



MINUTES OF THE MEETING OF DECEMBER 17, 2008

TIME: 10:02 AM – 11:10 AM
DATE: Wednesday, December 17, 2008
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Chairman David DelVecchio, Richard Albert,
David Knights, John Loos, Al Payne and Martin Jessen;
Ms. Alison Mitchell

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

GUESTS:

Joe Shepherd, NJ Water Supply Authority
Patricia Kalleser, D&R Canal State Park
Frank J. Petrino, Sterns & Weinroth
Michelle L. Lamar, Sterns & Weinroth
Robert Barth, Canal Society of New Jersey
Richard Carroll, Isles, Inc.
Theodore Chase, Franklin Twp. Planning Board
Ben Hoffer, Atlantic Realty
Jerry Bodenstein, Isles, Inc.
Howie Glick, Jerry & Stan's Bicycle Shop
Mike and Anne Kruimer, East Coast Greenway

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 NOVEMBER 12, 2008

Ms. Mitchell moved approval of the minutes of the meeting of November 12, 2008; Mr. Albert seconded it and it passed without dissent.

REVIEW ZONE ACTIONS

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

08-3636 I-287/Easton Avenue Interchange Modifications, Franklin Township
08-3743 Griggstown Locktender's House Window Replacement, Franklin Township

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Jon Corzine, Governor Mark N. Mauriello, Acting Commissioner

08-2353A B.Adorned Jewelry Store Sign, City of Lambertville
08-3736 Olander Residence Renovations, Hopewell Township
08-3739 Wilson Fence, Hopewell Township
08-3715 ExxonMobil Demolition and Soil Disposal, City of Trenton
08-3746 Isles YouthBuild Institution Improvements, City of Trenton

Mr. Payne seconded the motion and it passed unanimously.

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

07-3527 Mid-Atlantic Equine Medical Center, East Amwell Township
08-3696 Franklin Court Shopping Center Improvements, Franklin Township
08-3693 PSEG Substation Upgrade, Franklin Township
08-964B Forsgate S-116F, South Brunswick Township
08-3659 Forsgate S-151D, South Brunswick Township

Mr. Albert seconded the motion and it passed unanimously. Mr. Knights then moved approval of the following "B" Zone application:

08-3398A J&J Aviation Ramp, Ewing Township

Ms. Mitchell seconded the motion. Messrs. Albert, Payne, Knights, Jessen and Ms. Mitchell voted in favor of the motion; Chairman DelVecchio abstained. The motion passed. Mr. Jessen moved approval of the following "B" Zone applications:

08-3728 Princeton Forrestal Generator Installation, Plainsboro Township
08-3706 Ivy Crossing Improvements, Plainsboro Township

Mr. Albert seconded the motion. Messrs. Albert, DelVecchio, Payne, Jessen and Ms. Mitchell voted in favor of the motion; Mr. Knights abstained. The motion passed.

Mr. Loos joined the meeting at 10:06 AM. Mr. Hahn presented the following "A" Zone application for review:

07-2498A Yorkshire Village Residence, Lawrence Township

Mr. Hahn summarized the project application, stating that it was for a single-family house on a lot that would be within the 250-foot setback as required by the Regulations. Mr. Hahn said the Commission had denied the same application previously, but that the applicant had requested reconsideration.

Mr. Petrino, attorney for the applicant, said that as a result of the construction of the Yorkshire residential development, this part of the Canal Park could no longer be considered a Natural Environment, but is now a Suburban Environment, which has a 200-foot setback requirement. The house is proposed to be located 215 feet from the Canal Park.

Mr. Loos asked Mr. Petrino where the Master Plan or the Regulations state that the area was determined to be Suburban. Mr. Petrino said that the definition of "Suburban" in the Regulations described the area more aptly than that of "Natural". Mr. Loos and other Commissioners said that the Regulations refer to and include the Master Plan for designations of environmental types that are used in the Regulations to determine setback requirements.

After further discussion, Mr. Loos moved denial of the Yorkshire Village Residence; Ms. Mitchell seconded the motion, and it passed unanimously. The application was denied.

MEETING SCHEDULE 2009

Mr. Knights moved the continuation of meeting on the third Wednesday of each month in 2009, with the exception of November, when they would meet on Monday, November 16th. Mr. Payne seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn said that the Commission would be holding two public hearings regarding the proposed repeal and adoption of Regulations for D&R Canal State Park Review Zone. He said the meetings would take place today, at the Commission's office, at 1:00 PM, and again on January 5th, 2009 at 10:00 AM, at the Department of Environmental Protection in Trenton. He said the proposed regulations were on the Commission's website.

CANAL PARK SUPERINTENDENT'S REPORT

Superintendent Kalleser reported that the Griggstown Barracks rehabilitation was moving forward, and that the Calhoun Street Canal House restoration was 80% complete. She said the Bull's Island main entrance work would start this spring.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that the Six-Barrel Waste Gate repair work was complete. He also reported that a 60-inch water main broke two weeks ago at Weston Canal Road, causing erosion on the canal embankment and towpath. He said repair was underway.

PUBLIC FORUM

Mr. Barth showed the Commissioners the logo for the upcoming 175th anniversary celebrations. He announced that on May 16th, the Canal Park would be holding an "Author's Day" at Griggstown, which would include book signings. Mr. Kruimer announced that on May 9th, the Canal Park would host a "hands along the D&R" event. Mr. Barth asked about the status of the East Millstone Canal House. Mr. Hahn replied that the Department of Community Affairs recently determined that the proposed plans for its rehabilitation are still not up to code.

Mr. Chase expressed concern about stormwater collecting between Weston Canal Road and the canal, stating that it was not draining properly.

The meeting adjourned at 11:10 AM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ernest P. Hahn". The signature is written in a cursive style with a large initial "E".

Ernest P. Hahn