



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF MAY 20, 2005

TIME: 10:10 AM – 11:05 AM
DATE: Wednesday, May 20, 2005
PLACE: Ellarslie Mansion, Cadwalader Park
Trenton, New Jersey

ATTENDING:

COMMISSIONERS: Messrs. Albert, Jessen, Knights, Loos;
Ms. Cradic and Mayor Palmer
STAFF: Mr. Hahn, Ms. Dougherty and Ms. Holms
Mr. Lewin Weyl, Deputy Attorney General

GUESTS:

William Bogosian, NJ Water Supply Authority
Ron Bond, D&R Canal Watch
Joe Shepherd, NJ Water Supply Authority
Joe Winnicki, State Park Service
David Fisher, Matzel and Muford (Canal Crossing)
Eric Ballou, LGA Engineers
Peter Lanfrit, Esq.
Robert Barth, Canal Society of New Jersey
Barbara Ross, D&R Canal Watch
Susan Herron, D&R Canal State Park

CANAL PARK SUPERINTENDENT'S REPORT

Ms. Herron reported that in addition to the Canal Park's maintenance staff, the Department of Transportation and the Water Supply Authority were doing extensive repair of the flood damage at Bull's Island, including removing silt, fallen trees and installing a temporary bridge over the canal. She said that debris at Scudders Falls has also been removed.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that the Authority has repaired the breach in Stockton that resulted from the flood in April, and that the floodguard bank at Brookville (south of Stockton) and the headgates at Raven Rock were also being repaired.

Mr. Loos joined the meeting at 10:10 AM.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Richard J. Codey, Acting 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

Mr. Jessen 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 APRIL 20, 2005

Ms. Holms noted that Bob Barth attended the meeting of April 20 but was not listed as an attendee; with that correction, Mr. Loos moved approval of the minutes of April 20, 2005; Mr. Albert seconded the motion. The motion passed unanimously.

LEASES AND PERMITS:

Mr. Hahn presented a Parks permit application from the Stony Brook Sewerage Authority for review and approval:

05-3168 – Access on Canal Park land to replace Meter Chamber #7

The Stony Brook Sewerage Authority is requesting a permit from the Division of Parks and Forestry to use the towpath for access for the purpose of replacing, in kind, an existing sewage metering station. Mr. Hahn recommended the Commission approve this permit, conditioned upon 1) planting a row of native evergreens to screen the meter station from the towpath, and 2) securing an executed lease (to be negotiated with the NJ Water Supply Authority) approved by the Division of Parks and Forestry and Canal Commission staff, or an agreement in lieu of a lease as agreed to by the Division and Commission staff. Mr. Loos moved approval of the permit request with conditions as noted; Mr. Albert seconded the motion, and it passed unanimously.

REVIEW ZONE ACTIONS

Mr. Hahn presented the following “A” Review Zone application for review:

05-3128 – Canal Crossing – South Bound Brook

Mr. Hahn said the Commission approved a remediation plan last August for the former GAF plant in South Bound Brook. The applicant is now applying for approval to build thirteen 3-story buildings with 152 residential units on this site. As part of the application, a former railroad trestle bridge over the canal will be restored, and a new path along the canal will be built. There will be 8.4 acres of impervious area, however, the net impervious area will decrease by .8 acre. The facades of the buildings facing the canal will be brick and clapboard, colonial style. The Borough will be responsible for maintaining the new canal path and bridge. Bricked sidewalks will help indicate public access through the development toward the Canal Park.

Mr. Knights moved approval of the application, conditioned upon 1) county approval and 2) an addition of language in the master deed for the development, recognizing that an easement has been granted to the public for access to the Canal Park. Mr. Albert seconded the motion. It passed without dissent.

Ms. Holms presented the following request to amend a stream corridor conservation easement:

03-2950 – Airport road Self-Storage – Montgomery Township

Ms. Holms said the applicant is requesting to encroach into a previously approved stream corridor by approximately 4,500 square feet for the purpose of installing a utility line that will tie into an existing line within the corridor. She said the applicant proposes to compensate for the encroachment by adding the same amount of land to the corridor that is presently preserved. She recommended approval of an amended conservation easement to reflect this change. Mr. Knights moved approval of the easement amendment, Mr. Loos seconded the motion, and it passed unanimously.

Mayor Palmer joined the meeting at 10:50 AM.

Mr. Hahn presented the following “B” Zone applications for review:

- 05-2215G – Timberlane Middle School Additions – Hopewell Township
- 05-3144 – Middlebush Park – Franklin Township
- 05-3138 – Millstone Middle School – Millstone Township

Mr. Hahn and Ms. Guru described the projects and recommended them for approval. Mr. Knights moved approval of the three “B” Zone applications; Mr. Albert seconded the motion, and it passed unanimously.

03-2361A – Princeton Highlands Estates II – Franklin Township

Mr. Hahn said that this project involves a residential development with recreational fields to be built on the other side of a stream corridor that was required by the Commission to be preserved as part of another application. Part of this application, therefore, involves a proposal to build a bridge over the stream (Simonson’s Brook) to access the fields. Mayor Palmer moved approval of the application; Mr. Knights seconded the motion. Messrs. Jessen, Albert, Knights, Mayor Palmer, and Ms. Cradic voted in favor of the motion; Mr. Loos abstained. The motion passed.

04-3027 – Canal Walk II – Franklin Township

Mr. Hahn reviewed the status of this application, a proposal to build 55 residential age-restricted structures on 13.34 acres, adjacent to the Canal Walk development which received a General Development Approval from the Canal Commission. As part of that approval, the applicant agreed to restore the Weston Canal House conditioned upon the Canal Commission acquiring all necessary permits for the restoration. Mr. Hahn reported that the permitting process for a septic system was still ongoing, and therefore recommended that a revised Memorandum of Agreement be prepared to include a timetable for the permitting and restoration work. Mr. Loos moved approval of the Canal Walk II application conditioned upon the execution by the applicant and Mr. Hahn of a revised Memorandum of Agreement for the Weston Canal House restoration. Mr. Loos moved approval of the motion, Mayor Palmer seconded it, and it passed unanimously.

EXECUTIVE DIRECTOR’S REPORT

Mr. Hahn reported that the Division of Parks and Forestry, the Water Supply Authority, and the Department of Transportation have been making amazing progress on repairing damage that

occurred as a result of April's flood. He said a temporary bridge has been installed at Bull's Island, and the bridge at Fireman's Eddy is nearly complete.

Mr. Hahn also reported on a joint undertaking by the City of Trenton, the Division of Parks and Forestry, and the Shiloh Baptist Church, to clean up the Canal Park in the vicinity of Calhoun Street.

OLD BUSINESS

Mr. Loos reported that the Department of Agriculture has begun its program to release beetles for the purpose of eradicating purple loosestrife, an invasive species, from the canal's banks.

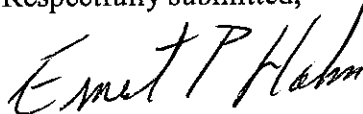
PUBLIC FORUM

Mr. Barth asked about the status of the proposed pedestrian swing bridge at Moore's Station. Mr. Hahn said that it was currently in the design phase, and the Department of Transportation was seeking grants for supplemental funding.

TOUR OF TRENTON

The following sites were visited: the Canal Park at Hermitage Avenue, the Hanover Street Bridgetenders' House, and the Canal Park at Old Rose Street.

Respectfully submitted,



Ernest P. Hahn