



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF DECEMBER 15, 2004

TIME: 10:10 AM – 12:00 PM
DATE: Wednesday, October 20, 2004
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Albert, Fernandez, Jessen, Knights,
Loos, and Weingart; Mayors Palmer and Marchand,
Ms. Armstrong
STAFF: Mr. Amon and Ms. Holms
Mr. Lewin Weyl, Deputy Attorney General

GUESTS:

William Bogosian, NJ Water Supply Authority
David M. Soltysik, ESP Associates
Ron Bond, D&R Canal Watch
Joe Shepherd, NJ Water Supply Authority
Stephanie Fox, D&R Canal State Park
Vicki Chirco, D&R Canal State Park
Susan Herron, D&R Canal State Park
Mike Kruimer, East Coast Greenway
Ann Kruimer, Central Jersey Bicycle Club
Ernest Hahn, DEP Environmental Regulation

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.

MINUTES OF THE MEETING OF NOVEMBER 18, 2004

Mr. Loos moved approval of the minutes of November 18, 2004; Mr. Jessen seconded the motion. The motion passed without dissent.

2005 MEETING SCHEDULE

Mr. Loos moved approval of the proposed meeting schedule for 2005, the third Wednesday of each month at 10:00 AM. Ms. Armstrong seconded the motion, and it was approved unanimously.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Richard J. Codey, Acting Governor Bradley M. Campbell, Commissioner

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REVIEW ZONE ACTIONS

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

04-2518A – Pinnacle Communities (formerly Castle Senior Living) – Franklin Township

Mr. Amon said this application is a proposal to construct senior housing consisting of eight buildings. The Commission approved an application for two buildings on this site in May of 2004. The impervious coverage of the new proposal is similar to that of the former project, and the buildings' height will be slightly lower. Mr. Amon said a conservation easement was a requirement of the former approval for the preservation of an embankment that would help screen the buildings from the Canal Park (on the other side of Easton Avenue).

Mr. Amon noted that the plans that were approved in May showed some grading in the easement area. The new plans also show grading, however, the intrusion is smaller. Mr. Soltysik, engineer for the project, said that the grading was necessary for the proposed location of the loop road; otherwise, a ten-foot retaining wall would be needed. Ms. Armstrong asked whether there was any opportunity for mitigation for the encroachment. Mr. Amon said the applicant is proposing to plant trees in the easement area. Mr. Albert suggested they could be bigger. It was noted that the easement area could also be extended further to the proposed access road off Easton Avenue.

Mayor Palmer joined the meeting at 10:30.

Ms. Armstrong moved approval of the application conditioned upon extending the conservation easement area to the access road. Mr. Jessen seconded the motion. Mr. Loos suggested amending the motion to require larger trees. Ms. Armstrong then moved approval of the application, conditioned upon 1) extending the conservation easement area to the access road, and 2) increasing the number, diversity, and size of plantings in the area, the revised landscape to be deemed satisfactory by the Commission's Executive Director. Mr. Jessen seconded the amended motion and it passed unanimously.

04-3117 – New Residence on Cathers Property – Stockton

This is an application to build a one-story frame house on a lot between Route 29 and the Canal Park path in Stockton. The structure will be 46 feet from the park; existing trees will screen it.

04-1880A – Hamilton Grill Room Addition – Lambertville

This is a proposal to construct a small one-story addition to an existing restaurant located next to the Canal Park. The addition, according to Mr. Amon, is compatible with the character of this section of the park.

04-3118 – Belvidere Square Housing Project – Trenton

Mr. Amon said this was a project to build 18 new single-family houses and rehabilitate 19 existing houses in Trenton. He said they are not visible from the canal but some are visible from

the Belvidere railroad right-of-way, which is part of the Canal Park. He said the new houses are proposed to be typical townhouse style and match the existing houses in the neighborhood.

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

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

04-3025 – Pat Richard Warehouses – Hillsborough Township

Mr. Amon said this application was in compliance with the Commission's Regulations for Stormwater management and water quality, and recommended approval. Ms. Armstrong moved approval of the "B" Zone application, Mr. Albert seconded the motion, and it passed unanimously.

CANAL PARK SUPERINTENDENT'S REPORT

Ms. Herron said that 700 people attended a candlelight tour of Rockingham on December 12th. She distributed the latest Canal Park newsletter.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that work had started to temporarily repair the failure of the waste gate at Station 122 as a result of Hurricane Ivan. He said the Authority is reviewing proposals for permanent repair. He said the floodguard embankment repair in Stockton was completed.

OLD/NEW BUSINESS

Mr. Amon distributed a list of improvements to the Canal Park that had been made since 1975.

PUBLIC FORUM

Mr. Kruimer recounted the Kruimers' bike ride along the East Coast Greenway from Maine to Florida, which included the main stem of the D&R canal. He said many of the other cyclists complained about the roughness of the Landing Lane and South Bound Brook spillways.

Mr. Jessen moved the following resolution:

Whereas the Open Public Meeting Act provides that a public body such as the Canal Commission may meet in closed session to discuss personnel matters; and

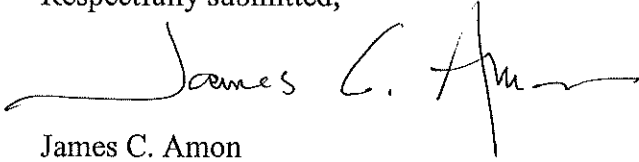
Whereas the Commission desires to retire to closed session to discuss such personnel matters;
now

Therefore be it resolved that the Commission shall at this time meet in closed session to discuss personnel matters, the substance of which will be disclosed publicly only if it does not constitute an unwarranted invasion of individual privacy.

Mr. Albert seconded the motion, and it passed unanimously. The Commission entered Executive Session at 10:55 AM.

The public meeting resumed and adjourned at 1:00 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "James C. Amon". The signature is written in a cursive style with a long horizontal line extending to the left of the name.

James C. Amon