



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF April 17, 2006

TIME: 10:00 – 11:35 AM
DATE: Wednesday, April 17, 2006
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Chairman DeVecchio, Messrs. Jessen, Knights, Loos, Sedor and Albert; Mayor Marchand and Ms. Mitchell

STAFF: Mr. Hahn, Ms. Guru and Ms. Dougherty
Mr. Lewin Weyl, Deputy Attorney General

GUESTS:

Robert H. Barth, Canal Society of New Jersey
Bill Bogosian, NJ Water Supply Authority
Joe Shepherd, NJ Water Supply Authority
Barbara Ross, D&R Canal Watch

Chairman DeVecchio 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 March 15, 2006

Mr. Albert moved a correction to the minutes of March 15, 2006 regarding the Messina Residences as follows: Mr. Albert opined that once the Commission decided to waive its setback requirement for economic hardship reasons, there was no purpose in forcing a solution that was incompatible with local zoning and, presumably, the state land use plan as well, i.e., one house vs. the 3 sought by the developer. Mr. Jessen seconded the motion. Ms. Mitchell abstained as she hadn't been present. The motion to correct the minutes passed unanimously.

REVIEW ZONE APPLICATIONS

Mr. Jessen moved approval of the following "A" Zone applications:

- 06-3350 - Lieberman Fence – Hopewell Township
- 06-3347 - Rosa Swimming Pool – Franklin Township
- 06-3134B – Edwards Pergola – Stockton
- 06-2902B – Lambertville Station Outdoor Bar – Lambertville
- 06-2186D – Palazzolo Fence – Lambertville
- 06-1476A – Gund Field Access – Franklin Township

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Jon Corzine, Governor Lisa P. Jackson, Commissioner

06-3351 – Doscher Residence Addition – Hopewell Township
06-3357 – Monmouth Battlefield Interpretive Sign – Lambertville
06-3335A – Clayton Concrete Reclamation Equipment – Trenton

Ms. Mitchell seconded the motion and it passed unanimously.

Mr. Loos arrived at 10:05

Mr. Albert had some questions about the location of the following “A” Zone project:

06-3353 – Ortiz/Hernandez Residence – Ewing Township

Mr. Hahn explained exactly where the residence would be located and that the proposed dwelling would not be visible from the Canal Park because the existing house would screen it from view. Mr. Albert wondered whether the applicants would be willing to deed restrict the property to maintain proper screening. Mr. Hahn assured those present that the applicants were willing to plant shrubbery. There was some uncertainty about whether the proposed house would be properly screened by the existing house if future owners added a second floor. Mr. Albert motioned that the project be approved with the condition that a height restriction be imposed to prevent visibility from the Canal Park. Ms. Mitchell seconded the motion and it passed unanimously.

Mr. Jessen moved that the following “B” Zone projects be approved:

04-3095 – Central Jersey Airport Improvements – Hillsborough
05-3200 – Engelhard Drive LLC (Coastal Insulation) Warehouse – East Windsor
05-3178 – Commerce Drive Warehouse – South Brunswick Township
05-3174 – Somerset Douglas Realty Townhomes – Franklin Twp.
06-1925B – Matrix Realty Warehouse Addition – Monroe Township
05-3153 – Quick Check – Hillsborough
04-3067 – Sergeants Greene – Delaware Township

Mr. Knights seconded the motion and it passed unanimously.

Mr. Hahn presented the following “B” Zone project for

06-3345 – New Brunswick High School – New Brunswick

Chairman DelVecchio recused himself from voting on this project because his company is building it. Mr. Knights motioned that the project be approved. Mr. Loos seconded the motion and it passed unanimously.

Mayor Marchand recused herself from the following “B” zone project:

05-3221 – GHP Office Realty Parking Expansion – Princeton Twp

Ms. Mitchell had questions regarding Stream corridor preservation. Mr. Hahn explained that the stream corridor would be preserved by a Conservation Easement agreement.

Mr. Jessen motioned to approve the project, Mr. Knights seconded the motion and it passed unanimously.

Mr. Knights recused himself from the following "B" Zone project:

06-3333 – Salt Creek Grille @ Princeton Forrestal Village – Plainsboro

Mr. Loos motioned to approve the project, Mr. Jessen seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn reported that staff had conducted 32 application reviews and found them to be deficient; 20 application reviews for Commission action, 10 exemptions, 8 site evaluations, and 6 jurisdictional determinations.

Mr. Hahn also reported on a DEP 319 grant project conducted by the Water Supply Authority that prioritized areas of heavy water pollution in Franklin Township and South Bound Brook that impact the Canal. Mr. Hahn announced that they would be targeting pollution control measures on public properties first. There was a lengthy discussion over the merits of using buffer zones to protect stream corridors.

Mr. Hahn reported that DRCC Maps would soon be computerized which would facilitate jurisdictional determinations for the municipalities that are affected by our regulations.

Mr. Hahn also reported on the progress of the rehabilitation of the East Millstone Canal house citing that onsite inspections had been made and that an architect had been hired by the developer of Canal Walk.

When questioned about the status of PSE&G, it was noted that they are suing the DRCC.

WATER SUPPLY REPORT

Mr. Shepherd from NJWSA reported that the Kingston Waste gate Spillway Station 26 would be repaired in late August and noted that repairs continue on the flood guard bank in Stockton.

PUBLIC FORUM

Mr. Barth questioned if the path on the canal embankment from the Center of Stockton to Prallsville Mill would be restored and opened to the public. The NJWSA responded that there was an ownership issue that may not be easily resolved.

Mr. Barth also announced the World Canal conference from September 12 – 14. He reiterated that a tour of the Prallsville Mill site will take place on September 13th. Mayor Marchand suggested that the September meeting be changed to Thursday September 13th, so that the Commissioners would be able to participate. Discussion ensued with no definitive action.

Mr. Barth then launched a discussion about the possibility of a swing bridge in South Bound Brook. He maintained that if a 12 x 12 pipe was eliminated under the railroad bridge that this mechanical swing bridge could be restored and that it would be a great opportunity to educate the public on the tradition of swing bridges.

Mr. Barth's final comment embraced the idea of canal boat rides which launched a short discussion about the possible benefits for eco-prosperity.

Mr. Jessen moved adjournment; Mayor Marchand seconded the motion, and the motion passed unanimously. The meeting adjourned at 11:35 AM.

Respectfully submitted,



Ernest P. Hahn
Secretary