



**April 16, 2025, Minutes of the Meeting
Delaware and Raritan Canal Commission**

TIME: 10:10 a.m.
DATE: April 16, 2025
PLACE: Prallsville Mills, Stockton, New Jersey

Since a quorum was not present at 10:10 a.m., in the interest of time, Vice-Chairman Stout asked Director Hutchison to first present his monthly report.

Executive Director's Report

Director Hutchison reported on the Commission workload for the period encompassing March 19, 2025, to April 15, 2025. In addition to the 7 projects listed on the April meeting notice, staff issued 15 deficient staff reports, 7 jurisdictional determinations, 3 certificates of approval, and 7 general permits. In addition to these matters, staff organized and conducted 9 pre-application meetings related to proposed and pending projects.

Director Hutchison reported fee collections totaled \$20,650 for the month, which was similar to the \$20,337 collected last year, but much lower than the \$61,071 collected in 2023. The Director noted that the Commission had collected \$358,725 of the \$500,000 anticipated appropriation amount for Fiscal Year 2025 or, with more than 80% of the fiscal year complete, the Commission had collected 71% of its anticipated appropriation amount.

Director Hutchison reported that the project file digitization continued to make great strides. Last month another 16 boxes were scanned, bringing the total number of boxes scanned to 278 out of 526, or 53% of the total. He observed that this was a major milestone for the project, which is moving in a positive direction thanks to the hard work of Megan Black.

Director Hutchison reported investigating a resident's complaint sent to the State Park Service about trash in the stream corridor at the Ewing Town Center residential development located near Parkway Avenue in Ewing Township, Mercer County. Commission staff conducted a site inspection of the stream corridor. After alerting the property management company about a considerable amount of trash and construction debris in the stream corridor area, the company promptly conducted a cleanup of the site.

Director Hutchison reported that, on March 28, he participated in another DEP permit coordination meeting on the proposed N.J. State Highway Route No. 29 (Route 29) rockfall mitigation project. He

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stated that he hoped DEP staff were able to impress upon the New Jersey Department of Transportation (NJDOT) and their consultants the property ownership, historic preservation, park access, and other issues related to the project.

Director Hutchison reported that, on April 10, he was invited to a meeting convened by the Office of the Somerset County Engineer to discuss a project to obtain federal funding for pedestrian, cycling, and traffic calming measures along Easton Avenue (Somerset County Route No. 527) in Franklin Township. The Director noted that the county was particularly interested in past efforts to create additional park access points and pedestrian bridge crossings of the canal at John F. Kennedy Boulevard and at the Freda Marden Common Area. He stated that he was able to provide the county with background information and inform them on how to contact the State Park Service and the New Jersey Water Supply Authority (NJWSA) so that those agencies could comment and offer their perspectives on the topic.

Director Hutchison reported that, on April 15, a pre-proposal meeting was held with the Department of the Treasury and the four firms that had indicated an interest in making proposals to be the consultant for the Commission Master Plan revision and update project. He stated that the meeting was mostly procedural in nature and focused on matters pertaining to the Treasury Department bidding process. He noted that it is another important step in moving the project forward. It is anticipated that technical proposals would be submitted on May 13, and interviews with firms would then be conducted on May 28.

Director Hutchison informed the Commission that Kingston Historical Society President Robert von Zumbusch had suffered a fall recently and unfortunately broke both his hip and leg. On behalf of the Commission and staff, he wished him a speedy and complete recovery.

Director Hutchison indicated to Vice-Chairman Stout that at 10:15 a.m. a quorum was in fact present, and that action could be taken on the items set forth in the meeting notice.

ATTENDING COMMISSIONERS:

Vice-Chairman Bruce Stout and Commissioner Phillip Lubitz attended the meeting in the Commission Office. Commissioner Designee Mark Texel, Commissioner John Reiser, and Commissioner Caryl "Chris" Shoffner participated via online platform and teleconference.

STAFF: Executive Director John Hutchison, Deputy Attorney General Jordan Viana, and Colleen Maloney attended the meeting in the Commission office. Commission Engineer Joseph Ruggeri, Executive Assistant Erica Vavrence, and Communications Director Darlene Yuhas participated via online platform.

GUESTS: Michael Sellar, NJWSA; Maggie Mitchell-Strehl, Acting Superintendent, Delaware and Raritan Canal State Park; Larry Tutela, NJDEP Office of Resource Development; Michael Burns; Tom Trainer; Rick Pressler; Alexa Catalano; Ingrid Kohler; Bob Ridolfi; Matthew Landro; Russ Smith; Dino Spadaccini; Shealynn M. O'Toole; Bob Barth, D&R Canal Watch; Linda Barth, D&R Canal Watch; Dennis Bertland.

Director Hutchison announced that this was a monthly meeting of the Delaware and Raritan Canal

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Commission and that the provisions of the “Senator Byron Baer Open Public Meetings Act” (OPMA) had been complied with in the scheduling of the meeting.

Director Hutchison announced that the meeting was being taped pursuant to the exception set forth at Section C.(1) of DEP Policy & Procedure 2.85 “Prohibition of Recording in the Workplace” Policy adopted on September 18, 2019.

Since some Commission members were participating via telephonic device pursuant to Article III, Section 4 of the Commission Bylaws, Vice-Chairman Stout directed Executive Director Hutchison to call the roll:

Vice-Chairman Stout	Present
Commissioner Designee Texel	Present
Commissioner Reiser	Present
Commissioner Lubitz	Present
Commissioner Shoffner	Present
Commissioner Palmer	Absent

Director Hutchison stated that a quorum was present.

Administrative Items

Confirmation of May 21, 2025, Meeting Date

Vice-Chairman Stout stated that the next meeting of the Delaware and Raritan Canal Commission was scheduled for May 21, 2025, at 10:00 a.m.

Minutes

Approval of the Minutes of the March 19, 2025, Commission Meeting

Vice-Chairman Stout inquired if any of the Commissioners wished to propose edits or corrections to the March 19, 2025, Commission meeting minutes. Hearing none, he asked for a motion to approve the minutes as prepared by staff. Commissioner Reiser made a motion to adopt the minutes as proposed, which was seconded by Commissioner Shoffner.

Vice-Chairman Stout asked Director Hutchison to call the roll:

Vice-Chairman Stout	Yes
Commissioner Designee Texel	Yes
Commissioner Reiser	Yes
Commissioner Lubitz	Yes
Commissioner Shoffner	Yes
Commissioner Palmer	Absent

The motion was approved.

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Review Zone Actions

Zone A Projects

#15-2465B Village Charter School -- Building Demolitions (Trenton City)
#25-3773C Trenton Battle Monument -- Accessibility/Landscaping Improvements (Trenton City)
#25-5069B 152 North Union Street -- Apartment Renovations (Lambertville City)
#24-5099C 21 Kingwood-Stockton Road -- Major Modification/Pool (Delaware Township)
#25-5536C 34 River Drive -- Solar Installation (Hopewell Township)

Vice-Chairman Stout asked if any member of the Commission wished to consider any of the Zone A projects separately. Hearing none, he asked for a motion on the projects. Commissioner Reiser made a motion to approve the projects, including the conditions outlined in the staff report for DRCC# 15-2465B. The motion was seconded by Commissioner Lubitz. Vice-Chairman Stout asked for comment from the Commission and then the public. Hearing none, he asked Director Hutchison to call the roll:

Vice-Chairman Stout	Yes
Commissioner Designee Texel	Yes
Commissioner Reiser	Yes
Commissioner Lubitz	Yes
Commissioner Shoffner	Yes
Commissioner Palmer	Absent

The motion was approved.

Zone B Projects

#24-6206 25 Scotch Road -- Retail Coffee Shop Pad Site (Ewing Township)
#24-6216 85 State Route 31 -- Sullivan Steel Expansion (Hopewell Township)

Vice-Chairman Stout asked if any member of the Commission wished to consider either of the Zone B projects separately. Hearing none, he asked for a motion on the projects. Commissioner Reiser made a motion to approve the projects, which was seconded by Commissioner Shoffner. Vice-Chairman Stout asked for comment from the Commission and then the public. Hearing none, he asked Director Hutchison to call the roll:

Vice-Chairman Stout	Yes
Commissioner Designee Texel	Yes
Commissioner Reiser	Yes
Commissioner Lubitz	Yes
Commissioner Shoffner	Yes
Commissioner Palmer	Absent

The motion was approved.

Park Superintendent's Report

Acting Superintendent Mitchell-Strehl reported that the State Park Service had conducted another meeting with the various friends and other stakeholder groups associated with the Delaware and Raritan

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Canal State Park, similar to the meeting held in the fall of 2024. Topics discussed included the creation of a water trail map for canoe and kayak users.

The Acting Superintendent noted that meeting attendees requested that quarterly meetings be held with guest speakers from the various departments and organizations that work with the State Park Service, including the Commission and the NJWSA.

Acting Superintendent Mitchell-Strehl reported that kayak/canoe launch sites located along the canal were being evaluated by State Park Service staff so that in-kind repairs could be undertaken where necessary. The Princeton Basin would be the first site to be evaluated.

Acting Superintendent Mitchell-Strehl reported that, on April 19, an Earth Day celebration would be held at Bulls Island Recreation Area with activities for many age groups.

Finally, the Acting Superintendent reported that the Millstone Valley Preservation Coalition, sponsor of the Millstone Valley Scenic Byway, and the Delaware and Raritan Canal State Park were happy to announce the April 12, 2025, reopening of the Scenic Byway Visitor Center located at the Griggstown Locktender's House.

New Jersey Water Supply Authority (NJWSA) Report

Mr. Sellar reported that a large American Sycamore tree had fallen from the riverside embankment of the canal onto the park multiuse trail in the vicinity of the so-called "Workhouse Spillway" in Hopewell Township, Mercer County. NJWSA was at the scene and in the process of removing the obstacle.

Mr. Sellar reported that installation of the "hairpin" style railing, which matches the rails historically used by the Pennsylvania Railroad along the Delaware and Raritan Canal and presently located on the westerly side of the lock at the Lambertville Locktender's House, has been completed and that regrading would be done within the driveway.

Mr. Sellar stated that a Request for Proposals (RFP) would be issued for the monitoring of the invasive aquatic plant Hydrilla within the Delaware and Raritan Canal.

Mr. Sellar reported that a tree was reported down and resting upon telephone lines at 72 South Main Street (Route 29) in Stockton Borough. He noted that Verizon had recently addressed the situation, which included replacement of telephone poles.

Mr. Sellar reported that general maintenance activities were being conducted by NJWSA staff along the Delaware and Raritan Canal, including the removal of trees and branches that had fallen due to high winds. He encouraged those who observed fallen branches and trees within the canal to contact him. He noted that lawn mowing season had begun, and staff would be out accordingly.

Mr. Sellar reported that the Island Farm Weir fish ladder, located at the confluence of the Millstone and Raritan rivers between Bridgewater and Franklin townships in Somerset County, had been opened, which would allow species of anadromous fish, such as American shad, river herring, and Atlantic striped bass, to migrate upstream.

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Vice-Chairman Stout stated his approval of the removal of the temporary tarps from the canal embankment in the Borough of Stockton, which he noted improved the visual impact of the area.

New Business

None.

Old Business

None.

Public Comment

Ms. Barth voiced her thanks to Commissioner Shoffner for supporting the Battle of Bound Brook reenactment event which she noted was very successful.

Ms. Barth also stated that she understood Mr. von Zumbusch had undergone successful surgery for his injuries and that his condition was improved.

Mr. Dennis Bertland, resident of 22 Risler Street in Stockton Borough, identified himself and was recognized by Vice-Chairman Stout. Mr. Bertland stated that he appeared before the Commission in 2009 to express his concern about a newly installed crosswalk and pedestrian-activated crossing beacon installed by NJDOT at the behest of Stockton Borough and the Delaware River Mill Society (DRMS) along Route 29 between the Prallsville Mills campus and the historic Prall House, and in close proximity to his residence. He noted that, at the time, the crosswalk and beacon were characterized as a maintenance project by NJDOT.

Mr. Bertland noted that in his opinion the crosswalk and beacons were not a “maintenance project,” and that discussions to ameliorate the impact of the project had been undertaken by the DRMS and the NJDOT to either remove or improve the situation, but that nothing had occurred. Mr. Bertland also observed that the NJDOT had never submitted a project application to the Commission, despite being located within the Commission’s Review Zone.

Mr. Bertland stated that in November 2024, trees were cut down on his property and that he disputes NJDOT’s contention that the trees were located within the Route 29 right-of-way. He also noted that he had contacted New Jersey Senator Shirley Turner about the matter.

Mr. Bertland noted he had submitted an OPRA request to the DEP, which yielded three documents related to the crosswalk and beacons; one document was his 2009 letter alerting the Commission to the situation and another document was an authorization from the State Historic Preservation Office (SHPO) from 2011 which determined that the project did not constitute an adverse effect upon the Prallsville Historic District. However, Mr. Bertland further noted that even if this finding were correct, the authorization issued by SHPO in 2011 expired in 2016, and that it could not be relied upon by NJDOT to conduct the most recent tree clearing activities.

Vice-Chairman Stout asked Mr. Bertland about the current status of his complaint with the NJDOT. Mr. Bertland stated that the matter remained in dispute. Mr. Bertland noted that he had not been notified

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about the work and that the removed trees were not within the Route 29 right-of-way. He further stated that NJDOT had done nothing to resolve the matter and that it was odd for them to consider the project to be an emergency 14 years after the installation of the crosswalk and beacons.

Vice-Chairman Stout suggested that the Executive Director write a letter on behalf of the Commission to NJDOT requesting that a path forward be pursued, perhaps such as providing mitigation for the impact of the tree removal to be undertaken pursuant to their Good Neighbor Planting and Roadside Rehabilitation Program.

Mr. Bertland stated that he was aware of the program and provided additional details on the manner in which NJDOT established the boundaries of the Route 29 right-of-way, and the impact of the project upon his property.

Mr. Bertland concluded by observing that the situation could have been prevented if the Commission adopted a policy of providing copies of project applications to adjacent property owners. Director Hutchison observed that such a requirement, which is similar to the 200-foot adjoining property notification requirement in the "Municipal Land Use Law," N.J.S.A. 40:55D-1 et seq., would require rulemaking on the part of the Commission. Commissioner Lubitz agreed and stated that the Commission's Master Plan update and revision project would be the appropriate place to explore the adoption of such a policy.

Mr. Bertland noted the actions of NJDOT on this matter were inconsistent with the goals and objectives of the [Delaware River Scenic Byway Corridor Management Plan](#), which notes that the Prallsville area is partially defined by the presence of trees along Route 29.

Vice-Chairman Stout then asked Director Hutchison to write a letter to NJDOT about the matter. Mr. Bertland stated he would welcome the drafting of such a letter and requested that he be copied on the correspondence. Mr. Bertland also noted his concern that the 2009 project may not have been compliant with the goals of the Commission Master Plan, and that appropriate archeological monitoring may not have been conducted when the beacons were installed. Director Hutchison noted that the beacon on the west side of the street appeared to have been installed with solar power, and perhaps the other side of the street as well, which may have obviated the need for trenching during their installation.

Commissioner Shoffner concluded the public session by announcing exciting news as it related to the Delaware and Raritan Canal in South Bound Brook Borough. She stated the former GAF research and development building on Main Street was proposed to be purchased and demolished by Somerset County. The area, which abuts the canal and is in close proximity to the Lock No. 11 public access area and the former swing bridge over the canal and other historic structures that contribute to the Delaware and Raritan Canal Historic District, would be converted into a recreational parkland for the benefit of the borough's residents.

Written Public Comments

None.

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Adjournment

There being no other business, Vice-Chairman Stout entertained a motion to adjourn. Commissioner Reiser made a motion to adjourn, which was seconded by Commissioner Shoffner. Vice-Chairman Stout called for a vote on the motion to adjourn, which was unanimously approved by a voice vote.

The meeting was adjourned at 10:45 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Hutchison", with a long horizontal flourish extending to the right.

John Hutchison, Secretary