



## July 19, 2017 MINUTES OF THE MEETING

### Delaware and Raritan Canal Commission

TIME: 10:10 a.m.  
DATE: July 19, 2017  
PLACE: Prallsville Mills Grist Mill  
Stockton, New Jersey

#### ATTENDING:

COMMISSIONERS: Vice Chairman John Loos, Commissioner Mary Leck, Commissioner Bruce Stout, Commissioner Phil Lubitz, Commissioner Julia Allen, NJDEP Park Service Director Mark Texel (designee for DEP Commissioner Bob Martin)

STAFF: Mr. John Hutchison, Ms. Colleen Christie Maloney, Mr. Joe Ruggeri, Deputy Attorney General Melissa P. Abatemarco, Ms. Haley Johnson

GUESTS: Ms. Patricia Kalleser and Mr. Rob Auemuller, D&R Canal State Park; Ms. Heather Desko, NJ Water Supply Authority (NJWSA); Mr. Robert Barth, D&R Canal Watch; Mr. Mark Sellar, (NJWSA); Mr. Edward Caballero, Maser Consulting; Mr. Robert Ridolfi; Mr. Mark Janiszewski, Maser Consulting; Mr. Chuck Latini, L&G Planning; Mr. Rob Gelbard, Atlantic Realty; Dr. Theodore Chase, Jr., Franklin Township; Mr. Robert von Zumbusch, D&R Canal Commission Master Plan Advisory Committee; Mr. Bob Bushar, Ewing Prop. LLC; Ms. Marlene Dooley

Vice Chairman Loos announced that this was a regularly scheduled meeting of the D&R Canal Commission and that all provisions of the Open Public Meeting Law of 1976 had been met in the scheduling of the meeting.

In attendance at 10 a.m.: Vice Chairman Loos, Commissioners Leck, Stout, and Lubitz, and Director Texel

#### Administrative Items

Vice Chairman Loos confirmed that next month's meeting date will be August 16, 2017.

## **Minutes of the Meeting**

### **Minutes of the Meeting of June 21, 2017**

Commissioner Stout moved to approve the minutes. Commissioner Leck seconded the motion. The minutes of the meeting were approved by the members present.

### **Minutes of the Meeting of July 10, 2017**

Commissioner Lubitz noted a correction, that he did not vote to approve Mr. Hutchison's salary as set forth in Motion 2 of the minutes of July 10 Special Meeting. Commissioner Stout moved to approve the minutes with that correction. Commissioner Leck seconded the motion. The amended minutes were approved by the members present.

Commissioner Allen entered the meeting at 10:15 a.m.

## **Review Zone Projects**

### **Review Zone A Projects**

There were no projects in Review Zone A.

### **Review Zone B Projects**

Vice Chairman Loos asked for questions on the Zone B Projects:

- 16-3624D The Farmhouse (Hopewell Twp)
- 17-2857A 1445 Parkway Town Center (Ewing)
- 17-4967 Volvo Building Expansion (Lawrence Twp)
- 17-3038A Monroe 33 - Phase 2 Residential (Monroe)
- 17-3190B Prologis Park Cranbury South Modification
- 17-5049 Heritage Court Phase 2 (Ewing)
- 16-2632D Princeton Day School

### 17-4967 Volvo Building Expansion

Commissioner Stout and Mr. Ruggeri discussed changes in drainage quantity to the surrounding areas.

### 16-3624D The Farmhouse

Commissioners Stout and Leck and Mr. Ruggeri discussed the impact of the stream corridor intrusion, native species, and erosion control.

### 17-2857A Parkway Town Center

Commissioner Leck, Mr. Janiszewski, and Ms. Dooley discussed the presence of invasive species on the site and what was meant in the application by the phrase that the site would "naturalize." Mr. Janiszewski noted that the area in question were primarily dirt roads that were being abandoned and not traveled over the last 10 years or longer, and that the area was already vegetated, but that it was likely to contain invasive species returning areas to a natural state. Commissioner Leck asked if the area could be made into a park. Mr. Janiszewski said that was not possible given the prior contamination of the site.

### 17-3190B Prologis Park Cranbury South Modification

Director Texel, Commissioner Lubitz and Mr. Caballero discussed the applicant's need to fully execute the requirements of a mitigation plan from an earlier project on the site. Mr. Caballero noted the off-site mitigation was performed and the tree planting would take place in the fall.

Vice Chairman Loos asked for further comment and, hearing none, called for a motion. Commissioner Lubitz moved to approve the seven Zone B projects as recommended by the executive director. Commissioner Stout seconded the motion and the projects were approved unanimously.

### **Executive Director's Report**

Vice Chairman Loos introduced Executive Director John Hutchison.

Director Hutchison reported on the staff's workload and fees for the preceding month. He noted that a representative from Princeton University had visited the Commission's offices to review historic maps and other commission materials. She agreed to scan several maps, and in return supply the commission with free copies of the scans.

Director Hutchison reported on correspondence received by the Commission staff regarding a proposed a New Jersey Department of Transportation (NJDOT) emergency repair project to the South Main Street (County Route 527) Bridge in South Bound Brook Borough. Director Hutchison noted that the NJDOT estimates that the project would take six months to complete and that the contractor is proposing to utilize the adjacent towpath parking area to stage equipment during that time. The bridge in question is an original swing bridge project and the project would span the canal and the towpath. NJDOT was advised to submit an application to the Commission, and to confer with NJWSA and NJDEP to ensure that the project undergoes a SHPO review. NJDOT was also advised the repairs should not impede boater access beneath bridge

Director Hutchison informed the Commission on a potential project in the City of Lambertville to be located at the Lambertville Justice Center (i.e. Acme market property). The city will be proposing a small shelter with information signage, bike racks, seating and a bike repair station. There is existing brick paving that we will probably be reset.

Director Hutchison introduced new staff member Haley Johnson.

Commissioner Stout noted his participation with former-Director Dooley on the Commission/NJDOT Joint Bridge Task Force and urged thorough review of bridge projects within the D&R Canal review zones.

### **D&R Canal State Park Superintendent's Report**

Superintendent Kalleser noted that mitigation funds related to the Scudder Falls Bridge project were received by the DEP. She noted a planting plan for Blackwell Mills will be submitted for review at the August commission meeting. She noted the impact of the state shut down on parks and parking issues along Route 29 during the summer months.

The superintendent noted that the South Bound Brook Bridge proposed to be repaired by NJDOT has the bridge with gear assembly in place. She noted that the previously approved project at Cadwalader Park, which includes an ADA ramp to the canal path, is under construction

### **NJ Water Supply Authority (NJWSA) Report**

Mr. Sellar noted that contractors for both the Blackwell Mills leak and the 10-Mile waste gate have been selected, and that repairs to a leak near the wing dam in the City of Lambertville are complete.

Ms. Deska reported that the current intervention dose for the hydrilla in the canal is working and provided samples of dead vegetation to the Commissioners.

### **Old Business**

Bulls Island: Vice Chairman Loos noted that Bulls Island discussion would be moved to a later time.

Lambertville Sewerage Treatment Plant Odors: Vice Chairman Loos and Director Hutchison discussed asking a representative from the Lambertville Municipal Utilities Authority (LMUA) to attend the August Commission meeting and report on the measures being taken to address odors at the plant.

Electronic Application Policy: Ms. Dooley noted changes were made, as requested at an earlier meeting, to the Electronic Application Materials Draft Policy. A motion to adopt the voluntary policy was made by Commissioner Lubitz, seconded by Commissioner Leck, and passed unanimously.

### **New Business**

Commissioner Lubitz suggested adopting standards for projects requiring a planting plan which would mandate the quality of plants, survival rates, and period of time that the applicant must monitor plant health. Commissioner Allen also suggested requirements for deer protection. Vice Chairman Loos suggested that the Commission research the existing policies for towns in the area and propose a new regulation.

Park Service Director Texel announced that there would be a treasury sale of the Holcombe House, located on Route 29 in West Amwell Township, and offered his hope that the sake could serve as a model for future productive reuses of historic buildings owned by the State Government.

### **Public Forum**

Vice Chairman Loos opened the floor to public comment.

Mr. Barth thanked Ms. Dooley for her service to the commission and welcomed Executive Director Hutchison. He announced a Canal Watch historic walk starting at Port Mercer in Lawrence Township on Saturday, June 22<sup>nd</sup>.

Mr. von Zumbusch noted he was pleased to see that there would be a sale of the Holcombe House.

Dr. Chase commented on the property acquisition aspects of the proposed pedestrian bridge to be constructed near the Somerset Diner located on Easton Avenue.

Vice Chairman Loos thanked Ms. Dooley for her service and dedication in her six years as executive director of the commission.

**Executive Session**

Vice Chairman Loos stated that an executive session was not needed.

**Adjournment**

Director Texel moved to adjourn the meeting; Commissioner Stout seconded; the motion was approved unanimously and the meeting adjourned at 11:10 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John Hutchison", with a horizontal line extending to the right.

John Hutchison  
Secretary