



MINUTES OF THE MEETING OF OCTOBER 20, 2010

TIME: 10:00 AM – 11:20 AM
DATE: Wednesday, October 20, 2010
PLACE: Canal Commission Office
Stockton, New Jersey

ATTENDING:

COMMISSIONERS: Chairman David DeVecchio, Vice Chairman Martin Jessen,
Mr. David Knights, Ms. Alison Mitchell, and Mayor Phyllis Marchand

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

GUESTS: Bill Bogosian, NJ Water Supply
Joe Shepherd, NJ Water Supply
Linda Barth, D&R Canal Watch
Bob Barth, D&R Canal Watch, Canal Society of NJ
Patricia Kalleser, D&R Canal State Park
Jim Kyle, Kyle Planning & Design
Marco Paredes, Verizon Wireless
Barbara Ross, D&R Canal Watch
Jan ten Broeke, Somerset County Cultural and Heritage Commission
Barbara ten Broeke, Millstone Valley Preservation Coalition

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.

MINUTES OF THE MEETING OF SEPTEMBER 15, 2010

Ms. Mitchell moved approval of the minutes of the meeting of September 15, 2010; Mayor Marchand seconded the motion and it passed without dissent.

REVIEW ZONE ACTIONS

Ms. Mitchell moved approval of the following "A" Review Zone project application:

10-3651A – Stony Brook Regional Sewerage Authority Improvements, Princeton Twp.

Mr. Jessen seconded the motion and it passed unanimously.

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

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Mayor Marchand moved approval of the following "A" Review Zone project application:

10-3975 Worlds Fair Drive Medical Building, Franklin Twp.

Ms. Mitchell asked about the proposed sign as part of the project. Mr. Hahn said it would be screened from the Canal Park by existing trees and shrubs. Mr. Jessen then seconded the motion and it passed unanimously.

The following "A" Zone project application was discussed:

10-3923 NY Avenue Verizon Monopole and Telecommunication Facility, Trenton

Ms. Mitchell asked whether there were any alternative locations that were explored by the applicant. Mr. Hahn said that the applicant submitted alternative locations and justified why they were not suitable. She asked whether the mitigation funds would be in a dedicated account; Mr. Hahn said that they would be.

Mr. Barth said that the proposed monopole would pose a significant adverse impact on the Canal Park. He asked how the monopole would fill an emergency communication gap. Mr. Hahn replied that not only would it fill a gap in cellphone service, it would also provide emergency communication for school bus drivers that use the site as a bus depot. Mr. Kyle added that the NJ State Police would benefit as well in their emergency communication system. Mr. Barth suggested they consider alternative communication systems, such as repeater systems. Mr. Paredes said that the monopole fulfills an FCC licensing mandate to provide complete coverage.

Ms. Mitchell asked whether there was ever a resource too important for a monopole to be located there. Mr. Paredes replied yes, there were examples whereby a Commission rejected a proposed location for a monopole.

At 10:30, Chairman DeVecchio announced that he would recuse himself from further discussion of this application, and left the room.

Mr. Barth suggested that the monopole be located somewhere other than the Canal Historic District, and did not know whether all alternatives were explored. He also asked how a mitigation amount could be determined for an adverse impact on the Historic District.

Mayor Marchand asked whether the monopole could be removed if technology changed and it was no longer being used. Mr. Paredes said Verizon would agree to a condition of approval requiring the removal of the pole and all equipment should it not be in use for six months or more.

Mr. Barth suggested that instead of receiving a lump sum for mitigation, the Park should receive \$2,000 per year for 10 years, so that there would be long-term stable funding for the Park. He reiterated that his major objection was putting a price tag on an adverse impact in the Historic District.

Vice-Chairman Jessen announced that because the Commission no longer had a quorum, action on the application would be tabled until the November 10th meeting.

Mayor Marchand moved the following "A" Review Zone project application:

10-4038 The Bank of Princeton, Lambertville

Ms. Mitchell seconded the motion and it passed unanimously.

Mr. Knights moved the following "B" Review Zone project applications:

10-4026 Palmucci Office/Warehouse, Ewing Township
10-4006 Penn Lyle Road Reconstruction, West Windsor Township

Mr. Jessen seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Hahn reported on the staff's monthly workload and the Commission's revenue for September.

CANAL PARK SUPERINTENDENT'S REPORT

Ms. Kalleser said that the installation project of an arsenic filter for the Griggstown Muletenders' Barracks was almost complete. She reported that a meeting regarding proposed dredging would be held for interested parties in Griggstown on October 26th. She also reported that a right-of-way for Sunoco Pipeline that exists next to the towpath would be cleared, starting in November. She said that as a result of the recent rains, Bull's Island flooded, but the island's buildings escaped flooding. Ms. Kalleser finally reported that the Office of Resource Development would be looking at the conceivability of installing a pedestrian bridge across the canal near JFK Boulevard in Franklin Township.

WATER SUPPLY AUTHORITY REPORT

Mr. Shepherd reported that maintenance dredging in the canal between Upper Ferry Road and Wilburtha Road is continuing. He said work on the Workhouse and Rooster Coup spillways has begun.

PUBLIC FORUM

Mr. Barth reported on the World Canal Conference held last month in Rochester, New York. He asked whether any progress had been made regarding the restoration of the East Millstone Canal House's outhouse. Mr. Hahn replied that the matter was still unresolved. Ms. ten Broeke said she was trying to get an Eagle Scout to rehabilitate it.

Mr. Barth presented the Commission with drawings of several swing bridges.

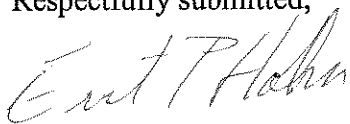
Mr. ten Broeke said he was happy to see that the East Millstone Canal House was restored, and said that the Printmaking Council of New Jersey might be interested in leasing it. Ms. Kalleser said that before it can be leased, water needs to be brought to the building. Mr. ten Broeke also said that the shed behind the house was possibly a Bridgetender's station, and should also be

restored.

At 11:00 AM, Ms. Mitchell moved approval of the Commission entering Executive Session to discuss personnel matters. Mayor Marchand seconded the motion and it passed without dissent.

At 11:20 AM, the Commission reconvened and then adjourned.

Respectfully submitted,

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

Ernest P. Hahn
Secretary