

## Molina, Julie (DNREC)

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**From:** Vest, Lisa A. (DNREC) on behalf of HearingComments, DNREC (MailBox Resources)  
**Sent:** Wednesday, January 29, 2020 9:56 AM  
**To:** Molina, Julie (DNREC); Brown, Tyler (DNREC)  
**Cc:** Smailer, Steven M. (DNREC)  
**Subject:** FW: Public Hearing Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Switch-MessageId:** 948db39b969a4a3a95b706ccf2336227

FYI. Received Monday night RE: Christopher at the Townes @Bayshore Village Marina Permit.

*Lisa A. Vest  
Regulatory Specialist  
DNREC – Office of the Secretary  
89 Kings Highway, Dover, DE 19901*

Please note - my email address has changed to [lisa.vest@delaware.gov](mailto:lisa.vest@delaware.gov)

*Email: [Lisa.Vest@delaware.gov](mailto:Lisa.Vest@delaware.gov)  
Main line: (302) 739-9000  
Direct line: (302) 739-9042  
Fax line: (302) 739-6242*

*NOTE: The views and/or opinions of the authors expressed herein do not necessarily state or reflect those of the Department of Natural Resources and Environmental Control and/or the State of Delaware*

**From:** DoNotReply@delaware.gov <DoNotReply@delaware.gov>  
**Sent:** Monday, January 27, 2020 10:48 PM  
**To:** HearingComments, DNREC (MailBox Resources) <DNRECHearingComments@delaware.gov>; lindafi44@gmail.com  
**Subject:** Public Hearing Comments

Comments on Docket #2019-P-W-0033

Name: Linda Marquess  
Phone: 3024152381  
Email Address: [lindafi44@gmail.com](mailto:lindafi44@gmail.com)  
Organization:

Comments:

I continue to be very concerned about the proposed plan to build an 18 slip marina in this already congested area. I kayak in these waters frequently and am worried about the ability to maintain new proposed depths to accommodate water craft. Low tide is oftentimes unnavigable today given very shallow waters in this area.

Constant dredging will be required, routinely disturbing natural flora, fauna and sea life. There are already a large number of slips along this water way adding to boat traffic congestion and boater pollution. I am anxious to see this application denied. Thank you for sharing and soliciting opinions ahead of your final decision.

## Molina, Julie (DNREC)

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**From:** Vest, Lisa A. (DNREC) on behalf of HearingComments, DNREC (MailBox Resources)  
**Sent:** Friday, February 07, 2020 9:53 AM  
**To:** Molina, Julie (DNREC)  
**Cc:** Brown, Tyler (DNREC)  
**Subject:** FW: Townes. at Bayshore Village

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Switch-MessageId:** 83dd2e5e42e0446c894b56621eff5e7a

FYI. Hearing comment received on proposed marina @the Townes at Bayshore Village.

Lisa A. Vest  
Regulatory Specialist  
DNREC – Office of the Secretary  
89 Kings Highway, Dover, DE 19901

Email: [Lisa.Vest@delaware.gov](mailto:Lisa.Vest@delaware.gov)  
Main line: (302) 739-9000  
Direct line: (302) 739-9042  
Fax line: (302) 739-6242

NOTE: The views and/or opinions of the authors expressed herein do not necessarily state or reflect those of the Department of Natural Resources and Environmental Control and/or the State of Delaware

-----Original Message-----

From: Freddy Mitchell <[freddyfca@icloud.com](mailto:freddyfca@icloud.com)>  
Sent: Thursday, February 06, 2020 3:36 PM  
To: HearingComments, DNREC (MailBox Resources) <[DNRECHearingComments@delaware.gov](mailto:DNRECHearingComments@delaware.gov)>  
Subject: Townes. at Bayshore Village

TheFenwick Shopping Center located at 100 Coastal Hwy in Fenwick. opposes the proposed building of a marina at the Townes at Bayshore Village  
Sent from my iPhone

## Molina, Julie (DNREC)

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**From:** John Prior <john-prior@sbcglobal.net>  
**Sent:** Saturday, February 15, 2020 12:28 PM  
**To:** HearingComments, DNREC (MailBox Resources); Molina, Julie (DNREC)  
**Cc:** John Prior; beverly prior  
**Subject:** Docket #2019-P-W-0033 Permit hearing on Feb 20, 2020 at Fenwick Town Hall

As a property owner in Fenwick Island, DE, we object to the subject proposal to construct a marina and dredge in the lagoons as proposed by Christopher At the Townes at Bayshore Village, LLC. The canals in this area are already very small and narrow with ample boat traffic. The addition of 18 slips and 5 boat lifts will add to the existing congestion in this area. There have been accidents and many close calls during the tourist season. This is a very narrow area and low water table for concerns about high traffic. The posted "No wake" zones are not respected by all responsible watermen.

Our concerns for the environment are the primary factor for objecting to this additional intrusion in this dwindling habitat for precious wildlife. We have watched over the past 15 years of our ownership in Fenwick Island, how much has changed. The number of wild birds has dwindled. The Great Blue Herons are rarely seen, the Kingfishers are gone, the Purple Martins are dwindling as our natural mosquito catchers, the Green Herons are very rare sites and the Monarchs that once populated our area in the October air are dangerously depleted. New construction takes away the natural shrubbery and dead wood where these birds and butterflies may rest and roost. The additional noise and pollution disruptions their natural instincts to return to their nesting area.

Regarding the waterways, we know that the crab population is disturbed and the fish that we could once catch from our dock areas are not there as they used to be before the housing boom. The water is definitely so much more disturbed with pollutants, and although we do not have a boat, I am sure plenty of leakage of oil and gas does end up in our little canals. When we first started living on the canal, we would arrive in the Spring and you could see clearly to the sandy bottom of our canal. The flounder once were happy to cover up in the soft bottom area, but now we are not sure where they have gone.

We feel as residents, we have the right to enjoy the natural habit. We all know that as human beings we are not being very responsible for the next generation. We continue to pollute our air and waterways, not to mention the lack of responsibility we should have for wildlife. We feel there should be more restrictions and limitations on our waste-producing society. We as residents and guests to this beautiful area along the coast need to be much more aware of protecting the natural habitat. Once there were long stretches of designated protected natural areas and bit by bit over the years, we watch them shrink. The wetlands we were always told were precious and protected, now they disappear with bulldozers pushing dirt and more sand across the grasses and buildings going up on top of the nesting grounds.

We are happy to share this beautiful area for all to enjoy but more disruption of natural habitat is the wrong way. Please hear of concerns respectfully.

Sincerely,

John and Beverly Prior

Bayside Drive  
Fenwick Island, DE

John M. Prior Beverly Prior  
42 Batside Drive Fenwick Island, DE 19944  
Mobil: 248-797-2955 248-417-4446

## Molina, Julie (DNREC)

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**From:** Galvez, Brian (DNREC)  
**Sent:** Monday, February 17, 2020 2:45 PM  
**To:** Molina, Julie (DNREC)  
**Subject:** PNN #2 Christopher Marina

**Switch-MessageID:** 544878b73b8541fe873e1dc19a317af6

Hi Julie,

Apologies for the delay on responding to this, but just wanted to let you know we will not be recommending a TOYR for this project. I'm only requesting that a silt curtain be used for in-water work to maintain water quality. See below for our comments.

“DFW Comments: Our division staff have recently conducted surveys in the Little Assawoman Bay and found that Summer Flounder (*Paralichthys dentatus*), American Eel (*Anguilla rostrata*), and Horseshoe Crabs (*Limulus polyphemus*) use the Bay as nursery habitat, migration corridors, and spawning habitat, respectively. However, due to the location of this project within the bay (near a dead-end canal) the Division of Fish and Wildlife is not requesting a TOYR for these species. Instead, to maintain water quality, we request that a silt curtain be installed prior to the commencement of in-water work.”

Let me know if you need anything else.

Regards,

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Brian Galvez  
Environmental Review Coordinator  
Delaware Division of Fish & Wildlife  
Cell: (619) 694-9454  
Office: (302) 223-2446  
[Brian.Galvez@delaware.gov](mailto:Brian.Galvez@delaware.gov)



**Delaware Division of Fish & Wildlife**

***We Bring You Delaware's Great Outdoors  
through Science and Service***



## **Molina, Julie (DNREC)**

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**From:** fgarvert@aol.com  
**Sent:** Tuesday, February 18, 2020 3:01 PM  
**To:** HearingComments, DNREC (MailBox Resources)  
**Cc:** fgarvert@aol.com; Molina, Julie (DNREC)  
**Subject:** Lighthouse Cove Marina Hearing

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Yesterday ,Monday Feb 17<sup>th</sup> 2020, we went to the City of Fenwick Island Delaware website and saw for the first time a notification for the Lighthouse Cove Marina Hearing scheduled for 02/20/2020. Although we cannot attend the meeting on such short notice, we are writing to object to this marina proposal because of the following reasons:

1. This proposal for an 18 slip marina located at Christopher At the Towns at Bayshore Village needs additional time before approval in order to study the impacts on the Fenwick Island town community and Sussex county home owners that adjoin the new development. An environmental impact study on the wetlands and adjacent lagoons and canals needs to be evaluated and studied in more detail. The timing of the hearing come in the middle of winter when many residents are not in their homes or on vacation to warmer climates. Timing of this hurried hearing is suspect and one sided on the side of the developer without adequately giving time to notify the community impacted by this marina. Therefore, we suggest that the hearing be only a first attempt to notify the public and a later hearing be scheduled when more information is known and more home owners are notified in a timely manner. We noticed that our names are on the list of people whose homes are within the impacted area of the marina. If the developers went to the trouble of tracking down the land owners then why was a notification not sent to them directly before the hearing scheduled for 2/20/2020 ? This proposal was rushed and does not answer many of our questions regarding the marina and boardwalk as specified in the documents.
2. What are the environmental impacts of this marina and how and when will this be evaluated?  
A marina with 18 boat slips presents a permanent ecological footprint on the lagoons , canals and bay ecosystem. Gasoline powered boats poison the water with noxious fumes and affect the quality of water. How will the dredging affect the marine flora and fauna around the development? Being along a canal we can see large schools of small fish that feed the green herons, blue herons and cormorants residing in our marine environment. The canal provides nurseries for the blue crabs and other marine life. More boat slips does not help. Why not provide more space for kayaks and paddle boards ?
3. The plan does not state what kinds and size of boats are to be docked into these 18 boat slips. If all 18 residents plan on docking 20'length and 8'width pontoon boats adjacent to their townhomes how will this be regulated??? How will this affect navigation along the canals and lagoon. Again in the specs, only residents and " their guests" will be permitted to dock boats at the marina. Who is going to oversee this as this marina is located outside of Fenwick City limits??? Most likely some of these townhome owners will rent out their homes during the summer months. Renters sometimes are inconsiderate and noise and pollution will tend to increase and possibly lower home values of the surrounding area.

In summary, we think this 18 slip marina needs a lot more study and should be scaled down in size. Notification was insufficient to both city and county home owners. The town of Fenwick Island should oppose this marina until more adequate environmental and community safeguards are in place.

Sincerely

Frances and William Garvert  
32 Oyster Bay Drive, Fenwick Island, Delaware, 19944  
[wgarvert@aol.com](mailto:wgarvert@aol.com) [fgarvert@aol.com](mailto:fgarvert@aol.com)

## **Molina, Julie (DNREC)**

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**From:** Bataille, Amber C. (DNREC)  
**Sent:** Wednesday, February 19, 2020 9:30 AM  
**To:** Molina, Julie (DNREC)  
**Cc:** Grabowski, Matthew T. (DNREC)  
**Subject:** RE: Project Review Request

**Switch-MessageId:** 4edec6b48e2e49c4aca1d18c3453d3e6

The GPB has completed a limited hydrological review for a proposed dredge disposal area located on parcel 134-23.00-3.02. The proposed dredge spoils will be dredged from a proposed marina and placed on the same parcel. Approximately 180 cubic yards are proposed to be dredge.

According to Artesian Water Company, the parcel was served by Artesian till October 2017, when it was disconnected. The utilities are still in the ground. A google street view photo from May 2018, shows that the property is vacant. Artesian serves other parcels in the area as well.

Groundwater flow in the area is likely toward the lagoons that are being dredged.

Based on the above information, the GPB does not fee groundwater contamination from the spoils is likely.

Please contact me with questions.

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**From:** Molina, Julie (DNREC) <Julie.Molina@delaware.gov>  
**Sent:** Wednesday, February 05, 2020 3:57 PM  
**To:** Bataille, Amber C. (DNREC) <Amber.Bataille@delaware.gov>  
**Cc:** Grabowski, Matthew T. (DNREC) <Matthew.Grabowski@delaware.gov>  
**Subject:** Project Review Request

Hi Amber,

I attached the application for your review. The hearing is on February 20, 2020 so if you can complete your review prior to this date I would greatly appreciate it. This project is a re-submittal of Lighthouse Cove Investors which you recently previously reviewed as referenced below.

Christopher At the Townes At Bayshore Village, LLC, has applied to construct and operate a new 18 slip minor marina by installing a 16 inch wide by 700 foot long portion of boardwalk, two (2) 6 foot wide by 24 foot long piers and five (5) boat lifts with four associated pilings each and to mechanically maintenance dredge 180± cubic yards to a depth of -3.5 feet MLW in portions of public subaqueous lands and two unnamed lagoons southeast of Lighthouse Cove, located adjacent to Lighthouse Cove Lane and to dispose of the dredged material on-site via sealed dump truck to a 22 foot wide by 110 foot long super silt fenced enclosed area to be dewatered, graded and capped with topsoil to be incorporated within a landscaped berm located east of Lighthouse Cove Lane at 38.452209, -75.057211, Fenwick Island, Sussex County, DE



JULIE R. MOLINA  
ENVIRONMENTAL SCIENTIST III  
DNREC DIVISION OF WATER | WETLANDS AND SUBAQUEOUS LANDS SECTION  
89 KINGS HIGHWAY DOVER, DE 19901 | P: (302) 739-9943



PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS MESSAGE.

**From:** Bataille, Amber C. (DNREC) <[Amber.Bataille@delaware.gov](mailto:Amber.Bataille@delaware.gov)>  
**Sent:** Tuesday, July 23, 2019 2:57 PM  
**To:** Molina, Julie (DNREC) <[Julie.Molina@delaware.gov](mailto:Julie.Molina@delaware.gov)>  
**Cc:** Grabowski, Matthew T. (DNREC) <[Matthew.Grabowski@delaware.gov](mailto:Matthew.Grabowski@delaware.gov)>  
**Subject:** RE: Project Review Request

The GPB has completed a limited hydrological review for a proposed dredge disposal area located on parcel 134-23.00-3.02. The proposed dredge spoils will be dredged from a proposed marina and placed on the same parcel. Approximately 225 cubic yards are proposed to be dredge.

According to Artesian Water Company, the parcel was served by Artesian till October 2017, when it was disconnected. The utilities are still in the ground. A google street view photo from May 2018, shows that the property is vacant. Artesian serves other parcels in the area as well.

Groundwater flow in the area is likely toward the lagoons that are being dredged.

Based on the above information, the GPB does not see groundwater contamination from the spoils is likely.

Please contact me with questions.

**Amber Bataille, P.G.**  
Hydrologist III  
Division of Water  
Dept. of Natural Resources & Environmental Control  
89 Kings Highway  
Dover, Delaware 19901  
Phone: (302) 739-9945  
Fax: (302) 739-2296  
[Amber.Bataille@delaware.gov](mailto:Amber.Bataille@delaware.gov)

**Please note: My email address has changed. My new email address is [Amber.Bataille@delaware.gov](mailto:Amber.Bataille@delaware.gov).**

**From:** Molina, Julie (DNREC) <[Julie.Molina@delaware.gov](mailto:Julie.Molina@delaware.gov)>  
**Sent:** Friday, June 14, 2019 11:13 AM  
**To:** Bataille, Amber C. (DNREC) <[Amber.Bataille@delaware.gov](mailto:Amber.Bataille@delaware.gov)>  
**Cc:** Grabowski, Matthew T. (DNREC) <[Matthew.Grabowski@delaware.gov](mailto:Matthew.Grabowski@delaware.gov)>  
**Subject:** Project Review Request

Amber,

Please review the attached project for groundwater impacts from the dredge spoil location.

Lighthouse Cove Investors, LLC (Tax Parcel# 134-23.00-3.02) To construct and operate a new 22 slip minor marina by installing two (2) 6 foot wide by 24 foot long piers, five (5) boat lifts with 4 associated pilings each, two (2) 6 foot wide by 14 foot long PWC floats, two (2) 5 foot wide by 12.5 foot long PWC floats; to repair 700 linear feet of existing bulkhead by stepping out 18 inches, a portion of which would occupy 300 square feet of public subaqueous lands and to mechanically maintenance dredge 225± cubic yards to a depth of -3.5 feet MLW in portions of public subaqueous lands and two unnamed lagoons southeast of Lighthouse Cove, located adjacent to Lighthouse Cove Lane and to dispose of the dredged material via sealed dump truck to a 22 foot wide by 110 foot long supersilt fenced enclosed area located east of Lighthouse Cove Lane at 38.452209, -75.057211, Fenwick Island, Sussex County, DE

Thank You,

*Julie R. Molina*

Environmental Scientist  
Wetlands and Subaqueous Lands Section  
Department of Natural Resources & Environmental Control  
(302) 739-9943



 Please consider the environment before printing this message.

## Molina, Julie (DNREC)

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**From:** Raymond <raysatbeach@yahoo.com>  
**Sent:** Wednesday, February 19, 2020 6:21 PM  
**To:** Molina, Julie (DNREC)  
**Subject:** Re: lighthouse cove

any extension of piers on the north side of lighthouse cove development , will impair safe boating in that canal .....tying a boat to the bulkhead ,like we all do , is the only way to ensure safe boating traffic .  
there is plenty of room for boats on the east & west lagoons for boats to tie up

Raymond Fager  
feb 19 , 2020

On Wednesday, February 19, 2020, 06:11:23 PM EST, Molina, Julie (DNREC) <julie.molina@delaware.gov> wrote:

See below.

-----Original Message-----

From: Raymond <raysatbeach@yahoo.com>  
Sent: Saturday, June 15, 2019 7:48 PM  
To: Molina, Julie (DNREC) <Julie.Molina@delaware.gov>  
Subject: lighthouse cove

the canal on the north side of the projecyis yoo narrow for 4 boats across. curenthy there are boats , whips , drop down docks on the south side of Oyater bay dr ..and 45 houses with boats going back and forth to the bay....with a sharp 90 degree torn at the narrowest point . navigation is difficult at that point , for those reasons yoy NOT allow boats to dock along that bulkhead on the north side of the project .....also extending the bulkhead 18" will make it even narrower, there is sufficent docking on the E & W sides of the project ...

please DO NOT allow extending the bulkhear and boat docking on the North side of the bulkhead ....

Raymond Fager  
44 Oyster Bay Dr  
Fenwick Island DE 19944 June 15 2019

commenting on Lighthouse Cove project no. 14.....

## Molina, Julie (DNREC)

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**From:** Raymond <raysatbeach@yahoo.com>  
**Sent:** Wednesday, February 19, 2020 7:05 PM  
**To:** Molina, Julie (DNREC)  
**Subject:** Re: lighthouse cove

any piers on the north side , in the water , would be on public land . not private land

On Wednesday, February 19, 2020, 06:21:28 PM EST, Raymond <raysatbeach@yahoo.com> wrote:

On Wednesday, February 19, 2020, 06:11:23 PM EST, Molina, Julie (DNREC) <julie.molina@delaware.gov> wrote:

See below.

-----Original Message-----

From: Raymond <raysatbeach@yahoo.com>  
Sent: Saturday, June 15, 2019 7:48 PM  
To: Molina, Julie (DNREC) <Julie.Molina@delaware.gov>  
Subject: lighthouse cove

the canal on the north side of the project is too narrow for 4 boats across. currently there are boats , whips , drop down docks on the south side of Oyster bay dr ..and 45 houses with boats going back and forth to the bay....with a sharp 90 degree turn at the narrowest point . navigation is difficult at that point , for those reasons you NOT allow boats to dock along that bulkhead on the north side of the project .....also extending the bulkhead 18" will make it even narrower, there is sufficient docking on the E & W sides of the project ...

please DO NOT allow extending the bulkhead and boat docking on the North side of the bulkhead ....

Raymond Fager  
44 Oyster Bay Dr  
Fenwick Island DE 19944 June 15 2019

commenting on Lighthouse Cove project no. 14.....