



DELAWARE AND RARITAN  
CANAL COMMISSION

**MINUTES OF THE MEETING OF August 18, 2004**

TIME: 10:10 AM – 12:05 PM  
DATE: Wednesday, July 21, 2004  
PLACE: Canal Commission Office  
Stockton, New Jersey

**ATTENDING:**

COMMISSIONERS: Messrs. Jessen, Loos, and Sedor;  
Mayors Palmer and Marchand and Ms. Armstrong

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

**PUBLIC:**

Joe Shepherd, NJ Water Supply Authority  
Barbara Ross, D&R Canal Watch  
Mike & Anne Kruimer, Central Jersey Bicycling Club, East Coast  
Greenway Alliance  
Kyle Cloman, Trenton Country Club  
John Case, Trenton Country Club  
Bryan Vander Ghey  
Joe Wiley, Sadat Assoc.  
Colin Driver, Borough of South Bound Brook  
Richard Pinter, Matzel & Mumford  
Edward Buss, NJ Water Supply Authority  
Dennis Quinlan, Borough of South Bound Brook

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 THE MEETING OF JULY 21, 2004**

Ms. Armstrong noted that the minutes of the meeting of July 21, 2004 recorded her attendance at the meeting when in fact she was absent. With that correction, Mr. Loos moved approval of the minutes of July 21, 2004, Mayor Marchand seconded the motion and it passed unanimously.

**LEASES AND PERMITS**

1 PARS Environmental Services. Mr. Amon said there is an industrial site in Trenton where pollution has affected the groundwater. PARS Environmental Services is requesting a Park permit to extend a former agreement allowing two monitoring wells on Canal Park land.

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

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2. Southard Street Bridge Replacement Access. The Department of Transportation is requesting a Park permit to access the east pier of the Southard Street bridge by crossing Canal Park property for the purposes of replacing the bridge.

3. Elizabethtown Water Company Pipe Repair Access. The Elizabethtown Water Company is requesting a Park permit to use Park property to access a pipe that goes under the canal in South Bound Brook, in order to repair the pipe.

4. Delaware River Mill Society Lease. Mr. Amon said the Mill Society is requesting to renew their 20-year lease for the Prallsville millsite.

Ms. Armstrong moved approval of the four permit applications; Mr. Sedor seconded the motion, and the motion passed unanimously.

5. GAF Site Canal Bank Restoration. A former industrial site in South Bound Brook next to the Canal Park has asphalt and asbestos pollution that has spread to the canal bank. There are presently preliminary plans for the re-development of the site, and the applicant is now requesting a permit to restore the section of canal bank that is affected by the pollution.

Mr. Quinlan gave a presentation of site's history. Mr. Driver presented a conceptual plan for the re-development of the site. Mr. Pinter, representing the applicant, said that demolition of the buildings has begun. He said the canal bank restoration included removing debris and vegetative overgrowth. He said that an existing concrete retaining wall will remain.

Mr. Wiley, a consultant for the canal bank restoration, described the plans in more detail. He said that contaminants have been identified and a remedial plan was approved by DEP last summer. He said that with regard to the entire site, waste materials would be removed and the contaminated area would be capped with one foot of clean fill. In order to remove the debris along the canal bank, some grading on the bank would be necessary. The towpath would be restored by removing a depth of one foot of material and replacing it with one foot of clean soil, and building a pedestrian/bicycle path on the top of the bank.

Mayor Palmer joined the meeting at 10:35 AM.

Mr. Wiley said that an area that contained tarry substances was located in the canal itself, and that those substances would be removed. He said some trees would be removed to provide access for the overall remediation, but that valuable native species would remain. All disturbed areas would be restored.

Mr. Amon commented that he looks forward to seeing this abandoned part of the towpath reestablished. He said that there were many new development projects occurring in the Canal Park as a result of a strong partnership between South Bound Brook and the State.

Mr. Sedor asked about the condition of the retaining wall. Mr. Wiley said that it appears to be structurally sound.

Ms. Armstrong moved approval of the permit for the South Bound Brook Canal Bank restoration; Mayor Palmer seconded the motion, and it passed unanimously.

#### REVIEW ZONE ACTIONS

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

##### 04-3081 – Collins Residence – Franklin Township

Mr. Amon said the applicant is proposing to build a new house on Canal Road across from the Canal Park. He said there is a 15-foot, heavily wooded embankment between the site and the park, and that it will not be visible in summer, and probably not in winter as well.

##### 04-3086 – Wood Residence Hot Tub – Hopewell Township

Mr. Amon said there are two existing houses between the location of the proposed hot tub and the Canal Park, and there would not be a harmful visual impact.

##### 04-3075A – Trenton Country Club Additions – Ewing Township

Mr. Amon said the applicant is proposing additions to a pool house, expansion of the clubhouse, and parking lot modifications. He said the proposed changes would be screened by existing landscaping and would not intrude upon the Canal Park.

##### 04-3042 – Mercer County Wildlife Addition Center – Hopewell Township

Mr. Amon said the Mercer County Park Commission is proposing to build a one-story steel building and parking lot on the east side of Route 29, approximately 285 feet from the Canal Park. He said a row of Red Maples would be planted along Route 29 and the driveway to help screen the building from the park, and an oldfield would be established in front of the building.

Ms. Armstrong moved approval of the "A" Zone applications; Mayor Marchand seconded the motion, and it passed unanimously.

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

##### 04-3071 – The Madison at Ewing – Ewing Township

##### 02-0962E – Franklin Industrial Warehouse/Office – Franklin Township

##### 03-3021 – College Park II – Plainsboro Township

##### 03-2976 – Enchantment at Hightstown – Hightstown Borough

##### 03-2930 – Reserve at Stonebridge – Monroe Township

##### 03-2950 – Airpark Road Self-Storage – Montgomery Township

Mr. Amon said that the "B" Zone applications complied with the Commission's Stormwater regulations. He said the Airpark Road Self-Storage project also complied with the Commission's Stream Corridor Regulation, but that applicant must submit a second copy each of a maintenance agreement for detention facilities and a conservation easement for the stream corridor.

Ms. Holms said that a small portion of a stream corridor (under ¼ acre) exists on the site of the Reserve at Stonebridge, but that Union Valley Road was between it and Cranbury Brook,

effectively negating any function as an ecological buffer to the stream. She recommended that this application be waived from stream corridor impact review.

Ms. Armstrong moved waiver of the Reserve at Stonebridge from stream corridor impact review, and approval of the "B" Zone applications, conditioned upon submission of easements in the case of the Airpark Road Self-Storage application. Mayor Marchand seconded the motion and it passed unanimously.

Mr. Amon then presented a potential "A" Zone application for Commission review and discussion. He said the applicant, James Radvany, is considering purchasing property in Lawrence Township next to the Canal Park for the purpose of building a warehouse. Mr. Amon said that Mr. Radvany was interested in getting an informal opinion from the Commission about waiving the 200-foot setback requirement. Mayor Marchand said that she would need more information before commenting on the proposal. The Commissioners also felt that the applicant should be present at the meeting in order to answer any questions they may have. The Commission's consensus was that the setback waiver might be possible, but that a potential denial of the waiver would still pose a risk to the applicant's purchase.

#### WATER SUPPLY AUTHORITY'S PORT MERCER CULVERT REPAIR

Mr. Amon said an existing culvert near Quakerbridge Road, located between a wetland area and the canal, is failing, and must be replaced. He said the Water Supply Authority is proposing to replace a corrugated pipe with a concrete pipe and install a stone-faced concrete headwall on the wetland side. Mr. Amon said he felt the stone-facing was unnecessary because it would not be seen by Canal Park users, and that a cobblestone splash pad should be installed on the canal side, to help prevent erosion. Mr. Amon said the Water Supply Authority is proposing to remove the steel guide rail along the wetland side, and then replace it in kind. He felt that either the guide rail should not be replaced, or that it should be replaced with wooden fencing, because the pathway is no longer used by vehicles. Mr. Buss said the proposal to replace the guide rail was based upon safety concerns.

Ms. Armstrong moved approval of the Port Mercer culvert repair with the following provisos: 1) elimination of the stone facing on the headwall facing the wetlands, 2) installation of a cobblestone splashpad under the pipe opening on the canal side (conditioned upon DEP approval), and 3) replacement of the guide rail with wooden fencing, to be installed closer to the edge of the pathway. Mayor Palmer seconded the motion, and it passed unanimously.

#### WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that trees downed from rains were being removed, locks were being cleaned, and mowing was ongoing.

#### OLD BUSINESS

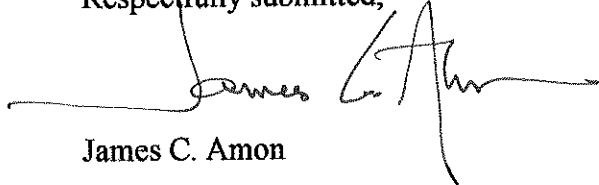
Mr. Amon said he spoke to a botanist at the Department of Agriculture who said they could provide beetles that eliminate purple loosestrife, an invasive species that is starting to grow along the canal banks. The botanist will survey the canal next spring or summer.

PUBLIC FORUM

Mr. Kruimer reported that the East Coast Greenway fundraising event and pedestrian bridge opening ceremony held last week were well attended.

The meeting adjourned at 12:05 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James C. Amon", with a long horizontal flourish extending to the right.

James C. Amon