MINUTES OF THE PUBLIC HEARING OF MAY 17, 1995

TIME: 12:45 PM to 1:00 PM
DATE: Wednesday, May 17, 1995
PLACE: Canal Commission Office
        Prallsville Mills, Stockton, NJ

ATTENDING:

COMMISSIONERS: Messrs. Barker, Kirkland, Pauley, Torpey, Zaikov;
               Ms. Goodspeed and Mrs. Nash

STAFF:          Mr. Amon, Ms. Holms
                Mr. Stephen Brower, Deputy Attorney General

GUESTS:         Joe Bird
                Kay & Larry Pitt, Canal Society of New Jersey
                Tom Price, NJ Water Supply Authority
                Fred Brown, D&R Canal Watch
                Paul Stern, D&R Canal State Park
                Kevin Moore, Jamieson, Moore, Peskin & Spicer
                Linda House, Griggstown Mule Tenders Barracks
                Robert P. Graham, D&R Canal State Park
                John Auciello, D&R Canal State Park

Mr. Kirkland announced that this Public Hearing was being held for the
purpose of considering the nullification of an easement that was given to the
Delaware and Raritan Canal Commission.

Mr. Moore, representing Heathcote Joint Venture, said that the applicant had
received a Certificate of Approval in 1988 for a project in South Brunswick
Township known as Heritage Center. As a condition of that approval, the
Canal Commission required the applicant grant a Conservation and Maintenance
Easement to the Commission to assure that the detention basin would be
maintained. The project was never built, and the applicant sold a portion of
the property to the South Brunswick Board of Education. As a post-closing
condition, the applicant agreed to remove the conservation and maintenance
easement as a restriction of record on the title of the property. Mr. Moore
said that municipal approval has been nullified, and that a document has been
prepared nullifying Canal Commission approval. He said that any plans for
construction in the future will require new review and approval by the Canal
Commission.

Mr. Kirkland asked for any public comment. There being none, Mr. Zaikov
moved approval of the abandonment of the Canal Commission’s Conservation and
Maintenance Easement for the project known as Heritage Center, DRCC #88-1664.
Mrs. Nash seconded the motion and it passed without dissent.

Respectfully submitted,

James C. Amon

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Christine Todd Whitman, Governor Robert C. Shinn, Jr. Commissioner