



DELAWARE AND RARITAN  
CANAL COMMISSION

1

**MINUTES OF THE MEETING OF JANUARY 15, 2003**

TIME: 12:15 PM – 2:30 PM  
DATE: Wednesday, January 15, 2003  
PLACE: Canal Commission Office  
Stockton, New Jersey

**ATTENDING:**

COMMISSIONERS: Messrs. Herzog, Jessen, Sedor and Weingart; Ms. Armstrong, Ms. Shaddow (representative for Mayor Palmer) 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  
Andrew Schneier, D&R Canal State Park  
Richard Schatzman, McCarthy and Schatzman  
Andrew Birtok, PE, B2A/Survsat  
Pastor Steve Nash, Christian Community Church  
Liz Palius, Millstone Valley Preservation Coalition

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 DECEMBER 19, 2002**

Mr. Herzog moved approval of the minutes of December 19, 2002; Ms. Penney seconded the motion and it passed unanimously. .

**ELECTION OF VICE-CHAIRMAN AND TREASURER**

Mr. Weingart moved the nomination of Mr. Jessen as Vice Chairman, Mr. Herzog seconded the motion and it passed unanimously. Mr. Weingart then moved the nomination of Mr. Herzog as Treasurer, Ms. Penney seconded the motion and it also passed unanimously.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
James E. McGreevey, Governor Bradley M. Campbell, Commissioner

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## LEASES AND PERMITS

Mr. Amon presented a permit application by the D&R Greenway, a non-profit land trust, to install an interpretive sign in the Bordentown Bluffs section of the Canal Park. He said that the sign would have similar specifications as those of National Park Service signs. Ms. Penney moved approval of the sign, Mr. Herzog seconded the motion, and it passed unanimously.

Ms. Armstrong joined the meeting at 12:20 PM.

## REVIEW ZONE ACTIONS

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

99-2575 – Colonial Square at Belle Mead – Hillsborough Township  
02-2391G – Bristol Myers Squibb Module G3 – Lawrence Township

Mr. Amon said the two applications complied with the Commission's Regulations for stormwater management and water quality. Ms. Armstrong moved approval of the two "B" Zone applications; Mr. Weingart seconded the motion, and it passed unanimously.

Ms. Holms presented a request for waiver from strict compliance with the Stream Corridor Impact regulation:

01-2751 – Christian Community Church – Hillsborough Township

Ms. Holms said the applicant is proposing to build a new church and parking lot on property that presently has a large farmhouse on it. Most of the 7.9-acre site is a DRCC-designated stream corridor. The applicant is proposing to build a gravel driveway behind the church that would encroach into the stream corridor. As mitigation, the applicant has proposed installing native trees and shrubs along the stream's edge, as well as along a man-made channel that drains into the stream.

It was noted during the discussion that a gravel drive presently exists in the stream corridor, connecting to an adjoining horse farm. Pastor Nash said that this road would not be needed after the church was constructed. Mr. Weingart moved approval of the stream corridor waiver with the following conditions: 1) that part of the proposed gravel drive that is located in the stream corridor shall remain gravel and will be documented as such in a conservation easement held by the Canal Commission, 2) the existing gravel drive that connects to the horse farm shall be removed within three years of the completion of the new church, and 3) landscaping shall be installed based upon a plan dated Jan. 30, 2003. Mr. Sedor seconded the motion and it passed unanimously.

Ms. Holms then presented a "B" Zone application for approval:

## 02-0837E – Bloomberg Office Park Sewage Pumping Station – Montgomery Township

Ms. Holms said that the proposed sewage pump station would be underground and would not create any new impervious surface; therefore the application is not subject to stormwater management review. The applicant is proposing to install a pipe that would cross a DRCC-designated stream corridor, a conditionally-permitted use. Mr. Herzog moved approval of the sewage pump station with the following conditions: 1) Disturbance required for installation of the pipeline across the stream corridor shall be limited to twenty feet wide, 2) Any vegetation that is removed for the pipeline installation in the corridor shall be replaced in kind, and 3) The conservation easement shall be amended to reflect the conditional use and location of the pipeline in the stream corridor. Mr. Weingart seconded the motion and it passed unanimously.

Mr. Amon presented the following “A” Zone application for approval:

## 03-2914 – Lambertville Streetscape Improvements

Mr. Amon said that the City of Lambertville is proposing to install crosswalks on Bridge Street and Coryell Street, where the streets intersect the Canal path. Ms. Armstrong moved approval of the crosswalks, conditioned upon design details to be approved by Mr. Amon. Ms. Penney seconded the motion and it passed unanimously.

## WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that the inlet dredging and the Five-Mile Lock project were ongoing, and that the Simonson Brook culvert rehabilitation was suspended because of weather delays. He said the Authority was also cleaning debris from the locks.

## DISCUSSION OF DEVELOPMENT PLAN

Mr. Amon reported that he is working on revising the draft Development Plan and would present a final version for approval at February’s meeting.

## OLD BUSINESS

Ms. Penney moved approval of the two resolutions acknowledging the substantial efforts and contributions of Mr. Torpey and Mrs. Nash as Commissioners; Mr. Herzog seconded the motion and it passed unanimously.

## NEW BUSINESS

Mr. Amon reported that an amateur historian in Lambertville would like to have an interpretive sign installed in the Canal Park describing Washington’s route to the Battle of Monmouth, as well as one describing a canal diggers’ burial site. The Commissioners expressed concern as to

whether the information would be accurate; Mr. Amon said that the Historic Preservation Office would be reviewing the signs for accuracy.

#### PUBLIC FORUM

Ms. Palius asked the Canal Commission to help preserve an eighteenth century triple stone arch bridge in Bound Brook. Mr. Amon said that the bridge was not in the Commission's Review Zone, and suggested that she contact the borough's construction official. Ms. Palius also said that when the new pump station in Griggstown was built a hedgerow was removed and never replaced. Mr. Amon said he would check the Commission's records to see if it required replacement as part of the approval. She also commented on the Griggstown Draft Management Plan. She expressed concern that the State would be responsible for maintaining the buildings, but that there may not be enough funding to do so. She said that the plan should allow for non-profits to use grants for maintaining the buildings. She also said that the buildings are presently boarded up and that fungus will return unless they are aired.

At 1:45 Mr. Herzog moved 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 matters subject to attorney-client privilege;

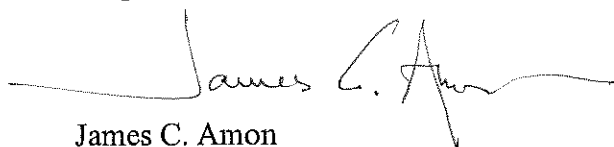
Whereas the Commission desires to retire to closed session to discuss such matters subject to attorney-client privilege;

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 public meeting resumed and adjourned at 2:30 PM.

Respectfully submitted,

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

James C. Amon