



DELAWARE AND RARITAN
CANAL COMMISSION

MINUTES OF THE MEETING OF MAY 19, 2010

TIME: 10:00 AM – 10:50 AM
DATE: Wednesday, May 19, 2010
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

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

STAFF: Messrs. Hahn and Mazzei, Ms. Kirkland
Lewin Weyl, Deputy Attorney General

GUESTS: Bill Bogosian, NJ Water Supply
Joe Shepherd, NJ Water Supply
Robert Barth, Canal Society of NJ and D&R Canal Watch
Linda Barth, D&R Canal Watch
Patricia Kallessner, D&R Canal State Park
Beth Kenderdine, Edwards Engineering Group

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. Chairman DelVecchio opened the meeting with a moment of silence in memory of Jose Fernandez, a former DRCC Commissioner who worked for the DEP and died at the age of 65.

MINUTES OF THE MEETING OF APRIL 21, 2010

John Loos moved approval of the minutes of April 21, 2010, and Ms. Mitchell seconded the motion. It passed unanimously.

REVIEW ZONE ACTIONS

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

10-1995B Messina Porch Roof, Borough of Stockton
10-2046A Vitigliano Deck, City of Lambertville
10-3643A Marro House Addition, City of Lambertville
10-3326.mod Princeton Country Club Pump House Modification, West Windsor
Township

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

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Ms. Mitchell seconded the motion and it passed unanimously.

Mr. Loos inquired about the impact of solar panels on the environment. Mr. Mazzei explained that the panels are made of glass which wouldn't have any impact on water quality. He went on to say that the size of the panels and the spaces in between them allow a transfer of runoff without any change in compaction. He stated that for solar installations in general he routinely discourages permanent roads for maintenance because they are unnecessary and he encourages a planting of native meadow mix underneath the panels. He added in addition to the above, that solar panels may result in positive environmental impacts if they replace active agricultural fields, since active agriculture may result in increased erosion and the possible addition of pesticides to the surface and groundwater resources.

Next there was a discussion about the JMJ-1 buildings which were conditioned with a caveat requiring monitoring in the future. Mr. Hahn explained that the monitoring requested would include the use of a simple gauging stick that a lay person could examine to determine the water level in the proposed basin. He also stated that the licensed engineer is responsible for ensuring that the basin is constructed according to the approved plans.

Mr. Jessen moved approval of the following "B" Review Zone project applications with conditions as presented by staff:

09-3910 Parkside Family Housing, Franklin Township
 05-3213 Microstamping Corporation, Franklin Township
 07-2997A JMJ-1 Office Warehouse, Franklin Township
 09-3560A Princeton Montessori School Improvements, Montgomery Township
 10-3956A Shiseido Solar Facility, East Windsor Township
 10-3956 Special Olympics Turf Field, Lawrence Township
 10-3940 Princeton Theological Seminary Library, Princeton Borough

Mr. Knights seconded the motion and it passed unanimously.

Mr. Jessen moved approval of the following "B" Review Zone project application, with conditions as presented by staff:

10-3958 Orchard Hill Elementary School, Montgomery Township

Ms. Mitchell wondered why the project was conditioned upon future delineation of the stream corridor and why they didn't address the stream corridor for the present application. Mr. Hahn's recommendation to waive this requirement of the rules at this time and include a compliance condition for future projects was based on the following factors: the school unfortunately hired an architect to design the addition and then late in the process hired an engineering firm for permit compliance. The proposed construction is hundreds of feet from the stream corridor. One of the most important pieces of the proposed project is the correction of the current unsafe traffic patterns, to be accomplished when students are not present. Lastly, the school's engineer has indicated that the school will be proposing additional work on this site in the near future and is now on full notice that the Commission's stream corridor buffer requirements will need to be met before any future construction is approved.

Mr. Knights seconded the motion and it passed unanimously.

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

08-3730 Town Topics, Princeton Borough

Mr. Knights abstained from the vote. Mayor Marchand seconded the motion and it passed unanimously.

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

08-3341.Mod Princeton Healthcare Systems, Medical Office Building, Plainsboro Township

08-3341.Mod Princeton Healthcare Systems Co-Gen, Plainsboro Township

Chairman DelVecchio recused himself from the discussion and vote. Mr. Hahn explained that there were two modifications to the original Princeton Health Care System project: One of the modifications was the construction of a combined heat and power facility and the other was minor modifications to the design of the medical office building which was included as part of the overall approval of the facility. Because both modifications were advertised under the same original DRCC number and they were both complete, Mr. Hahn recommended that the Commission approve both modifications at once.

Mr. Jessen seconded the motion to approve and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn summarized the staff's monthly workload. He advised the Commissioners about a vacation opportunity that conflicted with the June meeting. He noted that Mr. Weyl would also be away during that meeting and suggested the possibility that the June meeting be postponed until June 23rd instead of the 16th.

Mr. Knights moved to approve that meeting be postponed until June 23rd and Mayor Marchand seconded the motion which passed unanimously.

CANAL PARK SUPERINTENDENT'S REPORT

Ms. Kalleser announced a death by suicide in the Park. She said that restoration of the East Millstone Canal House had progressed. Ms. Kalleser and Mr. Hahn shared information on the Easton Avenue Corridor meetings they had been attending; discussion ensued regarding the potential construction of a pedestrian bridge in the vicinity of JFK Boulevard and Easton Avenue. Mr. Loos explained that there was an area between the jug handle next to JFK and the diner on Easton Avenue where a pedestrian bridge could provide access to the Canal Park. Mr. Hahn indicated that due to the slope of the area it may be difficult to comply with ADA regulations. Mr. Barth of the Canal Society of New Jersey suggested a floating bridge. The Office of Natural and Historic Resource Development has contracted a feasibility study for the pedestrian bridge and will continue to work on this project.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that the Authority is currently working on tree removal on Lower Ferry Road and that new gates had been installed in Lambertville Lock.

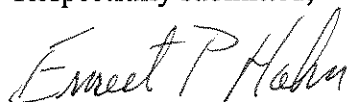
PUBLIC FORUM

Mayor Marchand informed everyone of a lovely exhibit she had attended at the Johnson Education Center at the D&R Greenway on the history of the Trenton Hamilton Marsh and its connection to the towpath. Mr. Barth announced that the Canal Society of New Jersey had sponsored a boat tour involving pontoon boats taking people to the locks and talking about the history of the Canal.

Mr. Jessen moved to adjourn the meeting and Mayor Marchand seconded the motion which passed unanimously.

The meeting adjourned at 11:30 AM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ernest P. Hahn".

Ernest P. Hahn
Secretary