



DELAWARE AND RARITAN  
CANAL COMMISSION

**MINUTES OF THE MEETING OF JUNE 15, 2005**

TIME: 10:00 AM – 11:30 AM  
DATE: Wednesday, June 15, 2005  
PLACE: Canal Commission Office  
Stockton, New Jersey

**ATTENDING:**

COMMISSIONERS: Messrs. Albert, Fernandez, Jessen, Knights,  
Loos, Weingart; Mayor Marchand  
STAFF: Mr. Hahn and Ms. Holms  
Mr. Lewin Weyl, Deputy Attorney General

**GUESTS:**

William Bogosian, NJ Water Supply Authority  
Ron Bond, D&R Canal Watch  
Susan Herron, D&R Canal State Park  
Vicki Chirco, D&R Canal State Park  
Robert Barth, Canal Society of New Jersey  
Bart Hoebel, Delaware River Steamboat Floating Classroom  
Peter A. Kneski, Princeton Township  
George Fallat, Mercer County  
John Lee, South Brunswick Board of Education  
Robert V. Kiser, Princeton Township Engineer  
P. Norman Deitch, Orth-Rodgers & Associates, Inc.  
William F. Masters, Jr., Verizon Wireless  
Lynne A. Dunn, Hierung Duprignac et al  
Robert Weible, Verizon Wireless  
Robert von Zumbusch

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 MAY 20, 2005 AND JUNE 7, 2005**

Mr. Jessen moved approval of the minutes of May 20, 2005; Mr. Knights seconded the motion. Messrs. Jessen, Knights, Fernandez, Albert, and Mayor Marchand voted in favor of the motion; Mr. Weingart abstained. The motion passed. Mayor Marchand moved approval of the minutes of June 7, 2005; Mr. Albert seconded the motion. The motion passed unanimously.

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

## REVIEW ZONE ACTIONS

Mr. Hahn presented the following "A" Review Zone applications for review:

**05-3179 – Alexander Road Crosswalk – Princeton Township**

**05-3185 – Harrison Street Crosswalk – Princeton Township**

Mr. Hahn said that Princeton Township and Mercer County is proposing to install crosswalks connecting the canal towpath at Harrison Street and Alexander Road. He said the crosswalks would have an in-pavement lighting system activated by a push-button mounted on a stanchion. The button would also activate flashing lights on pedestrian warning signs.

Mr. Hahn said the Regulations prohibit flashing lights on signs that are visible from the Canal Park. He recommended the Commission waive this aspect of the rules, based upon compelling public need, citing safety considerations.

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

Mr. Jessen moved waiving strict compliance of visual impact review of the two crosswalk applications, and approval; Mr. Fernandez seconded the motion. Messrs. Loos, Fernandez, Jessen, Weingart, Albert and Knights voted in favor of the motion; Mayor Marchand abstained. The motion passed.

**02-2852 – Verizon Wireless Facility @ Cottontail Lane – Franklin Township**

Mr. Hahn said this project involves construction of an enclosure for wireless equipment on top of an existing motel on Canal Road, across from the Canal Park. The Commission denied without prejudice the Verizon application at April's meeting. He said the applicant has subsequently submitted material in response to the denial, including an approval from the State Historic Preservation Office and photos of the building with simulations of the enclosure imposed on the photos. Mr. Loos said the enclosure would create a greater adverse impact on the Canal Park than what is there now, and suggested requiring vegetative screening as a condition of the approval. Mr. Jessen moved approval of the application with the following conditions: 1) the applicant shall provide a landscape plan acceptable to Canal Commission staff that provides additional vegetative screening of the motel from the Canal Park, 2) the applicant agrees to cooperate to the fullest extent possible, allowing for possible technological or governmental permitting limitations, to permit co-location of other wireless facilities at this site, and 3) commercial signage on the wireless enclosure is prohibited. Mr. Knights seconded the motion and it passed unanimously.

Mr. Hahn presented a "B" Review Zone application for review and approval:

**05-3159 – Constable Elementary School Additions – South Brunswick Township**

Mr. Hahn described the stormwater management design and said that it complies with the Commission's Regulations. He distributed and read a letter of objection from a neighbor. Mr. Loos moved approval of the application; Mr. Knights seconded the motion. Messrs. Loos,

Knights, Albert, Weingart, Fernandez and Mayor Marchand voted in favor of the motion; Mr. Jessen abstained. The motion passed.

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

**05-3173 – World War II Memorial – Trenton**

**05-3172 – 12 Trimmer Avenue – Hopewell Township**

**05-2099A – PSE&G Central Division Headquarters SPCC Upgrades – Franklin Township**

Mr. Hahn said that neither the World War II Memorial nor the PSE&G Upgrades would be visible from the Canal Park and therefore recommended waiver from visual impact review and approval. He said the Trimmer Avenue application is for a proposed 2-story house that is architecturally similar to neighboring houses and will be largely screened from the Canal Park by an existing house, shed and mature trees. Mr. Loos moved waiver of the World War II Memorial and PSE&G Upgrades from visual impact review, and approval of the three "A" Zone applications. Mr. Knights seconded the motion and it passed unanimously.

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

**02-2811 – Courtyard at Amwell – Hillsborough Township**

**04-2626B – Quick Check – Lawrence Township**

**04-3076 – Merrill Lynch Entrance Drive Resurfacing and Bike Path – Plainsboro Twp.**

**03-3010 – Southfield Estates – Monroe Township**

**04-3154 – Shiseido Warehouse Addition – East Windsor Township**

Mr. Hahn described the stormwater management designs for the applications and said they were in conformance with the Regulations. Ms. Holms said that Merrill Lynch has requested waiving strict compliance of the Stream Corridor Impact regulation for the entrance drive/bike path project. She said the drive and path were more than 1,500 feet from the stream corridor that exists on the Merrill Lynch project, and that the applicant has agreed to preserve the corridor through easement as part of a future "Phase III" development application.

Mr. Jessen moved waiver of the Merrill Lynch application from strict compliance of the Stream Corridor Impact Regulation, and approval; Mr. Loos seconded the motion. Messrs. Jessen, Loos, Fernandez, Albert, Weingart and Mayor Marchand voted in favor of the motion; Mr. Knights abstained. The motion passed.

Mr. Jessen then moved approval of the four remaining "B" Zone applications; Mr. Loos seconded the motion. It passed unanimously.

#### EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn discussed the status of the Commission's office repair from the April flood. He said the Department of Transportation will begin towpath restoration on June 20, 2005.

## CANAL PARK SUPERINTENDENT'S REPORT

Ms. Herron said that work was continuing on the campgrounds at Bull's Island. She said the Canal Park's historian, Vicki Chirco, would be leading a bicycle trip from Blackwell's Mills to Zarephath on Saturday, June 18. She said the Park's naturalist, Stephanie Fox, was back from maternity leave.

## WATER SUPPLY AUTHORITY REPORT

Mr. Bogosian reported that the gates at Bull's Island were being repaired, and that temporary patching of the 6-barrel waste gate was complete. He said the floodguard embankment south of Stockton was still being worked on.

## OLD/NEW BUSINESS

Mr. Weingart announced that this would be his last meeting as Commission Chair. He said he resigned because he has accepted additional responsibilities as Chairman of the Highlands Council. He also expressed regret that Caroline Armstrong would no longer be serving as a Commissioner, and acknowledged Ms. Armstrong's service as a Commissioner. He said the Governor has nominated Mayor David Delvecchio of Lambertville and Alison Mitchell of Stockton to serve on the Commission. In closing, Mr. Weingart said he believed the Canal Commission to be an example of government at its best.

## PUBLIC FORUM

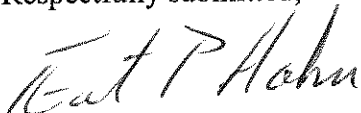
Mr. von Zumbusch said that on behalf of the Delaware and Raritan Canal Coalition he wished to thank both Mr. Weingart and Ms. Armstrong for their service to the Commission. He went on to say that there should be a vehicle barrier at the Basin Street entrance to the Canal Park in Kingston. He also commented on a breach in the Kingston millpond bank and said the water level was dropping as a result.

Mr. Hoebel described his new venture, the "Delaware River Floating Classroom", a steamboat that conducts classes and tours on the river near Lambertville. He said he thought the steamboat could be used for rides on the canal, and suggested restoring the Lambertville outlet lock to move the boat from the river to the canal.

Mr. Barth agreed that the steamboat should be used in the canal as well as the river, and there should be more boat ramps along the canal.

Mr. Loos acknowledged Mr. Weingart's tenure as Chairman, saying he showed great leadership.

Respectfully submitted,



Ernest P. Hahn