

# GENERAL PERMIT 1



**DRCC #:**20-4478B

**DATE:** April 13, 2020

**PROJECT NAME:** NJDOT -- Bridge Street Lambertville -- Temporary Repairs

**Latest Submission Received:** April 7, 2020

**Applicant:**

New Jersey Department of Transportation (NJDOT)  
951 Parkway Avenue  
Ewing, NJ 08625

[Brendan.Brock@dot.nj.gov](mailto:Brendan.Brock@dot.nj.gov)

**Contractor:**

Railroad Construction Company Inc.  
75-77 Grove Street  
Paterson, NJ 07503

**Project Location:**

Road	Municipality	County	Block(s)	Lot(s)
Bridge Street (N.J. State Highway Route No. 179)	Lambertville City	Hunterdon	n/a	n/a

**Jurisdictional Determination:**

Zone A	Minor	Governmental
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**Documents Received:** Application received April 7, 2020.

The Delaware and Raritan Canal Commission has reviewed the referenced application for a General Permit authorization pursuant to the requirements of the Regulations for the Review of the Delaware and Raritan Canal State Park at N.J.A.C. 7:45-6.2. The proposed project is authorized by General Permit No. 1, which authorizes projects in Zone A that are necessary to carry out the repair, rehabilitation, maintenance or reconstruction of a structure, road, utility line, or stormwater management measure or basin lawfully existing prior to January 1980 or approved under this Chapter by the Commission.

The project authorized under this general permit shall not be put to any use other than as specified in any approval authorizing its original construction. Projects authorized under the general permit shall not visibly change, expand, widen or deepen the feature, and

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shall not deviate from any plans of any prior project approvals, except for minor deviations due to changes in materials or construction techniques. Any such deviations must be shown as necessary to fulfill the purpose of the proposed project and must be consistent with the Master Plan.

**Description of the authorized project:** The NJDOT proposes to conduct emergency repairs of a temporary nature on the at-grade railroad crossing on Bridge Street in the City of Lambertville, Hunterdon County. The project area is immediately adjacent to the western embankment of Delaware and Raritan Canal and within Commission Review Zone A.

Following an inspection on March 26, 2020, the NJDOT Bureau of Railroad Engineering Service contacted the NJDOT Division of Environmental Resources to propose undertaking a repair project. The railroad crossing at Bridge Street was determined to have unstable loose rail, making the condition a major safety hazard to the motoring public.

NJDOT proposes the following repairs:

- Removal of an approximate 65-foot section of the existing railroad track;
- Removal of the existing railroad signal masts and crossing signage located on the sidewalks adjacent to either side of the roadway;
- Flattening and compacting of the existing ballast;
- Filling the voids left by the ties with DGA; and
- Repaving of the area of the removed rails.

NJDOT states that the repairs are necessary to prevent a possible derailment/public disaster and to retain the structural stability of the roadway necessary for traffic to pass safely over the highway. NJDOT estimates that the work will take two days during normal business hours to remove the rail in half sections and then repave the area formerly occupied by the rails. Since Bridge Street approximately 40 feet in curb-to-curb width, traffic directors would be placed at the project location to alternate traffic while the repairs are being undertaken.

**Permit Conditions:** The project allowed by this authorization shall comply with the following conditions. Failure to comply with these conditions shall constitute a violation of the “Delaware and Raritan Canal State Park Law of 1974” (N.J.S.A. 13:13A-1 et seq.).

1. This authorization is valid for five years from the date of this letter unless more stringent standards are adopted by rules prior to this date.
2. The project as described shall be constructed and/or executed in conformity with the application.
3. No change in plans or specifications shall be made except with prior written permission from the Commission.

4. The permittee shall allow the Commission the right to inspect the construction site and shall provide the Commission with written notification 7 days prior to the start of the authorized work.
5. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.
6. The issuance of this permit shall not be deemed to affect in any way other actions by the Commission on any future application.
7. The Delaware and Raritan Canal is used as a raw water source for several water companies downstream, and as such, water quality and flow shall be maintained.
8. If work in the canal is required, the NJDOT shall following any recommendation by the New Jersey Water Supply Authority (NJWSA) that such work shall be conducted during times of low flow through the canal.
9. During the work, the contractor shall ensure that no debris, soil or vegetation from the work shall fall, drop, be placed or dumped in the canal. The applicant shall ensure that a boom or other method is employed to contain any debris in the canal and remove any debris from the water.
10. It shall be the contractor's responsibility to ensure that all debris caused by the work is removed from the canal.
11. The contractor shall not pierce or puncture the clay liner or the bed of the canal.
12. The NJDOT shall periodically inform and update the NJWSA on the status of the work schedule for the project.
13. Access to the canal, towpath and adjacent NJWSA buildings for NJWSA personnel shall be maintained.
14. Any damage to the canal caused by the contractor or any subcontractor shall be repaired to the satisfaction of the NJWSA.
15. In the event the applicant or contractor requires access to the Delaware and Raritan Canal State Park, applicant shall obtain a Special Use Permit from the Superintendent of the park.
16. The contractor shall obtain general liability insurance in the amount of \$1 million, which shall list the State of New Jersey, the Department of Environmental Protection (DEP), the Division of Parks and Forestry, the State Park Service and the NJWSA as additionally insured.
17. The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend and save harmless the State of New Jersey, the NJDEP, the NJWSA and any of their divisions, councils, bureaus, or other agencies or subdivisions, and their officers, directors, trustees, employees and contractors, as the case may be, from and against any and all claims, demands, suit, actions, recoveries, judgements, costs and expenses in connection therewith on account of the loss of life, property or injury or damage to the person, body, or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from work performed in connection with this permit. The indemnification obligation is not limited by, but is in addition to, the insurance obligation contained in this permit.
18. The project is located within the boundaries of the Delaware and Raritan Canal Historic District, which is comprised of the canal bed and all structures within 300 feet of the centerline of the canal. Accordingly, the applicant is directed to seek

**DRCC#:** 20-4478B

4

**DATE:** April 13, 2020

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review and obtain approval for the proposed project from the Department of Environmental Protection State Historic Preservation Office (SHPO), and this approval is conditioned upon that review.

**Expiration Date:** April 13, 2025.

**Appeal of Decision:** In accordance with N.J.A.C. 7:45- 7.1, any person who is aggrieved by this decision may request a hearing within 30 days of the date of decision.

If you have any questions regarding this authorization, please contact the Commission at (609) 397-2000 and reference the above file number.

Sincerely,



John Hutchison  
Executive Director

c. Lambertville City Construction Office

Mike Sellar, Facility Manager, Delaware & Raritan Canal, NJSWA

Julie Shelley, Property & Permit Administrator, NJWSA

Patricia Kallesser, Superintendent, Delaware & Raritan Canal State Park

Jesse West-Rosenthal, Ph.D., Historic Preservation Specialist 2, DEP/SHPO

Jennifer B. Leynes, M.H.P., Historic Preservation Specialist 2, DEP/SHPO

Kean Burenga, Black River & Western Railroad, Chesapeake & Delaware, LLC