



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF SEPTEMBER 17, 2003

TIME: 10:15 AM – 12:05 PM
DATE: Wednesday, September 17, 2003
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

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

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

PUBLIC:

Barbara Ross, D&R Canal Watch
John Peterson, NJ Water Supply Authority
Jeffrey Hall, Viacom Outdoor

Mr. Weingart 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. He invited the Commissioners and guests to introduce themselves.

MINUTES OF THE MEETING OF AUGUST 17, 2003

Mr. Jessen moved approval of the minutes of the meeting of August 17, 2003; Ms. Penney seconded the motion. Messrs. Jessen, Sedor, Weingart and Ms. Penney voted in favor of the motion; Ms. Armstrong abstained. The motion did not pass.

LEASES AND PERMITS

Mr. Amon presented a lease application for access and egress across State land behind the Canal State Park office in Franklin Township. The Commissioners agreed to table the application because it was determined to be incomplete.

Mr. Amon then presented an application by PSE&G to install pumps for the purpose of monitoring groundwater on Canal Park property next to a Superfund site in Kingwood Township. Mr. Jessen moved approval of the application; Ms. Armstrong seconded the motion, and it passed unanimously.

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

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REVIEW ZONE APPLICATIONS

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

03-2982 – Briggs Residence – Hopewell Township

Mr. Amon said an existing house that is barely visible from the Canal Park is proposed to be demolished and replaced by a two-story modular house.

03-2985 – Petrowski Garage – Franklin Township, Somerset County

The applicant is proposing to build a one-story garage, to be located approximately 320 feet from the Canal Park. The garage will be screened from the Canal Park by existing vegetation.

03-2980 – Hall Storage & Utility Building – Hopewell Township

This project was waived from visual impact review and approved on August 17, 2003; however, public notice had not been given that action would be taken on that project at that meeting. Mr. Amon said the proposed building would not be seen from the Canal Park and recommended that the Commission waive and approve the project again.

03-2921 – Smith Barn – Franklin Township, Somerset County

The applicant is proposing to remove an existing barn in bad repair and replace it with a new barn that would be 40' x 100' and 21 feet high.

03-2989 – Sassman Residential Restoration – Franklin Township, Somerset County

The applicant is proposing to restore a house, carriage house and barn to their original condition.

03-2988 – Braun Residence – Hopewell Township

Mr. Amon said this proposed new house would not be visible from the Canal Park and recommended that it be waived from visual impact review.

Mr. Amon said that those projects besides the Hall Storage Building and Braun Residence would not present a harmful visual impact on the Canal Park and recommended that they be approved. Ms. Armstrong moved waiving the Hall Storage Building and Braun Residence from visual impact review, and approving the "A" Zone applications. Mr. Jessen seconded the motion and it passed unanimously.

Mr. Amon then presented the following "B" Zone applications:

00-2666 – Lackland Self Storage – East Windsor Township

02-2910 – Princeton Manor – South Brunswick Township

Mr. Amon said that the staff had reviewed the applications and found them to be in conformance with the Commission's Regulations. Mr. Jessen moved approval of the "B" Zone applications, Ms. Penney seconded the motion, and it passed unanimously.

WATER SUPPLY AUTHORITY REPORT

Mr. Peterson reported that work at the Five-Mile Lock and repair of the Prallsville culverts was ongoing.

OLD BUSINESS

Mr. Amon reported that PSE&G recently sent a letter to Mr. Sedor regarding the permit application to install new lines and the removal of the gas pipeline in South Bound Brook. He said that he had several concerns regarding its content and suggested writing a memo to Mr. Sedor itemizing those concerns.

Mr. Amon also noted that he recently told a newspaper reporter that it was his expectation that the interpretive signs showing linkages between the D&R Canal and the Delaware Canal would be installed next month.

Ms. Penney reported on a successful Canal Day event in South Bound Brook co-sponsored by the Friends for the Abraham Staats House and the D&R Canal Watch.

Mr. Jessen 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;

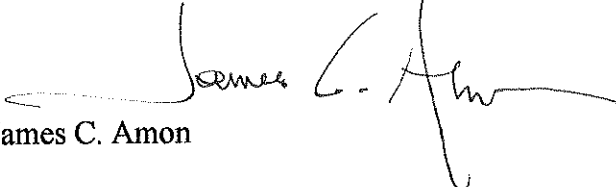
Whereas the Commission desires to retire to closed session to discuss such matters subject to attorney-client privilege;

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. Armstrong seconded the motion and it passed without dissent.

At 10:50 AM, the Commission entered Executive Session. The public meeting resumed and adjourned at 12:05 PM.

Respectfully submitted,


James C. Amon