



MINUTES OF THE MEETING OF FEBRUARY 17, 2010

TIME: 10:05 AM – 10:35 AM
DATE: Wednesday, February 17, 2010
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Chairman David DelVecchio, Vice Chairman Martin Jessen, Messrs. John Loos, Al Payne, Ms. Alison Mitchell

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

GUESTS: Bill Bogosian, NJ Water Supply Authority; Robert Barth, Canal Society of NJ and D&R Canal Watch; Patricia Kalleser, Superintendent, D&R Canal State Park

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 JANUARY 20, 2010

Mr. Loos moved approval of the minutes of the January 20, 2010 meeting, and Mr. Payne seconded the motion. It passed without dissent.

REVIEW ZONE ACTIONS

Mr. Jessen moved approval of the following "A" Review Zone project application:

09-2397A – Ortho MacNeil Lighting Upgrade, Franklin Township

Ms. Mitchell seconded the motion and it passed unanimously.

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

09-3814 – Leewood Renaissance @ Franklin, Franklin Township

09-3869 – PSE&G Bennetts Lane Substation, Franklin Township

07-3538 – Learning Experience Day Care, Montgomery Township

Mr. Jessen seconded the motion and it passed unanimously.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Chris Christie, Governor, Kim Guadagno, Lt. Governor Bob Martin, Acting Commissioner

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EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn distributed a graph showing annual staff project reviews. He reported on recent State land acquisitions in Stockton adjacent to the Canal Park, and said the Office of Natural Resource Development had begun the process to hire a consultant to perform a feasibility study on a pedestrian bridge over the canal near Easton Avenue and JFK Boulevard.

CANAL PARK SUPERINTENDENT'S REPORT

Superintendent Kalleser reported on snow removal in the Park by the maintenance staff. She said that because of the snow storms, the completion of the Bull's Island entrance way would be delayed. She said that a snow plow damaged a handicapped-access ramp in the Canal Park near the Lambertville Sewerage Authority.

WATER SUPPLY AUTHORITY REPORT

Mr. Bogosian reported that work is ongoing to replace the sluice gates at the Lambertville and Prallsville locks. He said that the projects to repair the Rooster Coup and Workhouse spillways were in the permitting phase, and that work on the Swan Creek aqueduct and Six Mile Run culvert was delayed because of the snow storms.

PUBLIC COMMENT

Mr. Barth announced that the International Canal Conference would be held in Rochester, New York this September. He asked whether the public would be allowed to comment on the design of the proposed swing bridge. Mr. Hahn replied that the public will be notified once a consultant is hired.

At 10:20 AM, Mr. Jessen moved entering into Executive Session for the purpose of discussing potential litigation. Ms. Mitchell seconded the motion and it passed unanimously.

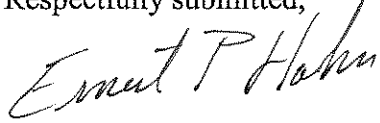
The public meeting resumed at 10:30 AM.

REVIEW ZONE ACTION

Mr. Jessen moved approval to modify the conditional approval previously granted by the Commission. The project, known as "Knehr Garage" (DRCC file #09-1113E), located in Lawrence Township, was conditionally approved in January 20, 2010. The conditions were imposed in order to preserve a portion of a stream corridor on the Knehr property by means of a Conservation Easement that would be held by the Commission. The modification would remove the four conditions required as part of the original approval. The Commission concluded that the Easement would not be required based on the absence of any measurable adverse environmental impact resulting from the proposed activity, the Commission's limited staff resources and the Commission's need to avoid spending Commission resources on litigation with the applicant. Mr. Loos seconded the motion and it passed unanimously.

The meeting adjourned at 10:35 AM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ernest P. Hahn". The signature is written in dark ink and is positioned below the typed name.

Ernest P. Hahn, Secretary