



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF DECEMBER 17, 2003

TIME: 10:10 AM – 12:00 PM
DATE: Wednesday, December 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

PUBLIC:

Joe Shepherd, NJ Water Supply Authority
Wayne J. Hudson II, McGraw-Hill E.F.C.U.
Michael Sommer, Canal Walk Associates
Bill Bogosian, NJ Water Supply Authority
Jan ten Broeke, Millstone Valley Preservation Coalition/Meadows
Foundation
Liz Palius, Millstone Valley Preservation Coalition
Joe Winnicki, NJ Division of Parks and Forestry
Eric Boschen, Dewberry-Goodkind

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, staff and guests to introduce themselves.

MINUTES OF THE MEETING OF OCTOBER 15, 2003

Ms. Armstrong moved approval of the minutes of the meeting of October 15, 2003;
Ms. Penney seconded the motion. The motion passed unanimously.

LEASES AND PERMITS

Mr. Amon presented a lease renewal between the Division of Parks and Forestry and the Delaware River Mill Society for the use of the Canal Commission office. He said that the

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

PRALLSVILLE MILLS 33 RISLER STREET P.O. BOX 539 STOCKTON, NJ 08559-0539
609-397-2000 FAX 609-397-1081 www.dandrcanal.com

current agreement stipulates that the State pay the Mill Society \$2,500, and in return the Mill Society is responsible for any maintenance required at the Prallsville millsite, excluding the interior of the Commission's office building. He said that the Division has now proposed to maintain the grounds using Canal State Park personnel in lieu of the \$2,500 payment. Mr. Sedor expressed concern that the maintenance staff of the Canal Park already has more obligations than it can handle. Ms. Herron concurred. Mr. Sedor moved approval of a resolution that would retain the \$2,500 fee to the Mill Society in exchange for maintaining the Prallsville millsite grounds. Ms. Penney seconded the motion, and it passed unanimously.

Mr. Amon then presented a lease application by the Department of Transportation for access in the Canal Park in order to repair the Southard Street bridge in Trenton. He said that the proposed access is at a location where the canal flows in boxed culverts underneath Route One. The Department has agreed to remove any surface contamination. The Commissioners discussed whether to require remediation for groundwater contamination as part of the lease agreement. It was concluded that the Commission did not have the authority to make this condition. Mr. Jessen moved approval of the application for access, Ms. Armstrong seconded the motion, and it passed unanimously.

Mr. Amon presented an application by the Water Supply Authority to repair a culvert located in the parking lot of Niece's Lumber in Lambertville. He said that the Commission had previously approved a concept plan for this work. Mr. Jessen moved approval of the culvert repair, Ms. Penney seconded the motion, and it passed unanimously.

REVIEW ZONE PROJECTS

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

03-2986 – Schoolhouse Road Realignment and Weston Canal Road Intersection Widening --
Franklin Township, Somerset County

Mr. Amon said that a large residential development is being built next to Schoolhouse Road, and the County therefore wishes to reconstruct Schoolhouse Road and widen Weston Canal Road at the intersection to accommodate increased traffic. He said that although there will be two acres of new impervious surface, there will be no detention basins because there is not enough public land available. Instead, the County is proposing to build catch basins for stormwater runoff and use stormceptors to maintain water quality. Mr. Amon said that a row of trees will be planted along the side of Weston Canal Road that is opposite the canal.

Ms. Palius expressed concern that the proposal would harmfully impact the rural character of the area. She said that the row of trees would not provide any visual mitigation because the embankment that is currently there will be removed as a result of the widening. She also asked about the length of the proposed extra lane for Weston Canal Road.

Mr. Sommer, representing Canal Walk Associates, said that the extra lane would be 400 feet long, and that the widening would not impact the existing embankment. He said that the Canal Walk development was not visible from the Canal Park in that location.

Mr. ten Broeke said that houses are visible from the road, and that the developer has over-pruned trees along the road. He feared that the proposed roadwork may eventually lead to widening the bridge over the canal.

Ms. Penney expressed concern about increased flooding as a result of the roadwork. Mr. Sommers replied that the proposed catch basins will decrease flooding susceptibility. Ms. Armstrong questioned whether the extra lanes could be made more narrow.

Ms. Penney moved denial of the project without prejudice, and Mr. Sedor seconded the motion. The motion passed unanimously.

Mr. Amon presented the following "B" Zone application:

03-1999B – McGraw-Hill Employees Federal Credit Union Building – East Windsor Township

Mr. Amon said that the Commission staff had reviewed the project for conformance with stormwater management design standards and found it to be in compliance, with the following conditions: 1) Prior to the start of construction on the McGraw-Hill site, the applicant must modify the outlet control structure of existing Detention Basin #2. A 3" orifice plate must be bolted onto the existing 6' orifice and a hinged trash rack must be installed to cover the entire flared end section of the basin's low level outlet. 2) Any future construction on parcels within the Windsor Center Office Park will not be approved by DRCC unless all modifications to the detention facilities as proposed in the 1989 Stormwater Drainage Report, prepared by MRB Consulting Engineers for Oxbridge Associates, are completed.

With those conditions, Mr. Jessen moved approval of the McGraw-Hill application, Ms. Armstrong seconded the motion, and it passed unanimously.

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

03-2983 – NJTA Interchange 8A Improvements – South Brunswick Township

Mr. Amon said that the Turnpike Authority is requesting a waiver from strict compliance of the Stream Corridor Impact regulation, and approval of the project, which involves construction of a ramp and intersection improvements to Routes 32 and 535. He said that Shallow Brook flows through the site and is currently piped through part of it. He said the Authority is proposing to pipe an additional 400 feet of the stream so that a ramp to the turnpike can be constructed. The waiver is based upon compelling public need. Mr. Jessen moved waiver of compliance with the Stream Corridor Impact Regulation, and approval. Ms. Penney seconded the motion, and it passed unanimously.

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

03-2162A – Princeton Motorsport Additions – Lawrence Township

03-3015 – I95/I295 Northbound Auxiliary Lane – Lawrence Township

03-3013 – Queens Bridge & Canal Bridge Rehabilitation – South Bound Brook

Mr. Amon said that the Lawrence Township applications would not be visible from the Canal Park. With regard to the bridge over the canal in South Bound Brook, the County is proposing to replace wooden rails with decorative iron rails, and add lighting and signposts. Ms. Armstrong moved approval of the "A" Zone applications, Mr. Jessen seconded the motion, and it passed unanimously.

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

03-2979 – Windhaven at Monroe – Monroe Township
01-2803 – Green Hill Manor – Franklin Township
03-2417A – Pennington Point West, Phase II – Hopewell Township
03-2963 – Ford Motor Company Warehouse – Cranbury Township
03-2990 – Joyce Kilmer Elementary School – Trenton
02-2842 – David Estates – Monroe Township
03-2251A – The Straube Center – Pennington Borough
03-2983 – NJTA Interchange 8A Improvements – South Brunswick Township
01-2709 – Bennetts Village – Franklin Township
03-2940 – Carriage Farm Additions – Hillsborough Township
02-2901 – High Point at Lambertville – Lambertville
02-2884 – High Bruanch Subdivision – Hillsborough Township
03-2917 – Sharbell Village Center – Plainsboro Township

Mr. Amon said that Commission staff had reviewed the projects and found them to be in compliance with the Commission's regulations. Ms. Holms said that with regard to Green Hill Manor, the application had previously been waived from strict compliance with the Stream Corridor Impact Regulation, and she now recommended approval conditioned upon submission of a plan that noted that the location of any future recreational paths in the stream corridor to be approved by Commission staff. With that condition, Mr. Jessen moved approval of the "B" Zone applications, Ms. Armstrong seconded the motion, and it passed unanimously.

Ms. Holms presented an application for waiver from the Stream Corridor Impact Regulation:

02-2892 – South Brunswick Plaza – South Brunswick Township

She said that the applicant is proposing 10,244 square feet of encroachment within the stream corridor, but as mitigation, an additional 209,453 square feet is proposed to be preserved. Ms. Armstrong moved approval of the waiver, Mr. Sedor seconded the motion, and it passed unanimously.

MEETING SCHEDULE FOR 2004

Mr. Jessen moved approval of the proposed meeting schedule for 2004 (the third Wednesday of each month at 10:00 AM). Ms. Penney seconded the motion and it passed unanimously.

OLD/NEW BUSINESS

Mr. Amon reviewed a project by the Delaware River Mill Society to renovate the "Smokehouse" building at the Prallsville millsite and convert it into a tourist center. He reported that Dan Saunders of the Historic Preservation Office recommended that the existing door be left in place, that the new door match the existing door, and that any new stonework must be consistent with the existing stonework. With those conditions, Ms. Penney moved approval of the Smokehouse renovations, Mr. Sedor seconded the motion, and it passed unanimously.

CANAL PARK SUPERINTENDENT'S REPORT

Ms. Herron reported that the path in Kingwood Township was damaged due to the recent flooding, and that the Canal Park staff has lost two rangers. She also reported that a maintenance employee will be retiring in January. The staff is now down to four rangers and nine maintenance workers.

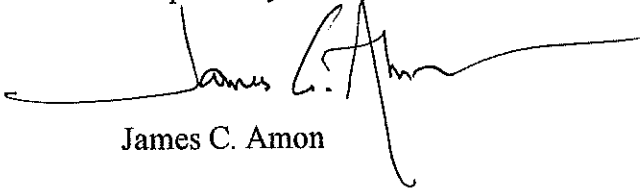
WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that the culvert work at the Prallsville millsite and the rehabilitation work at the Five-Mile Lock should both be completed by the end of January.

Mr. Amon reported on the latest correspondence from PSE&G regarding the aboveground gas pipeline in South Bound Brook.

The meeting adjourned at 12:00 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