



DELAWARE AND RARITAN  
CANAL COMMISSION

**MINUTES OF THE MEETING OF July 21, 2004**

TIME: 10:05 AM – 12:00 PM  
DATE: Wednesday, July 21, 2004  
PLACE: Canal Commission Office  
Stockton, New Jersey

**ATTENDING:**

COMMISSIONERS: Messrs. Albert, Jessen, Loos, Sedor, and Weingart; Mayor Palmer, Ms. Armstrong and Mayor Marchand

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  
Susan Herron, D&R Canal State Park  
George Pruitt, Thomas Edison State College  
Charles Santora, Hopewell Valley Engineering  
William Harris, Nexus Properties  
Andrea Sussman, Nexus Properties  
Laura Prickitt, Blackney Hayes Arch.  
Sarah Sweeny, Blackney Hayes Arch.  
Kevin Blackney, Blackney Hayes Arch.  
Charles Reuther, Esq., Nexus Properties  
Al Payne, DEP Division of Parks and Forestry  
Mike & Anne Kruimer, Central Jersey Bicycling Club, East Coast  
Greenway Alliance  
Mary Hack, Thomas Edison State College  
Tracy Novak, Thomas Edison State College  
Lynn Fleming, State Park Service, Division of Parks & Forestry

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 JUNE 16, 2004**

Mr. Jessen moved approval of the minutes of the meeting of June 16, 2004; Mayor Palmer 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 ACTIONS

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

04-3030 – Thomas Edison State College Office Building – Trenton

Mr. Amon said this application was presented at an earlier Commission meeting but no action had been taken at that time. He said the applicant, Nexus Properties, is proposing to build a 4-story office building next to the Hanover Street bridgetender's house which will be leased to Thomas Edison State College. He said that the proposal involves partial restoration of the canal house which is presently in very poor condition.

Mr. Reuther, attorney for the applicant, said that Nexus is proposing to both build and manage the property. He showed the Commissioners photos of the area, including the canal house in its current condition.

Mr. Santora showed the Commissioners the layout of the proposed building in relation to the canal house. He said there would be an open space area between the two buildings with trees, park benches and trash receptacles. He explained how the site would manage stormwater runoff, saying that the amount of runoff would remain the same but that the rate of runoff would decrease because of the open space area. He said that the bike path would be improved and widened to seven feet, and that the guide rail would be re-aligned along the property line. Mr. Amon asked whether the path could be widened to eight feet and Mr. Santora replied that it could.

Mr. Blackney said the proposed building was designed architecturally to be a part of the historic context of the neighborhood. He said it was a federal style building, with "punched" double hung windows, and that the landscaping was designed to provide an appropriate setting for both the new building and the canal house.

Mr. Amon said that because the building is proposed to be built in an "urban environment" as defined by the Commission's Master Plan, there are no setback or height restrictions. He said structures in urban environments must relate favorably to the overall context of the neighborhood, especially in relation to any existing historic structures.

Mr. Reuther said that Nexus has been working with Mr. Amon regarding the restoration of the canal house and they had determined, as a high estimate, that a total restoration of the canal house would cost \$180,000. He said Nexus has proposed making a monetary contribution toward the exterior restoration of the building. Mr. Harris estimated it would cost between \$40,000 and \$50,000 to restore the exterior. Mr. Reuther said that Nexus has committed to contributing \$25,000 toward the restoration.

Mr. Jessen said it was important that the canal house be used, once restored. Ms. Sussman said Nexus has agreed to provide security for the building.

Mr. Pruitt, President of the college, said the college has an ongoing commitment to the stewardship of its buildings in Trenton, and that it is committed to maintaining the Canal House. Mr. Amon noted that the restoration of the canal house would involve review and approval by the

Division of Parks and Forestry and its Historic Preservation Office. He said it was also important to make sure that any monetary contribution be used for the actual restoration and not toward planning consultants.

Mr. Jessen moved approval of the Edison State College office building with the understanding that the applicant is committed to working with the Commission and all other relevant parties to ensure the restoration of at least the exterior of the Hanover Street Bridgetenders House and its long-term security. Mayor Palmer seconded the motion. Mr. Loos amended the motion, adding that the proposed improvements to the bike path be changed to reflect an 8-foot-wide path.

Mr. Albert said that the restoration should include stabilization, and that a sprinkler system be installed that would be connected to the college's fire alarm system.

Mayor Palmer said he felt the State would be able to match the \$25,000 contribution from Nexus. He recommended that Nexus be the contractor.

Ms. Sussman said they would prefer to be the contractor but that they did not want to be delayed by bureaucratic red tape.

Mr. Sedor said the Division of Parks and Forestry would be willing to coordinate all relevant parties so that the building could be restored in a timely manner; he also said he thought it would not be a problem to find an occupant for the canal house.

The motion as amended passed unanimously.

#### LEASES AND PERMITS

Mr. Amon said the Division of Parks and Forestry is proposing to install a second handicapped-accessible canoe dock behind the Van Wickle House in Franklin Township. He said it would have a boardwalk fixed to the bank, leading to a 10' x 22' floating dock. Mr. Loos moved approval of the canoe dock, Mayor Palmer seconded the motion, and it passed unanimously.

#### REVIEW ZONE ACTIONS

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

04-3077 – Robbins Residence Additions – Hopewell and Ewing Townships

Mr. Amon said the applicant is proposing to add 4 dormer windows to the roof of an existing historic house (the mill-owner's house for the former Somerset Roller Mill) on Route 29. He said the dormers would not be visible from the Canal Park. Mayor Palmer moved waiver of the application from visual impact review and approval; Mr. Sedor seconded the motion and it passed unanimously.

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

04-3055 – Sorce Office/Warehouse – Ewing Township

98-2440A – Weston Canal Associates Loading Docks – Franklin Township

04-3032 – SciPark – East Windsor Township  
03-2787A – Sandoz Parking Lot (formerly Geneva Pharmaceuticals) – South Brunswick Twp.  
01-2757 – Carter Brook Manor – South Brunswick Township  
04-2944B – Ethel McKnight Elementary School – East Windsor Township

Mr. Amon said the “B” Zone applications were in compliance with the Commission’s regulations for stormwater management and water quality. He also said that the project called SciPark was in compliance with the Commission’s Stream Corridor Impact regulation.

Ms. Holms said that with regard to Carter Brook Manor, the applicant has proposed adding land adjacent to the stream corridor as mitigation for a portion of a detention basin proposed to be located in the corridor. She recommended the detention basin be approved as a conditional use in the stream corridor.

Mr. Jessen moved approval of the “B” Zone applications, Mayor Palmer seconded the motion, and it passed unanimously.

Mr. Amon left the meeting room at 11:25 AM.

#### INFINITY OUTDOOR, INC. V. D&R CANAL COMMISISON

Mr. Weyl summarized the history of a lawsuit brought by Infinity Outdoor, Inc. against the Canal Commission. An application for a billboard in Trenton was denied approval by the Commission in 1999 and again in 2000, and the applicant had contested the denial. The Office of Administrative Law ruled in favor of the Canal Commission, and the applicant then appealed the decision. Mr. Weyl recommended that the Commission affirm the OAL’s initial decision, and distributed a draft final decision. Mr. Loos moved approval of the final decision, Mr. Jessen seconded the motion, and the motion passed unanimously.

Mr. Amon returned to the meeting at 11:40 AM.

#### CANAL PARK SUPERINTENDENT’S REPORT

Ms. Herron reported that Rockingham is now open to the public. She said that a shooting had occurred in Franklin Township—a random gunshot hit a Canal Park user in his arm.

#### WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that mowing and tree removal is ongoing along the canal, and that the locks in South Bound Brook and Lambertville have been cleaned out.

#### PUBLIC FORUM

Mayor Palmer said he would like to work with Mayor Marchand on re-starting the mayors’ forums that would focus on Canal Park issues.

Mike Kruimer announced that he and his wife will be embarking on a fundraising bicycle trip that will cover the newly-created East Coast Greenway.

OLD/NEW BUSINESS

Mr. Amon announced he would be retiring as Executive Director of the Canal Commission February 1, 2005. The Commissioners expressed their regrets and also highly commended him for the work that he has done for the Commission for 29 years.

Mr. Loos noted that he has seen purple loosestrife, an invasive wetlands plant, spreading from the Blackwell's Mills canal house garden along the canal banks, and asked whether there was any eradication plan in place. Mr. Albert said he would look into eradication methods.

The meeting adjourned at 12:00 PM.

Respectfully submitted,

  
James C. Amon