

DNREC Virtual Public Hearing 204 Salisbury Exchange LLC (Docket #2020-P-W-0010)

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<u>No comments</u> will be taken in person during this hearing. Comments will be accepted using the DNREC Comment form, via email, or by USPS mail as noted on the hearing event page (<u>https://de.gov/dnrechearings</u>)

Public Hearing 204 Salisbury Exchange LLC

April 30, 2020 Delaware Department of Natural Resources and Environmental Control Wetlands and Subaqueous Lands Section





State of Emergency

On March 13, 2020, Governor Carney declared a State of Emergency due to the public health threat of COVID-19

In order to prevent the community transmission of COVID-19, the Governor's State of Emergency declaration ordered all public meetings of executive branch public bodies governed by 29 Del. C. §§10001 et. seq. to be conducted electronically, either by means of telephone conference call or video-conference call to prevent unnecessary public gatherings

STEOF DELAMARE

OFFICE OF THE GOVERNOR

PROCLAMATION

Whereas, the Centers for Disease Control and Provention has determined that a novel coronavirus ("COVID-19") presents a serious public health threat; and

Whereas, as ϕ 3:00 a.m. E.S.T. on March 13, 2020, the Governor declared a State of Emergency due to the public health thread of COVID-19; and

Whereas, in order to prevent the community transmission of COVID-19, the Governov's State of Einergency declaration ordered all public meetings of exacutive branch public bodies governed by 20 bel. 5 §1000 Le. seq. (Induduing boards, countries son, task fraves, and any other similar public body) and be conducted electronically, either by means of telephone conforcer call or video-conference cell; and

Whereas, in the intensits of protecting the cirkens of this state from the public health threat caused by OODD-19, the Governor is authorized to this date such usion us the Ooverconcosonethy believes assessary to help maintain life, health, property or public presen to this state, including issuing a produminic to suspend the provisions of any regulatory statulo prescribing the procedures for conducting state humans where artist compliance with the statute any hinder necessary action in coping with the public health horat covers the (OVI)-19.

> Now, Therefore, We, John Carney, Governor, and Bethany Hall-Long, Lieutenant Governor, do hereby declare that the following precoutionary measures shall be implemented:

- All machines of public bodies governed by 29 Del. C. §\$10001 et. seq., until further notice, may be conducted electronically, either by means of telephone conference call or videoconference call.
- 2. The technology used must permit members of the public body to hear the comments of and speak to all these participating, and members of the public to hear the comments of and speak to such members of the public body contemportments. Public participations is must also be permitted to electronically access presentation autorials and submit questions or comments.
- 3. During any public meeting conducted by electronic means, each member of the public body will identify him or heraelf before speaking so that members of the public are able to hear the comments of the members of the public body.
- Notice requirements of public meetings will continue as required by law and will include the electronic information necessary for participation.
- Meetings already indiced shall be updated as soon as practicable with the information necessary for members and the public to participate electronically.
- All other rules and procedures applicable to public meetings shall be followed.





Bethany A. Hall-Jong Bethany A. Hall-Long Lieutenant Governor

Purpose of Public Hearing

To provide the public an opportunity to comment on 204 Salisbury Exchange LLC's application to construct and utilize a residential pier, docks, and mooring pilings.

Subaqueous Lands Lease

Project Location



Project Location



Located on Tax Parcel #334-20.17-23.00 at 204 Salisbury Street, Rehoboth Beach, Sussex County, DE

Initial Project Overview



Public Notice



- The project was placed on a 20 day public notice period published in The Delaware State News and the News Journal from September 18, 2019 to October 8, 2019
 - Received six written comments in objection

Regulatory Review





- DNREC Division of Water
 Wetlands and Subaqueous Lands Section
 - Conducted bathymetry on-site to determine if the requested depths were consistent with regulatory requirements

Project Modifications

- Based on agency consultation, changes to the project included:
 - Reducing the length of pier from 128 feet to 114 feet
 - Reducing the number of free standing mooring piling from 11 to 3
 - Subsequently reducing the number of slips to three
 - Moving the 5 foot wide by 26 foot long docks from the east side of the pier to the west side of the pier
 - Moving the pier's junction with land west to comply with the setback for the east property boundary

Final Project Overview



- Reduced pier
 length to 114'
- Reduced number of mooring piling to 3
- Docks oriented extending west

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Compliant property setback



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Thank you for joining us. We will accept comments on this matter through May 15, 2020. Comments may be submitted in writing via <u>DNREC Comment form</u> - <u>https://dnrec.alpha.delaware.gov/public-hearings/comment-form/</u> via <u>email</u>- <u>DNRECHearingComments@delaware.gov</u>

> or by USPS mail: Theresa Newman, Hearing Officer DNREC – Office of the Secretary 89 Kings Highway, Dover, DE 19901

A copy of the Court Reporter's full, verbatim transcript, will be posted on this hearing's web event page as soon as it becomes available.

For more information, access the event page for this hearing on <u>https://dnrec.alpha.delaware.gov/2020/03/18/public-hearing-204-salisbury-exchange-subaqueous-lands-lease-application/</u>