



**October 17, 2018 Meeting Minutes  
Delaware and Raritan Canal Commission**

**TIME:** 10:00 a.m.  
**DATE:** October 17, 2018  
**PLACE:** Prallsville Mills, Stockton, New Jersey

**ATTENDING COMMISSIONERS:**

Vice Chairman John Loos, Commissioner Bruce Stout, Commissioner Mary Leck, Commissioner Phil Lubitz, Director Olivia Glenn.

**STAFF:** Executive Director John Hutchison, Mr. Joseph Ruggeri, Deputy Attorney General Melissa Abatemarco, Ms. Colleen Maloney.

**GUESTS:** Superintendent Patricia Kallesser; Ms. Stephanie Fox, DEP Division of Parks & Forestry; Mr. Michael Sellar, NJWSA; Mr. Robert Barth, D&R Canal Watch; Mr. Robert von Zumbusch, D&R Canal Commission Advisory Committee; Mr. Ted Settle, D&R Canal Watch; Mr. Dylan Frost, Langan Engineering; Mr. David DiValerio, NJDOT Operations; Mr. George Caruso, Gannett-Fleming Engineering; Ms. Lois Johann, NJDOT Landscape; Mr. John Garzio, NJDOT Landscape Maintenance.

Vice Chairman Loos announced that this was a monthly meeting of the D&R Canal Commission and that all provisions of the "Senator Byron Baer Open Public Meetings Act" had been complied with in the scheduling of the meeting.

**Administrative Items**

The Commissioners discussed the desirability of rescheduling the November 14, 2018 Commission meeting to November 26, 2018 at 10:00 a.m., at the Prallsville Mills complex. After polling the members on their availability, Vice Chairman Loos called for a motion to change the meeting date. Commissioner Stout moved to approve the rescheduling of the November meeting to the 26<sup>th</sup>, which motion was seconded by Commissioner Lubitz. The motion was approved unanimously.

**Minutes**

Vice Chairman Loos called for a motion on the adoption of the September 12, 2018 meeting minutes. Commissioner Lubitz moved to approve the minutes as drafted, which motion was seconded by Commissioner Leck. Vice Chairman Loos asked if anyone from the public proposed any corrections to the minutes as prepared by staff. Hearing no objections or proposed corrections the Vice Chairman called for a vote. Commissioners Lubitz, Leck, Stout and Vice Chairman Loos voted to approve the minutes; Director Glenn abstained, and the motion was approved.

Vice Chairman Loos called for a motion to approve the September 12, 2018 executive session minutes. Commissioner Stout moved to approve the minutes as drafted and Commissioner Lubitz seconded the motion. Vice Chairman Loos asked for any corrections on the minutes. Hearing no objections or proposed edits, he called for a vote and the minutes were approved unanimously.

**Review Zone Projects:**

**Zone A Projects**

- 18-4771B 45 Ferry Street Driveway/Terrace (Lambertville City)
- 18-3417B Baldpate Mountain Parking Lot Expansion (Hopewell Township)
- 18-5189A 5 Ferry Street Generator (Stockton Borough)
- 18-3921C Route 29 NJDOT Safety Tree Removal Program (Hopewell Township)
- 18-4510A 1 Old Prallsville Road Porch Addition (Stockton Borough)

Vice Chairman Loos asked Commissioners if they had any comments or questions regarding the calendared Review Zone A projects.

Commissioner Lubitz, Director Glenn, Vice Chairman Loos, and Mr. von Zumbusch discussed a series of issues relating to the Route 29 NJDOT Safety Tree Removal Project. There was a discussion on the desirability and practical implications of burying public utility lines, and whether such activities would trigger archeological concerns on the part of the DEP State Historic Preservation Office.

Director Glenn discussed the damaging impact of emerald ash borer on Ash trees in the State park system, including the Delaware and Raritan Canal State Park and Washington Crossing State Park. Commissioners discussed the positive scenic value of the canopy of trees along State Highway Route 29. Commissioners discussed the need for DEP and NJDOT to replant the area with native species or various tree types, so as not to create a monoculture of trees that would be susceptible to future diseases. Commissioners discussed the location of the proposed replanting of trees at Washington Crossing State Park at the Knox Day Use Site and the possibility of plantings trees along the Route 29 corridor in a way so as not to interfere with utility lines or the New Jersey Water Supply Authority's administration of the prism of the canal.

Commissioner Leck asked Mr. Ruggeri to review the slope and surface materials that were proposed by the applicant for use at the Baldpate Mountain Parking Lot Expansion. Commissioner Leck and Mr. Ruggeri discussed the potential for erosion using pervious geo-grid with gravel when there is considerable slope and found the slope would be adequate for the project at approximately 1.4%.

Commissioner Lubitz and Superintendent Kalleser discussed parking expansion in parks as it relates to traffic increase, and whether there was an accurate correlation between park usage and traffic leading into and out of State parks.

Vice Chairman asked for a motion to approve the Review Zone A projects. Commissioner Stout moved that the commission approve the five Zone A projects and Commissioner Lubitz seconded the motion. The Vice Chairman called for any further comment from the Commissioners or the general public. Hearing none, he called for a vote. The Zone A projects were approved unanimously.

**Zone B Projects**

- 18-5205 83 Stults Road Proposed Warehouse (South Brunswick Township)
- 18-5277 Bruestle Court (West Windsor Township)
- 18-5271 Grovers Mill Bike Path (Plainsboro Township)
- 18-2197F ETS Lawrence-Hopewell Trail (Lawrence Township)
- 18-5289 134 Hillsborough Road (Hillsborough Township)
- 17-2548A Fiveighteen Associates (Montgomery Township)
- 18-3529A Hillsborough Self Storage (Hillsborough Township)
- 18-5252 Ferrero USA (Franklin Township)
- 18-2343D 1240 Cranbury South River Road Parking Reconfiguration (Cranbury Township)
- 18-5235 Windsor Castle Apartments (E. Windsor Township)
- 18-3660B Princeton Charter School Building Addition & Site Improvements (Princeton)

Vice Chairman Loos asked if there were any comments on the Review Zone B projects. Hearing none he asked for a motion to approve the projects. Commissioner Stout moved to approve the projects and Commissioner Lubitz seconded the motion. Vice Chairman Loos asked if any member of the public had any further comments and, hearing none, called for a vote. The motion was approved unanimously.

**Executive Director's Report**

Director Hutchison reported on the month's work load and fees, the progress made to date with the records archive and storage project, noting that 435 file boxes have been catalogued by Tiffany Bennett. He noted that staff is presently arranging for the remaining engineering/architectural files that cannot be replicated by the regulated community in electronic format to be picked up and scanned, once a quote and scanning purchase order are completed.

The director briefed the Commissioners on the acquisition replacements for the damaged and worn furniture presently in the commission conference room. DEP General Services has ordered 12 chairs and a series of modular tables for the commission conference room, as well as a magnetic white board for applicants to display plan sheets that can be used for staff work on non-commission meeting days. All the new furniture will be on casters to allow its easy removal in the event of a building flood.

The director informed the commissioners that the commission had retained new janitorial services from ACCSES NJ, the state contract vendor for custodial services. ACCSES NJ is the State's designated Central Non-Profit Agency, administering the State set-aside contract for people with disabilities under the State Use Law for Rehabilitation Facilities. The director noted that they hold several state contracts covering thousands of products and nearly a dozen individual services. The services are provided by community rehabilitation programs located throughout the state. CRPs provide employment opportunities for New Jersey citizens with disabilities, who chronically experience a high unemployment rate. Mr. Hutchison noted that the office is presently cleaned one every four weeks at a cost of approximately \$1,200. Under the new contract the office will be cleaned once a week (52/year) at a total annual cost of \$3,033.68. Mr. Hutchison expressed appreciation for the services provided by Mrs. Grace Snyder who has cleaned the commission offices for the last eight years.

Director Hutchison reported on a meeting he attended at DEP to discuss the status of the Moore's Creek Swing Bridge project, which is being constructed to mitigate for the visual impact of the I-95/Scudder Falls Bridge Replacement Project. DEP is proposing a series of changes to reduce the cost of the project. The proposed changes under consideration include: surfacing the parking lot with gravel, rather than macadam; changing the steel on the I-beams that form the bridge A-frame from weathered steel to standard steel painted white; and changing the access ramps from timber to aluminum. Although it was premature to speculate on the scope of the changes, Director Hutchison observed that it is probable that the proposed changes were not a minor modification pursuant to N.J.A.C. 7:45-4.2(a), and that the proposed design alterations would have to be submitted to the commission for review and approval.

Director Hutchison reported on a permit coordination meeting held at DEP relating to the proposed Princeton University "flyover" bridge at Lake Carnegie. The director informed the commissioners that there was nothing substantive to report with respect to the project design and that his initial informal determination, namely, that the project will be an Zone A Major project, reviewed for stormwater, visual, traffic and in all likelihood stream corridor impacts. The university staff informed the permit coordination meeting participants that it will be seeking approval of the project from its Board of Trustees on November 16th and anticipate appearing before the West Windsor Township Planning Board for a general development permit in January of 2019. The university has agreed to making a presentation before the commission in either December or January.

The director reported on his attendance at a September 17 scoping meeting at NJDOT for the in-kind replacement of the bridge that carries West Hanover Street over the Delaware and Raritan Canal in Trenton, near the Thomas Edison State University Canal Banks building. Among the alternatives under consideration by NJDOT would be the elimination of existing center bridge piling, which would enhance the freeboard underneath the bridge and reduce the possibility of the bridge becoming a "pinch-point" for debris.

Director Hutchison reported that a temporary employee had been retained for an 8 to 10-week period during which the secretary/receptionist for the commission office would be out on medical-related leave.

#### **Park Superintendent's Report**

Superintendent Kalleser reported in greater detail on the possible alterations to the design of the Moore's Creek Swing Bridge. She also reported on potential road projects, and that "CanalFest" in East Millstone was successful.

Ms. Fox reported on a grant which would allow resurfacing of the multi-user trail in Mercer County. She reported on the success of the September 15, 2018 river and park clean-up in Kingwood Township and Delaware Township, and the participation of several partners including the Hunterdon LINK bus and Hunterdon County Park Commission.

#### **New Jersey Water Supply Authority (NJWSA) Report**

Mr. Sellar reported on the status of the canal dredging including that Reach 4 was complete, and that Reaches 1 and 2 are 75 percent completed. He reported that the dredging contractor will suspend dredging and demobilize in mid-November, with trucking dredge spoils off site in December.

Mr. Sellar reported that the Landing Lane and Raritan River bank rehabilitation is under review. Vice

Chairman Loos requested information on the materials and method to be used for the spillway. Mr. Sellar reported that the last dose of hydrilla treatment was September 30 and that Ms. Desko, NJWSA, would appear at the next commission meeting to report on the project.

Mr. Sellar reported on the plans to rehabilitate the western canal embankment in Stockton. He also noted that repairs are proposed for the Feeder Canal from Bulls Island to Prallsville. Mr. Sellar reported that the Six Mile Run culvert, for which the NJWSA had installed a temporary repair, would receive permanent repair and that proposals were being requested.

Director Glenn, Mr. Sellar, and Delaware and Raritan Canal State Park Naturalist Fox discussed the potential damaging impacts of the Spotted Lantern Fly on New Jersey parks and open space and the harm that this invasive species can cause to the quality of outdoor life in the State. Director Glenn noted that the spotted lanternfly can feed on many plant species, hardwood trees and agricultural crops. Director Glenn offered to provide the commissioners with a full briefing on the matter at the November commission meeting.

### **Old and New Business**

Vice Chairman Loos and Director Glenn discussed progress regarding appointments to the commission.

Mr. von Zumbusch discussed the work of the Millstone Valley Preservation Coalition (MVPS) which covers the lower Millstone Valley, approximately State Highway Route 27 to County Route 514 (Amwell Road). He noted the Delaware and Raritan Canal State Park is a major component of the Millstone Valley, and that the MVPS is concerned about the lack of funding for park operations and maintenance, including adequate policing and water access.

Vice Chairman Loos observed that a needs assessment of deferred maintenance would be helpful to analyze the challenges facing the park, including staffing, operations and capital projects. The Vice Chairman noted that such activities appropriately fell within the commission's mandate, noting that the commission's enabling statute authorizes the commission to coordinate and support activities by citizens' groups to promote and preserve the Delaware and Raritan Canal State Park. Commissioner Stout, Superintendent Kalleser and Vice Chairman Loos discussed the need to prioritize capital projects and the current mechanisms for capital budgeting and planning at DEP. Mr. von Zumbusch suggested that the Master Plan Advisory Committee could be mobilized as part of such an effort.

Director Glenn noted that the DEP was internally reviewing proactive strategies and planning for the needs of the Delaware and Raritan Canal State Park. Vice Chairman Loos commented that the park, in addition to being an environmental, historic, recreational and water supply resource, was also an economic engine for the central New Jersey region, bringing tourists and park users to canal communities who in turn patronize local businesses.

### **Public Forum**

Mr. Barth noted D&R Canal Watch events, including a bilingual walk scheduled that weekend.

Commissioner Leck and Ms. Fox described well-attended walks at the Abbott Marshlands.

Vice Chairman Loos and Director Glenn discussed assessing needs and recent opportunities for

improvement in the City of Trenton, including striping of bike lanes in the Battle Monument area and signage.

Mr. Settle described his photo portfolio of the canal and surrounding landscape. He has prepared a presentation on the park, "Delaware and Raritan Canal State Park: Hidden Treasure in Central New Jersey."

Ms. Maloney reported that Mr. Joel Coyne left the Sourland Region Hiking Atlas for commissioners and the public review and that the atlas was available for purchase through the Sourland Conservancy.

Commissioner Lubitz reported information about the extension of the multi-user trail from Frenchtown to Bridge Street in Milford, Hunterdon County.

Mr. von Zumbusch reported on the November 13, 2018, evening (7:30 p.m.) presentation of the film "Farming in the Millstone Valley", hosted by the Kingston Historical Society, at the Kingston Fire House. He reported on the proposal for the redevelopment of the Princeton Nurseries site.

#### **Adjournment**

Vice Chairman Loos stated that if there was no other business, he would entertain a motion to adjourn. Commissioner Lubitz moved to adjourn, and Commissioner Stout seconded the motion. It was approved unanimously.

The meeting adjourned at 11:30 a.m.

Respectfully submitted,



John Hutchison, Secretary