



DELAWARE AND RARITAN
CANAL COMMISSION

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EXECUTIVE DIRECTOR
James C. Amon

MINUTES OF THE MEETING OF OCT. 17, 2001

TIME: 12:30 PM– 2:30 PM

DATE: Wednesday, October 17, 2001

PLACE: D&R Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Barker, Jessen, and
Torpey; Ms. Armstrong and Mrs. Nash

STAFF: Mr. Amon and Ms. Holms

Ms. Deborah Gnatt, Deputy Attorney General

GUESTS:

Barbara Ross, D&R Canal Watch

Joe Shepherd, NJ Water Supply Authority

Rebecca Williams, D&R Canal State Park

Susan Herron, D&R Canal State Park

Andrew Schneier, SPS Central Region Office

Behram Turan, Icon Engineering

Muhammad Shaikh, Institute of Islamic Studies

Tahir Zafar, Institute of Islamic Studies

Shafiq Ahmed, Institute of Islamic Studies

Randy Baum, City of Trenton Dept. of Recreation,
Natural Resources and Culture

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.

Mr. Torpey announced that due to a lack of quorum the meeting would begin with items that did not require action.

CANAL PARK SUPERINTENDENT'S REPORT

Ms. Herron said that the Glen Afton Civic Association held a Canal Appreciation Day, which involved volunteer cleanup. She said that nine interpretive programs took place in September.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that the towpath restoration at Alexander Road was continuing, that the instrumentation project was also proceeding, and that maintenance work on the Island Farm Weir had begun.

OLD BUSINESS

Mr. Amon reported that a billboard that had been installed without Commission approval now has a message on it. He said that the City of Trenton issued a permit for the message that would lapse in 60 days. Ms. Armstrong and Mrs. Nash recommended that Mr. Amon write to the city saying that the issuance of the permit was in violation of the Commission's regulations.

Mr. Jessen joined the meeting at 1:10 PM.

Mr. Amon said that he had been attending meetings held by interested parties of the Millstone Bypass. The group is discussing the Environmental Impact Statement for the project.

MINUTES

Mrs. Nash said that the minutes of September 12, 2001 had an error. She said that on page 4 the minutes state that Mrs. Nash gave the Commission a deed book of Canal Park property. Mrs. Nash said that it was Harry Heher who donated the deed book to the Commission. With that correction, she moved approval of the minutes of September 12, 2001; Ms. Armstrong seconded the motion, and it passed unanimously.

REVIEW ZONE ACTIONS

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

01-2782 – Edgewood Park Renovation – Trenton

Mr. Baum said that Edgewood Park was a City Park next to the Canal Park, and that the City is proposing to relocate the basketball court, add a playground and batting cage, and install a set of stairs to link the park to the Canal Park. Mr. Amon recommended approval of the renovation plans, conditioned upon receipt of plans for the batting cage deemed acceptable by Mr. Amon, and upon approval by the Division of Parks and Forestry of the stairs leading to the Canal Park.

Ms. Ross suggested that an interpretive sign be installed at the former site of the Tattersall coal trestle. Ms. Armstrong moved approval of the Edgewood Park renovation proposal, conditioned upon 1) installation of an interpretive sign about the Tattersall coal trestle, 2) receipt of plans for the batting cage deemed acceptable by the Executive Director, and 3) approval of the stairs by DEP's Division of Parks and Forestry.

01-2783 – Stockton Playground Equipment Additions – Stockton

Mr. Amon said that the Borough of Stockton is proposing to install playground equipment for young children in a park that is adjacent to the Canal Park. He recommended approval.

01-2777 – Scarpati Building Expansion – Trenton

Mr. Amon said that the applicant is proposing to construct a one-story building on a former industrial site, located about 220 feet from the Canal Park. He said that Red Cedars would be planted to screen the property from the Canal Park (it will be used for an automobile junkyard). Ms. Shaddow suggested moving the chain-link fence away from the Canal Park by twenty feet, and planting the trees on the park side of the fence. With that as a condition, Mr. Jessen moved approval of the two “A” Zone projects; Mrs. Nash seconded the motion and it passed unanimously.

Ms. Holms presented an application for waiver from strict compliance of the Stream Corridor Impact Regulation:

01-2781 – Institute for Islamic Studies – Cranbury Township

Mr. Turan presented plans showing that most of the site for this project was within a designated stream corridor of the Canal Commission. He proposed eliminating a proposed overflow parking area and preserving part of the corridor in the back of the property, and requested a waiver for the remainder of the property, based on economic hardship. Ms. Armstrong moved approval of the waiver request, Mrs. Nash seconded the motion, and it passed unanimously.

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

- 01-2739 – Hovine Technology Transfer Center – East Windsor Township
- 01-2718 – First Industrial Development Services – Franklin Township
- 00-2636 – Princeton Audi Volkswagen Parking – Montgomery Township
- 01-2436J – Bristol-Myers Squibb P1 Parking Garage – Hopewell Township
- 01-1740A – South Brunswick Hospitality Group – South Brunswick Township

Mr. Amon said that the applications conformed with the Commission’s Regulations for stormwater management and stream corridor impact, and recommended approval.

Ms. Armstrong moved approval of the “B” Zone applications, Mrs. Nash seconded the motion, and it passed unanimously.

Ms. Holms then presented a second application for waiver from strict compliance of the Stream Corridor Impact Regulation:

00-2667 – Commerce Bank and CVS Pharmacy – Princeton and Montgomery Townships

Ms. Holms said that the Commission had previously approved a waiver request for this project, but the applicant is requesting a new waiver because the township is requiring additional parking. The new proposal would mitigate encroachment into the stream corridor by preserving additional land on the other side of Van Horn Brook. She recommended approval of the waiver. Mr. Jessen moved approval of the waiver from strict compliance with the Stream Corridor Impact Regulation, Ms. Armstrong seconded the motion, and it passed unanimously.

NEW BUSINESS

Mr. Amon said that he has requested Dow Chemical to remove unnecessary equipment in an area fenced in for water intake in the Canal Park in South Bound Brook. He said that he has requested a public hearing for the renewal of their permit to draw water, and will recommend denial unless the area is cleaned up.

Mr. Jessen then made the following resolution:

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;

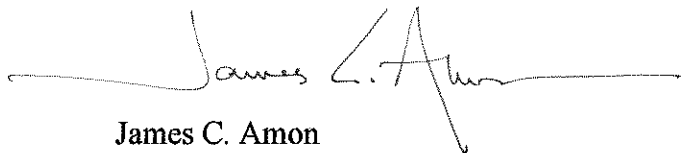
Whereas the Commission desires to retire to closed session to discuss such personnel matters and matters subject to attorney-client privilege;

Now therefore be it resolved that the Commission shall at this time 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 without dissent.

The Commission entered Executive Session at 2:20 PM. The public meeting resumed and adjourned at 2:30 PM.

Respectfully submitted,

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

James C. Amon