



DELAWARE AND RARITAN
CANAL COMMISSION

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MINUTES OF THE MEETING OF DECEMBER 18, 2002

TIME: 12:15 PM – 2:05 PM
DATE: Wednesday, December 18, 2002
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Herzog, Jessen, Sedor and
Weingart; Ms. Armstrong and Ms. Penney

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

GUESTS:

Barbara Ross, D&R Canal Watch
Joe Shepherd, NJ Water Supply Authority
Linda Barth, Canal Society of New Jersey
Jan ten Broeke, Millstone Valley Preservation Coalition
Andrew Schneier, D&R Canal State Park

Mr. Jessen 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 OF NOVEMBER 20, 2002

Ms. Penney noted that regarding the minutes of November 20, under "New Business" (page 4), Mr. Torpey was not present at the meeting, and that it was Mr. Jessen who expressed appreciation for Ms. Barth's new book. With that correction, Ms. Armstrong moved approval of the minutes of November 20, 2002; Mr. Weingart seconded the motion, and it passed unanimously.

SELECTION OF MEETING DATES FOR 2003

Ms. Armstrong moved approval of the third Wednesday of each month, 12:00 noon, as the day and time to hold the Commission's public meetings. Mr. Weingart seconded the motion and it passed unanimously.

LEASES AND PERMITS

Mr. Amon presented a permit application by the Division of Parks and Forestry to demolish a house at the Five-Mile Lock. He said the house was a farmhouse dating from the late 19th or

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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

early 20th century and has fallen into disrepair. He said it does not have any historical significance relating to the Canal Park, and that the Division would like to construct a parking lot in its place. The demolition has received approval from the Historic Preservation Office. Mr. Weingart moved approval of the house demolition; Ms. Penney seconded the motion, and it passed unanimously.

REVIEW ZONE ACTIONS

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

02-2903 – PSE&G Mercer Generating Station – Hamilton Township

Mr. Amon said the applicant is proposing to construct 2 building additions and install 4 ammonia storage tanks for an emissions reduction system at an existing generating plant. The storage tanks would be approximately 700 feet from the Canal Park. He said they would be marginally visible from the Canal Park but would not present a harmful visual impact because they would be part of a large industrial plant that presently exists next to the park. He said that the site drains to the Delaware River and is therefore not subject to stormwater management regulations. Ms. Penney asked whether other DEP permits would be required; Mr. Amon replied the proposed improvements would require several DEP permits.

02-2808 – 25 Ferry Street Subdivision – Lambertville

Mr. Amon said the applicant is proposing to construct two townhouses and renovate an existing building on a 1/3-acre lot. He said that portions of the proposed buildings could be seen from the Canal Park but there were several existing structures between the site and the park. Ms. Penney asked about the height of the proposed townhouses; Mr. Amon replied that the height would be 35 feet, which was in scale with the surrounding buildings.

Mr. Weingart moved approval of the "A" Zone applications; Ms. Armstrong seconded the motion and it passed unanimously.

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

02-2215F – Timberlane School Athletic Fields – Hopewell Township

02-2896 – Supreme Homes Subdivision – Lawrence Township

02-2816 – Staybridge Suites – Cranbury Township

00-2615 – First United Pentecostal Church

Mr. Amon said that the Commission's Review Zone Officers reviewed the "B" Zone applications and found them to be in compliance with the regulations for stormwater runoff and water quality. He said that with regard to the First United Pentecostal Church, the Commission had previously approved a waiver from strict compliance with the Stream Corridor Impact

of the waiver approval, the applicant has agreed to install a row of Red Maples along the drive adjacent to the stream corridor. Ms Armstrong suggested diversifying the species of trees. Mr. Amon said that a pond with a dam presently exists on this site and that the dam is in bad condition. He recommended that the approval for this application be conditioned upon repair of the pond's control structure, as well as receipt of county approval. With those conditions plus the condition of adding other native species to the row of trees next to the stream corridor, Ms. Armstrong moved approval of the "B" Zone applications. Ms. Penney seconded the motion and it passed unanimously.

Mr. Herzog joined the meeting at 12:45 PM.

DISCUSSION OF DEVELOPMENT PLAN MEETINGS

Mr. Amon said there were good turnouts at both meetings, and that there were many worthwhile suggestions that should be incorporated into the new 10-year Development Plan. He also said that he would like to incorporate plans that may take longer than ten years to implement. As an example, he suggested the installation of interpretive signs all along Route 129, indicating the canal route and the structures that had previously existed there. Mr. Scheier suggested as a short-term proposal, installation of a wayside exhibit at the point where Route 129 is located where the canal used to be. Mr. Amon said that in general, many people requested more directional and interpretive signs. The Commissioners discussed taking advantage of the positive momentum that was generated by the meetings, and writing to Assemblymen and Senators. Mr. Jessen said that the Governor and Commissioner Campbell should be written to as well. Mr. Sedor suggested contacting friends groups and other non-profits. Mr. Weingart said that this would be an opportune time to request increased funding for Commission projects. Ms. Armstrong suggested meetings with individual legislators. Ms. Penney moved approval of preparation of a preliminary letter to Senators and Assemblymen that reflected the sentiments and enthusiasm of the public that attended the meetings.

CANAL WATCH SIGNS AT LOCKS AND SPILLWAYS

Mr. Amon reported that Canal Watch is proposing to install interpretive signs at the locks and spillways along the Canal Park, which will show how these structures work. He showed the Commissioners a mock-up of one of the signs, and said that they would be 2&1/2' x 3', using the type of stands that the National Park Service uses. Ms. Armstrong moved approval of the signs, conditioned upon final approval of the text by the Executive Director. Ms. Penney seconded the motion and it passed unanimously. Mr. Weingart suggested that interpretive signs in the park should be clustered together.

CANAL PARK SUPERINTENDENT'S REPORT

Mr. Schneier reported that the Canal Park's naturalist, Stephanie Fox, is back from maternity leave, and that the new Bull's Island office is nearly complete. He said that the Canal Park's historian, Vicki Chirco, reported good attendance at her interpretive walks.

Ms. Barth asked Mr. Schneier about the location of the interpretive sign that was removed at the Weston Causeway bridge; he said he would look into it. She also reported that a milepost located upstream of the Landing Lane Spillway had been uprooted and was lying down.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that the inlet dredging was continuing and that thus far 4,000 cubic feet of sediment had been removed. He said that the Authority was removing many fallen trees from the canal, and that the Simonson Brook culvert repair was in progress.

Mr. Herzog moved approval of preparation of two resolutions by the Executive Director to express appreciation for the efforts of Chairman Torpey and Commissioner Nash, who recently passed away. Ms. Penney seconded the motion and it passed unanimously.

PUBLIC FORUM

Ms. Barth said that with regard to the Development Plan, she would like to see greater emphasis placed on canal boat rides.

Mr. Weingart moved the following resolution:

Whereas the Open Public Meeting Act provides that a public body such as the Canal Commission may meet in closed meeting to discuss matters subject to attorney client privilege;

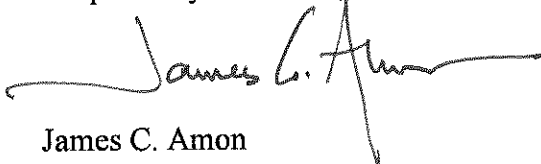
Whereas the Commission desires to retire to closed session to discuss such matters subject to attorney-client privilege;

Now therefore be it resolved that the Commission shall at this time meet in closed session to discuss 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.

Ms. Penney seconded the motion and it passed unanimously. The Commission entered Executive Session at 1:45.

The public meeting resumed and adjourned at 2:05 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James C. Amon