



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF MAY 17, 2006

TIME: 10:05 – 11:40 AM
DATE: Wednesday, May 17, 2006
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Chairman DelVecchio, Messrs. Jessen, Knights, Loos, Sedor, and Albert; Ms. Mitchell

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

GUESTS:

Mark Gallagher, Princeton Hydro
Mike and Anne Kruimer, East Coast Greenway
Craig Taraszki, Beazer Homes
Robert H. Barth, Canal Society of New Jersey
Vicki Chirco, D&R Canal State Park
Susan Herron, D&R Canal State Park
Kathy Hale, NJ Water Supply Authority
Bill Bogosian, NJ Water Supply Authority
Robert von Zumbusch
Charles St. John, Princeton resident
Bill Salmon, Gladstone Design, Inc.
Barbara Ross, D&R Canal Watch

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.

MINUTES OF THE MEETING OF APRIL 19, 2006

Mr. Barth noted that the announcement regarding the World Canal conference referred to "Thursday, September 13" instead of "Wednesday, September 13". Mr. von Zumbusch noted that the minutes also incorrectly state the meeting date as April 17 instead of April 19. With those corrections, Mr. Albert moved approval of the minutes of the meeting of April 19, 2006; Mr. Jessen seconded the motion. The motion passed unanimously.

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

PRALLSVILLE MILLS 33 RISLER STREET P.O. BOX 539 STOCKTON, NJ 08559-0539
609-397-2000 FAX 609-397-1081 www.dandrcanal.com

REVIEW ZONE APPLICATIONS

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

- 06-3003A Franklin Deck Addition, Stockton Borough
- 06-3218A Gilbert Porch Replacement, Stockton Borough
- 06-2941A Lowry/Winstead Porch Replacement, Stockton Borough
- 06-3364 Martin Residence, Hopewell Township
- 06-3363 Trenton Water Works, City of Trenton
- 06-2091B American Water Company Solar Panels, Franklin Township
- 06-3360 Karvalis Residence, City of Lambertville

Mr. Albert seconded the motion and it passed unanimously.

Mr. Knights moved approval of the following "B" Zone applications:

- 06-0250A Princeton Arms Center, West Windsor Township
- 06-2652A Crossroads North Middle School, South Brunswick Township
- 04-0996A Pleasant View Estates, Hillsborough Township (waiver from strict compliance of Stream Corridor Impact Regulation only)
- 04-3103 Wiseman Residential Subdivision, Hillsborough Township

Mr. Jessen seconded the motion and it passed unanimously.

Regarding the application for Princeton High School Additions (03-2965), Ms. Mitchell asked for clarification regarding the history of past approvals, to which Ms. Guru responded that the present review and recommendation for approval includes review of the former projects.

Mr. Knights moved approval of the Princeton High School Additions, Mr. Sedor seconded the motion, and it passed unanimously.

Regarding the application for Winberry Meadows (04-3116), Ms. Mitchell asked whether the access road to the development that is proposed to cross the stream corridor could be relocated outside of the corridor. Ms. Guru said the access road would be off of Fitzer Road which is parallel and adjacent to the stream corridor, and thus there was no other location that would preclude crossing the stream corridor. Ms. Mitchell asked how the 3-year survival guarantee for wetland plantings would be enforced; Mr. Hahn replied that DEP's Freshwater Wetlands requires bonding for wetlands construction, and that Ms. Holms annually monitors the Commission's stream corridors for potential violations. Mr. Knights moved approval of Winberry Meadows, Mr. Loos seconded the motion, and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn reported the staff's monthly work tally, stating that staff reviewed 21 projects found to be deficient, 13 projects deemed complete, 22 exemptions, 9 jurisdictional determinations, and 3 maintenance projects. He said the developer for Canal Walk has submitted plans for the restoration of the East Millstone Canal House which are currently being reviewed by the Division of Parks and Forestry and the Historic Preservation Office. He said that he and Deputy Attorney

General Weyl will be briefing Commissioner Jackson on the proposed Conrail settlement. Mr. Hahn said that the billboard on Route One in Lawrence Township that was built prior to receiving Commission approval has been lowered by 20 feet (a condition of the Commission's subsequent approval).

Mr. Albert asked about the status of PSE&G's appeal regarding mitigation for their proposed crossing in Franklin Township. Mr. Hahn said the case has been assigned a legal counsel whom he will be briefing. Mr. Hahn went on to say that PSE&G has begun work toward burying the gas pipeline that presently crosses the canal in South Bound Brook.

CANAL STATE PARK SUPERINTENDENT'S REPORT

Superintendent Herron reported that the Open House held on April 29 for the Canal Park's new headquarters was a huge success, with between 800 and 900 people in attendance. She said Congressman Rush Holt and Commissioner Lisa Jackson spoke, and Director Hahn was named Volunteer of the Year. She thanked Princeton University for donating a tent, and Mike Kruimer for transporting 25 tables.

WATER SUPPLY AUTHORITY REPORT

Mr. Bogosian said the Authority is finishing its repair work on the Stockton guard bank, and that tree removal will begin shortly. He said the Authority expects to begin cleaning the Six Mile Run culvert this summer.

PRESENTATION BY KATHY HALE (WSA) ON CONTROL OF NON-POINT SOURCE POLLUTION INTO THE CANAL

Ms. Hale said the Water Supply Authority received a grant from DEP to conduct a research and implementation study regarding non-point source pollution in the canal. She said they targeted 69 infalls in the canal between Amwell Road and Landing Lane bridge. After determining the types and amounts of the non-source pollutants, they ranked the infalls according to level of pollutants, and focused on 15 with the highest amount. Of those 15, Ms. Hale went on to report that they will make recommendations for remediation for four or five. She said that most likely, the Authority will be recommending wet ponds to help filter pollutants and reduce sedimentation.

PUBLIC FORUM

Mr. von Zumbusch reiterated a complaint he has made previously regarding a breach in the Kingston millpond wall that is on Canal State Park property. He said that several neighbors have complained, and that the Princeton Township Engineer recently inspected the breach. Mr. Sedor said he would speak with Al Payne about it. Chairman DeVecchio said he would ensure that a response would be ready by the next meeting.

Mr. von Zumbusch also asked whether an access barrier/gate could be installed at the end of Basin Street leading to the park in Kingston. Ms. Herron said she wasn't sure where one could be located, but would look into it. Mr. von Zumbusch offered to meet her onsite.

Mr. von Zumbusch then brought up the matter of road departments using herbicides to control plants on roadsides next to the canal. He said Plainsboro was using herbicide on Mapleton Road, and that it was also being applied on Routes 27 and 29. Mr. Loos suggested gathering data about the amount and type of herbicide being used. Mr. Weyl suggested contacting Health Departments.

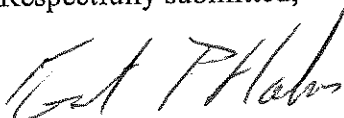
Mr. St. John remarked on potholes in the towpath between Kingston and Washington Road in Princeton. He also said that the spillway downstream of Carnegie Lake was difficult to push a stroller over because of gaps between the stones. Mr. von Zumbusch noted that recent work on the Heathcote Brook culvert has resulted in some erosion, and should be replanted. Mr. Bogosian said he would look into it.

Mr. Kruimer announced several East Coast Greenway bicycle rides that will take place in the near future. He also showed the Commissioners the directional signs for the East Coast Greenway that will be mounted on Canal Park gates. He said the spillway at Landing Lane was extremely dangerous because of loose stones, for both bicyclists and pedestrians.

Mr. Barth asked whether the Commission meeting in September could be moved to the second Wednesday, the 13th, in the afternoon, so that Commissioners could meet attendees of the World Canal Conference afterward. Mr. Hahn asked the Commissioners to notify him as to their availability. Mr. Barth also asked whether the Commission would be scheduling a retreat. Mr. Loos suggested creating an agenda for the retreat to determine how much time would be needed for it.

The meeting adjourned at 11:40 AM.

Respectfully submitted,



Ernest P. Hahn
Secretary