



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF FEBRUARY 20, 2002

TIME: 12:20 PM–1:45 PM
DATE: Wednesday, February 22, 2002
PLACE: D&R Canal Commission Office
Stockton, New Jersey

ATTENDING:

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

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

GUESTS:

Barbara Ross, D&R Canal Watch
Susan Herron, D&R Canal State Park
Kathleen Hand, Maser Consulting
Brian Murray, The College of New Jersey
John Chadwick
Joe Shepherd, NJ Water Supply Authority

Mr. Torpey 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 the meeting of January 16, 2002; Ms. Armstrong seconded the motion. The motion passed unanimously.

REVIEW ZONE ACTIONS

Mr. Torpey presented the following "A" Zone application for review and approval:

02-2819 – Amon Residence Fence – Lambertville

At Mr. Weyl's suggestion, Mr. Amon recused himself from the discussion. Mr. Torpey said that the proposed fence would not be visible from the Canal Park. Mr. Jessen moved approval of the fence, Mrs. Nash seconded the motion, and it passed unanimously.

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COMMISSIONERS: Frank J. Torpey, *Chairman*, Martin D. Jessen, *Vice-Chairman*, Winona D. Nash, *Treasurer*,
Sam Herzog, Caroline S.J. Armstrong, Douglas H. Palmer EXECUTIVE DIRECTOR: James C. Amon
GOVERNOR: James E. McGreevey

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

02-0005E – Princeton University Chemical Science Building Parking – Plainsboro Township
02-2789A – College of NJ Pennington Parking Garage – Ewing Township
02-2789B – College of NJ Forcina Hall Parking Garage – Ewing Township
02-2789C – College of NJ Travers Hall Parking Garage – Ewing Township
99-2547 – Ten Mile Run Development – Franklin Township, Somerset County
01-1935A – BMI Warehouse Addition – South Brunswick Township
00-2676 – Princeton Business Park – South Brunswick Township
01-2792 – Monmouth Meadows – Millstone Township

Mr. Amon said that the Commission's Review Zone Officers had reviewed the above applications for stormwater management and water quality and found them to be in conformance. He said that the Ten Mile Run Development had previously received a waiver from strict compliance of the Stream Corridor Impact Regulation. Ms. Holms said that the applicant for the College of NJ Forcina Hall Parking Garage is requesting a waiver from strict compliance of the Stream Corridor Impact Regulation. She said that the total impervious surface for this site would be reduced, and that a new road would be located within the stream corridor, but would be further away from Sylvia Lake than where a road is presently located. The existing road is proposed to be demolished.

In the case of Monmouth Meadows, Ms. Holms said that the applicant is proposing to add approximately 30,000 square feet of land to the stream corridor in exchange for encroaching on approximately 19,000 square feet. Ms. Holms recommended that the Commission waive strict compliance of the Stream Corridor Impact Regulation for this application, conditioned upon the following: 1) In lots 8 and 18 the corridor line shall be revised to follow the wetlands buffer boundary lines; 2) conservation monuments must be installed at all angle points of the corridor boundary on lots 7, 8 and 18; 3) a plan delineating the metes and bounds of the revised corridor boundary must be submitted, and 4) 2 copies of conservation easements for the stream corridor must be submitted and then recorded.

With the conditions as outlined, Mr. Jessen moved approval of the waiver from strict compliance of the Stream Corridor Impact Regulation for the Forcina Hall Parking Garage and Monmouth Meadows, and approval of the "B" Zone projects. Mr. Herzog seconded the motion and it passed unanimously.

Ms. Holms presented another application for waiver from strict compliance of the Stream Corridor Impact Regulation, known as Green Hill Manor in Franklin Township, Somerset County. She said that the applicant proposed to use 1.765 acres of designated stream corridor land for development purposes, and as mitigation, preserve 2.965 acres of woodland adjacent to the corridor. Mr. Chadwick said that approximately 75 acres would be preserved as township open space. Ms. Armstrong inquired whether the township would agree to extending the additional buffer lands along the stream; Mr. Chadwick and Mr. Amon agreed to contact the township regarding this request. Ms. Armstrong moved approval of the waiver request as presented; Mr. Herzog seconded the motion, and it passed without dissent.

Ms. Holms presented the application "Stratford at Monroe" for waiver from strict compliance of the Stream Corridor Regulation. The project is a large residential development in Monroe Township. Ms. Holms said that the applicant is proposing to locate parts of two detention basins in areas of the stream corridor that are presently wooded. In addition, the backs of three lots would also encroach into the corridor. In exchange for these intrusions, the applicant proposes to preserve an equal amount of wooded land that is adjacent to the corridor. Mr. Herzog moved approval of the waiver request with the condition that conservation monuments be installed at 100-foot intervals along the boundary of the compensatory area. Mrs. Nash seconded the motion and it passed unanimously.

Ms. Holms then presented the application known as "4115 Route One Self Storage" (South Brunswick Township, Middlesex County), a request for waiver from strict compliance of the Stream Corridor Impact Regulation. Ms. Holms said that the applicant proposed to locate a detention basin within the stream corridor that is presently wooded, and in mitigation, preserve an equal amount of land next to the corridor. She said that a driveway was also proposed to cross the stream corridor, connecting the new storage building to an existing building. The applicant has requested the driveway to be permitted due to economic hardship, because there would be no other economically feasible access to the storage building.

Mr. Weyl advised that the Commission deny without prejudice the waiver request. He said that additional information was needed in order to make an informed decision. Mr. Herzog moved denial without prejudice the 4115 Route One Self Storage waiver request; Mrs. Nash seconded the motion, and it passed without dissent.

CANAL PARK SUPERINTENDENT'S REPORT

Ms. Herron said that due to the state's present fiscal crisis, a freeze was put on all construction funds for any park capital improvement projects. She said that the rehabilitation of the Griggstown Muletenders Barracks, the Lawrence Township towpath restoration, and the Rockingham restoration were all put on hold.

NEW JERSEY WATER SUPPLY AUTHORITY

Mr. Shepherd reported that according to the Delaware River Basin Commission, the current drought is much more severe than the last one, and that the flow in the canal is still restricted to 65 million gallons per day. He said that towpath restoration work was proceeding between Port Mercer and Alexander Road, and that dredging had begun between the Delaware River inlet and the Raven Rock lock.

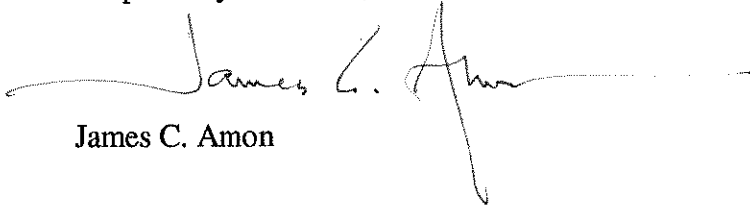
OLD BUSINESS

Mr. Amon said that a revised draft of the proposed Development Plan would be forthcoming. He said that court proceedings regarding the billboard in Trenton should begin in the first week of March. He also said that he was working with the Delaware and Lehigh National Heritage

Corridor Commission on interpretive signs at both ends of six bridges that cross the Delaware River.

The meeting adjourned at 1:45 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James C. Amon". The signature is written in black ink and is positioned above the printed name.

James C. Amon