



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF DECEMBER 16, 1998

TIME: 12:10 P.M. - 2:30 P.M.
DATE: Wednesday, December 16, 1998
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

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

STAFF: Mr. Amon and Ms. Holms
Mr. Lewin Weyl, Deputy Attorney General

GUESTS: Susan Herron, D&R Canal State Park
Bill McKelvey, Canal Society of NJ
Tim Cavenaugh, Merrill Lynch
Roger Wells, Wells Appel
Gary Dahms, T&M Associates
Joe Shepherd, NJ Water Supply Authority
Mike Ford, Van Cleef Engineering
Chris Baker, McCarthy and Schatzman
Jeffrey Freireich, Westminster Realty

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 November 18, 1998; Ms. Armstrong seconded the motion and it passed unanimously.

SCHEDULE FOR 1999 MEETINGS

The Commissioners agreed to continue meeting on the third Wednesday of each month for 1999.

REVIEW ZONE ACTIONS

Mr. Amon presented two "A" Zone applications for waiver:
98-2507 - Carteret Avenue Houses - Trenton
98-2508 - Woolverton Inn Addition - Delaware Township

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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 said that in both cases, the proposed houses and addition will not be seen from the Canal Park, and recommended that they be waived from review of visual impact. Mrs. Nash moved waiver of the application from visual impact review; Mr. Herzog seconded the motion and it passed unanimously.

Mr. Amon presented two "B" Zone applications:

98-1452A - Alexander Court - West Windsor Township
Construction of 2 office buildings and 350 parking spaces on 8.6 acres with 2 detention basins.

98-2460 - Millstone Golf Center - Millstone Township
Proposed nine-hole golf course, driving range, clubhouse and miniature golf course on 33+ acres with 1.8 acres of new impervious coverage. Although a portion of the course will be in the stream corridor (a conditional use), no trees will be removed.

Mr. Herzog moved approval of the two "B" Zone projects; Mr. Jessen seconded the motion, and it passed unanimously.

Mr. Amon then presented a "B" Zone project for general development plan approval:

98-2435 - Merrill Lynch Scotch Road Office Park - Hopewell Township

Mr. Wells said Merrill Lynch is proposing to build 3.5 million square feet of office space on 450 acres, of which 197 acres will be protected open space. He showed the Commission plans and drawings of the proposed detention basins, some of which will be planted with wetland vegetation. Several of the basins will be on-stream. In the section designated Phase I, there will be an intrusion into part of the stream corridor (currently a meadow), but a slightly larger wooded area will be protected as compensation.

There was confusion as to whether the Commission was being asked to approve Phase I only, or the entire site, as a general development plan approval. Both Mr. Wells and Mr. Dahms, representatives for the applicant, requested that the Commission approve the general development plan for the entire site. There was some concern that water quality calculations for most of the basins had not yet been submitted, and that it would not be possible to approve stormwater management design without approving provisions made for protecting water quality. After further discussion, Mr. Jessen moved the following resolution:

The application of Merrill Lynch and Co., Inc. for the proposed development of property located at Scotch Road in Hopewell Township shall be approved with the following conditions:

1. Phase One with an accompanying stream corridor waiver is approved conditioned upon receipt by the DRCC of a recorded conservation easement for the approved stream corridor.

2. A general development plan (GDP) is approved for Phases 2 through 5 for:
 - a. General location and size of proposed on-stream detention facilities.
 - b. Pre-development runoff calculations
 - c. Post-development runoff calculations based on an assumed maximum cover as listed in the stormwater management plan dated April 17, 1998.
 - d. The size of the basins to mitigate peak runoff from the proposed development.

The applicant must obtain further approval from the D&R Canal Commission for final engineering design to insure conformance with the GDP approval. The applicant must still obtain approval for needed water quality management measures, the stream corridor preservation and applicable easements, and any other requirements that are applicable, prior to construction of each and every subsequent phase of development.

Mrs. Nash seconded the motion and it passed unanimously.

Mr. Amon then presented a "B" Zone application for waiver from strict compliance with the Stream Corridor regulation:

98-2509 - Cranbury Township, Block 20, Lots 6, 10 & 24

Mr. Amon said the applicant is proposing to build an age-restricted housing development on a site that is now almost all farm field. A small tributary /drainage ditch runs through the property. The applicant proposes leaving a 90-foot-wide corridor and planting trees within it. Another additional 21.6 acres of the site will be dedicated to Cranbury Township as open space. Mr. Ford, engineer for the project, said that this conceptual plan was part of a litigation settlement with the township. Mr. Jessen moved approval of waiving the project from strict compliance with the stream corridor regulation based upon the plan presented to the Commission; Mrs. Nash seconded the motion, and it passed unanimously.

DISCUSSION OF CELEBRATION OF 25TH ANNIVERSARY OF THE CREATION OF THE CANAL PARK

Mr. Amon said that the Canal Commission has the funds available to hire a part-time employee to help coordinate events for the 25th anniversary celebration. He and Mr. Torpey both felt that Linda Barth be considered for the job. Mr. Jessen moved approval of Linda Barth working for the Commission on the 25th anniversary; Mr. Pauley seconded the motion, and it passed unanimously.

Mr. Amon then reviewed the ideas that have been discussed for the celebration. Mr. Torpey suggested that time lines be created for implementation. Mr. Amon asked the Commissioners for any new ideas; Mr. Pauley suggested designing and printing a brochure.

OLD BUSINESS

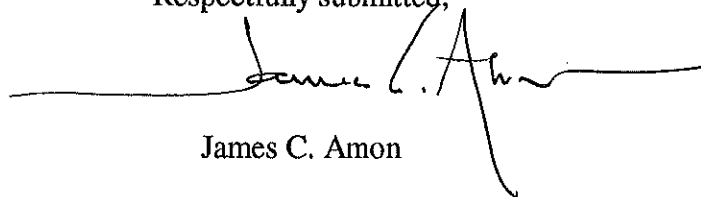
Mr. Amon reported on the status of Canal Park projects identified in the Development Plan as priorities for the ten-year period from 1996 to 2005. He said that of the 32 projects listed, all but five have been either completed or are underway.

CANAL PARK SUPERINTENDENT'S REPORT

Ms. Herron reported on three hikes that took place last month sponsored by the Appalachian Mountain Trail Club. She said that a Department of Correction's crew was making very good progress toward clearing the original towpath near Alexander Road in Princeton.

The meeting adjourned at 2:30 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon", is written over a horizontal line. The signature is stylized and cursive.

James C. Amon