

Lawton Family Marina-Joe Ribinsky (Docket# 2021-P-W0001)

Claude Oconnor <claudio58@verizon.net>

Wed 2/24/2021 2:34 PM

To: HearingComments, DNREC (MailBox Resources) <DNRECHearingComments@delaware.gov>

 4 attachments (8 MB)

PhotoScan (2).pdf; PhotoScan (3).pdf; PhotoScan (4).pdf; PhotoScan.pdf;

To: Lisa Vest, Hearing Officer

I am submitting the attached photos as well as a copy of my talking points to be made during the hearing on 2/24/21 concerning the Lawton Family Marina application.

Comments: I am opposed to the Lawton Family Marina application based on my comments previously submitted on 3/1/2020.

In addition to my previously submitted comments, I want to further express opposition to this proposed marina primarily because of its planned location on Herring Creek. As submitted, I believe that the marina location will have a material impact on the current use of these state waters. Specifically, under Marina Regulations #7501, section #11 Requirements for siting and designing new marinas there are numerous regulations that are incongruous with this marina application. In sub-section 11.4.5.1 it states that "marinas shall be designed to minimize adverse effects on the existing public and private use of waters in the state. This includes mooring sites, speed or traffic reductions, or any other device either physical or regulatory, that may cause the use of state waters to be restricted." I have attached aerial photos along with measurements of the section of Herring Creek impacted by the proposed Lawton Marina. The purpose of which is to demonstrate that the location of this marina will adversely effect the current existing use of this waterway. Hundreds of boats travel on plane and at high speeds transiting this waterway weekly in season to and from Rehoboth Bay and their home docks, while many others recreate in the same area enjoying water skiing, tubing, wake boarding, jet skiing, fishing and crabbing. All of which will be adversely impacted if this marina is permitted in this location.

Further, under section 11.4.5.2 the marina regulations state that "new marinas must be sited and or designed to the maximum extent practicable to afford adequate protection against wakes caused by vessel traffic." In reviewing the marina location and design as submitted in the application, the contractor J.T. Rogers Marine Construction shows no plans for wake protection. Only two of the proposed ten slips are specified to have boat lifts. Therefore the other eight wet slips will have no wake protection at all. If the applicants plan is to establish a no wake zone in response to this marina regulation, then that is in direct conflict with the existing use of the waterway and unfair to all of the numerous boaters using this section of Herring Creek!

I therefore request this marina application be denied. As a single AR/Residential lot, I have no issue with the construction of a private dock with two boat lifts, which is in complete alignment with all other waterfront properties in this area of Herring Creek.

Thank you,
Claude O'Connor



Distance

- 720 ft - GOOGLE EARTH SOURCE
+ LAUTON APPLICATION
QUOTED DISTANCE OF WATERBODY WIDTH
AT PROPOSED LAUTON MARINA.
- 120' LAUTON MARINA LENGTH IS 16.7% OF WATERWAY'S 720'



Distance

101 ft

101' EXISTING PIER ON PARCE/2-34-18.00-52.00
OWNED BY MELISSA PIERCE, TRUSTEE OF
J. DONALD ISAACS. CLOSEST STRUCTURE
TO PROPOSED 120' MARINA TO LEFT.

11:08 ↗

◀ App Store



Distance

102 ft

102' EXISTING NEMETH PIER/DOCK
LOCATED DIRECTLY ACROSS HERRING
CREEK FROM PROPOSED LAWTON MARINA.





Perimeter

1.06 mi

SAFE BOATING CHANNEL MARKED

- LENGTH 2640' / 1/2 mile
- WIDTH 180'

- PROPOSED LAUTON MARINA

will BE HEAVILY IMPACTED BY CONSTANT BOAT WAKES AND INTERFERE WITH CURRENT USE OF THIS WATERWAY.

- ALL EXISTING DOCKS HAVE BOAT LIFTSSM IN THIS AREA THEREFORE BOATS CAN BE ON PLANE TRANSITING THE AREA

TO REHOBOTH BAY OR RETURNING TO HOME DOCKS.