



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF DECEMBER 20, 2006

TIME: 10:10 AM – 11:20 AM
DATE: Tuesday, December 20, 2006
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Chairman David DelVecchio, Messrs. Martin Jessen, John Loos, Jose Fernandez, Richard Albert, David Knights; Ms. Alison Mitchell

STAFF: Mr. Hahn, Ms. Guru and Ms. Holms;
Ms. Helene Chudzik, Deputy Attorney General

GUESTS:

Joe Shepherd, NJ Water Supply Authority
Mike Kruimer, East Coast Greenway
Anne Kruimer, East Coast Greenway
Bill Bogosian, NJ Water Supply Authority
Joe Shepherd, NJ Water Supply Authority
Richard Trivett, Bohler Engineering
Kirsten and George Perehinys
Barbara Ross, D&R Canal Watch
Vicki Chirco, D&R Canal State Park
Stephanie Fox, D&R Canal State Park
Susan Herron, D&R Canal State Park
Steven H. Morland, Esq.

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. He said descriptions of the applications deemed complete for review had been posted on the Commission's website.

MINUTES OF THE MEETING OF NOVEMBER 21, 2006

Ms. Mitchell moved approval of the minutes of the meeting of November 21, 2006; Mr. Jessen seconded the motion and it passed unanimously.

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

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REVIEW ZONE APPLICATIONS

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

- 06-3438 – Flynn Addition, City of Lambertville
- 06-2518B – Pinnacle Sign, Franklin Township
- 06-3431 – Roderick Residence Addition, Franklin Township
- 06-3372 – Kuriakose Residence, Franklin Township

Mr. Jessen seconded the motion and it passed unanimously.

Mr. Loos joined the meeting at 10:15 AM.

The application "Bald Pate Mountain Park Improvements" (DRCC #3417, Hopewell Township) was presented for review and discussion. Mr. Albert suggested that a loop trail connect the county park to the Canal Park. Mr. Albert also questioned the proposal of locating an expanded parking lot adjacent to a stream. Mr. Hahn agreed to speak to the County Planning and Engineering Departments regarding these matters. Mr. Albert moved approval of the Bald Pate Mountain Park application with the proviso that Mr. Hahn work with county officials to implement a loop trail and to consider methods to prevent further stream erosion; Mr. Knights seconded the motion and it passed unanimously.

Mr. Knights asked to be recused from discussion and action of the following "B" Zone applications:

- 06-2833C – Butler College Dorm, Princeton Borough and Township
- 06-3395 – Princeton SEAS/ORFE Building, Princeton Borough

Mr. Jessen then moved approval of the two applications; Mr. Loos seconded the motion, and the motion passed without dissent.

Mr. Jessen moved approval of the remaining "B" Zone applications:

- 06-3390 – Purdue Pharma Loading Area – Cranbury Township
- 06-3051A – Princeton South Corporate Center, Ewing Township
- 06-3022 – Renaissance Crossings, Monroe Township
- 04-3058 – Four Seasons @ Monroe, Monroe Township

Mr. Fernandez seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn detailed the staff's work activity for the previous month. He reported that PSE&G was in the process of restructuring, and that he had a brief discussion with the Board of Public Utilities' counsel regarding PSE&G's appeal of the Commission's conditional approval.

CANAL STATE PARK REPORT

Superintendent Herron said distributed a Canal Park newsletter. Mr. Hahn asked about increased use of (illegal) motorized trail bikes on the canal's paths, noting that there was currently only one ranger on staff, making it nearly impossible to catch bikers.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that the repair work on the Kingston waste gate was complete, and that tree removal from the canal was ongoing.

PUBLIC FORUM

Mr. Kruimer asked about the status of making the Landing Lane Spillway more bicycle-friendly; Mr. Hahn replied that he was still looking for funding for improvements. Ms. Ross suggested contacting the Rutgers Outdoor Club, who had repaired the spillway once before.

CONCEPT DISCUSSION OF "A" ZONE APPLICATION

Mr. Hahn presented a final "A" Zone application for concept discussion:

05-3205 – Pehinys Residence – Stockton

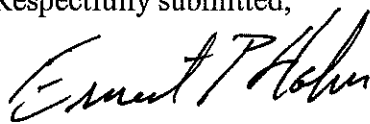
Mr. Morland, attorney for the applicants, said the applicants wished to build a home on a site at the end of Mill Street in Stockton, which would require a waiver from the Commission's setback requirement. Mr. Hahn said the entire 4.2-acre site was within the 200-foot setback of the Canal Park, because it was in between the canal and the multi-use path. He said it was also within the 100-year floodplain, and that the applicant had received a Stream Encroachment Permit for a 2-story house on 16-foot pilings. Mr. Hahn said the applicant would have to apply for a waiver from the setback requirement based upon extreme economic hardship. He went on to say that the State's Green Acres program had expressed interest in purchasing the property at fair market value, but the applicants had not yet made an application to the program.

Mr. Morland proposed that if the applicants received a waiver from the Commission to build a house within the setback, they would then donate the remainder of the property to Green Acres for conservation purposes.

The consensus of the Commissioners was that this application would not qualify for a waiver based upon extreme economic hardship, because the applicants had not yet made an application to Green Acres for purchase of the property. Formal action was not taken, because the application was incomplete.

Mr. Fernandez moved adjournment of the meeting; Ms. Mitchell seconded the motion and it passed unanimously. The meeting adjourned at 11:20 AM.

Respectfully submitted,



Ernest P. Hahn