



DELAWARE AND RARITAN  
CANAL COMMISSION

MINUTES OF THE MEETING OF MARCH 20, 2002

TIME: 12:20 PM-2:10 PM  
DATE: Wednesday, March 20, 2002  
PLACE: D&R Canal Commission Office  
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Nordstrom, and  
Torpey; Ms. Armstrong, Mrs. Nash and Ms. Shaddow  
(representative for Mayor Palmer)

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  
Craig Hagerman, Devon Self Storage  
John Palus, Bohler Engineering  
Joe Shepherd, NJ Water Supply Authority  
Becky Williams, D&R Canal State Park

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 February 20, 2002; Ms. Armstrong seconded the motion. The motion passed unanimously.

REVIEW ZONE ACTIONS

Mr. Amon presented the following "A" Zone application for conceptual review:

02-2809 – Devon Self Storage Expansion – Lawrence Township

PRALLSVILLE MILLS 33 RISLER STREET P.O. BOX 539 STOCKTON, NJ 08559-0539

609-397-2000 FAX 609-397-1081 www.dandrcanal.com

COMMISSIONERS: Frank J. Torpey, *Chairman*, Martin D. Jessen, *Vice-Chairman*, Winona D. Nash, *Treasurer*,

Bradley M. Campbell, Sam Herzog, Caroline S.J. Armstrong, Douglas H. Palmer

EXECUTIVE DIRECTOR: James C. Amon GOVERNOR: James E. McGreevey

Mr. Amon said that the applicant is proposing two construction phases for this project. Phase I would involve expansion of a self-storage building, to be located 195 feet from the Canal Park. The Commission's regulations stipulate a 200-foot setback. Three additional buildings are proposed for Phase II, to be located within 70 feet of the Canal Park. These buildings would encroach into the stream corridor on this site. The applicant has proposed planting red cedars to screen the buildings from the Canal Park.

The Commissioners requested that the applicant look for alternative designs so that the building in Phase I can conform to the 200-foot setback. They also sought justification for the waiver from setback if no alternatives were proposed. Several members of the Commission stated that they did not see how they could be convinced to approve the location of the Phase II buildings. They felt that they would need to visit the site before making any further determinations.

The Commissioners also suggested that the color of the buildings facing the park blend with the natural environs of the park, such as brown.

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

02-2826A – Lambertville Sewerage Authority Digester Improvements  
02-2826B – Lambertville Sewerage Authority Secondary Clarifier Improvements  
02-2826C – Lambertville Sewerage Authority Headworks Improvements

Mr. Amon said that the Digester Improvements included construction of a sludge holding tank with mixing equipment and related piping. A brushed aluminum geodesic dome would cover the building. Mr. Nordstrom asked whether the aluminum could be painted brown, to be less intrusive. Mr. Amon said that the "clarifier improvements" project would not visually impact the Canal Park, and recommended waiving the project from visual impact review. He said that the headworks improvements involved construction of a small new building that would not visually impact the Canal Park. Mr. Herzog moved waiver of the Clarifier Improvements project from visual impact review, and approval of the three "A" Zone projects. Ms. Armstrong seconded the motion and it passed unanimously.

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

02-2812 – Ewing Commerce Park – Phase 2 – Ewing Township  
01-2787 - Geneva Pharmaceuticals Parking Expansion – South Brunswick Township  
02-2818 – East Windsor Senior Center – East Windsor Township  
01-2294C – Lawrenceville School Squash Courts, Parking Lots and Storage Building  
00-2693 – Paddock Estates – Franklin Township, Somerset County

Mr. Amon said that the Commission's engineers had reviewed the "B" Zone applications and found them to be in conformance with the regulations for stormwater management and water quality. Mrs. Nash moved approval of the "B" Zone applications; Ms. Armstrong seconded the motion and it passed unanimously.

## CANAL PARK SUPERINTENDENT'S REPORT

Ms. Williams reported that grading has begun for construction of the new office at Bull's Island, and it may be completed by late summer or early fall. She said that the popular "Naturalized Art" classes would be starting soon. She also said that the Canal Park's historian led a successful bicycle tour on St. Patrick's Day.

## WATER SUPPLY AUTHORITY'S REPORT

Mr. Shepherd reported on the drought, saying that monitoring ground level wells were down between 25 and 50%. He said that the canal was drawing 65 million gallons per day (down from 100 m.g.d.). He said that the inlet at Bull's Island had been dredged this week.

## NEW BUSINESS

Mr. Amon reviewed the draft Development Plan, which includes a summary of the 32 projects from the 1996 Development Plan, a list of new projects (including five from 1996), and suggestions for acquisitions. He proposed discussing ten of the projects at the retreat. Mr. Nordstrom suggested two additional projects--a third maintenance facility, and an optimum staffing plan for the Canal Park. The Commissioners decided to hold the retreat on the morning of next month's public meeting, April 17<sup>th</sup>.

Mr. Jessen 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 pending litigation and matters subject to attorney-client privilege; and

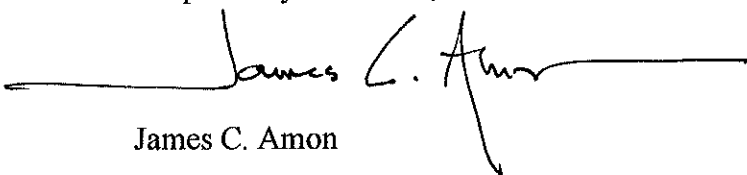
Whereas the Commission desires to retire to closed session to discuss pending litigation and matters subject to attorney-client privilege; now

Therefore be it resolved that the Commission shall at this time meet in closed session to discuss pending litigation 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.

Mr. Herzog seconded the motion and it passed without dissent.

The public meeting resumed and adjourned at 2:10 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