

MINUTES OF THE MEETING OF FEBRUARY 18, 1998

TIME: 12:45 PM TO 2:00 PM
DATE: Wednesday, February 18, 1998
PLACE: Canal Commission Office
Prallsville Mills, Stockton, NJ



DELAWARE AND RARITAN
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Marshall, Pauley, Torpey; Mrs. Nash
STAFF: Mr. Amon, Ms. Holms
Ms. Barbara Conklin, Deputy Attorney General
GUESTS: Abe Shaikh, NJ Water Supply Authority
Robert von Zumbusch
Bart Hoebel
Joanne M. Christos, D&R Canal State Park
Bill McKelvey, Friends of NJ Railroad & Transportation
Museum

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 January 21, 1998; Mr. Pauley seconded the motion and it passed unanimously.

LEASES AND PERMITS

Mr. Amon presented a permit application to install a capped monitoring well next to the Canal Park towpath in Lawrence Township. The well will be used to determine the extent of pollution at a hazardous waste site, the Saturn Chemical site. Mr. Jessen moved approval of the permit; Mrs. Nash seconded the motion and it passed unanimously.

REVIEW ZONE ACTIONS

Mr. Amon presented a proposal by the Division of Parks and Forestry to install a "recreational unit" as part of a playground in Bull's Island. The playground would be linked by a path from the parking lot; no trees would be removed as a result of the installation. Mr. Jessen moved approval of the recreational unit; 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*

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

- 97-2377 T.R. Grover Middle School - West Windsor Township
- 98-2417 - Pennington Point West Phase I - Hopewell Township
- 97-2386 - Presbyterian Homes - East Windsor Township
- 97-2268 - Van Lieu Estates - Montgomery Township
- 97-2369 - Brookside at Harlingen - Montgomery Township
- 97-2396 - The Old Forge at South Brunswick - South Brunswick Twp.

Mr. Amon said that the Commission's Review Zone Officer reviewed the above applications and found them to be in compliance with the Commission's regulations. He recommended conditional approval for two projects; in regard to Pennington Point West Phase I, Mr. Amon recommended that the release of the Certificate of Approval be conditioned upon receipt of an executed and recorded Conservation Easement with a metes and bounds description of the stream corridor. In the case of Brookside at Harlingen, Mr. Amon recommended the approval be conditioned upon receipt by the Canal Commission of a Stream Encroachment permit. With those conditions, Mr. Jessen moved approval of the six "B" Zone applications; Mrs. Nash seconded the motion, and it passed unanimously.

Mr. Amon then presented three "A" Zone applications:

- 97-2407 - 101 Cottontail Lane Parking - Franklin Township
- 98-2421 - DePalo/Forlenza Addition - Hopewell Township
- 97-2397 - Ortho-McNeil Addition - Franklin Township

Mr. Amon said that the stormwater management design proposals for both the Cottontail Lane and Ortho-McNeil applications complied with the Commission's standards. The Cottontail Lane parking would not be visible from the Canal Park, and the Ortho-McNeil addition design is compatible with the existing structure and will be screened by existing vegetation. He recommended approval of both. Mr. Amon said that the DePalo/Forlenza house addition (in Titusville) would not be visible from the Canal Park and recommended that it be waived from review of visual impact. Mr. Jessen moved waiver of the DePalo/Forlenza Addition and approval of the 101 Cottontail Lane Parking and Ortho-McNeil Addition; Mrs. Nash seconded the motion. Messrs. Pauley, Jessen, Marshall, Torpey and Mrs. Nash voted in favor of the motion; Mr. Herzog abstained. The motion carried.

REVIEW OF WSA PLANS FOR REHABILITATION OF LOCKATONG SPILLWAY

Mr. Amon said that the Canal Commission previously gave concept approval to the Water Supply Authority to restore the Lockatong Spillway, and that the Water Supply Authority is now requesting final approval. He said that the concept approval was conditioned upon installation of an interpretive sign on the railroad bridge opposite the spillway. The sign will be installed by Water Supply Authority employees but will not be a part of the present restoration contract. Mr. Amon requested and received assurance that the Authority would locate stockpiles in areas where

mature trees would not have to be cut down. Mr. Jessen moved approval of the Lockatong Spillway rehabilitation, Mrs. Nash seconded the approval, and it passed unanimously.

OLD BUSINESS

Mr. Amon reported that Mr. Marshall, a representative from the Division of Solid Waste, and he would be meeting on February 23rd to discuss alternative mitigation solutions to the GAF site in South Bound Brook.

EXECUTIVE DIRECTOR'S REPORT

Mr. Amon said that Fred Brown, an avid supporter of the Canal Park, recently passed away. Mr. Herzog moved the following resolution:

WHEREAS, Fred Brown was an effective and hard working leader of the Delaware and Raritan Canal Watch, and

WHEREAS, Fred was also a tireless and insightful champion of the management and development of the Delaware and Raritan Canal State Park as a public resource, and

WHEREAS, Fred carried out his activities in behalf of the Canal Park in a manner that allowed everyone to recognize that he was thoughtful, considerate, intelligent, and kind, now

THEREFORE, be it resolved that the members of the Delaware and Raritan Canal Commission would like it to be known by his family and his other friends that we mourn his passing and shall fondly and respectfully remember Fred Brown.

Mr. Jessen seconded the motion and it passed unanimously.

Mr. Amon said that the Canal Commission staff and Deputy Attorney General Lewin Weyl were in the process of revising the Commission's regulations for re-adoption in 1999. He encouraged the Commissioners to offer suggestions and advice. A discussion ensued about the size of the review zone; Mr. Amon agreed to speak with representatives from DEP's Land Use Regulation Division about this issue.

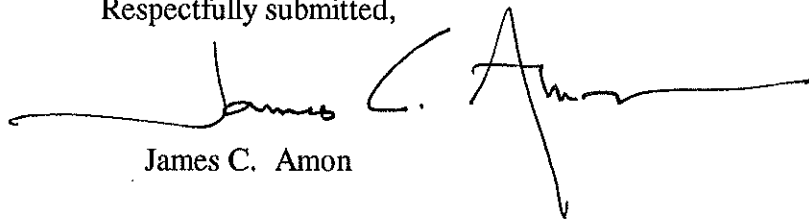
Mr. Amon reviewed the status of the proposed canal boat rides (both steam-powered paddle river boat and mule-pulled boat on the feeder canal). He said that the Water Supply Authority has expressed concern about the potential pollution impact, and the possibility that the boats' wakes could erode the canal banks. He said that Superintendent Stern was concerned about the need for more patrolling and maintenance staff, lack of parking, and the impact of mules on the path. Mr. Hoebel addressed some of these concerns, and also discussed ways in which a canal boat ride could be educational.

CANAL PARK SUPERINTENDENT'S REPORT

Chief Ranger Christos filled in for Superintendent Stern and reported that the pedestrian bridge at the Carnegie Lake aqueduct was completed and was actively being used by fisherman. She said that brush had been cleared between Carnegie Lake and the canal, and steel grates had been installed on the Calhoun Street canal house to prevent break-ins. She spoke of a significant increase in arrests and drownings on the feeder canal side of the Canal Park between 1995 and 1997.

The meeting adjourned at 2:00 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 right.

James C. Amon