



**February 19, 2025, Minutes of the Meeting  
Delaware and Raritan Canal Commission**

TIME: 10:05 a.m.  
DATE: February 19, 2025  
PLACE: Prallsville Mills, Stockton, New Jersey

**ATTENDING COMMISSIONERS:**

Vice-Chairman Bruce Stout and Commissioner Phillip Lubitz attended the meeting in the Commission Office. Commissioner Designee Robin Madden, 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; Stephen Gates, NJWSA; Christopher H. DeGrazia; Jessica L. Albrecht; Vincent Kelly; Jeffrey R. Chang; Constantine Katsifis; Gregory Oman; Natalia Benson; Jay Pelikan; Michael Ciccone; Grant C. Peatman; George Clermont; Bob Barth, D&R Canal Watch; Rikki Massand.

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

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Vice-Chairman Stout	Present
Commissioner Designee Madden	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 March 19, 2025, Meeting Date**

Vice-Chairman Stout stated that the next meeting of the Delaware and Raritan Canal Commission was scheduled for March 19, 2025, at 10:00 a.m.

### **Minutes**

#### **Approval of the Minutes of the January 15, 2025, Commission Meeting**

Vice-Chairman Stout inquired if any of the Commissioners wished to propose edits or corrections to the January 15, 2025, Commission meeting minutes.

Commissioner Shoffner congratulated Vice-Chairman Stout and Commissioner Lubitz on their election as Vice-Chairman and Treasurer, respectively, for 2025.

Vice-Chairman Stout called for further comment. Hearing none, he asked for a motion to approve the minutes as prepared by staff. Commissioner Shoffner made a motion to adopt the minutes as proposed, which was seconded by Commissioner Lubitz.

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

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

The motion was approved.

### **Review Zone Actions**

#### **Zone A Projects**

#24-2834E 2950 U.S. Highway Route No. 1 -- Chick-fil-A Drive-Thru Alterations (Lawrence Township)  
#24-6152A 240 West State Street -- Building Conversion (Trenton City)

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Vice-Chairman Stout asked if any member of the Commission wished to consider either of the Zone A projects separately. Hearing none, he asked for a motion on the projects. Commissioner Lubitz made a motion to approve the projects, which was seconded by Commissioner Shoffner. Vice-Chairman Stout asked for comment on the projects from the Commissioners.

Commission Shoffner inquired if any affordable housing units were included in project DRCC #24-6152A -- 240 West State Street -- Building Conversion project. Director Hutchison responded that his recollection of the applicant's submission was that it was likely, and that he would obtain additional information on the project and provide it to Commissioner Shoffner.

Vice-Chairman Stout asked for further comment from the Commission and then the public. Hearing none, he asked Director Hutchison to call the roll:

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

The motion was approved.

#### Zone B Projects

#24-2441LLL Princeton University -- Eisenhart Arch Relocation (Municipality of Princeton)  
#24-2965C Princeton High School -- Turf and Track Replacement (Municipality of Princeton)  
#24-3349H Institute for Advanced Study -- Library Expansion (Municipality of Princeton)  
#24-3422D 400 Forrestal ReCAP Module 10 Parking Lot Expansion -- Major Modification (Plainsboro Township)  
#23-4260A Americana Place -- Commercial Development (Hightstown Borough/East Windsor Township)  
#24-5523A 3499 U.S. Highway Route No. 1 -- Chick-fil-A Restaurant (West Windsor Township)

Vice-Chairman Stout asked if any member of the Commission wished to consider any of the Zone B projects separately. Hearing none, he asked for a motion on the projects. Commissioner Designee Madden made a motion to approve the projects, which was seconded by Commissioner Lubitz. Vice-Chairman Stout asked for comment on the projects from the Commissioners.

Commission Shoffner observed that two Chick-fil-A restaurants to be located on U.S. Route 1 were on the meeting agenda.

Commissioner Designee Madden stated that, with regard to project DRCC #24-3349H -- Institute Advanced Study -- Library Expansion, the DEP State Historic Preservation Office (SHPO) had reviewed the project under Section 106 of the "National Historic Preservation Act of 1966," 16 U.S.C. § 470 et seq., since the project had received Federal funding; and that the SHPO had approved the proposed design.

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Vice-Chairman Stout asked for further comment from the Commission and then the public. Hearing none, he asked Director Hutchison to call the roll:

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

The motion was approved.

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

Director Hutchison reported on the Commission workload for the period encompassing January 15, 2025, to February 18, 2025. He stated that in addition to the 8 projects listed on the February meeting notice, staff issued 13 deficient staff reports, 12 jurisdictional determinations, 4 certificates of approval, and 8 general permits. In addition, he reported that staff organized and conducted 15 pre-application meetings related to proposed and pending projects, and that 29 projects were undergoing staff review. In addition, he and Commission Review Zone Officer Ruggeri conducted a field visit related to project DRCC #24-2117C in Monroe Township.

Director Hutchison reported that fee collections totaled \$25,750 for the month, which was stronger than that collected in January 2023 when \$16,950 was collected. He noted that, so far in Fiscal Year 2025, the Commission collected \$298,025 of the \$500,000 anticipated appropriation amount. Therefore, with 66% of the fiscal year complete, the Commission had collected 60% of its anticipated appropriation amount. He noted that any shortfall may be attributable to weather, that some fees were yet due from applicants, and the 15 pre-application meetings held the previous month would indicate that permit activity had not suddenly and rapidly declined.

Director Hutchison reported that the project file digitization continued and that the previous month, the contents of 14 file boxes were scanned, bringing the total number of boxes scanned to 207 of 526, or 39% of the total. He noted that with each box scanned, the Commission's OPRA compliance improved and the ability of staff engineers to access data from past projects on a given site was enhanced.

Director Hutchison reported that on January 28, 2025, he participated in a DEP permit coordination meeting with other DEP program units to discuss a project proposal by Mercer County and the New Jersey Department of Transportation (NJDOT) to replace the current divided highway portion of N.J. State Highway Route No. 29 in the City of Trenton from the Amtrak bridge north to Rutgers Place with a boulevard. He stated the project also entails traffic-calming measures, the creation of the long-delayed "Capital Park" and the redevelopment of the John Fitch Plaza area with residential development. He stated that the Commission staff provided comments which noted, in addition to the usual stormwater management and traffic impacts, that the Commission would examine such a project closely to ensure that linkages between the Delaware and Raritan Canal State Park and the Capital Park be included in the project. Also, the Commission Master Plan calls for the reuse of the Canal Supervisor's Residence (25

Calhoun Street) as the office for the new Capital State Park. He noted that the West Hanover Bridgetender's House had been abandoned by Thomas Edison State College and could be used in any new park. If mitigation for any adverse impacts to the canal or any other historic district were ultimately determined, Commission staff noted that an opportunity exists for the Department of the Treasury to dispossess themselves of State Parking Lot 25, located between West Hanover Street and Passaic Street, which could be used to expand the Delaware and Raritan Canal State Park and eliminate a source of vehicle pollution to the canal. Director Hutchison noted the Commission's long-standing support of any linkage of the proposed recreated Stacy Park with the Trenton Old Wharf area and adjacent waterfront trail although partially out of the Review Zone. This linkage would compensate for the failure to construct the required pedestrian/cycling trail when the N.J. State Highway Route No. 129 highway and RiverLine light rail projects were constructed.

Director Hutchison reported that on January 31, he and Colleen Maloney met with Bill White from DEP Office of Resource Development (ORD) and park Acting Superintendent Mitchell-Strehl at the bridgetender's house on Chapel Drive in Franklin Township near the Zarephath Christian Church in Franklin Township, Somerset County. He stated they were able to access the house and conduct a preliminary assessment of its condition and assign a priority to each need at the site. Mr. White then contacted various contractors, who gave cost estimates for the repairs needed for each of the identified issues. He stated the next step would be to contact the applicant for project DRCC #23-5834 and begin a discussion on the project(s) that would be undertaken at the site to mitigate for the impact of that proposed warehouse project at the former Atlock Flower Farm upon the Delaware and Raritan Canal State Park.

Director Hutchison reported that the next interview in the Commission's oral history project celebrating the 50<sup>th</sup> anniversary of the Commission would be conducted on February 28 when he would interview Mr. Von Zumbusch at the Kingston Locktender's House. He thanked the State Park Service for making the house available to the Commission for the important project.

Director Hutchison stated that he was pleased to report that on February 14 the Department of the Treasury Division of Property Management and Construction (DPMC) issued the Request for Proposals (RFP) package to prequalified consultants for the revision and update of the Commission Master Plan and made the RFP available on the DPMC website. Preliminary technical proposals were due from interested consultants wishing to compete for the RFP on March 11, 2025.

The Director further commented that, as he understands the process, the preliminary technical proposals would then be evaluated by a selection committee established for the project of which he is a member. Submission would then be evaluated based upon the demonstration of the prospective firm's organization, experience, and performance on projects of a similar size and nature. Technical proposals would then be requested from the short-listed firms as determined by the selection committee. He noted that this was a major step forward in the Master Plan revision process and expressed his appreciation to Bill White at ORD and the DPMC staff for advancing the RFP in a timely manner.

### **Park Superintendent's Report**

Commissioner Designee Madden delivered the report for Acting Superintendent Mitchell-Strehl. Commissioner Designee Madden reported that the State Park Service was notified that the NJDOT proposed to mobilize on a project within the next week at the pedestrian bridge located at the Five-Mile Lock public access area in Franklin Township, Somerset County. The project to repair the bridge would necessitate the closing of the access area parking lot. She further stated that the matter was under internal review.

Commissioner Designee Madden stated that the project to install new wall-mounted heaters at the Kingston Locktender's House had been successfully completed.

Commissioner Designee Madden reported that, as described earlier by Director Hutchison, Acting Superintendent Mitchell-Strehl and staff attended a field meeting with Commission staff at the bridgetender's house at Chapel Drive in Franklin Township near the Zarephath Christian Church to assess the condition of the building and discuss possible mitigation projects such as a roof replacement and exterior rehabilitation.

Commissioner Designee Madden reported that a multiuse trail cleanup called the "Towpath Trek" was scheduled on March 15, 2025, and would cover the area from Byram in Kingwood Township to Prallsville Mills in Stockton Borough. The event was organized by the State Park Service, Delaware Township, and the New Jersey Clean Communities Program. She stated the Hunterdon County LINK bus service would provide transportation from the Bulls Island Recreation Area parking lot.

### **New Jersey Water Supply Authority (NJWSA) Report**

Mr. Sellar reported that a NJWSA consultant continued to update plans and specifications and had initiated permitting processes related to the planned restoration of the upper embankment of the Delaware and Raritan Canal Feeder from the Bulls Island Recreation Area in Delaware Township down canal to Prallsville Mills in Stockton Borough.

Mr. Sellar reported that new handrails were being fabricated and would be installed at the Lambertville Lock. The new handrails would replace the approximately 100 linear feet of chain link fence located along the easterly side of the lock wall and would resemble the so-called "hairpin" rails used by the Pennsylvania Railroad that are presently located on the westerly side of the lock. He noted that the handrail stanchions had been rehabilitated, and the project would resume when weather conditions permitted.

Mr. Sellar noted that NJWSA issued an RFP to address the submerged railroad swing bridge which formerly crossed the canal in the vicinity of the Mercer County Wildlife Center in Hopewell Township, Mercer County. The so-called "workhouse bridge" once provided a rail spur to the quarry at the Mercer County Jail. The bridge is in an advanced state of deterioration and in danger of collapsing into the canal, creating an impediment to water flow and a collection point for debris. He stated it was unclear whether the bridge could be rehabilitated or would need to be demolished and removed. Proposals in response to the RFP were due March 6, 2025.

Mr. Sellar reported that typical maintenance activities were being conducted along the Delaware and

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Raritan Canal, including the clearing of vegetative debris and the collection of leaves in the canal and around bridges and locks. He reported that recent heavy rains and high winds had caused branches and trees to come down and encouraged all to contact the State Park Service or the NJWSA to report downed limbs.

Commissioner Lubitz asked Mr. Sellar if precautions were in place to protect the bald eagles that were nesting in proximity to the planned restoration of the upper embankment of the Delaware and Raritan Canal Feeder from the Bulls Island Recreation Area in Delaware Township down canal to Prallsville Mills in Stockton Borough. Mr. Sellar stated that a 1,000-foot distance from the nest was required by the DEP Endangered and Nongame Species Program from January through July, and this condition would be included in the contract for the embankment restoration project.

**New Business**

None.

**Old Business**

None.

**Public Comment**

None.

**Written Public Comments**

None.

**Adjournment**

There being no other business, Vice-Chairman Stout entertained a motion to adjourn. Commissioner Lubitz made a motion to adjourn, which was seconded by Commissioner Reiser. 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 10:30 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Hutchison", written in a cursive style.

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John Hutchison, Secretary