



DELAWARE AND RARITAN  
CANAL COMMISSION

**MINUTES OF THE MEETING OF JULY 20, 2005**

TIME: 10:10 AM – 11:45 AM  
DATE: Wednesday, July 20, 2005  
PLACE: Canal Commission Office  
Stockton, New Jersey

**ATTENDING:**

COMMISSIONERS: Chairman DelVecchio, Messrs. Albert,  
Jessen, Knights, Loos; Mayors Marchand and Palmer; Ms. Cradic  
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  
Thomas O'Shea, Van Note Harvey Associates  
Dean R. Johnson, Ballinger  
Mark Solomon, Pepper Hamilton  
Ken Mackiewicz, TRC Raymond Keyes Assoc.  
John Subacus, Janssen  
Jose L. Obarrio, PSE&G  
Noreen Merainer, PSE&G  
Ken Tanis, PSE&G  
Amirq Elsayed, PSE&G  
Joe Witkowski, Rutgers University  
Joe Rosina, PSE&G  
Mike Kruimer, East Coast Greenway  
Anne Kruimer, Central Jersey Bicycle Club  
Linda Barth, Canal Society of New Jersey  
Joe Shepherd, NJ Water Supply Authority  
Stephanie Fox, D&R Canal State Park  
Al Komjathy, Lambertville MUA  
Steve Stegman, NJ Office of Travel and Tourism  
Barbara Ross, D&R Canal Watch  
Robert von Zumbusch

Chairman DelVecchio 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.

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

## MINUTES OF THE MEETING OF JUNE 15, 2005

Mr. Jessen moved approval of the minutes of June 15, 2005; Mr. Albert seconded the motion. The motion passed unanimously.

### REVIEW ZONE ACTIONS

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

#### 05-3199 – PSE&G Pole and Utility Line Crossing – Franklin Township

Representatives of PSE&G presented a proposal to upgrade utility transmission lines to meet increased electrical demands by Rutgers University. They are proposing to increase voltage capacity to 69KV and install two additional lines in the area. Mr. Tanis presented several alternative sites for the location of one line, concluding that a canal crossing at DeMott Lane was the best alternative. Two wooden poles that presently exist on either side of the canal would be removed, and a new 85' steel pole would be installed approximately 55 feet from the canal. The pole would have a 10-foot-wide concrete diameter, and the pole itself would be 5 foot wide in diameter. The insulators would be 3-4 feet in size, and the crossing would carry 12 wires plus a cable. Mr. Tanis said that burying the lines would be significantly more costly.

Mayor Palmer joined the meeting at 10:20 AM.

Mr. Loos expressed concern about the proposed location of the new pole and line crossing, stating that the locale was a significant historic Dutch settlement site with tall trees that helped define the historical context. He felt that PSE&G should research further the possibility of locating the crossing near JFK Boulevard. Mr. Tanis said that because the river was wider at that location, the poles would need to be 10 feet higher.

Chairman DeVecchio asked about the difference in cost between overhead and underground lines. Mr. Tanis replied that it was a significant difference but was not able to say by how much.

Ms. Fox asked whether the pole could be located on Rutgers Preparatory School property, adjacent to the Canal Park; Mr. Tanis replied that the school was not interested.

Mr. von Zumbusch said that this location may be the best alternative for PSE&G, but it was the worst one for the Canal Park. He said that locating the crossing at JFK Boulevard would have a much less adverse impact. He said the Van Wyckle House is one of the oldest houses in Franklin Township.

Chairman DeVecchio thanked the PSE&G representatives for the presentation.

Mr. Hahn then presented the following "A" Review Zone application for review and approval:

#### 05-3110 – Janssen Pharmaceutica Plan General Development Plan – Hopewell Township

Ms. Guru discussed the stormwater management plan for this project. It is an application for a General Development Plan Approval, consisting of two new buildings, parking lots and loop

roads on an existing 242-acre office campus. The total new impervious surface would be 36.7 acres. Ms. Guru stated that the proposed stormwater management design conforms to the Commission's regulations for runoff and water quality.

Mr. Hahn said that although a portion of the site is in the Commission's "A" Zone, it will be screened by existing vegetation and topography from the Canal Park and recommended that the Commission waive review of visual impact.

He said the proposed project is in conformance with the Commission's Traffic Impact regulation; however, he expressed concern that the applicant's Traffic Report included a discussion of a future access road connecting to Route 29. He recommended that the GDP application be approved with the condition that the Commission advise against consideration of a future connection to Route 29 and that the Commission is not committed to approving any phase of the development should the Township require the construction of a direct connection to Route 29 as part of their approval. Mr. Albert moved approval of the application with the condition as recommended, adding a second condition that the Commission recommend to the NJ Department of Transportation that they develop a traffic master plan for this region. Mayor Marchand seconded the motion. After further discussion the motion was withdrawn.

Mr. Solomon, attorney for the applicant, reiterated that the connection to Route 29 was not part of the present application, and that Hopewell Township had requested Janssen to consider access points at Route 29 and Jacob's Creek Road as possible future connections. Mr. Albert then repeated the former motion, withdrawing the second condition; Mayor Marchand seconded the motion and it passed without dissent.

Mr. Hahn presented the remaining "A" Review Zone applications for waiver, review and approval:

- 05-3152 – Brundage Residence - Hopewell Township
- 05-3189 – Huff/Miller Residence - Stockton Borough
- 05-3188 – Piacente Addition - Hopewell Township
- 05-3191 – Rubin residence - Franklin Township
- 05-3170 – Sevilla Residence Addition - Stockton Borough
- 05-3191 – State House Security Improvements - City of Trenton
- 05-3187 – Zullo Residence – Franklin Township

Mr. Hahn said that the "A" Zone projects, with the exception of the Sevilla Residence, would not be seen from the Canal Park because of existing vegetation, structures, or topography, and therefore recommended that they be waived from visual impact review and approved. He said the Sevilla Residence addition was proposed to be built within the Commission's proscribed setback, but recommended waiver from the setback requirement because it would be an addition to an existing house that was also within the setback. Mr. Knights moved waiver and approval of the "A" Zone applications as recommended; Mayor Palmer seconded the motion, and it passed unanimously.

Ms. Guru presented the following "B" Review Zone applications for Storm Drainage and Water Quality Impact review and approval:

- 05-3149 – 8A Corporate Park Additions – Cranbury Township

04-3084 – Briar Cliffe – Hopewell Township  
04-3120 – Franklin Professional Park – Franklin Township  
04-3072 – Orchardside Estates – Cranbury Township

Ms. Guru said the applications were in compliance with the Commission's Regulations for stormwater management and water quality impact. Mr. Albert moved approval of the "B" Zone applications, Mayor Marchand seconded the motion and it passed unanimously.

#### EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn reported that remediation for the oil spill that occurred last winter in Ewing Township was continuing, and that the Department of Transportation would soon complete restoration of the path that was damaged by the flood. He said he is working with the City of Trenton and the New Jersey Youth Corps to organize a cleanup in the Canal Park in Trenton. He reported that the Commission's request to charge fees for application review was not granted as part of the 2006 budget, and asked the Commissioners permission to pursue a bill that would allow the Commission to charge fees. Mr. Loos moved approval of Mr. Hahn's request; Mayor Marchand seconded the motion and it passed unanimously.

#### CANAL PARK SUPERINTENDENT'S REPORT

Ms. Herron reported that the BASF Corporation has donated \$500 to the Canal Park for interpretive supplies. The park's historian, Vicki Chirco, has conducted guided walks at Kingston and Rockingham. On July 30, Ms. Chirco will lead a 10-mile bike ride from Kingston to Griggstown, and Ms. Fox, the park's naturalist, will lead a hike at Six-Mile Run.

#### WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that maintenance at Bull's Island was ongoing, and that 1,800 cubic yards of sediment have been removed from the canal. He said tree removal was also in progress, and that the headwall in the Port Mercer berm would be repaired in August or September.

#### PUBLIC FORUM

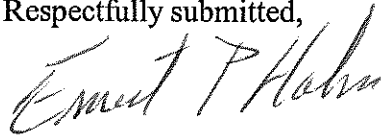
Mr. Barth asked about the status of adopting a cell tower regulation. He suggested consideration of lease agreements with cellphone companies in exchange for locating towers in the Canal Park. He also asked the Commission to consider adequate height clearances for boats when new bridges over the canal are proposed. He announced a steamboat ride on the Delaware River that will take place August 13<sup>th</sup>.

Mr. Loos reported that he met with representatives of the Pillar of Fire (Zarephath) about continuing a bike path along Schoolhouse Road in Franklin Township.

Ms. Barth announced that a motorcoach/light rail tour of the Canal Park would take place on September 24<sup>th</sup>.

The meeting adjourned at 11:45 AM.

Respectfully submitted,

A handwritten signature in cursive script, reading "Ernest P. Hahn". The signature is written in dark ink and is positioned below the typed name.

Ernest P. Hahn