



DELAWARE AND RARITAN  
CANAL COMMISSION

MINUTES OF THE MEETING OF JULY 19, 2000

TIME: 12:15 P.M. - 2:15 P.M.  
DATE: Wednesday, July 19, 2000  
PLACE: Canal Commission Office  
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Marshall, Pauley, and Torpey;  
Ms. Armstrong and Mrs. Nash  
STAFF: Mr. Amon and Ms. Holms  
Mr. Lewin Weyl, Deputy Attorney General  
GUESTS: Rebecca Williams, Assistant Superintendent, D&R Canal State Park  
Sue Herron, Superintendent, D&R Canal State Park  
Carl Loutzenheiser, NJ Water Supply Authority  
Jan ten Broek, Millstone Valley Preservation Coalition  
Linda Barth, Canal Society of New Jersey  
Jean Mahoney, Millstone Bypass Alert Coalition  
David DeCaro, Edwards & Kelcey, Inc.  
Rachael DeCaro  
Marilyn Kulik, Griggstown Historical Society  
John Lenaghan, Canal Watch  
Jeffrey Gerber, Bressler, et al  
Barbara Ross, D&R Canal Watch  
Bruce Lubitz, Esq., Rubin, Ehrlick & Buckley  
John Hatch, Clarke Caton Hintz  
Pogorzelski, Van Cleef Engineering Associates  
Neil Acevedo, Princeton Forrestal Center  
Adam Kaufman, Mapleton Road, LLC  
Mark Berry, Trenton Times  
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 the approval of the minutes of the meeting of June 21, 2000; Mr. Pauley seconded the motion and it passed unanimously.

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  
Mary Goodspeed

Mr. Russo of the Franklin Township Engineering Department said that the NJ Department of Transportation has awarded the township \$200,000 to install "W" beam guide rail on Canal Road from Route 518 to East Millstone. He said the total cost would be \$500,000. The guide rail would be weathered steel--he contended that DOT did not permit wooden guide rails, but that wooden posts would be used to hold the steel guide rail.

Mr. Amon recommended that the application be denied. He said that the D&R Canal Transportation Safety Study Commission recommended AASHTO-approved steel-backed wooden guide rail for this portion of the Canal Park. He said that the Canal Park was Franklin Township's premier resource, and that the higher cost of the steel-backed wooden guide rail should not deter the township from preserving the character of this important historic and natural resource.

Mr. Russo commented on the amount and types of vehicular accidents on Canal Road. He said that the cost of wooden guide rails would be four times as much as steel guide rails.

Mr. Marshall joined the meeting at 12:50 PM.

Mr. von Zumbusch suggested that the Department of Transportation be approached again with regard to this issue; he said that they have recently made greater efforts at being more sensitive to design in historic areas. He also said that the Franklin Township Master Plan specifically mentions that this area's historic character be preserved.

Ms. Kulik stated that the speed limit on Canal Road was too high.

Mr. Pauley felt that the proposed weathered steel rail with wooden posts was not a bad compromise. After further discussion, the Commissioners directed Mr. Amon to contact the DOT about the potential for funding steel-backed wooden guide rail.

Mr. Amon then presented the following "B" Zone applications for review and approval:

99-2525 - Hope Farm - Delaware Township  
00-2630 - Cenicola Warehouse - South Brunswick Township  
99-2536 - Woodfield Estates - Monroe Township  
00-2648 - South Brunswick High School - South Brunswick Township  
00-0005B - Library Consortium - Plainsboro Township  
95-2236 - Hillmont Company Subdivision - Montgomery Township  
99-2587 - Courtyard Marriott - Franklin Township  
00-2603 - Togar Corporation Residential Campus - Franklin Township  
97-2328 - East Windsor Village Shopping Center - East Windsor

Mr. Amon said that the applications have been reviewed for stormwater management, water quality, and stream corridor impact, and are compliant with the Commission's regulations.

## LEASES AND PERMITS

Mr. Amon presented a permit application to install a 12" fiber optic cable under the canal at Montgomery Street in Trenton. The tunnel would be 6 feet under the canal and would not impact the Canal Park. Mr. Jessen moved approval of the permit application, Mr. Herzog seconded the motion, and it passed unanimously.

## REVIEW ZONE ACTIONS

Mr. Amon said that the applicant for the project known as Outdoor Advertising Systems Billboard in Trenton requested postponing action until August's meeting. Mrs. Nash moved postponement of the application until August at the applicant's request; Mr. Herzog seconded the motion and it passed unanimously.

Mr. Amon then presented the following "A" Zone application for waiver from visual impact review:

00-2627 - Haddad Addition - Franklin Township

Mr. Amon said the addition would not be visible from the Canal Park and recommended it be waived. Mr. Jessen moved approval of waiving the application from visual impact review; Ms. Armstrong seconded the motion and it passed unanimously.

Mr. Amon then presented the following "A" Zone application for waiver from stream corridor impact review:

00-2629 - Mapleton Road Office Renovation - Plainsboro Township

Mr. Amon said that there presently exists a large house and barn dating from the 1850's owned by Princeton University. The applicant is proposing to renovate and convert the house and barn for office space, and building an addition onto the house. The entire site is within the 100-year floodplain. According to the Commission's regulations, no structures are permitted within the 100-year floodplain of any streams that impact the canal for projects involving one acre or more of impervious surface. Mr. Amon said that the University looked into alternatives for restoration of the house, but that this was the only proposal that was economically viable. Mr. Amon recommended that the application be waived from stream corridor impact review because of economic hardship. Mr. Jessen moved waiver of the application from stream corridor review for reasons of extreme economic hardship; Mrs. Nash seconded the motion and it passed unanimously.

Mr. Amon then presented an "A" Zone application for approval:

00-2656 - Canal Road Guide Rail - Franklin Township

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

#### REVIEW OF PROPOSED REHABILITATION OF WORK HOUSE SPILLWAY

Mr. Amon described the extent of repair that the Water Supply Authority is proposing. They are proposing to rebuild the spillway box in the canal, the splash pads on the Delaware River side of the spillway, and the box that receives canal water and directs it to the river. Mr. Jessen moved approval of the spillway repair, Mrs. Nash seconded the motion and it passed unanimously.

#### CANAL PARK SUPERINTENDENT'S REPORT

Ms. Herron reported that the fishing derby held on July 8th was very successful. She also said that Fireside Programs and Folksings at Bull's Island for families have also been well attended. She said that the Canal Park's Historic Preservation Specialist was being transferred, but that two seasonal employees were continuing to lead walks.

The Commission discussed a recent newspaper article about litter in the Canal Park in Trenton; Ms. Herron said that a permanent maintenance staff in Trenton was needed to address the problem.

#### OLD BUSINESS

Mr. Amon reported on recent path projects. He said that the towpath from Landing Lane Bridge to Kingston has been restored, and that the section of path near Calhoun Street in Trenton has been completed. The design for a path between Old Rose and Mulberry Streets in Trenton is complete, and the design for a pedestrian bridge over Route One is underway.

Mr. Weyl reported that the billboard company "Maxwell" (now Interstate) has filed a request for an adjudicatory hearing on their application that was recently denied.

#### NEW BUSINESS

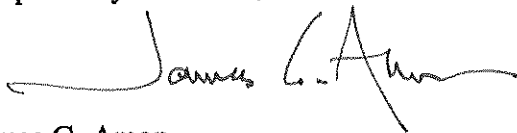
Mr. Amon said that when the Review Zone for the Canal Commission was first established, it was believed that there was no State parkland between Old Rose and Mulberry Streets in Trenton. It has now been determined that the park does, in fact, continue through this section. He recommended that the Commission re-establish the boundaries of the Review Zone so that this section would be in the "A" Zone. He said that this process would involve public meetings and advertisements. Mrs. Nash moved approval of the proposal to add the section between Old Rose and Mulberry Streets to the Commission's Review Zone; Ms. Armstrong seconded the motion, and it passed unanimously.

**PUBLIC FORUM**

Mrs. Barth asked whether potholes in the parking lot at South Bound Brook would be repaired; Superintendent Herron replied that DOT may be fixing them soon. Mrs. Mahoney reported that several non-profit organizations were named consulting parties to the proposed Millstone Bypass design, and have received 106 documents relating to this issue.

The meeting adjourned at 2:15 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 left.

James C. Amon