



DELAWARE AND RARITAN
CANAL COMMISSION

**Minutes of the Meeting
Delaware and Raritan Canal Commission
May 23, 2018**

TIME: 10 a.m.
DATE: May 23, 2018
PLACE: Prallsville Mills, Stockton, New Jersey

ATTENDING COMMISSIONERS:

Vice Chairman John Loos, Commissioner Bruce Stout, Commissioner Mary Leck, Commission Philip Lubitz, and Director Olivia Glenn.

STAFF: Executive Director John Hutchison, Mr. Joseph Ruggeri, DAG Melissa Abatemarco, Ms. Colleen Christie Maloney, Ms. Tammy Rohmsdahl.

GUESTS: Superintendent Patricia Kallessen; Ms. Heather Desko, NJWSA; Ms. Angela Gorczyca, NJWSA; Ms. Robin Madden, NJDEP; Mr. Robert Barth, D&R Canal Watch; Mr. Mitchel Ardman, Reynolds Group.

Vice Chairman Loos announced that this was a monthly meeting of the D&R Canal Commission and that all provisions of the "Senator Byron Baer Open Public Meetings Act" had been met in the scheduling of the meeting.

Administrative Items

The Commission confirmed the June 20, 2018 Commission meeting date.

Minutes

Vice Chairman Loos called for a motion on the April 18, 2018 meeting minutes. Commissioner Lubitz made a motion to approve the minutes and Commissioner Leck seconded the motion. Vice Chairman Loos asked for any corrections on the minutes. Hearing none, he called for a vote. The minutes were approved with Vice Chairman John Loos, Commissioner Bruce Stout, Commissioner Mary Leck, and Commissioner Lubitz voting to approve and Director Glenn abstaining.

Vice Chairman Loos welcomed Olivia Glenn, the new Director of the Division of Parks and Forestry to the Commission. Director Glenn introduced herself to the Commissioners and noted her professional experience in environmental protection issues in the State of New Jersey.

Review Zone Projects

Zone A Projects

- 18-2383G Lambertville Bicycle Improvement Project
- 18-3709B Monitoring Well Installation-D&R Canal State Park/Trenton
- 18-5222 45 Buttonwood Street Garage Reconstruction/Expansion (Lambertville)
- 18-5224 6 Church Road Fence (Hopewell Twp.)
- 16-3642A Easton Ave Redevelopment (Franklin Twp.)

Vice Chairman Loos asked for questions and comments related to the Zone A projects. Hearing none, he called for a motion. Commissioner Stout moved to approve the projects and Commissioner Lubitz seconded the motion. The motion was then amended to include only four of the Zone A projects: 18-2383G Lambertville Bicycle Improvement Project, 18-3709B Monitoring Well Installation-D&R Canal State Park/Trenton, 18-5222 45 Buttonwood Street Garage Reconstruction/Expansion (Lambertville), and 18-5224 6 Church Road Fence (Hopewell Twp.)

The projects were approved unanimously.

16-3642A Easton Ave Redevelopment (Franklin Twp.)

Vice Chairman Loos called for comment on the project. Commissioner Leck commented on the planting plan proposed for the project and Vice Chairman Loos discussed the visual impact of the project. Director Glenn and Vice Chairman Loos discussed the location of the project. The Vice Chairman called for a motion. Commissioner Stout moved to approve the project and Commissioner Leck seconded the motion. Vice Chairman Loos called for further comment and hearing none he called for a vote. The project was approved unanimously.

Zone B Projects

- 16-2654A Somerset Atrium LLC, Hampton Inn (Franklin Twp.)
- 18-2294M Lawrenceville School Gruss Center
- 16-2605A Montgomery Township Pedestrian Path & Bridge over Crusier Brook
- 18-3624E The Farmhouse -- Major Modification/Fire Hydrant (Hopewell Twp.)
- 18-3478A BMS Nassau Park Parking Expansion (W. Windsor Twp.)

Vice Chairman Loos asked for questions and comments related to the Zone B projects. Commissioner Lubitz, Commissioner Leck and Mr. Ruggeri discussed the 269 Wyckoff Mills project. There was discussion about wetlands and infringing upon an environmentally sensitive area. Commissioner Lubitz requested that the project be considered separately from the other Zone B projects.

Commissioner Stout moved to approve the Zone B projects, with the exception of 17-5075, and Commissioner Lubitz seconded the motion. Vice Chairman Loos called for further comment and hearing none he called for a vote. The projects were approved unanimously.

Zone B Project

17-5075 269 Wyckoff Mills Road (East Windsor Twp.)

Vice Chairman Loos called for further comment. The Commission members discussed the issue of “buffer averaging” and whether there should be a uniform requirement for an applicant to first attempt to avoid making an intrusion into a Commission-regulated stream corridor before a waiver of strict compliance with the stream corridor impact review standard could be considered. Commissioner Stout moved to approve the project, and Commissioner Leck seconded the motion. Director Glenn, Vice Chairman Loos, and Commissioners Leck and Stout voted to approve the project. Commissioner Lubitz voted “No.” The motion carried.

Executive Director’s Report

Director Hutchison reported on staff’s monthly workload, fees collected since the prior month’s meeting. The Director also reported that the Commission staff had hired a temporary employee to undertake the paper file storage management project using the approximately \$24,000 remaining in the account dedicated for such purposes in Fiscal Year 2018. The Director reported on a meeting and site visit he attended with the Superintendent of the Delaware and Raritan Canal State Park and the Department of Transportation related to flooding on the properties on Mains Street (State highway Route 29) in the Borough of Stockton. The Director also reported on a citizen complaint he received from two Delaware township residents regarding the resurfacing of County Route 604, for which Hunterdon County had received a jurisdictional determination of exempt from the Commission staff. The residents have argued that the county has exceeded the Commission’s regulatory thresholds for cumulative impervious coverage and land disturbance.

Park Superintendent’s Report

Superintendent Kalleser reported on park maintenance, the river tubing concession, and the path resurfacing project.

New Jersey Water Supply Authority (NJWSA) Report

Ms. Desko reported on the resumption of the hydrilla management program undertaken by the Authority.

Old/New Business

Commissioner Stout reported on the DRCC/DOT Bridge Task Force, including background information about the existing bridges, and there was discussion about driving surface, color, sidewalks, pedestrian crosswalks, and railing systems.

Commissioners discussed the need to reopen the northern section of the Bulls Island Recreation Area, and expressed their hope that the new administration of the Department of Environmental Protection would reexamine the issue. Commissioners agreed that reopening the northern portion of the area to passive recreation in a timely manner was important, since timing restrictions for any work that impacted threatened and endangered species could delay opening the northern portion of the area beyond 2019.

There was discussion about a proposed 185th canal anniversary event to raise public awareness. A subcommittee was formed, including Mr. Barth, Vicki Chirco the park historian, Commissioner Leck, and Superintendent Kalleser. It is hoped that the subcommittee could convene at some point in July.

Public Forum

Mr. Barth noted the upcoming scheduled events at D&R Canal Watch, including a documentary on the Millstone Scenic Byway area to be shown in Princeton on June 12, the annual D&R Canal Watch meeting on June 3, a June 16 hike at Prallsville Mills, and his review of archival materials related to the canal, including a slideshow presentation.

Commissioner Leck offered an update on Abbott Marshlands activities, including a new exhibit at the Tulpehaking Nature Center in Hamilton Township.

Executive Session

Vice Chairman Loos called for a motion to enter executive session. Commissioner Lubitz moved to enter executive session to discuss litigation matters. Commissioner Stout seconded the motion. The commissioner entered executive session at 11:30 a.m.


Public Meeting

The commission returned to public session at 11:45 a.m.

Adjournment

Vice Chairman Loos called for a motion to adjourn. Commissioner Lubitz moved to adjourn and Commissioner Stout seconded the motion. The meeting adjourned at 11:45 a.m.

Respectfully submitted,



John Hutchison, Secretary