

## **MINUTES OF THE MEETING OF JUNE 23, 2010**

**TIME:** 10:00 AM – 10:45 AM  
**DATE:** Wednesday, June 23, 2010  
**PLACE:** 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. Holms  
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  
Peter Lanfrit, Esq., Lanfrit and Tullio  
Michael Sommer, Summerfields  
Curt Emmich, Princeton Forrestal Center  
Mitch Ardman, The Reynolds 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.

## **MINUTES OF THE MEETING OF MAY 19, 2010**

John Loos moved approval of the minutes of May 19, 2010, and Mayor Marchand seconded the motion. It passed unanimously.

### **REVIEW ZONE ACTIONS**

Mr. Jessen moved approval of the following “B” Review Zone project applications:

10-3582C.Mod Rider University Improvements, Lawrence Township  
09-3762 Westminster Choir College Parking, Princeton Borough  
09-3884 Duck Pond Park Improvements, West Windsor Township  
10-2494B Prologis Temporary Trailer Storage, Cranbury Township  
09-3857 Jacobus Pharmaceutical Building, Plainsboro Township

Mr. Loos seconded the motion and it passed unanimously.

Mr. Knights left the meeting at 10:05 AM.

Mr. Hahn presented the following “B” Zone application for review:

### 10-3658A Princeton Computing Research Center, Plainsboro Township

He said the applicant had made a minor change to the plans as described in the report that was distributed to the Commission. The project contains a water course that flows through a retention pond onsite. Since the water course flows into the Canal and drains over 50 acres it is regulated as a stream corridor with a 300 foot buffer. The application includes a buffer averaging plan for grading that would encroach into the 300-foot buffer amounting to 66,000 square feet; and as mitigation, an additional 66,000 square feet of land adjacent to the pond would be preserved. Also, a storm water pipe for an adjacent project will be replaced by a vegetated swale to improve water quality. A PSE&G line was proposed to cut across the pond location. The change in plans now proposes to relocate the utility line to the northern edge of the mitigation area, thus reducing the area to 59,884 square feet. Because of this reduction, the applicant will reduce the encroachment area to 59,884 square feet, thus retaining the 1:1 ration of encroachment/mitigation areas. The area that will be encroached upon is currently maintained lawn. Mr. Hahn recommended that the project as modified be approved. With that modification, Mr. Jessen moved approval of the Princeton Computing Research Center; Mr. Payne seconded the motion, and it passed unanimously.

Mr. Knights returned to the meeting at 10:20 AM.

Mr. Hahn presented the following “A” Zone application for review:

#### 06-3424 – Summerfields at Franklin, Franklin Township

Mr. Hahn described the major project, an active adult community including 900 residential units, a retail building, and associated roads, parking and stormwater management system. He said that although the site is in the Commission’s “A” Zone, the actual buildings would be located approximately 1,100 feet from the Canal Park, and would be barely visible because of distance and topography. He recommended that a conservation easement be required to ensure that the area between the development and Weston Canal Road remain as open space with no structures. Mr. Lanfrit said that the applicant was agreeable to a prohibition of structures in this area.

Mr. Hahn also recommended waiving the fee for visual review, because the applicant had received municipal approval before the Commission’s regulations required fees in 2009, and that the staff had conducted most of its review of visual impact before the fees went into effect. Mr. Knights suggested that the base fee of \$500 plus \$100 for one lot be required, because the staff had done some of its visual impact review after the fees became effective. Mr. Knights then moved approval of the application, with the provisos that 1) staff draft a Conservation Easement to preserve the open space area between the development and Weston Canal Road, and 2) the fee for visual impact review for this application be amended to \$600. Mr. Jessen seconded the motion.

Mr. Barth suggested that as an alternative to the full visual impact review fee, a donation be made to D&R Canal Watch. Chairman DeVecchio said that the Commission would not take a position regarding these types of contributions.

The motion passed without dissent.

**EXECUTIVE DIRECTOR'S REPORT**

Mr. Hahn reported on the staff's monthly workload and fee intake.

**CANAL PARK SUPERINTENDENT'S REPORT**

Superintendent Kalleser said that the towpath from Landing Lane to Blackwell's Mills was slated to be re-surfaced, beginning at the end of June or July. She said the exterior renovations to the East Millstone Canal House were nearly finished.

**WATER SUPPLY AUTHORITY REPORT**

Mr. Shepherd reported that the riprap on the sides of the Parkside Aqueduct has been removed. He said that tree removal and mowing were ongoing.

Mr. Payne reported that construction of the missing section of recreational path between Old Rose and Mulberry Streets had begun.

**PUBLIC FORUM**

Mr. Barth announced that the Canal Society of New Jersey would be hosting "Canal Day" on Saturday, June 26<sup>th</sup>, at Waterloo Village. He said the National Canal Conference would be held on September 19<sup>th</sup>. He asked about the status of the Griggstown Barracks. Ms. Kalleser replied that an arsenic filter needed to be installed, and work on the back step and railing change needed to be done. Mr. Barth also said that the boat ride held at Lock One on May 8<sup>th</sup> was very successful.

The meeting adjourned at 10:45 AM.

Respectfully submitted,

Ernest P. Hahn  
Secretary