



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF JUNE 19, 2002

TIME: 12:20 PM-1:35 PM
DATE: Wednesday, June 19, 2002
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

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

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

GUESTS:

Pat and Joe Totaro
Barbara Ross, D&R Canal Watch
Susan Herron, D&R Canal State Park
Joe Shepherd, NJ Water Supply Authority
Larry Murphy, Bohler Engineering
Rebecca 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 May 15, 2002; Mr. Herzog seconded the motion and it passed unanimously.

REVIEW ZONE ACTIONS

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

02-2854 Totaro Residence – Ewing Township

The proposed 2-story house would be 75 feet from the Canal Park, with River Road between it and the Canal Park. Mr. Amon recommended waiving the 250-foot setback guideline and approving the project, based upon the presence of the road between the Canal Park and the project site, and upon a similar setback for nearby houses.

02-2859 Firtel Residence – Trenton

The proposed house would be approximately 30 feet from the Canal Park; existing houses in the neighborhood are at the same setback. Mr. Amon recommended approving the project conditioned upon installing 3-foot aboveground concrete markers at the property's corners that are shared with the Canal Park.

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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

are shared with the Canal Park.

01-2795 Niece Lumber Storage Addition – Lambertville

The proposed addition would be located within a few feet of the Canal Park. A row of 27 Red Cedars will be planted to screen the building from the park. The Commissioners recommended the following conditions be attached to the approval: 1) The Commission's Executive Director, along with the Lambertville Environmental Commission is to be involved in determining what parts of the existing landscape are to be removed; 2) The landscaping shall be managed to assure its continued conformance to the design plans approved by the Commission, and 3) No site work is to commence prior to the installation of protective fencing for the landscape that is to remain.

02-2502A – Stony Brook Tank Odor Control Project – Princeton Township

The proposed 3,060 square-foot building will not be visible from the Canal Park.

02-2856 – Route One Bridge over Shipetauken Creek

Gabion baskets are to be installed at the inlet and outlet of this bridge. Any trees or vegetation shall be replaced.

01-2731 – Stamile Property Site Plan – South Bound Brook

The existing junkyard requires a municipal zoning variance and therefore DRCC approval. The applicant has agreed to plant additional trees to help screen the junkyard from the Canal Park.

Mr. Jessen moved approval of the "A" Zone applications with conditions as recommended; Mr. Herzog seconded the motion and it passed unanimously.

Mr. Amon presented another "A" Zone application:

02-2809 – Devon Self Storage – Lawrence Township

An existing self-storage facility is proposed to be expanded by adding 8 new buildings in two construction phases. For Phase I, the nearest building would be 200 feet from the Canal Park and would be accompanied by a dense planting of native trees. Buildings to be built as part of Phase II would be between 75 and 112 feet from the Canal Park, which would not be in compliance with the Commission's setback guidelines. Mr. Amon recommended waiving compliance with the Stream Corridor Regulation, because only a small portion of a designated corridor is in this site, and it is separated from the stream by Carnegie Road. He recommended approving Phase I and denying Phase II.

Mrs. Nash moved waiving compliance with the Stream Corridor Impact Regulation for Devon Self Storage, and approving Phase I with the condition that a conservation and maintenance easement for detention facilities be prepared and recorded, containing wording to the effect that the landscaping on this site shall be maintained in perpetuity in accordance with the approved landscaping plans. She also moved denying approval of Phase II. Mr. Herzog seconded the motions, and they passed unanimously.

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

02-2365B – Princeton Alliance Church Building & Parking Expansion – Plainsboro Township
02-2848 – Johnson Park Elementary School – Princeton Township
00-2653 – Penn Real Estate Group Commercial Site – Franklin Township
98-2505 – Campus Drive Industrial Building – Hillsborough Township
01-2436L – Bristol Myers Squibb New Electrical Services – Hopewell Township

Mr. Amon said that the projects conformed with the Commission's regulations for stormwater management and water quality, and recommended approval. Mr. Jessen moved approval of the "B" Zone applications; Mr. Herzog seconded the motion and it passed unanimously.

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

02-2824 – True Jesus Church – Hillsborough Township

Ms. Holms said that approximately two-thirds of the site is in the 100-year floodplain of Royce Brook. The applicant is proposing to encroach into the 100-foot buffer of the corridor by approximately 15,000 square feet, and in compensation, 15,000 square feet of additional land adjacent to the corridor would be preserved. Mr. Jessen moved waiver of the application from strict compliance of the Stream Corridor Impact Regulation; Mr. Herzog seconded the motion, and it passed unanimously.

CANAL PARK SUPERINTENDENT'S REPORT

Ms. Williams reported that a black bear was captured in Manville on June 13th and released in Six Mile Run Reservoir, but had apparently been subsequently seen in South Brunswick. She said that the post and beam framing for the new office at Bull's Island was now up. She reported that William Cernyk, Regional Superintendent, would be retiring on July 1st.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that although the drought emergency was still in effect, the canal's intake had been increased to its normal flow of 100 million gallons per day. He said that the path reconstruction from Alexander Road to Port Mercer has been completed, and that the instrumentation project was ongoing. He mentioned to Mr. Amon that there were still outstanding issues that required resolution regarding the DOT Route 29/Delaware Avenue drainage project in Lambertville. Mr. Amon said he would contact DOT.

OLD BUSINESS

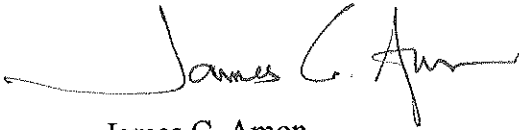
Mr. Amon reported that on a recent field visit he noted that the Canal Pointe housing development in West Windsor was almost fully screened by landscaping from the Canal Park.

NEW BUSINESS

Mr. Weyl said that as part of new legislation regarding the Open Public Records Act, each department within the State is now required to have a records custodian. Mr. Jessen moved approval of Ms. Holms serving as the Commission's records custodian; Ms. Armstrong seconded the motion, and it passed unanimously.

The meeting adjourned at 1:35 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "James C. Amon". The signature is written in a cursive style with a long horizontal stroke extending to the left.

James C. Amon