



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF MAY 20, 2009

TIME: 10:05 AM – 10:55 AM
DATE: Wednesday, May 20, 2009
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

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

STAFF: Mr. Hahn and Ms. Holms

GUESTS:

Joe Shepherd, NJ Water Supply Authority
Patricia Kalleser, D&R Canal State Park
Bill Bogosian, NJ Water Supply Authority
Dennis Bertland, Stockton Resident
Aimer Garcia, NJ Water Supply Authority
Andy Detterline, Technology Center of Princeton
Tom Letizia, Esq., Pepper Hamilton/BPG

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.

“A” ZONE REVIEW ACTIONS

Mr. Knights moved approval of the following “A” Zone applications:

- 09-3129A Canal View, City of Lambertville (conditional)
- 09-2464A Route 29 Drainage Improvements, West Amwell Township and City of Lambertville (conditional)
- 09-3780 Rooster Coop Spillway Rehab Concept Design, West Amwell Township
- 09-2136A Gest Privacy Fence, Borough of Stockton
- 09-3781 Workhouse Spillway Rehab Concept Design, Hopewell Township

Mr. Jessen seconded the motion and it passed unanimously.

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

MINUTES OF THE MEETINGS OF APRIL 15 AND APRIL 23, 2009

Mr. Jessen moved approval of the minutes of the meetings of April 15 and 23, 2009; Mr. Loos seconded the motion. The motion passed unanimously.

"B" ZONE REVIEW ACTIONS

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

08-3635 Aspenn Environmental Office/Warehouse, Franklin Township
09-2653B Sonic Retro Restaurant, Franklin Township
08-2701A Mary Mother of God Church Expansion, Hillsborough Township
07-3549 Princeton Honda Showroom Expansion, Montgomery Township

Mr. Loos seconded the motion and it passed unanimously.

Mr. Jessen then moved conditional approval of the following "B" Zone project application:

09-3422A Princeton Forrestal RECAP Improvements, Plainsboro Township

Mr. Knights noted that the Principal for the project is RECAP and not solely the Princeton University Board of Trustees (the University is one of three principals).

Mr. Albert seconded the motion and it passed without dissent, with Mr. Knights abstaining.

The following project application was then reviewed by the Commission:

08-3624 Technology Center of Princeton, Hopewell Township

Ms. Holms described the buffer averaging that was proposed as mitigation for waiving strict compliance of the Stream Corridor Impact regulation. Mr. Payne suggested requiring a monitoring endowment fund because it would require more extensive monitoring than those projects with stream corridors that do not receive waivers. The Commission considered the suggestion, ultimately agreeing to develop a policy that determines the amount necessary for monitoring projects that receive waivers. Mr. Knights moved conditional approval of the application as originally recommended by staff; Mr. Jessen seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn reported on the staff's monthly workload, and announced that the new Regulations would be adopted on June 1, 2009.

CANAL PARK SUPERINTENDENT'S REPORT

Superintendent Kalleser reported that 70 participants attended the Canal Author's Day last Saturday. She announced that a canoe concession at Bull's Island and bicycle concession at Washington's Crossing would be starting up soon. She reported on illegal dumping in the Park between Locks One and Two, and also reported on a fisherman who capsized and later died in the Park, in Franklin Township.

WATER SUPPLY AUTHORITY REPORT

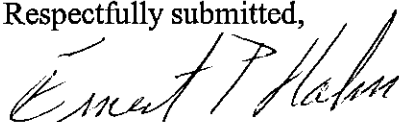
Mr. Shepherd said the Authority was continuing work on the guard bank in Stockton, and repairing the towpath in the Griggstown area. He said he met with Parks personnel and a concerned citizen about trash and trees in the canal near Hanover Street in Trenton.

PUBLIC COMMENT

Mr. Bertland expressed concern about the pedestrian crosswalk with manual light signals that was recently installed by the Department of Transportation on Route 29 at Prallsville Mills, a National and State Historic District. He said one of the poles was installed next to his house, and that DOT recently came by with the intent of cutting down trees on his property to improve visibility. He said the process for installing the light poles did not include the requisite approvals from the Canal Commission and the Historic Preservation Office, and asked the Commission what the next step is in remedying the situation. Mr. Hahn said he contacted the DOT and would keep Mr. Bertland informed as to future actions. The Commissioners agreed with Mr. Bertland that the DOT should have used a more context-sensitive design for the light poles, and asked Mr. Hahn to inform the DOT that the installation of the crosswalk and accompanying signage and light signals was a violation of the Commission's Regulations.

The meeting ended at 10:55 AM.

Respectfully submitted,



Ernest P. Hahn
Secretary