

Appendix F:

Complete List of Opportunities and Constraints

Morris Canal Greenway 25-Year Action Plan

Morris Canal 25-Year Action Plan

Opportunities + Constraints Discussion Results

September 13, 2011 TAC Meeting

To preserve and enhance the historic Morris Canal, a national engineering treasure, and the cultural landscape through which it passes in a manner that... **highlights its distinctive characteristics and the ingenuity used in its construction to distinguish it from other historic resources and canals**

OPPORTUNITIES

- Seven locks and seven inclined planes
 - Less urbanization = more historical remnants stay intact and can therefore be interpreted and viewed.
 - Bread Lock Park, Saxton Falls
 - Significant people/ regular people
 - Designers (Professor Renwick)
 - African-American Captain
 - Itinerant preachers, Basin baptism
 - Oral history information associated with Tales of the Boatmen
 - Connect culture/customs of the past with our own of the present
 - Ex., no Sunday travel
 - Recreational activities such as picnicking, canoeing, swimming
 - Support trades such as bakers (Bread lock park), muskrat hunters, store ledgers, relate what was purchased where
 - Many unique elements to choose from for project possibilities
 - Plane 9 excavated (interpretation opportunity)
 - Highest elevation change
 - Plane 10 potential
 - Plane at Port Colden
 - Restored school and store
 - Water at Saxton Falls
 - Lock 4 at brickyard
 - The way it was watered – i.e. how the canal was designed to utilize existing water resources. Use of models and other learning tools to communicate with the public – versus trying to re-water the canal, which is not practical.
 - Connectivity of the towpath trail more important than re-watering the canal because it provides access to the communities and key recreational resources.
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CONSTRAINTS

- Preservation/presentation of materials – especially reel-to-reel tapes of oral history recordings, canal store ledgers, paintings, city directories, furnishings from period houses, etc.
- Adequate interpretive “people power” - i.e., volunteers or paid staff to be trained and serve as interpreters, availability of these individuals to be on-site to allow for greater

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hours of operation for interpretive activities at key sites. Need to “groom” the next generation of canal preservationists.

- Condition of the canal - Soil / debris cover (one extreme), houses/roads bisecting (the other extreme), erosion problems, storm damage,
 - On-going maintenance, ecological enhancement and historic landscape management plan
 - Some areas more intensely maintained than others
 - Balance between historically accurate sites and realistic level of maintenance
 - How to preserve / maintain headwalls of Plane 9, for example,
 - Partnerships with other canal related sites
 - Canal museum in Easton= ☹ \$ ————— , only one staff person, little funding,
 - Waterloo Village = ☹ \$ ☺- Deteriorated site condition, but on an upswing with group from Native American village
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OVERALL COMMENT

- The ability to pick and choose from several key sites to concentrate preservation and interpretive efforts there rather than trying to restore the entire canal.

Morris Canal 25-Year Action Plan Opportunities + Constraints Discussion Results September 13, 2011 TAC Meeting

To preserve and enhance the historic Morris Canal, a national engineering treasure, and the cultural landscape through which it passes in a manner that... **tells the story of life along the canal, its influence on past events and its relevance to today's society to support public education and foster community pride.**

OPPORTUNITIES

- Today's villages were formed around canal commerce, canal created jobs, sense of place
- Working model / scale framework to show size of turbines
- American labor movement / unionization (strikes over wages, NY Times archives)
- Interpret changes in settlement patterns due to canal infrastructure
- Modification of local economies, eg., the farmer who opens a store in Port Colden to sell his crops, etc.
- Canal contributed to energy supply – compare to today's energy issues
- Potential self-guided tours/ interpretive experiences, capture imaginations and minds of kids
 - Iphone hotspot
 - Geocaching
 - History fairs, technology competitions
 - "Classroom to Canal" educational programs with schools
 - Displays (ex. BreadLockPark)
 - Period home (ex., Plane 9 W)
 - Auto tours (like Gettysburg)
 - Walking tours
- Other resources- photos, reel 2 reel, paintings, furniture, period pieces (eg., Edison phonograph)
- Who is our audience? (Both an opportunity and constraint)
- Co-opting tourists here for other reasons as well
- Civil War significance – transported iron/cannons, troops guarded the canal
- Traveling chest idea sent from school to school and containing canal-related educational resources for teachers and their students
- Bring the story to them and entice families / similar groups to return
- Two schools on canal today-Meadowbreeze and Stewartville Elementary- local curriculum
- Opportunities for partner organizations / volunteer community service
 - WarrenCountyCommunity College
 - Centenary College
 - Vo-tech

CONSTRAINTS

- How to connect old energy economy with new- Civil War period vs. solar field
- Liability issues/insurance with tour groups (canal, turbines, etc.)

Morris Canal 25-Year Action Plan Opportunities + Constraints Discussion Results September 13, 2011 TAC Meeting

- Lack of interpreters
- Need to make stories relevant to today's society
- Logistics of transporting kids from schools to canal sites for field trips vs. in-classroom interpretation
- Existing collections of artifacts and documents in storage, not accessible to public or otherwise preserved properly for posterity
- Cost and effectiveness balance between self-guided learning experiences and volunteer interpreter experiences

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OPPORTUNITIES

- Multi-modal opportunities, ways to get to school / work / play (Allamuchy State Park, Merrill Creek, and other green spaces)
- Value-added- thinking of canal as green infrastructure in county
- Impact on eco-tourism
- Conservation of wildlife habitats – what/where are they?
- Don't need to "hyper" interpret for all users
- Historic structure designations for properties that may be subdivided / produce revenue
- Lopatcong, Franklin township, Washington Borough, Independence Township have adopted the model Morris Canal preservation / conservation ordinances-
 - Possibility for adoption of a model ordinance by the county? How to put teeth - Morris County adopted an ordinance in the last 4-5 years
- Leverage even weaker resources i.e., Native American village at Waterloo Village
- Would like preserved lands to interconnect key open spaces and recreation lands even if by spurs or alternative routes off of the towpath
- Access to county open space funding
- Compatibility between preserving the canal and providing recreational opportunities (like disc golf at Bread Lock Park)
- Protects sections of the canal that may not be restored, enhanced

CONSTRAINTS

- Crossing of Rt. 22, railroad blocking towpath in Washington Borough
- Public resistance
 - Nimby (residents, farmers)
 - Unwilling sellers
 - Small properties
 - Financial issues - maintenance of existing structures that come with the property
- Timing of land acquisition is like the challenge of puzzle piece placement
- Previously developed areas, like Washington Borough
 - May present different opportunities for interpretation
 - Pocket parks
 - Signage
- State farmland preservation program regulations do not allow for perimeter trails, exceptions, public access issues to be part of preserved lands. Licensing a solution?
- Inconsistency in county planning documents, Morris Canal not addressed in County Farmland Preservation Plan
- Land conservation is costly and time consuming for county staff

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OVERALL COMMENT

- This 25-Year Action Plan should provide the groundwork for the next 25-Year Action Plan

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To preserve and enhance the historic Morris Canal, a national engineering treasure, and the cultural landscape through which it passes in a manner that...**provides convenient access to a towpath trail for non-motorized passive recreational use as an integral part of a unique educational, travel and fitness experience.**

OPPORTUNITIES

- Through population centers, available land for “canal head” parking
- Multi-modal backbone that connects communities but also the “in town” networks, part of an overall bike/pedestrian/bus/train network
- Potential for four seasons of use / activities-
 - horseback riding, skiing, snowshoeing, snowmobiling, etc.
 - Cancer walk
 - The Morris Canal marathon
 - Small-scale Iditarod
 - Strollers
 - Cross-country teams from schools
- Connect to the County’s Health Improvement Plan and Hackettstown Mayor’s Health and Fitness Initiative
- NY/NJ Trail Conference – possible volunteer help

CONSTRAINTS

- Lack of parking and bike connections
- Initial clearing / trail construction, then maintenance
- Control of ATVs, etc.- trail and adjacent land access issues/patrolling
- ADA / BOCA- pedestrian bridges, SHPO reviews
- Brush clearing, trail maintenance
- Breaches in towpath
- Need for decent trail surface

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To preserve and enhance the historic Morris Canal, a national engineering treasure, and the cultural landscape through which it passes in a manner that...**stimulates the local economy through heritage tourism.**

OPPORTUNITIES

- Promote local businesses and non-profits near the greenway and at canal-related events
 - Geo-caching with ads
 - Electronic/smartphone based interpretation- tie into local advertisers/businesses for a small fee
 - Expand audience with technology
 - QR reader linked to existing web services
 - Chambers and downtown business district coordinations and synergies
 - Synergies with Waterloo Village and Easton attractions
 - "Canal Dollars" or canal-related coupons
 - Advertising opportunities for other companies and canal-related resources
 - On-line guide book
- Existing Morris Canal Greenway website as a home for technology applications
- Potential tie to educational programs led by Gina Rossalind (sp?) and Ralston Bartholomew at the Warren County Community College
- Benefits of public partnerships
 - Corporate sponsor for trail and facilities maintenance
 - National Heritage Area designation
- Canal lends itself to "discovery of hidden treasure" type experience
- Identify route of canal and provide historical "tid-bits"
- Wayfinding/wayshowing and connections with local businesses and downtowns
- Existing canal tours
- A management structure to support public involvement

CONSTRAINTS

- Cost of maintenance and management of technologies
- Lack of paid or dedicated staff to serve as canal ambassador (i.e. "Main St. Coordinator)
- How do we avoid information overload?
- Documenting the benefits of historical tourism could be difficult
- Avoid the "been there, done that" one-dimensional aspect of historical sites
- Current canal organization can't make money, and the funds they do generate go back into the county's general fund
- Understanding and achieving visitor-ready status

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To preserve and enhance the historic Morris Canal, a national engineering treasure, and the cultural landscape through which it passes in a manner that...**leverages the value of the canal to support sound land use planning decisions.**

OPPORTUNITIES

- Label plans which contain portions of the canal to increase awareness
 - This is a county requirement, but not a requirement at the municipal level
- Provide existing easement examples within county documents
 - Also show possible future access of preserved areas that have no public access
- Educate municipal attorneys and professional planners
- Build on existing trail linkages (like in Greenwich township)
- Plan recommendations shaping municipal decisions in the 25-year plan
- Canal preservation workshop for planning boards
- Link canal preservation with stormwater management
- Land development permitting process can trigger SHPO review of impacts to canal

CONSTRAINTS

- Non-recorded and contentious easements
 - Lack of full municipal support for canal preservation ordinance. Only Franklin, Independence and Lopatcong Townships have adopted this ordinance (and the ordinance text may not match county's recommended language.
 - Need for easement consistency and clarity
 - If the canal is totally within private property, does the ordinance have teeth to enforce preservation?
- Follow-up of 25-year recommendations with municipalities
- Logistics of incorporating canal preservation actions into local planning decisions and documents
- Need to demonstrate benefits of sound land use benefits of canal preservation to local professional planners

OVERALL COMMENT

Order of importance with regard to canal resource conservation activities

- 1) Buy canal-related properties to control ownership
- 2) Acquire a conservation easement with public access rights
- 3) Acquire a conservation without access rights

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To preserve and enhance the historic Morris Canal, a national engineering treasure, and the cultural landscape through which it passes in a manner that...**increases public and private support for and involvement in canal preservation efforts.**

OPPORTUNITIES

- Network with support-based and recreation-based businesses
- Municipal governments understand and care about canal preservation and the benefits therein
- Trips to the canal on in-service days for local teachers
- Adopt a canal/trail section
- Working vacations
- Recommend open space coordination in county open space plan
- Teaching grants to develop local curriculum (perhaps 4th grade level?)
- Attention to orienting new policies to canal and goals
- Focus group tours
- Canned presentation for school groups, community organizations, etc.
- Local TV information channel and other media outlets
- Municipal movie nights and lectures
- NJTPA's proposed working group

CONSTRAINTS

- Stewarts Hunt - easement issues - 7 main properties and abutters
- Encroachers
- No access supporters
- Size of greenway
- Non-canal portions of canal- lack of awareness
- Lack of awareness of the canal, even at a local level
- How do we get, organize, and manage volunteers and one day possibly staff?
 - Volunteer Coordinator?
 - Dedicated staff
 - Not direct county employee, but a friend of?
- Better integration to schools and core curriculum

Appendix G:

Model Ordinance

Morris Canal Greenway 25-Year Action Plan

Appendix D

MORRIS CANAL HISTORIC PRESERVATION REQUIREMENTS

A. Purpose: The preservation, protection and enhancement of the Morris Canal is required because:

1. The Morris Canal is recognized as a cultural resource of National importance by it's inclusion on the State and National Register of Historic Places, and
2. The Morris Canal was (and is) of great significance to the social and economic development of Warren County and the individual municipalities through which it passes and is so recognized by it's inclusion in Warren County's Open Space Plan, and
3. The Morris Canal is of environmental importance as a drainage way, water retention basin and, in many cases, as part of a valuable natural area watersheds.
4. Temporary restoration easements may be necessary as part of the buffer areas or in place of the buffer areas.

B. Delineation Requirements of Canal Corridor and Buffer: The delineation of the Morris Canal corridor on all subdivision and site plan maps must include:

1. The Canal right-of-way, levels, prism, basins, locks and inclined planes.
2. Adjacent features, sites and structures, such as boat yards, of primary importance to the operation of the Canal.
3. Areas of special sensitivity within the zone, including but not necessarily limited to special features, such as the inclined planes, locks, boat basins and yards, shall be designated.
4. A one-hundred (100) foot buffer along both sides of the Canal corridor measured from the outside toe of the prism bank, basin, lock or inclined plane, as the case may be, to facilitate the establishment of the Canal greenway, to minimize the impact of encroachments on the Canal, and to minimize potential conflicts between the public using the Canal and private landowners.

C. Provisions for Driveways, Underground Utilities, Sanitary and Storm Water Sewers, Streets, Etc:

The crossing of and/or excavation within the Canal corridor for any of the above mentioned purposes shall be permitted if there is no feasible and prudent alternative and such crossing and/or excavation is clearly in the public interest. Provisions for such crossing/excavation shall

include:

1. For utilities and sewers. Work to be completed in such a manner as to minimize the disturbance and/or destruction of significant features both above and below ground. Any such features disturbed and/or destroyed shall be restored to their preexisting condition as closely as is feasibly possible.
2. For driveways, work to be completed with minimum disturbance and/or destruction of significant features, both above and below ground; with restoration of destroyed or disturbed significant features, and completed to insure proper drainage flow.
3. For minor and major subdivision application, and for individual applications, where multiple driveways would normally be permitted, only one common driveway crossing the Canal corridor shall be permitted. The provision of more than one driveway may be permitted if the applicant can demonstrate that a single common driveway is not feasible.
4. For major subdivisions where one or more streets are proposed to cross the Canal corridor, a bridge shall be provided to carry the roadway over the Canal prism. The same shall be required of a minor subdivision if deemed by the Planning Board to be appropriate and in the public interest.

D. Acquisition Procedures

1. The value of Morris Canal properties, easements, and buffers shall be established using NJDEP Green Acres procedures and requirements.
2. The County prefers fee title ownership of the canal property and buffers as part of a linear historic park corridor and trail system.
3. Donations of canal property and easements may be considered to offset other impact fees and responsibilities on a case by case basis.
4. Morris Canal Public Access Easements must be clearly labeled on all plans and must be delineated in all deeds by a metes and bounds description.

E. Conservation Easements/Public Access Easements:

1. Owners of property within the delineated Canal corridor shall be encouraged to donate conservation easements to the County.
2. Major and minor subdivision and site plan applicants shall be requested to designate conservation easements of the Canal corridor on the plans for the property being developed and to donate such easements to the County. Where practical, public access should also be granted.

3. Applicants for subdivision and site plan approval shall also consider the sale of the Canal corridor and buffer as defined in Section B, to the County.

F. Review Procedures:

The Planning Board shall review and comments in regard to the compliance with the provisions of this section.

CONSERVATION EASEMENT

THIS INDENTURE, made this ____ (day) _____ day of ____ (month) _____, ____ (year) _____, BETWEEN, ____ (owner/corporation) _____, a corporation of the State of _____ (hereinafter referred to as the Grantor), AND the COUNTY OF WARREN, a public corporation of the State of New Jersey (hereinafter referred to as the County);

WHEREAS, the Grantor is the owner of lands in the ____ (Twn., Boro, Twp.) _____ of _____ (hereinafter referred to as the ____ (Twn., Boro, Twp.) _____) which are the subject of approval for a ____ (subdivision/site plan) _____ by the Planning Board of the ____ (Twn., Boro, Twp.) _____, Block _____, Lot(s) _____ on the Tax Assessment Map of the ____ (Twn., Boro, Twp.) _____; and

WHEREAS, one abandoned canal bed and other environmentally sensitive areas are located on said lands adjacent to or near said lands; and

WHEREAS, the Grantor and the County wish to protect the natural conditions of said abandoned canal and said stream or streams and other areas and the quality of the waters of said canals or said streams from adverse effects from the future development of the property.

WITNESSETH

In consideration of One Dollar (\$1.00) paid to the Grantor by the County at or before the delivery of this grant of easement, the receipt of which is hereby acknowledged, the Grantor hereby grants, bargains, sells and conveys to the County forever a conservation easement over that tract, parcel or lot of land in the ____ (Twn., Boro, Twp.) _____ of _____, County of Warren and State of New Jersey, more particularly described on Schedule A annexed hereto in the location described on Schedule B annexed hereto, on the following terms and conditions:

1. There shall be no residential structures or accessory structures thereto in the area designated as conservation easement, except for drainage purposes, agricultural or farming structures.
2. Notwithstanding anything to the contrary contained in this instrument, there shall be allowed, subject to federal and state law or regulation, drainage facilities and any related structures and accessways.
3. No trees or shrubs shall be removed or destroyed except for:
 - (a) The purposes allowed herein.
 - (b) Diseased or storm damaged trees or shrubs needed to be removed in accordance with accepted horticulture or silvaculture practices.
4. No topsoil, sand, gravel, loam, rock or other material shall be excavated, dredged or removed from the easement area except for the purposes allowed herein or except with the written approval of the County acting through the governing body or such other body or official as the governing body may designate.
5. No filling of land shall be allowed except for purposes allowed herein or as allowed by the Corps, and no dumping or placing of trash, waste or unsightly or offensive material, for disposal or otherwise shall be permitted within the easement area.
6. No solid or liquid materials which might pollute or otherwise adversely affect the flow or quality of the water in any watercourse within the easement area shall be kept or stored within the easement area or placed in or discharged into any watercourse traversing the easement area.
7. No activities shall be permitted within the easement area which might be

detrimental to drainage, flood control, springs, water, conservation, water quantity or quality protection, erosion control, or soil conservation.

- 8. Notwithstanding the foregoing, this agreement may be modified by mutual consent of the Grantor and or the Grantor's assigns and the County of Warren.
- 9. The provisions of this Indenture shall be binding upon and shall inure to the benefits of the parties and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the Grantor has duly executed this Indenture as of the date first above written.

WITNESS: _____(Owner)_____

_____(name)_____, _____(title)_____ _____(name)_____, _____(title)_____

STATE OF _____: COUNTY OF _____: SS. _____

I CERTIFY that on this ___(day)_____ day of ___(month)_____, ___(year)_____, ___(name)_____ personally came before me and this person acknowledged under oath, to my satisfaction that (a) this person is the ___(title)_____ of ___(owner/corporation)_____, the corporation named in this document; (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is ___(name)_____, ___(title)_____; (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors; (d) this person knows the proper seal of the corporation which was affixed to this document; (e) this person signed this proof to attest to the truth of these facts.

_____(name)_____, _____(title)_____

Subscribed and Sworn to:
Before me this _(date)_ day

of _(month)___, ___(year)___:

____(notary public)_____

CONSERVATION EASEMENT
(with right to public access)

THIS INDENTURE, made this ____ (day) _____ day of ____ (month) _____, ____ (year) _____, BETWEEN, ____ (owner/corporation) _____, a corporation of the State of _____ (hereinafter referred to as the Grantor), AND the COUNTY OF WARREN, a public corporation of the State of New Jersey (hereinafter referred to as the County);

WHEREAS, the Grantor is the owner of lands in the ____ (Twn., Boro, Twp.) _____ of _____ (hereinafter referred to as the ____ (Twn., Boro, Twp.) _____) which are the subject of approval for a ____ (subdivision/site plan) _____ by the Planning Board of the ____ (Twn., Boro, Twp.) _____, Block _____, Lot(s) _____ on the Tax Assessment Map of the ____ (Twn., Boro, Twp.) _____; and

WHEREAS, one abandoned canal bed and other environmentally sensitive areas are located on said lands adjacent to or near said lands; and

WHEREAS, the Grantor and the County wish to protect the natural conditions of said abandoned canal and said stream or streams and other areas and the quality of the waters of said canals or said streams from adverse effects from the future development of the property.

WITNESSETH

In consideration of One Dollar (\$1.00) paid to the Grantor by the County at or before the delivery of this grant of easement, the receipt of which is hereby acknowledged, the Grantor hereby grants, bargains, sells and conveys to the County forever a conservation easement over that tract, parcel or lot of land in the ____ (Twn., Boro, Twp.) _____ of _____, County of Warren and State of New Jersey, more particularly described on Schedule A annexed hereto in

the location described on Schedule B annexed hereto, on the following terms and conditions:

1. There shall be no residential structures or accessory structures thereto in the area designated as conservation easement, except for drainage purposes, agricultural or farming structures.
2. Notwithstanding anything to the contrary contained in this instrument, there shall be allowed, subject to federal and state law or regulation, drainage facilities and any related structures and accessways.
3. No trees or shrubs shall be removed or destroyed except for:
 - (c) The purposes allowed herein.
 - (d) Diseased or storm damaged trees or shrubs needed to be removed in accordance with accepted horticulture or silvaculture practices.
4. No topsoil, sand, gravel, loam, rock or other material shall be excavated, dredged or removed from the easement area except for the purposes allowed herein or except with the written approval of the County acting through the governing body or such other body or official as the governing body may designate.
5. No filling of land shall be allowed except for purposes allowed herein or as allowed by the Corps, and no dumping or placing of trash, waste or unsightly or offensive material, for disposal or otherwise shall be permitted within the easement area.
6. No solid or liquid materials which might pollute or otherwise adversely affect the flow or quality of the water in any watercourse within the easement area shall be kept or stored within the easement area or placed in or discharged into any watercourse traversing the easement area.
7. No activities shall be permitted within the easement area which might be detrimental

to drainage, flood control, springs, water, conservation, water quantity or quality protection, erosion control, or soil conservation.

8. Except for unusual and unforeseen emergencies, the easement area shall be open to the public all year during designated hours. The opening and closing hours shall be posted at the entrance to the easement area for public information and shall be determined from time to time by resolution of the Warren County Board of Chosen Freeholders or designated agency.
9. The County reserves the right to create and maintain a footpath along the course of the easement including, where necessary, the removal of trees and other vegetation that impede the footpath course.
10. Public access to the easement area shall only occur once a park program has been established by the County in order to oversee the usage of the easement area by the public.
11. Notwithstanding the foregoing, this agreement may be modified by mutual consent of the Grantor and or the Grantor's assigns and the County of Warren.
12. The provisions of this Indenture shall be binding upon and shall inure to the benefits of the parties and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the Grantor has duly executed this Indenture as of the date first above written.

WITNESS:

_____ (Owner) _____
