

MINUTES OF THE MEETING OF JULY 15, 1998

TIME: 12:15 P.M. - 2:20 P.M.  
DATE: Wednesday, July 15, 1998  
PLACE: Canal Commission Office  
Stockton, New Jersey



DELAWARE AND RARITAN  
CANAL COMMISSION

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Marshall, Pauley, Torpey; Ms. Armstrong,  
Ms. Goodspeed and Mrs. Nash

STAFF: Mr. Amon and Ms. Holms  
Ms. Deirdre Schlosser, Deputy Attorney General

GUESTS: Paul Stern, D&R Canal State Park  
Robert V. Kiser, Princeton Township Engineer  
Lee Solow, Princeton Regional Planning Board  
Norman J. Weinstein, D&R Canal Bridge Safety Study Commission  
Linda Barth, Canal Society of New Jersey  
Edward Buss, NJ Water Supply Authority  
Tom Letizia, Esq., Jamieson, Moore, Peskin & Spicer, P.C.  
Hal Hoeland, Princeton Development Group  
William J. Cerynik, State Park Service, Central Region  
Bart Hoebel, Princeton University

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 approval of the minutes of June 17, 1998; Mr. Pauley seconded the motion and it passed unanimously.

REVIEW ZONE ACTIONS

Mr. Amon presented one "A" Zone project application:

98-2462      Masset Residence Addition – West Amwell Township

Mr. Amon said that the applicant is proposing an addition on an old stone house. The property is just barely in the Commission's "A" Review Zone, but the house itself is more than 1,000 feet from the canal. It is separated from the Canal Park by Route 29 and will not create a harmful

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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

visual impact. Mr. Jessen moved approval of the Masset Residence Addition; Mr. Herzog seconded the motion and it passed unanimously.

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

- 97-2391 Bristol-Myers Squibb Building L, Phase III – Lawrence Township; office building and parking as part of a much larger office park; the project will require a Stream Encroachment permit.
- 98-2413 Cedar Brook Corporate Center – Cranbury Township; warehouse/office building on 18 acres; one detention basin will control storm drainage.
- 97-1713A New Center Village Square – Hillsborough Township; retail/office buildings, storage and parking; an existing basin will manage stormwater runoff.
- 97-2411 Country Classics Phase 2 – Hillsborough Township; 94 single family dwellings with one detention basin discharging to a stream on-site; a stream corridor will be preserved through a conservation easement.
- 97-2404 Princess Road Office Park – Lawrence Township; 2 office buildings and parking; a stream corridor will be preserved through a conservation easement held by the township.

Mr. Amon said that the applicant for Princess Road Office Park was requesting a waiver from strict compliance with the Commission's Stream Corridor Impact Regulation. He said that the 100-year flood spills into a ditch running perpendicular to the stream and parallel to the road in front of the proposed building. The applicant proposes to preserve land adjacent to the stream that greatly exceeds the Commission's buffer requirements, in exchange for not preserving the small area where the ditch is. Mr. Amon recommended approving the waiver, and approving all five "B" Zone projects. Mr. Herzog moved approval of the waiver from strict compliance of the Stream Corridor Regulation for Princess Road Office Park and approval of the five "B" Zone projects as presented; Ms. Armstrong seconded the motion and it passed unanimously.

Mr. Amon then presented a "B" Zone project application for waiver from Commission review. The Montgomery Township Sewerage Treatment Plant is proposing alterations that will not involve any expansion of the exterior building. Mr. Amon said that other agencies within the DEP would be reviewing the sewerage treatment operation, and therefore recommended waiving the application from Canal Commission review. Mr. Jessen moved waiver of the Montgomery Sewerage Treatment Plant alterations; Mrs. Nash seconded the motion, and it passed without dissent.

Mr. Amon presented two projects in the "B" Zone for waiver from strict compliance of the stream corridor regulation. He said that Rush Brook, a proposed housing development in Princeton Township, had previously received Commission approval but had not been built, and therefore the approval expired. A conservation easement for the stream corridor, however, had been recorded. The Township is now requesting that the applicant construct a 6'-wide asphalt path with reinforced shoulders in the corridor for possible use by emergency vehicles. There will be no additional clearing of vegetation. Mr. Jessen moved approval of modifying the recorded

conservation easement for Rush Brook's stream corridor, with the conditions that there be no additional clearing within the corridor, and that the Commission's Attorney General approve the modified easement document. Ms. Armstrong seconded the motion and it passed unanimously.

Mr. Amon then presented a project known as Deerfield Estates, another previously-approved project with a recorded conservation easement for its stream corridor, in South Brunswick Township. The township has requested the applicant to construct an 8'-wide bike path in the corridor, which would also require a modification to the easement. Mr. Amon said that the path would require cutting a 12'-wide swath along the outside edge of a wooded area of the corridor. Mr. Herzog moved approval of the modification of the easement allowing for the bike path; Mrs. Nash seconded the approval, and it passed unanimously.

#### OLD BUSINESS:

Review of Funding for Park Projects: Mr. Amon announced that Senator Schluter helped acquire State funding in the amount of \$150,000 to connect the path from Frenchtown to Milford. He said that the Governor's office has also been working with him regarding other path funding projects, specifically with regard to closing the gaps. Chairman Torpey said that Governor Whitman had a very successful bike tour of the Canal Park on July 9<sup>th</sup>, starting in Lambertville and ending at the Van Wyckle house in Somerset.

GAF Remediation in South Bound Brook: Mr. Amon reported that DEP's Division of Solid Waste re-evaluated its requirements for remediation by GAF along the canal bank in South Bound Brook, and suggested instead that more tests be performed to demonstrate that leaving the canal bank in its present state would not be harmful. A GAF representative told Mr. Amon, however, that they must also comply with EPA's ISRA (Industrial Sites Recovery Act) standards, which may still require capping the bank.

Canal Boat Ride: Mr. Amon reported that the Water Users' Association sent a letter which stated their position of not being in favor of a canal boat ride. Mr. Hoebel presented letters he had received both in support and not in support of a canal boat ride. He said that he has been exploring other locations for a ride near, but not in, the Canal Park. The Commissioners agreed that a letter from the Commission should be sent to DEP Commissioner Shinn in support of the canal boat ride. It was also agreed that the boat ride committee should meet again.

Mr. Herzog left the meeting at 1:45 PM.

Crosswalks: Mr. Amon said that he toured Somerset County roads with the county's traffic engineer, who suggested installing signs on the roads warning of "park crossings ahead."

D&R Canal Bridge Safety Study Commission: Mr. Amon said that a meeting has been scheduled for October to be attended by all of the state agencies involved with the Canal Park (including the Department of Transportation), to discuss implementation of the goals that were determined by the Safety Study Commission.

## NEW BUSINESS

Mr. Amon said that the New Jersey Water Supply Authority is proposing to rehabilitate a culvert at station 2370+28 near Blackwell's Mills. It is a single-barrel, stone-arched culvert that is presently clogged with dirt. The Authority proposes to clear out the dirt, replace the stones, re-point and repair the outlet headwall, and re-point the inlet headwall. Mr. Amon recommended the Commission approve the proposed culvert rehabilitation. Ms. Goodspeed moved approval of the culvert repair; Mr. Pauley seconded the motion, and it passed unanimously.

## CANAL PARK SUPERINTENDENT'S REPORT

Mr. Stern presented a proposal to re-design and renovate boat docks in the Canal Park. He described a floating dock, 10' x 20', attached to land by a 6' x 8' ramp. The corners would be pinned with four steel posts. Four docks presently in disrepair would be replaced first—those near Alexander Road, Blackwell's Mills Road, the Griggstown Lock, and Kingston. Mr. Jessen moved approval of the design and installation of the canoe docks, Mrs. Nash seconded the motion, and it passed unanimously.

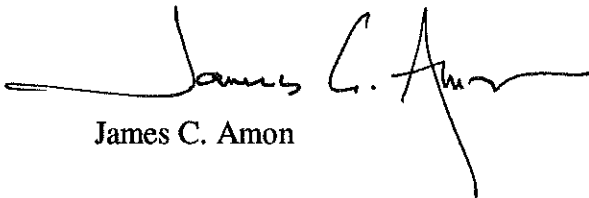
Mr. Stern also reported that volunteers installed 1,200 feet of new path from the Cook Natural Area toward Kingston on National Trails Day in June.

## PUBLIC FORUM

Linda Barth announced a canal walk on August 16 at 10:00 AM, starting from the Millstone Aqueduct and ending at Port Mercer (four miles). She said transportation would be available to drive people back. Mr. Hoebel announced that he was working with D&R Greenway on selling the development rights to his farm next to the Canal Park in Griggstown. Mr. Weinstein said that he hoped the meeting to be held in October about implementing the Safety Study Commission's goals would be fruitful, and reiterated his opinion that the Canal Commission has a responsibility toward the implementation.

The meeting adjourned at 2:20 PM.

Respectfully submitted,



James C. Amon