



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF MARCH 25, 1998

TIME: 12:15 PM to 2:35 PM
DATE: Wednesday, March 25, 1998
PLACE: Ellarslie Museum
Trenton, NJ

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Marshall, Torpey; Ms. Armstrong and Ms. Shaddow
STAFF: Mr. Amon, Ms. Holms
Ms. Barbara Conklin, Deputy Attorney General
Mr. Lewin Weyl, Deputy Attorney General
GUESTS: Abe Shaikh, NJ Water Supply Authority
Robert von Zumbusch
Bart Hoebel
Bill McKelvey, American Canal Society
Paul Stern, D&R Canal State Park
Peter Dodds, Princeton Metro Park
C.L. Keller, Princeton Metro Park
Kevin Moore, Jamieson, Moore et al.
Rich Moralle, T&M Associates
Merkle Cherry, City of Trenton
Rich Grocholski, Somerset County Engineering
Don Scott, Keller & Kirkpatrick

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

Mr. Herzog moved the approval of the minutes of February 18, 1998; Mr. Jessen seconded the motion and it passed unanimously.

REVIEW ZONE ACTIONS

Mr. Amon presented a request for waiver from the Stream Corridor Impact Regulation for a project known as Princeton Metro Park in West Windsor Township. He said that the application was approved by the Canal Commission in 1989, before the Commission's Stream Corridor Impact Regulation had been adopted. The approved project was for a 4-story building to replace

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EXECUTIVE
DIRECTOR
James C. Amon

COMMISSIONERS

Frank J. Torpey
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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*

an existing building, plus parking. The project was never built, and the applicant is now proposing to keep the existing building and build a 2-story building with less parking than the original plan. The new plan would result in 12-15% less impervious surface than the original proposal. The site is almost entirely in the floodplain, and therefore entirely within a Canal Commission-designated stream corridor. Mr. Amon explained that the Stream Corridor Impact Regulation would now prohibit any construction within the stream corridor, but that the former "grandfathered" project which has the Commission's approval would more harmfully impact the stream corridor than the current proposal. He recommended two alternatives; 1) that the Commission either table the application, which would result in an automatic approval if no action is taken within 45 days of declaration of a complete application, or 2) that the Commission table the application until next month's meeting with the direction that the applicant review possible solutions to further lessen any adverse impact on the stream corridor. Mr. Jessen suggested deepening the retention pond.

Mr. Herzog moved tabling the application until April's meeting, directing the applicant to review possible solutions to further lessen any adverse impact on the stream corridor. Mr. Jessen seconded the motion and it passed unanimously.

Mr. Amon then presented 5 "B" Zone applications for approval:

98-2430 South River Park - Cranbury Township; 2 warehouses and 1 office complex with a total new impervious surface of 32.33 acres.

Mr. Amon said that this project would require a DEP Stream Encroachment Permit and recommended that it be waived from review of drainage and water quality impact. He also said that the applicant had requested a waiver from strict compliance of the Stream Corridor Impact regulation, proposing that 57,000 square feet of encroachment into the corridor be exchanged for 69,000 square feet of land to be added to the corridor. Both areas are presently cropland, and Mr. Amon recommended approval of the waiver request and approval of the project.

98-2348A Estate at Grover's Mills Modifications - Plainsboro Township; 30 additional houses to be built in addition to 149 houses previously approved; 7 detention basins will manage stormwater runoff.

Mr. Amon said that this project also required a DEP Stream Encroachment Permit and therefore recommended it be waived from review of drainage and water quality impact. He said that a designated stream corridor is currently protected by a DRCC conservation easement.

96-2311 Amros the Second, USA Inc. - Franklin Township, Somerset County; warehouse and parking on 2 acres with one detention basin.

98-2425 First Property Group - East Windsor Township; 33 single family houses on approximately 25 acres with one detention basin.

97-2389 Foley Machinery - Monroe Township; renovation of an existing building and reconfiguration of parking areas with one detention basin.

Mr. Amon said that these three applications complied with the Commission's Regulations for stormwater management and recommended approval.

Mr. Jessen moved waiving South River Park from strict compliance of the Stream Corridor Impact Regulation; Ms. Armstrong seconded the motion and it passed unanimously. Mr. Jessen then moved approval of the "B" Zone projects with the exception of Foley Machinery; Ms. Armstrong seconded the motion and it passed unanimously.

Mr. Amon presented three "A" Zone projects:

98-2207A Harrison Towers Omnipoint Antenna - Franklin Township, Somerset County; proposal to install a cabinet and 3 transmitting devices on the roof of a 175'-high apartment house approximately 600' from the Canal Park.

97-2383 Raspino's Grocery Store - Lambertville; rehabilitation of an existing grocery store and addition of a temporary freezer compartment next to the Canal Park. A landscape screen and new path will be installed adjoining the Canal Park, and an existing retaining wall will be repaired.

97-2334 Goldberg Hair Salon - Franklin Township, Somerset County; conversion of a single family house to a hair salon with parking lot.

Mr. Amon recommended approval of the three "A" Zone projects. Mr. Herzog moved approval of the three "A" Zone projects with the proviso that, in regard to Raspino's Grocery Store, the installation of the landscape screen and path plus retaining wall repair be completed before the freezer compartment is installed. Ms. Armstrong seconded the motion with the condition as stated, and the motion passed unanimously.

Mr. Amon presented a fourth "A" Zone project--the rehabilitation of the Millstone Causeway Bridge. Mr. Scott reviewed the proposal for the Commissioners; some beams would be replaced while others would be deepened; the street lamps would be restored. The bridge is presently 24 feet wide; the County proposes to widen it to 28 feet--two 12' lanes with two 2' shoulders. Mr. Amon had requested that the County install a painted crosswalk across Amwell Road where the towpath crosses the road as part of the application; however, Mr. Grocholski explained that the County's traffic safety supervisor said that it would be unsafe to put a pedestrian crossing at a mid-block. As an alternative, it was suggested that warning signs for both motorists and pedestrians be installed on the road and towpath. Mr. Amon recommended approval of the application and accepted the invitation by the County that their traffic safety supervisor discuss the issue of crosswalks at a future meeting. Mr. Herzog moved approval of the Millstone Causeway Bridge rehabilitation; Mr. Marshall seconded the motion, and it passed unanimously.

TRAP ROCK HOUSES IN FRANKLIN TOWNSHIP

Mr. Amon told the Commissioners that he had written the director of Trap Rock Industries regarding the two houses on Old Georgetown Road but had not received a response. He reported that the path project initiated by the Governor's office was determined to cost \$15.5 million. He also said that he had communicated with the Office of State Planning and found that the Canal Park could be designated an "area of critical state concern," and recommended the Commissioners endorse the designation. Mr. Herzog felt the designation was not focused enough and suggested that the Commission wait to find out what the implications of the designation would be. After further discussion, Ms. Armstrong moved approval of endorsing the D&R Canal State Park as an "area of critical state concern," and Mr. Marshall seconded the motion. Ms. Armstrong, Mr. Marshall, and Mr. Torpey voted in favor of the motion; Messrs. Herzog and Jessen voted against. The motion did not carry.

Mr. Amon then reviewed the status of the canal boat ride. He said that state representatives would be meeting on April 1st to discuss the subject. Mr. Hoebel presented solutions to potential pollution problems involving a canal boat ride, and said that he would be meeting with members of the Rockingham Foundation to discuss the possibility of a boat ride starting at Rockingham, once it has been moved.

Mr. Amon then spoke of the recent news articles regarding Robin Boyle and her efforts to have a memorial erected at Bull's Island commemorating the Irishmen that helped build the canal. He said that a bill had already been introduced allocating \$100,000; half would be used for research conducted by the NJ Historical Commission, and half would be used for the memorial itself. Mr. Marshall expressed concern that the money for the memorial would be coming out of Parks' budget, and that the NJ Historical Commission was not the appropriate body to be conducting historical research--that instead, it was the function of the Historic Preservation Office. He said that it could potentially be a great opportunity to take advantage of providing interpretive materials for the Canal Park. Mr. Torpey suggested scheduling a meeting of all the key players that would be involved with this project.

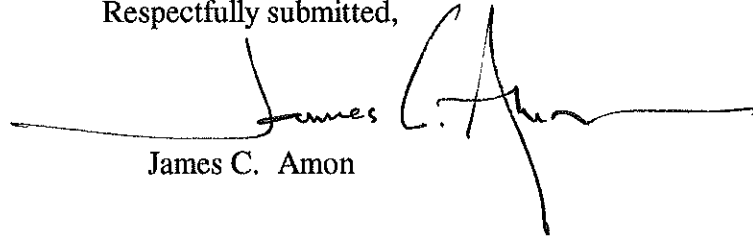
CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern told the Commissioners that he was extremely concerned about the lack of enough personnel for the Canal Park. He said that although the Canal Park has expanded greatly in size and has substantial increased improvements, personnel has decreased greatly. He said that in 1985, the Canal Park staff numbered 29; this year, there are 19, with the possibility of losing 5 more that may not be replaced. He said that this issue was critical and needed to be addressed.

Mr. Marshall reported that the NJ Council on the Outdoors has made their recommendations for a stable source of funding for operating expenses for the Division of Parks and Forestry. He said that should the recommendation be accepted, it would still be a while before the funding would become available.

The meeting adjourned at 2:35 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 stroke extending to the right.

James C. Amon