



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF OCTOBER 21, 2009

TIME: 10:05 AM – 11:05 AM
DATE: Wednesday, October 21, 2009
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Vice-Chairman Martin Jessen, Al Payne, Richard Albert, David Knights,
John Loos, Ms. Alison Mitchell and Mayor Phyllis Marchand

STAFF: Messrs. Hahn, Mazzei and Weyl, Ms. Holms

GUESTS: Bill Bogosian, NJ Water Supply Authority
Dan Saunders, DEP Historic Preservation Office
Robert H. Barth, Canal Society of NJ and D&R Canal Watch
Stephanie Fox, D&R Canal State Park
Joe Shepherd, NJ Water Supply Authority
Mark Solomon, Pepper Hamilton
Arie Behar
Barbara Ross, D&R Canal Watch
Patricia Kalleser, D&R Canal State Park

Vice Chairman Jessen 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 SEPTEMBER 16, 2009

Ms. Mitchell moved approval of the minutes of the September 16, 2009 meeting. Mr. Knights seconded the motion and it passed unanimously.

REVIEW ZONE ACTIONS

Mr. Knights moved conditional approval of the following "A" Review Zone project application as recommended by staff:

08-3372B – Yen Residence, Franklin Township

Mr. Loos seconded the motion and it passed unanimously.

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

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Mr. Knights then moved conditional approval of the following "A" Zone project application as recommended by staff:

09-3764 – Behar Residence, Franklin Township

Mr. Loos seconded the motion and it passed unanimously.

Mr. Knights moved conditional approval of the following "A" Zone project application as recommended by staff:

09-1841B – Janssen Pharmaceutical Solar Array, Hopewell Township

Mr. Albert seconded the motion and it passed unanimously.

Ms. Mitchell moved approval of the following "B" Zone project applications:

09-3785 Disbrow Hill Park Improvements, East Windsor Township
 08-964C Forsgate S-116 Modifications, South Brunswick Township
 05-3319 Sky Plaza, North Brunswick Township
 08-3735 Chand Palace Banquet Facility, Franklin Township
 09-3112A FT-213 Warehouse Modifications, Franklin Township

Mayor Marchand seconded the motion and it passed unanimously.

The Commissioners discussed the following "B" Zone project application:

08-3707 Monroe Fire House, Monroe Township

Ms. Mitchell asked whether the land slated to be used for the firehouse was on Green Acres' Recreation and Open Space Inventory (ROSI). She said that Monroe Township has an open space set-aside ordinance, whereby land purchased for open space can be diverted for public facilities such as the proposed firehouse. She said that diverting ROSI lands for these types of proposed facilities may not be legal. Mr. Weyl said it was not within the Commission's authority to assume responsibility for the legality of municipal ordinances, and that ordinances were valid until challenged and overturned. The Commissioners requested staff to inform the Green Acres office that this project is being proposed, in the event that the site is on the Green Acres ROSI.

Mr. Albert moved approval of the Fire House, Mr. Knights seconded the approval, and it passed unanimously.

DISCUSSION OF CHANGE IN SURFACE MATERIAL FOR MULTI-USE PATH

Mr. Hahn said the Canal Park has traditionally distinguished the historic towpath from the former railroad right-of-way by using two types of path surfaces. The towpath surface is a combination of sand and stone, known as I-5, and the railroad surface is crushed stone. He said the I-5 no longer compacts or binds, and the sand easily washes away. He said it is also much costlier than formerly, and suggested that the agencies involved with the Canal Park consider using crushed

red shale instead for the towpath, because shale is found locally, it works better as a path surface, and it would still distinguish the towpath from the railroad right-of-way. He said that because the towpath does not need to be completely resurfaced, he would suggest replacing the surface with the shale where and as needed.

Mr. Albert said that the material chosen should be the one most resistant to flooding. Mr. Loos thought there was value in buying local stone.

Mr. von Zumbusch said it was critical to maintain the difference between the historic towpath and the railroad right-of-way, and that it should allow people in wheelchairs to use both paths. He thought Mr. Hahn's suggestion had promise.

Mr. Saunders said the railroad right-of-way should be one color, but that the towpath could have more than one, possibly based on regional soil types.

Mr. Barth agreed that the two paths should be distinguished from each other by color, and also advocated using local materials. He said the material should be both sustainable and floodproof. He suggested meeting with representatives of the Delaware Canal State Park in Pennsylvania, because they have had experience with flood issues and are in the process of resurfacing their towpath, using turf, in part.

Mr. Payne said it was his experience that no surface material is floodproof, but that some were better than others. He suggested trying several different types of materials to see which works best.

EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn reported on the staff's monthly work tally. He distributed a draft Resolution supporting efforts to preserve land in Raritan Township within the Plum Brook watershed. Mr. Loos moved approval of the resolution, Ms. Mitchell seconded the motion and it passed unanimously. He said that on October 13th, a groundbreaking ceremony was held to commemorate the imminent construction of the "missing link" to the Canal Park's path system, between Old Rose and Mulberry Streets in Trenton.

CANAL PARK SUPERINTENDENT'S REPORT

Superintendent Kalleser announced that two State Scenic Byways, the Millstone Valley Scenic Byway and the Delaware River Scenic Byway, have recently been designated National Scenic Byways. Both parallel the Canal Park, and the designations will provide for greater funding of resource enhancements. She said that two initiatives, design of a reproduction swing bridge in Hopewell Township and construction of new restroom facilities at the Prallsville millsite, received grants from the National Scenic Byway program.

She also announced that on November 12th, the Canal Park and the Delaware River Mill Society were hosting the final event of the 175th anniversary celebration of the D&R Canal. She said that at 7:00, Richard Hunter will talk about the history of the canal at Prallsville Mills.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd said that the Workhouse Spillway was filled with rip rap to prevent leakage, and that the permanent repair job would be going out to bid in 2010. He said that repair work on the Six Mile Run Culvert would begin shortly.

PUBLIC FORUM

Mr. Barth asked about the status of several projects:

Weston Canal House – no activity

East Millstone Canal House – contractors with restoration backgrounds are currently being interviewed.

Towpath repairs north of Blackwell's Mills – calls are being made to NJ DOT but not returned.

Griggstown Barracks restoration – work will probably be complete by the end of 2009.

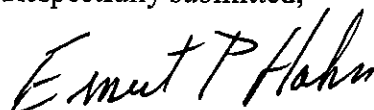
Griggstown Bridgetenders House restoration – Franklin Township has put out RFP's this week.

Franklin Township pedestrian bridge location – there may be a possible location near the diner at JFK Boulevard in conjunction with a future development proposal; Mr. Payne is looking at cost estimates and viability.

Lock One Pedestrian Bridge – a consultant has been hired and the project is moving forward.

The meeting adjourned at 11:05 AM.

Respectfully submitted,



Ernest P. Hahn
Secretary