



DELAWARE AND RARITAN  
CANAL COMMISSION

MINUTES OF THE MEETING OF SEPTEMBER 16, 1998

TIME: 10:10 A.M. - 12:30 P.M.  
DATE: Wednesday, September 16, 1998  
PLACE: Canal Commission Office  
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Pauley, Torpey; Ms. Armstrong and  
Mrs. Nash  
STAFF: Mr. Amon and Ms. Holms  
Mr. Lewin Weyl, Deputy Attorney General  
GUESTS: Tom Baxter, NJ Water Supply Authority  
Joe Shepherd, NJ Water Supply Authority  
Susan Herron, D&R Canal State Park  
Jim Wiles, Parks & Forestry Central Region Office  
Ian Burrow, Hunter Research/SNJLRTS  
Joe Mutinsky, Centex Development Corp.  
Chitra Radin, NJ Transit  
John Mann, Daniel, Mann, Johnson & Mendenhall  
N.L. Marden, Daniel, Mann, Johnson & Mendenhall  
Donald Jones, E.W.S.  
Donald Jones, Jr., E.W.S.  
Robert von Zumbusch

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 August 19, 1998; Mr. Pauley seconded the motion, and it passed unanimously.

REVIEW ZONE ACTIONS

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

98-2480 - Metzel Pole Barn - Franklin Township, Somerset County

PRALLSVILLE MILLS P.O. BOX 539 STOCKTON, NJ 08559-0539 609-397-2000 FAX: 609-397-1081

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*

The applicant is proposing to construct a pole barn. The site is over 900 feet from the Canal Park and is screened by existing trees and buildings.

98-2481 - Errico Residence Addition - Stockton

The project is a proposed one-story, one-room addition to an existing house, separated from the Canal Park by an alley. Existing trees will screen the addition from the park.

97-2309A - Monument Crossing, Inc. Phase II - Trenton

The project consists of 46 homes on 2.58 acres. An elementary school is between the project site and the Canal Park, almost entirely blocking it.

Mrs. Nash moved approval of the three "A" Zone projects; Mr. Pauley seconded the motion, and it passed unanimously.

Mr. Herzog joined the meeting at 10:25 AM.

Mr. Amon presented six "B" Zone applications:

97-2406 - Woodmont Park at East Windsor - East Windsor Twp.

95-2252A - Courtyard by Marriott - South Brunswick Township

98-1120B - Wendover Commons - East Windsor Twp.

97-2364 - Tanglewood Estates - Hillsborough Twp.

98-2440 - Weston Canal Associates Parking Expansion - Franklin Twp.

98-2435A - Merrill Lynch Construction Office - Hopewell Township

Mr. Amon reported that the six "B" Zone projects conformed with the Canal Commission's Regulations and recommended approval.

Mr. Jones, an East Windsor Township resident whose property adjoins Wendover Commons, complained that the developer has not complied with certain standards regarding drainage piping. Mr. Amon replied that the Commission's Engineer had reviewed the application and found that the project conformed with the Commission's standards for stormwater management.

Ms. Armstrong moved approval of the six "B" Zone projects; Mr. Herzog seconded the motion, and it passed unanimously.

Mr. Amon then presented a seventh "B" Zone application:

98-2424 - Popkin/Katten Subdivision - Pennington & Hopewell Township

Mr. Weyl recused himself from the discussion because of a possible conflict of interest.

Mr. Amon said that the seven-lot subdivision complied with the Commission's stormwater management regulations. Mr. Pauley moved approval of the Popkin/Katten Subdivision; Mrs. Nash seconded the motion, and it passed unanimously.

Mr. Amon presented a request to terminate a maintenance easement for detention facilities on a property known as the Carrier (Eick) subdivision in West Amwell Township. He said that the project was approved by the Commission in 1993; the approval expired in 1996, and the owner will be submitting new plans. Mr. Jessen moved approval of the termination of the maintenance easement for the Carrier subdivision; Mr. Herzog seconded the motion, and it passed unanimously.

#### DISCUSSION OF NJ TRANSIT PROJECT IN HAMILTON TOWNSHIP

Ms. Radin described the project known as the Southern New Jersey Light Rail Transportation System, a diesel-run passenger train proposed for use between Camden and Trenton. The train would use Conrail's existing Bordentown line, which parallels the abandoned portion of the canal in Hamilton Township. Ian Burrow of Hunter Research described the archeological research that was done in connection with the project. He said that one of the most important archaeological features in the area of the canal in Hamilton Township was a sunken vessel in Crosswicks Creek that was probably one of the earliest canal boats built, possibly in the 1830's. He said that as a result of the new bridge being proposed for Crosswicks Creek, the sunken boat would be compromised, and he advised recording and then saving portions of the boat. Mr. Burrow also described archeological work to be done in the area of Lock Two. Mr. Amon suggested that if this area were to be excavated, he would like to see it left that way instead of filled back in.

Mr. Mann described the proposed trestle bridge that will replace the current bridge over the Crosswicks Creek. He said that it would be a timber bridge with a treated, ballasted deck, and would have a probable life span of 50 years.

Ms. Radin then presented the aspect of constructing a pedestrian bridge which would be cantilevered off the rail trestle. She said that in order for a pedestrian bridge to be built, access at both ends must be the responsibility of the Division of Parks and Forestry, and that it must be designed in a way that pedestrians will not walk onto the rail bridge. She said that access must be made available across property that is presently in private ownership.

Mr. Amon agreed to convene a meeting involving all relevant agencies with regard to the pedestrian bridge.

#### OLD BUSINESS

Mr. Amon reported on the status of the Commission's proposed re-adoption of its Regulations. He said that they were sent to the Office of Administrative Law and will be published in the New Jersey Register in October, at which time the public has thirty days to make comments.

He welcomed Joe Shepherd, Facility Manager for the NJ Water Supply, to the meeting.

#### CANAL PARK SUPERINTENDENT REPORT

Ms. Herron reported that she began her position as Superintendent on September 12th, but has worked with the State Park Service for 13 years.

Mr. Pauley made the following motion:

Whereas the Open Public Meeting Act provides that a public body such as the Canal Commission may meet in closed session to discuss personnel matters and matters subject to attorney-client privilege; and

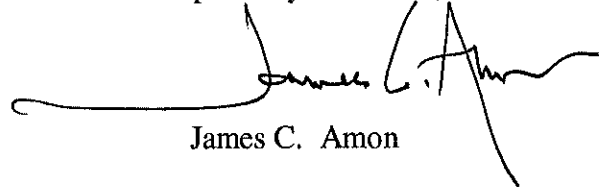
Whereas the Commission desires to retire to closed session to discuss such personnel matters and matters subject to attorney-client privilege; now

Therefore be it resolved that the Commission at this time shall meet in closed session to discuss personnel matters and matters subject to attorney-client privilege, the substance of which will be disclosed publicly only if it does not constitute an unwarranted invasion of individual privacy and will not breach attorney-client privilege.

Mrs. Nash seconded the motion and it passed unanimously. The Commission entered Executive Session at 12:10 PM.

The open public session resumed and adjourned at 12:30 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon", with a long horizontal flourish extending to the left.

James C. Amon