



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF APRIL 15, 1998

TIME: 12:10 P.M. - 2:30 P.M.
DATE: Wednesday, April 15, 1998
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Marshall, 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
Norm Weinstein
Abe Shaikh, NJ Water Supply Authority
Bart Hoebel
William J. Cerynik, State Park Service, Central Region

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. Jessen moved approval of the minutes of March 25, 1998; Ms. Armstrong seconded the motion. Messrs. Jessen, Marshall, Pauley, Torpey and Ms. Armstrong voted in favor of the motion; Ms. Goodspeed and Mrs. Nash abstained; the motion passed.

LEASES AND PERMITS

Mr. Amon presented a permit application by the Water Supply Authority to create an eight-foot stone path along the canal for approximately one-half mile at Bull's Island in order to accommodate machinery used to dredge the canal periodically. Mrs. Nash moved approval of the permit; Mr. Pauley seconded the motion, and it passed unanimously.

Mr. Herzog joined the meeting at 12:15 PM.

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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 three "B" Zone applications for approval:

- 98-2277A West Windsor Senior Citizens Residence - West Windsor Township; Three-story building as part of the Princeton Junction Executive Center; one detention basin will discharge to an offsite tributary/wetlands area.
- 98-2428 Calton Homes at Franklin - Franklin Township, Somerset County; 98 single family homes with 5 detention basins; a stream corridor, presently wooded, will be dedicated to Franklin Township.
- 97-2389 Foley Machinery - Monroe Township; renovation of an existing building and reconfiguration of parking areas; an existing basin will be filled in and a new one built.

Mr. Amon said the applications met stormwater management and water quality standards and recommended approval. He said that in the case of Calton Homes at Franklin, he recommended waiving strict compliance with the Stream Corridor Impact regulation. He said that the section of stream corridor regulated by the Commission was only 300 feet long and would be given to the township. Mr. Jessen moved waiver of strict compliance from the Stream Corridor Impact regulation for Calton Homes at Franklin, and approval of the three "B" Zone projects; Mrs. Nash seconded the motion. Messrs. Herzog, Marshall, Pauley, Torpey, Ms. Armstrong, Ms. Goodspeed and Mrs. Nash voted in favor of the motion; Mr. Jessen abstained. The motion passed.

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

- 98-2434 Route 29, Sections 10C & 11B - Trenton; proposed extension of Route 29 to connect with Interstates 195 & 295. A recreational trail will be built as part of the project.
- 98-2437 Omnipoint Communications/Franklin Marriott - Franklin Township; proposed communications antenna on the roof of an existing hotel located about 800 feet from the Canal Park.
- 98-2431 Barber Residence - Franklin Township; new single family home on a wooded lot next to the Flemer Nature Preserve in Kingston (40 feet from the canal); a conservation easement will preserve the wooded buffer.

Mr. Amon recommended approval of all three "A" Zone projects. Mr. Herzog moved approval of the "A" Zone applications; Mr. Jessen seconded the motion, and it passed unanimously.

REVIEW OF WSA PLANS FOR RESTORATION OF FOUR-MILE SPILLWAY

Mr. Amon described the proposal for restoring a 650-foot-long spillway in Franklin Township. He said that the cobblestone surface would be restored, and hand laid stone on each side would be

put down wherever visible. He said that the height of the spillway would be above the normal operating level of the canal, thereby making it easier to walk across. The Commission complimented the Water Supply Authority on the proposal. Mr. Jessen moved approval of the restoration, Ms. Goodspeed seconded the motion, and it passed unanimously.

DISCUSSION OF STATE DEVELOPMENT AND REDEVELOPMENT PLANS

Mr. Amon spoke of last month's discussion about designating the Canal Park an "area of critical state concern" in the State Plan. He said that he and Ms. Armstrong met with Mr. Simmens, Director of the Office of State Planning, who said that it would be preferable to consider designating the Canal Park as Planning Area 5 or giving it Critical Environmental or Historical Status. Mr. Amon said that he would work with the counties involved in this designation process.

OLD BUSINESS

Mr. Amon reviewed the minutes of a meeting held by the Canal Boat Ride Subcommittee. He said that the Water Users Association expressed concerns about potential pollution problems that could be created by a canal boat ride, and that Mr. Hoebel had written to address these concerns. He said that he was now waiting for a written response from the Association. He also said that Mr. Hoebel and he had visited the site where Rockingham is to be relocated, and thought that there was great potential for an educational and interpretive center as well as a canal boat ride to be situated there. He said that the obstacles presented at the meeting make a boat ride unlikely in 1998, but that there was perhaps still hope for something to be done in the future.

Mr. Amon introduced Superintendent Bill Cerynik, the new superintendent for the State Park Service's Central Region.

Mr. Marshall commented on a meeting held with park officials and Robin Boyle, the person interested in giving recognition to the Irishmen that helped build the canal. He said that there was general agreement that this could be a good opportunity for an educational/interpretive program, such as a kiosk or wayside exhibit that would be built in conjunction with the proposed new Bull's Island office.

Mr. Amon mentioned that he received a response from Trap Rock regarding the proposed demolition of two historic houses in Griggstown, asking for written documentation about the age of the houses. He said that he had just received a letter from an expert stating that the houses were built in the eighteenth century. He said that the demolition application would be presented at the May meeting.

NEW BUSINESS

Mr. Amon said that the staff has almost completed a draft of revised regulations and would send it to the Commissioners soon. He said he would be meeting with Assistant Commissioner Ray

Cantor, DEP Land Use Regulatory Program and Tom Baxter, Executive Director of the Water Supply Authority, to ask their opinion about the geographic scope of the review zone.

Mr. Pauley asked about the status of the Six Mile Run section of the Canal Park. Superintendent Stern said that a pilot trail would be opening this month, and there were still unresolved controversies between farmers leasing farmland in the park and the State.

CANAL PARK SUPERINTENDENT'S REPORT

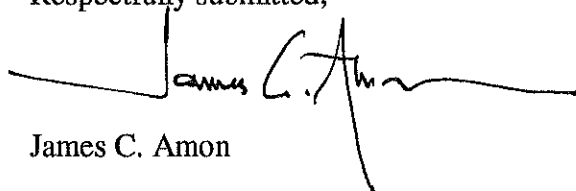
Mr. Stern said that a fence had been installed at the Lambertville lock to separate property leased by Water Supply Authority personnel and park users. He said that construction was underway on the towpath in Lambertville.

PUBLIC FORUM

Mr. Weinstein asked whether the Commission had ever taken a formal position on the study that was done by the D&R Canal Transportation Safety Study Commission, and whether any of the suggestions had been implemented. Ms. Armstrong said that Senator Schluter had recently introduced a bill that would reinstate review authority by the Canal Commission and DEP on DOT projects. Thus far, there has been no legislation on guide rail funding. Mr. Amon reported that the Department of Transportation had reinforced guide rails on twelve canal bridges. He said that Senator Kavanaugh (formerly an Assemblyman) had introduced legislation to provide Franklin Township with funds for wooden guide rails on Canal Road, but that a local resident had complained, so that the legislation was never enacted. Mr. Weinstein requested that the Commission follow up on their position of support; Mr. Torpey suggested a status report for May's meeting.

The meeting adjourned at 2:30 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 a vertical line extending downwards from the end.

James C. Amon