

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

May 3, 2022 – 10:00 A.M.

Hybrid Meeting

MEETING MINUTES

Attendance: Mark Baum Baicker, Chair, John S. Francis, Vice-Chair, Hanna Howe, Robert McEwan, Kevin Morrissey, Dennis H. Carney, Township Manager, Michele Blood, Assistant Manager, and Catherine Cataldi, Secretary. Mark L. Freed, Township Solicitor was also in attendance.

The recording device was turned on.

I. The meeting was called to order followed by the Pledge of Allegiance.

II. Approval of Bills Payable – April 28, 2022

Res.2022-70 – Upon a motion by Mr. Francis, seconded by Mr. McEwan, the list of Bills Payable dated April 28, 2022 was unanimously approved as prepared and posted.

III. Approval of Meeting Minutes – April 19, 2022 Meeting

Res.2022-71 – Upon a motion by Ms. Howe, seconded by Mr. McEwan, the Minutes of the April 19, 2022 Meeting were unanimously approved as prepared and posted.

IV. Announcements/Resignations/Appointments

Township Manager

The Board announced that Christopher Garges was selected as the new Solebury Township' Manager. Mr. Garges appointment will take place at the May 19, 2022 Board of Supervisors' meeting.

V. Supervisor Comment

VI. Public Comment

- Lorrain Doan, resident, commented on the Township's policy on burning within Solebury and the Township's recycling center.

VII. Presentation

The Devil's Tea Table Alliance

Stephen Freeman and Susan Wells presented a presentation on NJDOT Rte. 29 Rockfall Mitigation Projects Kingwood Twp. NJ & Lambertville/West Amwell NJ (copy of which is attached). Highlights of the presentation included: Types of Remediation Proposed, Environmental and Other Problems with These Projects, August 2019 Frenchtown NJDOT Public Information Meeting, Rockfall History, and Resolutions passed by surrounding communities. The Devil's Tea Table Alliance request the Board consider passing a Resolution expressing Solebury Township's concerns and economic interests, as well as, request to be involved and kept informed in the Rte. 29 Rockfall Mitigation Projects.

The Environmental Advisory Council is to be included in discussion of this topic. Model resolutions are to be discussed and reviewed by the Board of Supervisors at a future Board of Supervisors meeting.

Ms. Doan expressed that Solebury Township support The Devil's Tea Table Alliance.

VIII. New Business

Airbnb Ordinance Amendment – Authorization to Advertise

The Proposed Ordinance of the Township of Solebury, Bucks County, Pennsylvania, amends the Solebury Township Zoning Ordinance regarding short-term lodging facilities.

Res.2022-72 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Howe, it was unanimously agreed to authorize the advertisement of the Airbnb Ordinance Amendment.

Heritage Senior Living and New Cartwheel Partners – Waiver Request – Replacement of Trees

Heritage Senior Living and New Cartwheel Partners (Applicants) requested a partial waiver of SALDO Section 22-520.1.L.(4), such that the Applicants would not be required to install 105 replacement trees on the 5.28 acre tract of land (TMP # 41-022-152) which the Applicants have agreed to transfer to Solebury Township as a condition of the preliminary/final land development approval.

Res.2022-73 – Upon a motion by Ms. Howe, seconded by Mr. McEwan, it was unanimously agreed to approve Heritage Senior Living and New Cartwheel Partners' Waiver Request – Replacement Trees dated April 12, 2022.

IX. Public Comment – No Public Comment

X. Adjournment

The meeting was adjourned at 10:58 a.m.

Respectfully submitted,
Catherine Cataldi
Secretary

NJDOT Rte. 29 Rockfall Mitigation Projects Kingwood Twp. NJ & Lambertville/West Amwell NJ

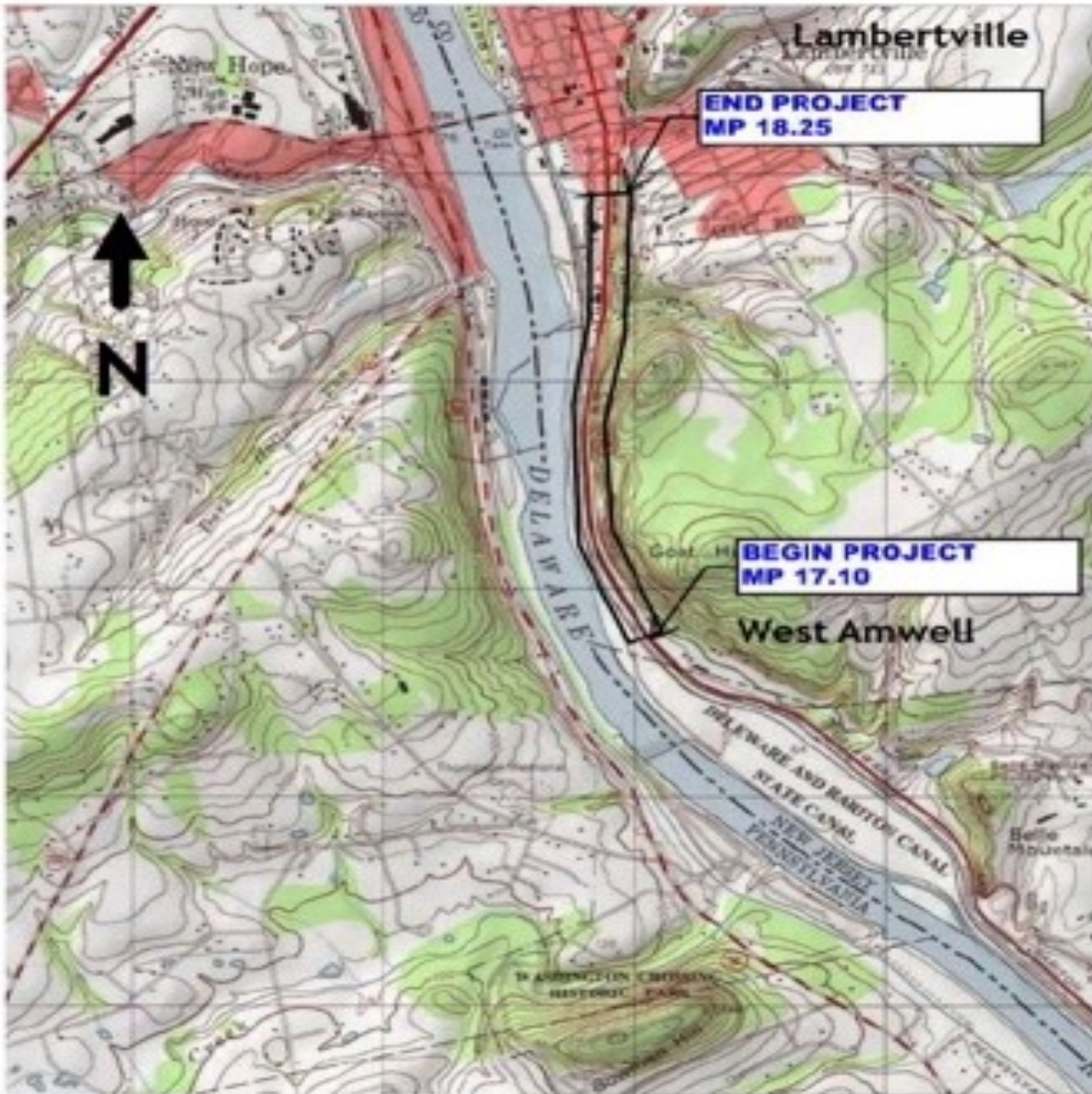




os's Photos

Kingwood Project

Devil's Tea Table
To Byram



From June 2020 NJDOT Presentation (Via 2021 DTTA OPRA request)

- Lambertville West Amwell Project
- Lambertville to
- Goat Hill in West Amwell

AREA A & B



Devils Tea table area, section D, to be more aggressively impacted.



Lambertville West Amwell area



Types of remediation proposed Kingwood

(From 2015 HNTB report, 2016 Dewberry scope of services report, PP at Aug 2019 meeting and in Sept 2019 NJ.com article.)

- Tree and vegetation removal
- Rock removal (trim blasting combined with intense scaling)
- Rock reinforcement (rock bolts/rock dowels bars,
- Shotcrete or concrete post-tensioned buttresses
- Cable net, ring net, hybrid rockface draping
- Create catchment ditches
- Cement the base of the Devils Tea Table (D only)

Lambertville project proposes similar remediation

Example of a scaled, trim blasted area and rock face draped with fencing



NJDOT Edited Photo



Pic 4

DOT D
After

Actual Before Rt 22 Phillipsburg



Actual After Defoliation Scaling RT 22 Phillipsburg Area Fall 2021 Photo



Shotcrete Planned For Some Areas



Example of color coordinated rockfall fencing being planned for some areas



river lovers flock to enjoy the Delaware



Environmental and Other Problems with these Projects

- **When complete, the mitigation as planned will radically change the visual nature of the river valley, forever. The impacted area:**
- Has unique local, historical and geological significance. (More so Lambertville)
- Holds religious significance to Native American peoples. (More sites Lambertville)
- Has at least four tributaries to the Delaware River and threatens water quality
- Deforestation could destabilize the cliffs and impact river water quality
- Project threatens a number of endangered species and plants.
- Project will negatively impact tourism businesses and property values in the area.
- Project rock blasting will negatively impact buildings, wells and septic systems.
- Road closures and delays along RT 29 will increase traffic congestion and reduce safety.
- Project will threaten the world famous Van Houten geological structures(Dr. Gail Ashley)
- Impacted area is within federally protected Lower Delaware Wild & Scenic River corridor.
- The area is of “remarkable scenic values.” parallels the Delaware River Scenic Byway.

NJDOT has no records of accidents or injuries from rockfalls (OPRA request)

When?

Fall 2021 Kingwood Start Date Pushed back to 2025 In New NJTPA TIP due to NEPA and other concerns.

Current Lambertville/West Amwell Start Date 2026 .

Cost?

**\$33 million Per NJTPA TIP Fall 2021, Kingwood
\$8 million pre 2015. Wilson Article**

\$20 Million Lambertville/West Amwell

August 2019 Frenchtown NJDOT public information meeting

HNTB 2015 report shows several possible alternative solutions

- A low cost, low impact solution for electronic monitoring and frequent inspections. **“not recommended” ?**
- Section D moving the driving lane slightly west or raising the road a little creates catchment ditch - very effective, little negative impact **“Not recommended”?**
- Building a shed over areas of concern - very effective, little visual impact. **“not recommended”?**
- Will there be public hearings **“No, not required”.**
- Residents questioned: damage to wildlife, wells, views, deforestation, easements over private land and other issue—**“we are looking into all of that- but EIS or EA not required“**



Damage from very recent landslide at NJDOT Mitigation work done a few years back near the Water Gap. Area not prone to landslides prior. Unintended consequence.

Their recommended solution requires on going maintenance- forever.

Rockfall Evidence Kingwood Since 1996 (25 Years) 2019 PP

Justification Based Mostly on Rockfall Hazard Rating System Scores

- 33 rock-fall events
- Nearly All found by engineers or consultants involved in mitigation project, not police or maintenance
- Most rocks small---- some incidents questionable
- Most after storms, or other dramatic thawing events (predictable)
- 26- less than 1CY – DOT's smallest category
- 19 events - rocks on shoulder
- 6 events didn't't make it to shoulder
- 8 events in driving lane – at least one looked erroneous

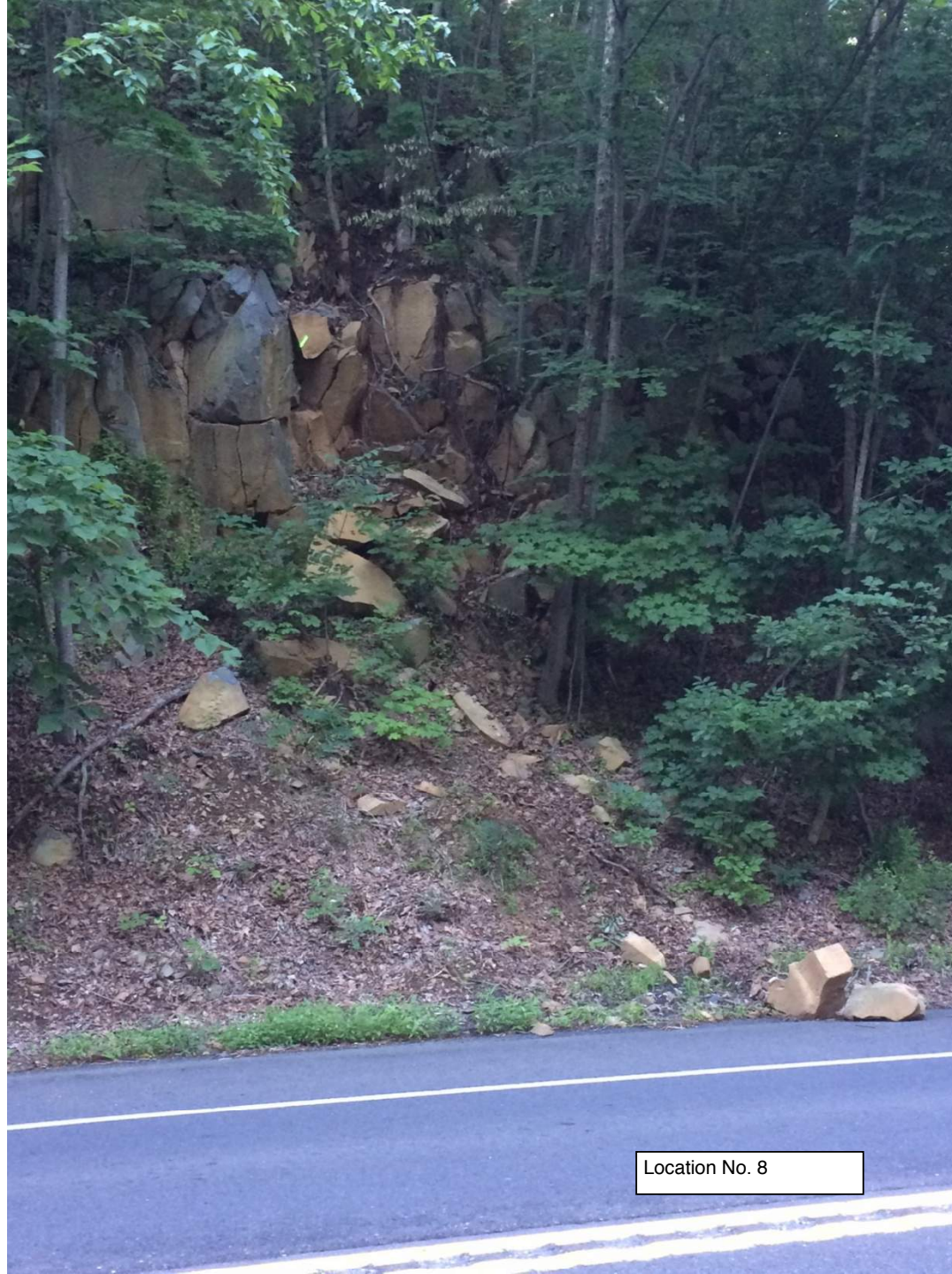
Lambertville West Amwell Rockfall History

Route 29 Rockfall Events

DATE OBSERVED	AREA	MILE POST	APPROXIMATE VOLUME (CY)	FURTHEST FALL LOCATION
2000's				
~2000	E	18	~13-15	NB/SB Lane
~2000	E	18	~7-10	NB/SB Lane
2017-2020				
FEBRUARY 2017	D	17.8	1	NB Shoulder
JANUARY 2018	D	17.8	<1	NB Shoulder
MARCH 2018	D	17.8	<1	NB Shoulder
JUNE 2018	D	17.8	<1	NB Shoulder
JULY 2018	D	17.8	<1	NB Shoulder
JANUARY 2020	D	17.8	<1	NB Shoulder
JANUARY 2020	D	17.8	<1	NB Shoulder
JULY 2018	F	18.1	<1	NB Shoulder
OCTOBER 2018	F	18.1	1 - 2	On curb line
OCTOBER 2018	F	18.1	<1	NB Shoulder
OCTOBER/NOVEMBER 2019	F	Unknown	Unknown	NB Lane

Area A 14 <1 CY -- 19 of 33 events on shoulder





Area A NB Lane ? Not really
1 of 8 in lane events

Location No. 8

Area C: Rockfall History



MP 28.0 (2014)



MP 27.9 (2018)

NJDOT poster slide. Both same bad spot that could likely use mitigation.







Location No. 19

Area B Shoulder

Colleen Wilson USA Today Network


4 recent articles 2020-2021











 **Ongoing rockfall projects**  

Pinned on the map are the general locations of proposed rockfall mitigation projects around New Jersey. 

4,635 views

[SHARE](#)

 **Projects list**

-  Route 80 - Knowlton-Hardwick
-  Route 78 - Bethlehem
-  Route 29 - Kingwood
-  Route 80 - Rockaway/Denville/Parsippan...
-  Route 206 - Andover
-  Route 280 - West Orange
-  Route 29 - Lambertville/West Amwell
-  Route 22 - Phillipsburg
-  Route 15 - Jefferson/Sparta/Lafayette
-  Route 23 - West Milford

Conclusions from Wilson's recent articles on 10 NJ DOT rockfall projects

- Plans all start small and grow exponentially in scope and cost.
- Data on deaths, injuries, accidents minimal or nonexistent, and often anecdotal.
- Problems don't seem to justify the costs and environmental damage.
- The same group of big-name contractors manage and benefit from all projects.
- Contrary to NJDOT, Federal funds **can** be re-purposed.
- Environmental Impact Statements harshly resisted.
- NJDOT consistently resists informing public, elected officials or community groups about project plans.

The Community Pushes Back

- Kingwood Twp, NJ (March 21 resolution passed)
- The Lower Delaware Wild and Scenic Partnership (April 21 letter)
- Hunterdon County NJ (April 21 resolution passed)
- Frenchtown NJ (May 21 resolution passed)
- The Tribal Council of the Lenape Nation of Pennsylvania (June 21 letter of concern)
- Tinicum Twp, Bucks County PA (July 21 resolution passed)
- Stockton Borough, NJ, (December 21 resolution passed)
- Plumstead Twp PA, (December 21 resolution passed)

Conclusion Rte. 29 Rockfall Mitigation project

- Scary project, seems unnecessary with no injuries of record
- Severely damaging in many ways
- NJ DOT avoids all public disclosure or involvement. An active strategy to avoid accountability
- There are many other real public safety project that need doing
- NJ needs to perform cost benefits analysis and real EIS and to involve affected communities in setting priority and evaluating options.

Questions

To help or ask question email us at:

DTTART29@gmail.com

Please follow us on Facebook at:

The Devil's Tea Table Alliance

On the Web at:

<http://www.devilsteatablealliance.org/>



Appendices

From Rockfall Hazard Mitigation Report Rte. 29 Kingwood Twp., April 2015 HNTB Corp Parsippany NJ

Table 1-1 – Project Limits and Slope Summary

Area	Southern Mile Post	Northern Mile Post	Measured Slope Length (ft.)	Approximate Slope Height At Tallest Location (ft.)	2004 Golder Report MP Limits	2003 Rockfall Hazard Rating
A	27.31	27.40	500	75	27.4 to 27.5	310
B	27.48	27.59	580	75	27.5 to 27.65	316
C	27.84	28.50	3450	50	27.78 to 28.48	628
D	29.86	30.43	3000	260	29.85 to 30.45	470

Lambertville West Amwell Scope of Work 2018 Scope of Work Report

Description of Preliminary Preferred Alternatives:

Area	Length (FT)	Recommended Alternative	Recommended Description
A	850	3	Re-grade Lower Slope/Ditch Excavation
B	690	3	High Strength Slope Netting / Soil Nails or Ground Anchors / Rockfall Fence
C	725	3	Woody Vegetation and Boulder Removal / High-Strength Slope Netting / Soil Nails or Ground Anchors
D	785	3	High-Strength Slope Netting / Soil Nails or Ground Anchors / Rockfall Fence
E	1,100	2	Soil / Rock Cut with Hybrid Fence
F	800	3	Trim Blasted Rock Slope

Rockfall Hazzard Rating System Scores

300 – 500 an issue, closer to 300 considered stable,
closer to 500 less stable, less than 300 not a problem

Ratings NJDOT Lambertville/W Amwell from OPRA request

1994		2003	2007
16	243	145	254
17.3	228	(boulder comments)	
17.9	460	(800 ft)	
18.05	223		
18.1			238
18.6	261		

Area B - Typical Sketch of Proposed Work Preliminary ONLY



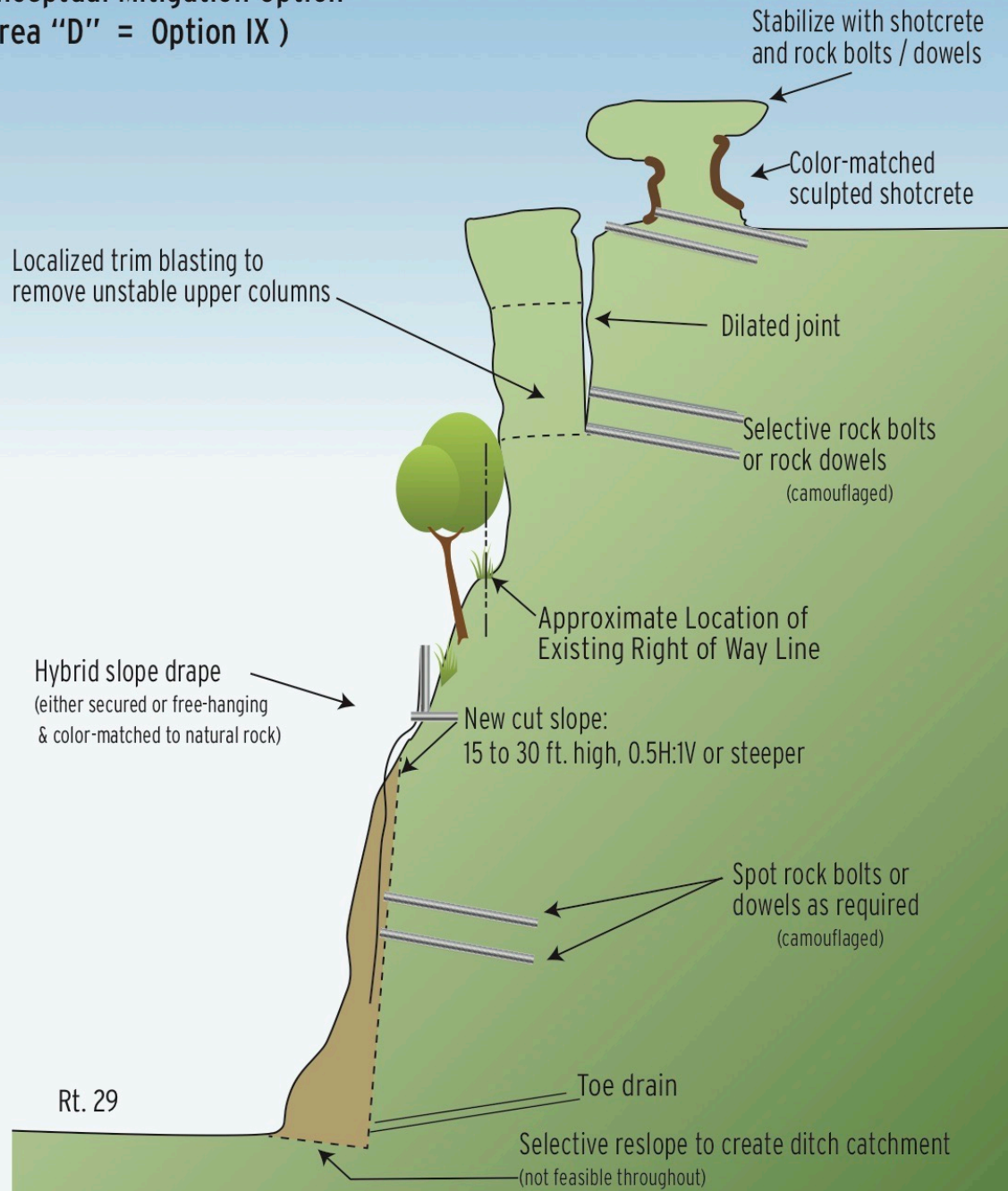
Existing Conditions

Area B - Alternative 3
High-Strength Slope Netting/ Soil Nails or Ground
Anchors/ Rockfall Fence
Preferred Alternative



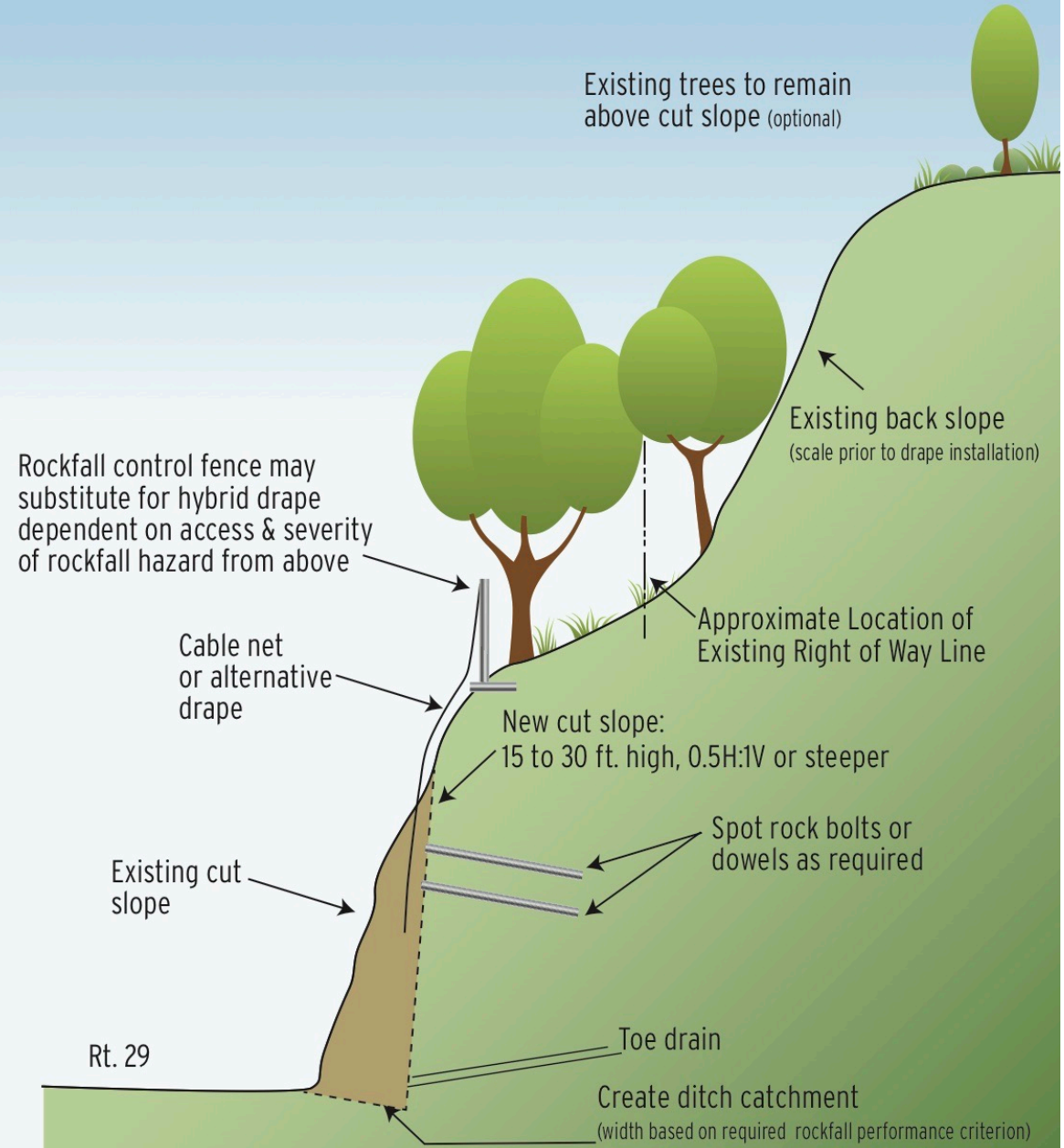
**Preliminary Preferred
Conceptual Mitigation Option
(Area "D" = Option IX)**

Figure 6-3
(NTS)



**Preliminary Preferred
Conceptual Mitigation Option
(Area "A" = Option V)**

Figure 6-1
(NTS)



Lambertville West Amwell June 2020 PE Phase

