the Commission take up this topic at next month's meeting. Ms. Armstrong commented on installation of crosswalks, saying that DOT has design standards and approves of mid-block crosswalks. Mr. Amon mentioned that the Progress Report distributed to the Commissioners references the Green Acres Bond Act of 1997, when in fact it was 1995.

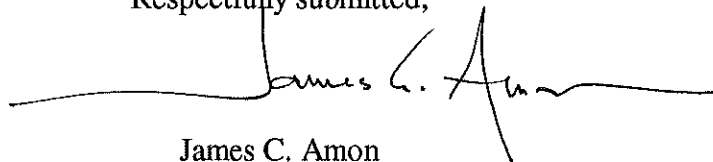
EXECUTIVE DIRECTOR'S REPORT

Mr. Amon reported that the feeder canal has become prime beaver habitat, north of Stockton to south of Lambertville. He said that the Water Supply Authority is not concerned about the beavers' impact on the canal, because they are building dens along the embankment and not in the middle of the canal, so that flow is not impeded.

PUBLIC FORUM

The Commissioners discussed and expressed enthusiasm for Governor Whitman's State of the State Address in which she advocated preservation of open space and trails; she specifically referred to the Canal Banks project in Trenton.

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 a vertical line extending upwards from the "A".

James C. Amon