

NEWS

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U.S. Sues Private Property Owners for Blocking Historic Public
Road in Delaware Water Gap National Recreation Area

(More)

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NEWARK – The United States filed suit today against private property owners in the Delaware Water Gap National Recreation Area to enjoin them from their continued blocking of a hundreds-years old public road through the park, Acting U.S. Attorney Ralph J. Marra, Jr. announced.

The suit filed today in U.S. District Court in Newark seeks removal of a barricade erected on Old Mine Road by the property owners, Matthew and Michele Hull and Aaron Hull, Mathew's brother, after their purchase of the property in 2007 in Sandyston Township. The gate effectively ended full public access along the length of the road that parallels the Delaware River and runs the length of the Delaware Water Gap National Recreation Area.

The road has a rich history dating back to Colonial times and has been an open public road for hundreds of years, traversed by everyone from native Americans and armies of the Revolutionary war in its earliest existence, to Boy Scouts, hikers and sportsmen today. It is part of the Old Mine Road Historic District and is on the National Register of Historic Places for its history and the homes and other structures of architectural significance along its route.

“Property rights to this passage belong squarely with the public as they have for centuries,” said Marra. “This is one of those valuable public gems to be enjoyed by everyone, not just the Hull family.”

The Hull property is surrounded on three sides by land of the United States (the Delaware Water Gap National Recreation Area), and on the fourth side by the Delaware River. A portion of Old Mine Road – about 300 yards – crosses a portion of the Hull property. In late 2007, without notice, the Hulls unlawfully blockaded access to the portion of Old Mine Road that crosses their property, ending public access at that point and hindering the ability of National Park Service employees from performing their duties.

The park Superintendent wrote to the Hulls in October 2007 informing them of the longstanding public rights to Old Mine Road, according to the lawsuit. He also met with the defendants in an attempt to resolve the matter out of court and offered to increase park patrols and maintenance to the road. Still, the Hulls refused to remove their blockade. The park Superintendent tried again to negotiate the matter in December 2008, but the defendants refused the invitation.

Park Service employees and the public must now detour off the historic road for about two miles, away from the Delaware River and through the local town center of Peter's Valley, to travel the available length of Old Mine Road.

The government lawsuit seeks a permanent injunction ordering the defendants to remove

any blockade or obstruction to any portion of Old Mine Road.

Marra credited staff and park rangers with the National Parks Service at the Delaware Water Gap, under the direction of Park Superintendent John Donahue, for their assistance in the matter.

The case is being handled by Assistant U.S. Attorney Michael Campion of the U.S. Attorney's Office Civil Division in Newark.

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