

1 Delaware Department of Natural Resources and  
2 Environmental Control (DNREC)  
3 Public Hearing: Quarry Walk Wastewater Collection and  
4 Conveyance System and Temporary Storage Tank Permits  
5

6 Docket No. 2024-P-W-0010  
7

8  
9 Moderated by Lisa Vest

10 Tuesday, June 25, 2024

11 6:00 p.m.  
12

13  
14 Remote Proceeding

15 DNREC

16 Division of Water

17 Commercial and Government Services Section

18 Richardson and Robbins Building

19 89 Kings Highway

20 Dover, DE 19901  
21

22  
23 Reported by: Andrew Weader

24 JOB NO.: 6741477

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- List of Attendees:
- Wenjia Fan, DNREC Environmental Engineer
  - Derrick Caruthers, DNREC Environmental Engineer
  - Michael Oleck, Applicant Representative
  - Michael DeNote, Applicant Representative
  - Janella Sapp, Office of the Secretary - Support
  - Drake Cattermole, Applicant Representative
  - Rich Klumpp, Applicant Representative
  - Amanda Davis, DNREC Representative
  - Wilfredo Ferrer III, DNREC Representative (intern)
  - Carlos Alejandro, Public Commenter 1
  - Maggie Mesinger, Public Commenter 2
  - Mark Blake, Public Commenter 3
  - Stone Lieberman, Public Commenter 4

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P R O C E E D I N G S

MS. VEST: Good evening. The time is 6:00 p.m. on Tuesday, June 25, 2024. And I want to thank everybody for taking the time out of your busy schedules to be here with us this evening.

We are here to provide the formal platform, as you can see on the screen, for the State of Delaware's Department of Natural Resources and Environmental Control to conduct this public hearing on the pending permit application submitted by Quarry Walk, LLC.

For those of you that may not recognize me, my name is Lisa Vest; and the DNREC Secretary has designated me to serve as the hearing officer for tonight's proceedings.

We have a couple of minutes of protocol that I just want to go over for those of you that may be unfamiliar with how DNREC conducts its public hearings.

First of all, pursuant to our hearing policy, this hearing is being conducted a hundred percent virtually. While there are no sign-in sheets to speak of as if we were at a physical location, Zoom does generate a list of those that are attending this

1 evening virtually. And again, I thank you for taking  
2 the time out of your busy schedules to do so.

3 Before I walk through the parameters of  
4 how this hearing is going to be conducted tonight, I  
5 am going to turn the stage, as it were, over to one of  
6 our interns that the Department is hosting for the  
7 summer. Fred is going to walk you through some basic  
8 steps in case you would like to utilize them. Zoom  
9 provides a platform for closed captioning. So we just  
10 want to make sure that everybody that's attending  
11 tonight gets the best experience possible for them.

12 So, Fred, if you would, please go over  
13 the closed captioning protocols for Zoom.

14 MR. FERRER: Thank you. As Ms. Vest  
15 has already said, I am an intern with the Office of  
16 the Secretary. And I'm here to assist with the closed  
17 captioning. I'd like to make sure everyone is aware  
18 that the Zoom platform we're using has the ability for  
19 closed captioning in multiple languages.

20 To start this closed captioning, if  
21 you're using a computer, at the bottom of your screen  
22 you should see a "show captions" button. If you don't  
23 see the "show captions" button, you may have to select  
24 the three dots that say "more." Once you find your

1 "show captions" button, you should click the carrot  
2 pointing up which will bring up your translation  
3 options. You can select your preferred language from  
4 there. If your preferred language isn't listed, you  
5 can select "more", and all of the languages will be  
6 listed.

7 If you're on a smartphone, at the  
8 bottom of your screen select the "captions" button  
9 indicated by "cc." If your preferred language is not  
10 listed at the bottom, you may have to select the three  
11 dots that say "more." You should select "meeting  
12 settings" with the gear icon next to it. Once the  
13 setting page comes up located at the very bottom,  
14 select "translation language." From there, you'll be  
15 able to select your preferred language, then select  
16 "done" at the top right corner, and then "done" again.  
17 If the captions are not automatically popping up yet,  
18 you may need to select "captions," and again select  
19 "show captions."

20 Thank you, everyone. I will now turn  
21 it back to Ms. Vest, our hearing officer.

22 MS. VEST: Thank you, Fred. This is  
23 Fred's first hearing, by the way, so nicely done.

24 At the conclusion of these introductory



1 remarks, as I mentioned, we will be turning the floor  
2 over to representatives from the Department. They  
3 have a brief presentation that essentially explains  
4 how we got here tonight and how DNREC processes permit  
5 applications like this. As an aside, that  
6 presentation that you're getting ready to hear will be  
7 posted in full on the hearing webpage dedicated to  
8 this matter.

9           So if you're not already aware, DNREC  
10 takes every hearing matter and creates its own  
11 dedicated hearing page to that subject. You can find  
12 it by going online on DNREC's website. And up at the  
13 tabs where you see an Admin. Law section, just click  
14 on that, click on Public Hearings, and you can scroll  
15 down. And all of our public hearings that we've ever  
16 held virtually, and even the ones that we held  
17 physically, I think since 2018, they're all out there.  
18 We never take them down even when the matter is  
19 complete.

20           So you can go down there; I believe  
21 Quarry Walk is second from the top. And on that page  
22 you'll be able to see the presentations that were  
23 given tonight. You'll be able to see the court  
24 reporter's transcript once that is completed and we

1 receive it. We'll post it immediately, so folks can  
2 take a look at that, especially if they missed  
3 attending the meeting tonight. And all of the  
4 exhibits and all of the comments that we have  
5 received, everything that the Department has about  
6 this hearing matter, is on that webpage. There's a  
7 wealth of information there. And I would encourage  
8 everybody, if they haven't already done so, to check  
9 that out.

10 Before we go any further into the meat  
11 of tonight's proceedings, it's important to set the  
12 parameters. As I mentioned, first and foremost, this  
13 is a formal legal hearing. It is not a public  
14 information session or other some kind of informal  
15 workshop, nor is the purpose of tonight's proceeding  
16 to offer a determination or any kind of decision on  
17 this subject matter. We are here to provide the  
18 platform so that members of the public can understand  
19 and learn as much as they can about these pending  
20 permit applications and to offer comment if they have  
21 preregistered to do so.

22 For those that have preregistered with  
23 DNREC to offer live comments tonight, when we get to  
24 that portion of tonight's proceedings, once the

1 Department has gone through all of their stuff and the  
2 applicant has said a few words on their own behalf, we  
3 will turn the platform over to those who have  
4 preregistered.

5 I'll be speaking more about what's in  
6 store for that when we get to that point. But in  
7 brief, each person who is preregistered will have  
8 three minutes to offer their comments. Again, all  
9 comments bear equal weight whether we've received them  
10 in writing or whether they come in live verbally at  
11 the hearing tonight.

12 And to make sure that the public is  
13 accommodated, especially if they missed or weren't  
14 able to be here tonight, the record is not going to  
15 close at the end of tonight's hearing. Rather, it's  
16 going to remain open for another 15 days after tonight  
17 so that anybody that wishes to offer comment will be  
18 able to do so. So the record, the actual date for  
19 that, the record will close on July 10, 2024. And  
20 again, whether the comments come in writing, whether  
21 they come in verbally tonight, or whether they come in  
22 on July 10th, they all bear the same weight. They'll  
23 all be incorporated into the hearing record. And the  
24 Secretary will take all of that into consideration

1 prior to his making a decision in this matter.

2 I do want to go over a couple of the  
3 legal parameters for tonight's proceedings. First and  
4 foremost, all comment received must be limited solely  
5 to the subject matter of tonight's hearing, which,  
6 again, are the pending permit applications of Quarry  
7 Walk.

8 Number two, in order to ensure that  
9 everyone who wishes to offer comment for the  
10 Secretary's consideration is accommodated as I just  
11 mentioned, the record is going to remain open for  
12 another 15 days following tonight's proceeding. That  
13 date for this particular matter will be through July  
14 10, 2024.

15 Number three, there is only one  
16 authentic record of tonight's proceedings, and it is  
17 the official court reporter's transcript. It is being  
18 prepared as we speak. And as soon as we receive it  
19 back from the court reporter, it will be posted on the  
20 website on that hearing page that I mentioned. So  
21 everybody that wants to reread it and possibly refresh  
22 their memory of what was presented tonight, they can  
23 certainly do so prior to the comments being offered.

24 Number four, the statutory purpose of

1 tonight's hearing is to build the record with regard  
2 to this pending permit application matter. The  
3 record, which consists of the transcript that will be  
4 prepared tonight, all written comments, all exhibits,  
5 and eventually the hearing officer's report, will all  
6 be compiled together to be reviewed by the Secretary.  
7 And then ultimately, he will issue an order that  
8 states his decision in this matter, either granting or  
9 denying these pending permits. And the order will  
10 contain his decisions on the matter and his reasoning  
11 therefore.

12           Lastly, as I mentioned previously, it's  
13 very important to understand that no decision has  
14 already been made regarding this matter; and no  
15 decision will be made at the conclusion of tonight's  
16 hearing. Rather, again, the purpose of tonight is for  
17 everybody to be able to tune in, listen to the  
18 information, listen to the comments that other people  
19 have to offer tonight, and then be aware that they  
20 still have another 15 days to offer comments should  
21 they wish to do so.

22           That being said, I am going to turn it  
23 over to members of the Department so that the  
24 presentation portion of tonight's proceedings can be

1 begin. I believe that it's going to be done in two  
2 parts on behalf of the Department. And Wen, when  
3 you're ready, you can go ahead and begin your portion  
4 of the presentation.

5 MS. FAN: Okay. Lisa, can you hear me  
6 okay?

7 MS. VEST: I can hear you fine.

8 MS. FAN: Okay. So I will just get  
9 started.

10 First I would like to introduce myself  
11 briefly. My name is Wenjia Fan. I am the engineer  
12 currently assigned to the Wastewater Collection and  
13 Conveyance System Construction Permit.

14 We're meeting here today to provide the  
15 public an opportunity to comment on Quarry Walk  
16 Wastewater Collection and Conveyance System  
17 Construction and Temporary Holding Tank Permit.

18 I'll start with the introduction.  
19 Okay. So Quarry Walk, LLC has submitted applications  
20 for a Wastewater Collection and Conveyance System  
21 Construction Permit, and also for an On-Site  
22 Wastewater Treatment and Disposal System Temporary  
23 Holding Tank Permit to serve the Quarry Walk  
24 residential subdivision located at 838 Yorklyn Road,

1 Hockessin, New Castle County.

2 The purpose of this presentation is to  
3 provide an overview of the application, and if  
4 approved, the proposed permits.

5 I'll start with the Wastewater  
6 Collection and Conveyance System Construction Permit.  
7 So it's required by 7 Delaware Code Chapter 60 and 7  
8 Delaware Admin. Code 7201, Regulations Governing the  
9 Control of Water Pollution of Section 4.0.

10 The application submitted for  
11 authorization to construct approximately 1,713 linear  
12 feet of 6-inch diameter sanitary sewer force main and  
13 also a pump station. Remember the pump station has a  
14 diesel-powered backup system. The application  
15 includes construction plans and specifications signed  
16 and sealed by a Delaware-registered professional  
17 engineer.

18 The infrastructure will serve the 63-  
19 lot Quarry Walk subdivision with 61 townhomes.

20 The sanitary sewer is gravity flow to  
21 the proposed pump station. When constructed, it will  
22 be owned and operated by New Castle County and pumped  
23 by force main to the New Castle County sewer on  
24 Yorklyn Road.

1           And also, we're going to talk about the  
2 draft permit. So the draft permit is going to  
3 authorize construction of 1,713 linear feet of force  
4 main and a pump station.

5           The proposed permit, if approved, will  
6 include terms and conditions designed to ensure proper  
7 construction, operation, and documentation of all new  
8 systems and equipment for the protection of public  
9 health and environment.

10           The draft permit conditions includes:  
11 Notification submitted to the Department prior to the  
12 startup of the construction activities; all  
13 construction required to be in accordance with Ten  
14 States Standards and other applicable local utility  
15 construction specifications and standards;  
16 authorization for Department staff to perform  
17 inspection of records and/or construction activities;  
18 submission of an .As Built. set of construction plans  
19 for the collection and conveyance system as  
20 constructed signed and sealed by a DE registered  
21 professional engineer.

22           Now, I hand it over to my colleague,  
23 Derrick, for the rest of the presentation.

24           MS. VEST: Derrick, if you're talking,



1 you're on mute. Okay.

2 MR. CARUTHERS: Yeah. I almost forgot  
3 to put it on. Sorry about that.

4 MS. VEST: You're okay.

5 MR. CARUTHERS: Hi, everyone. I'm  
6 Derrick Caruthers. I'm an environmental engineer with  
7 the Division of Water, and I've been assigned to the  
8 temporary holding tank permit side of the Quarry Walk  
9 subdivision.

10 Section 6.10 of the On-Site Wastewater  
11 Treatment and Disposal Systems regulations require  
12 that a permit be obtained prior to the construction  
13 and operation of a temporary holding tank system. A  
14 temporary holding tank permit application was received  
15 on January 18, 2024, and comments were provided on  
16 February 1, 2024.

17 The application included construction  
18 plans and specifications that are signed and sealed by  
19 a Delaware-registered professional engineer.

20 The revised application was submitted  
21 on February 8, 2024. That application included  
22 twelve, 1,500-gallon underground tanks to hold up to  
23 7,500 gallons-per-day of wastewater from the Quarry  
24 Walk subdivision until the force main and pump station

1 are constructed and connection to central sewer is  
2 completed.

3 The application was publicly advertised  
4 on February 21, 2024; and a public hearing was  
5 requested on March 5, 2024.

6 Next slide, please.

7 The permit would authorize the  
8 installation and use of twelve, 1,500-gallon  
9 Infiltrator IM-1530 tanks as a temporary holding tank  
10 system until the connection to central sewer is  
11 completed.

12 The proposed permit, if approved, will  
13 include terms and conditions designed to protect  
14 public health and the environment including: An  
15 influent and daily average flow limitation not to  
16 exceed 7,500 gallons per day; require that  
17 notification be submitted to the Department prior to  
18 the installation of the temporary holding tank system;  
19 require that a float and alarm system be installed in  
20 the temporary holding tanks to provide an indication  
21 of when the contents of the tanks are at 75 percent of  
22 capacity and ready to be pumped. The system is also  
23 designed to be pumped out routinely by a licensed  
24 hauler with pump-out reports submitted to the

1 Department.

2 Next slide, please.

3 Some of the additional permit  
4 conditions are: An annual inspection will be  
5 performed by Department staff; if the system produces  
6 odors that are considered a public nuisance,  
7 corrective actions must be designed and incorporated  
8 to eliminate these odors; and spill reporting and  
9 mitigation shall be required if any overflows occurs;  
10 and notification must also be submitted to the  
11 Department upon connection to central sewer.

12 Next slide, please.

13 In conclusion, Quarry Walk, LLC has  
14 submitted applications for a Wastewater Collection and  
15 Conveyance System Construction Permit and for an On-  
16 Site Wastewater Treatment and Disposal System  
17 Temporary Holding Tank Permit to serve the Quarry Walk  
18 residential subdivision, located at 838 Yorklyn Road  
19 in Hockessin in New Castle County.

20 If approved, the Construction Permit  
21 will authorize the construction of 1,713 linear feet  
22 of force main and a pump station with terms and  
23 conditions that will ensure proper construction,  
24 installation, and documentation of all new systems and

1 equipment.

2 The Temporary Holding Tank Permit will  
3 allow the storage of wastewater until construction of  
4 force main and pump station is completed. Both  
5 permits have the terms and conditions designed to  
6 protect public health and the environment.

7 Next slide, please.

8 And this concludes my presentation, and  
9 I offer the following exhibits for reference. Thank  
10 you.

11 MS. VEST: Okay. Thank you, Derrick,  
12 for that presentation, as well as Wen for the first  
13 part of that.

14 To do a little housekeeping for the  
15 benefit of the record right there, I believe that  
16 there are more exhibits. Is there another slide that  
17 backs that up? I think it goes -- yeah, there we go.

18 Derrick and Wen, one of you can answer;  
19 it's fine. Just to verify for the benefit of the  
20 record, are the exhibits that are displayed right now  
21 on this PowerPoint the same as those exhibits that are  
22 posted on the hearing page dedicated to this matter?

23 MR. CARUTHERS: Yes.

24 MS. VEST: And have they been changed

1 or altered in any way since their posting?

2 MR. CARUTHERS: No.

3 MS. VEST: Excellent.

4 Let the record reflect that DNREC  
5 Exhibits 1 through 14, as identified just now, are  
6 hereby entered into the formal hearing record.

7 (Exhibit 1 through Exhibit 14 were  
8 marked for identification.)

9 Is there anything else that the  
10 Department wishes to state on the record at the time?

11 No?

12 MR. CARUTHERS: Nothing here, no.

13 MS. VEST: Okay. I wasn't sure if you  
14 were talking or if you were muted. Okay. Very good.  
15 Thank you, Derrick and Wen.

16 At this point, I am going to turn the  
17 floor over briefly to representatives from the  
18 applicant. I know we have a few with us tonight, but  
19 I believe that Mike from Quarry Walk is going to say a  
20 few words on behalf of the applicant. And so when you  
21 are ready, you can unmute yourself and take it away.

22 MR. OLECK: Hi, Ms. Vest. Can you hear  
23 me okay?

24 MS. VEST: I can hear you.

1 MR. OLECK: Good evening, everyone. My  
2 name is Mike Oleck, and I am the production manager  
3 for the Quarry Walk project. I have a brief  
4 statement.

5 Quarry Walk is a community of 61  
6 townhomes situated off Yorklyn Road in Hockessin,  
7 Delaware.

8 On behalf of the project, I'd like to  
9 thank DNREC for the opportunity to present tonight.  
10 We are here this evening seeking a permit for the  
11 installation of a pump station, a force main sewer,  
12 and a temporary pump and haul for this project. The  
13 pump station and force main will be built by the  
14 developer at the developer's cost and turned over to  
15 New Castle County. New Castle County will permanently  
16 service the sewer needs of the homeowners in this  
17 community. The pump and haul will temporarily handle  
18 the sewer needs of the community while the pump  
19 station is under construction.

20 I want to thank everyone again for the  
21 opportunity to speak tonight, and we looked forward to  
22 a successful project. Thank you.

23 MS. VEST: Thank you, Sir.

24 Okay. That being said, with the

1 presentations for both the applicant and for the  
2 Department done, we are now going to turn to the  
3 matter of those that have preregistered to offer  
4 comments this evening.

5           Several of you joined in late, so at  
6 the risk of sounding repetitive, I'm just going to  
7 explain that pursuant to DNREC's public hearing  
8 policy, there is the ability for members of the public  
9 to offer live comment at our hearings provided that  
10 they have preregistered to do so. This evening we  
11 have four members of the public that have pre-  
12 registered, and so we're going to turn our attention  
13 to them. They are called simply in the order that  
14 they preregistered. There's no level of importance  
15 given one over the other. So I would ask that staff  
16 behind the curtain, so to speak, go ahead and get the  
17 timers set up so it is displayed on the screen. So,  
18 Fred and Janella, if one of you or both of you can  
19 work on that while I go through these protocols, that  
20 would be awesome.

21           Briefly stated, the comment must be  
22 related to the subject matter of tonight's hearing  
23 which, again, are the pending permit applications of  
24 Quarry Walk. Each commenter is given the benefit of

1 three minutes to offer their comments for the record.  
2 They will be captured by the court reporter in the  
3 transcript that is being produced this evening. Once  
4 we get the timer up, you will see that it will show  
5 three minutes. The timer will begin when the  
6 commenter begins speaking, and the system will  
7 automatically remute the mike once the three-minute  
8 mark has occurred. The commenter's video does remain  
9 off while speaking. And while, of course, I don't  
10 believe that we're going to have this issue tonight,  
11 but it always unfortunately needs to be said, while  
12 the Department appreciates all comments that come in,  
13 there is a zero-tolerance policy in effect for any  
14 kind of disparaging remarks, bullying, offensive  
15 language, or personal attacks. Also there is no  
16 sharing or yielding of each person's time. Each  
17 commenter gets three minutes.

18 That being said, the first person that  
19 I have on my list is Carlos Alejandro. And following  
20 Carlos is Maggie Mesinger. Hopefully I did not  
21 misspeak or say your names wrong in any way. It's  
22 kind of like baseball. I want the next batter up to  
23 know that they're up after this. And since we only  
24 have four tonight, following Maggie will be Mark



1 Blake; and following Mark will be Stone Lieberman. So  
2 I will remind people at the end of every comment who's  
3 up next.

4 But, that being said, Carlos, can you  
5 hear me?

6 MR. ALEJANDRO: Yup. Can you hear me?

7 MS. VEST: I can hear you loud and  
8 clear.

9 MR. ALEJANDRO: Great.

10 MS. VEST: And whoever has the timer,  
11 yeah; if we can get rid of that little Ovanti box.  
12 Excellent.

13 All right. Carlos, you are up; and the  
14 timer will begin as soon as you start speaking.

15 MR. ALEJANDRO: I am Carlos Alejandro,  
16 and I speak for many in the Yorklyn community that  
17 this is not a simple problem, and the history is  
18 important.

19 The symptoms of the problem here are  
20 what require a permit. They are, in fact, emblematic  
21 of the cause of the problem which is that two distant  
22 and unattached parcels of land were added to the  
23 Auburn Valley Master Plan without consulting the  
24 community in order to circumvent the Unified

1 Development Code of New Castle County.

2 This has been a flawed process and a  
3 poorly planned project that benefit a very few people  
4 at the expense of many, and at the expense of the  
5 quality of life of our community. New Castle County  
6 was not ever responsible for the pump station or  
7 connector as indicated in the permit request. The  
8 builder knew that. DNREC knew that. Yet here we are.  
9 The self-imposed hardship of not completing a pump  
10 house and a connector is not the community's emergency  
11 to solve or allow. The consequences should not be  
12 borne by the community for lack of planning or  
13 understanding of what was clearly not New Castle  
14 County's responsibility.

15 Also, only after ten acres were cut  
16 down, and DNREC was faced with an outraged community,  
17 was there a public meeting. There is apparently no  
18 traffic study to project what might be the impact of  
19 all this be. There is, and will be, more impermeable  
20 surfaces over the Hockessin Aquifer. Mitigated  
21 flooding may be undone. Is there a study for that?

22 Ask any resident of Yorklyn who has  
23 tried to subdivide or build when New Castle County is  
24 responsible for planning or oversight, how many houses

1 could be put on their parcel; it is not this number.

2 And the details about long-term  
3 responsibility for the sewage tanks are also unclear.  
4 The consequence of accidents and responsibility is  
5 also unclear. So the request for a permit was based  
6 on a false statement which DNREC was either not  
7 careful enough to vet or ignored. Then DNREC created  
8 a fast-track permitting process that did not include a  
9 public meeting unless there was a meritorious  
10 objection on a very short timeline with little public  
11 notice.

12 This project or process are not in  
13 alignment with DNREC's stated mission. It is also not  
14 in the community's best interest. We are asking you  
15 that this permit be denied.

16 Thank you.

17 MS. VEST: Thank you, Carlos. And  
18 again, thank you for taking the time to offer your  
19 comments this evening.

20 One thing that I did say that I want to  
21 insert here before Ms. Mesinger begins: If for any  
22 reason you don't get completely through your comments  
23 and you run up against that hard stop at three  
24 minutes, by all means I would encourage you -- or even

1 if you do finish but maybe you think of additional  
2 comments that you would like to supplement what you  
3 say tonight in writing, by all means. It's not one or  
4 the other. So you can offer your comment tonight, and  
5 you can offer more comment as long as it's received in  
6 writing on or before July 10th. It all comes in, and  
7 it all bears equal weight. So I just wanted to  
8 reinforce that point.

9 Next up is Maggie Mesinger. And as I  
10 said previously, following Maggie we'll have Mark  
11 Blake.

12 So, Maggie, can you hear me?

13 MS. MESINGER: Can you hear me?

14 MS. VEST: I can hear you. You are  
15 loud and clear. The timer will begin as soon as your  
16 voice begins. So take it away.

17 MS. MESINGER: So there are very real  
18 concerns here beginning with the inclusion of this  
19 parcel of 61 townhomes into the master plan without  
20 consultation with the community. The lack of  
21 transparency was laid bare when the community's first  
22 sign of something happening was the razing of 10 acres  
23 of trees. This seems in direct conflict with one of  
24 DNREC's missions to engage all stakeholders to ensure

1 the wise management conservation and enhancement of  
2 the State's natural resources.

3 We cannot find a traffic study that  
4 addressed what this 61-home development will mean for  
5 Valley Road and the surrounding neighbors and  
6 businesses. This subdivision is completely out of  
7 character with surrounding community and will forever  
8 alter the small village that Yorklyn is. This seems  
9 in direct conflict with one of DNREC's missions to  
10 improve the quality of life.

11 The paperwork seems to indicate that  
12 the construction application for the gravity sewer has  
13 already been submitted, and a temporary construction  
14 permit issued -- don't know. Why would a permit be  
15 issued before this hearing was held -- before you  
16 received meritorious objections to the original  
17 misleading and inaccurate application.

18 Very concerning is that DNREC put out  
19 that legal notice to the public which claimed, and I  
20 quote: "The subdivision consists of 61 attached  
21 dwelling units to be serviced by a pump station that  
22 is to be constructed by New Castle County and  
23 connected to the sanitary sewer in Yorklyn Road.  
24 Unfortunately, the County's timing for the

1 construction of the pump station does not coincide  
2 with that of the construction of the dwellings by the  
3 developer. Therefore, we are requesting permission to  
4 install a series of temporary holding tanks until such  
5 time that pump station is constructed and  
6 functioning."

7 Did DNREC not know that Newcastle  
8 County Public Works will operate the wastewater System  
9 once it is completed and accepted by the County?  
10 This is their only involvement in this project.

11 This is a self-imposed hardship, and  
12 the community should not have to bear the consequences  
13 of delays in funding issues or whatever the issue is  
14 with the construction of this pump house.

15 So the question became then: Is DNREC  
16 this careless about reviewing applications for  
17 projects of this magnitude, or were they outright  
18 misled? Both are very concerning, particularly since  
19 DNREC has obligations to monitor and follow up on this  
20 project.

21 If this project, too, is connected to  
22 the State requirement for a wastewater construction  
23 permit, it is our understanding that the developer and  
24 State Parks are required to obtain that permit. Has

1 anyone from State Parks been involved in this permit  
2 application?

3 Lastly, from the very beginning of this  
4 project --

5 MS. VEST: Okay. Maggie, I'm sorry.  
6 You hit the three-minute mark. But again, we want to  
7 hear your comments in full; and I would ask that you  
8 please submit everything that you just said in writing  
9 so that it can be incorporated into the hearing  
10 record. And again, I appreciate your time.

11 Next up is going to be Mark Blake, and  
12 after Mr. Blake is done we will have Stone Lieberman  
13 with the final comment for tonight.

14 So, Mark, can you hear me?

15 MR. BLAKE: Yes, I can. Can you hear  
16 me?

17 MS. VEST: You are loud and clear, Sir.  
18 Okay. The timer is set for three minutes. You may  
19 begin when ready.

20 MR. BLAKE: All right. First, thank  
21 you for holding the hearing. My name is Mark Blake.  
22 I am the president of GHADA. The acronym stands for  
23 "Greater Hockessin Area Development Association." We  
24 are the civic umbrella group for the Greater Hockessin

1 Area encompassing around 26,200 businesses and  
2 residents, and the NVF Master Plan in Yorklyn.

3 The first indication that something was  
4 going on, of course beyond the State Park Plan, was  
5 from back in September of '21 when we first put  
6 together -- there was a special DNREC meeting at the  
7 Creative Center for Arts.

8 And then the following month -- or in  
9 November the New Castle County report was that the  
10 force main work was to begin that month, back in  
11 November of '21. And it was because some of the lines  
12 that went from Yorklyn up to Hockessin were not in  
13 concert with the specs for the County and needed to be  
14 relined and replaced and repaired. And there would  
15 also be a force main connection required for Quarry  
16 Walk, because it is a forced line all the way up from  
17 Yorklyn to Hockessin which does cause difficulty.

18 We've heard some of the issues were  
19 that you couldn't get the materials because of COVID  
20 and delays. But this has been on our radar since  
21 2020. And we hold meetings the third Monday of every  
22 month at seven o'clock at the firehall, except July,  
23 August, and December, and have been doing it for over  
24 40 -- excuse me, 58 years. So we are kind of the



1 voice. We are a nonbinding association, but we try to  
2 speak for the betterment of the community.

3 GHADA has supported this for the simple  
4 reason it was a contaminated site as identified back  
5 when the NVF projects were looked at. And whenever  
6 you get a developer in, they get to help pay for those  
7 clean-up costs and improve the environment.

8 Most of the trees people talked about  
9 were invasive and had things from ash borers to  
10 spotted lantern flies. And there were other  
11 carcinogens on the site that were determined by DNREC  
12 and other agencies to be needing remediation. And the  
13 one thing you can get with a residential zoning is  
14 complete clean-up to a residential standard. New  
15 Castle County knows this. The State knows this. It's  
16 how things are done to get the best outcome for  
17 everybody.

18 GHADA has been discussing this since,  
19 like I said, 2020. It has been supported. We think  
20 that the issue really lies between the disconnect  
21 between the County not being able to get the parts and  
22 get the work done. They are delayed on a lot of  
23 septic sewer issues.

24 So we support this, and we know that

1 not everyone is going to agree with that, but we feel  
2 this is the betterment for the community. I always  
3 like to remind people there were almost 3500 to 4,000  
4 homes that could have been built had all of this land  
5 ended up with private developers. And less than 120  
6 will now be the total number of homes because of the  
7 restrictions that were placed due to the donations for  
8 the State Park.

9 So this is a win-win overall because  
10 all of those properties could have easily been turned  
11 into multimillion dollar single family homes, and  
12 Yorklyn would have had more traffic and more homes.

13 Thank you.

14 MS. VEST: Okay. Thank you, Sir. I  
15 appreciate your comments.

16 Last up for this evening, we have Mr.  
17 Stone Lieberman. Once again, Mr. Lieberman, can you  
18 hear me?

19 MR. LIEBERMAN: Yes. Hi, Lisa. Can  
20 you hear me?

21 MS. VEST: I can hear you loud and  
22 clear, Sir. The timer is reset at three minutes, and  
23 it will begin when you start speaking.

24 MR. LIEBERMAN: Terrific. Thank you.

1           The request for the temporary holding  
2 tank permit for Quarry Walk, if approved, would have  
3 drastic environmental consequences for the residents  
4 who already call Yorklyn Road home and for the  
5 proposed new tenants at Quarry Walk.

6           The inability of the developer to  
7 properly construct the pump station for the sewage  
8 line does not mean setting up temporary holding  
9 stations should be a solution. All along, the Quarry  
10 Walk project has been filled with inconsistencies, but  
11 thankfully the community is paying attention now.

12           Hauling this amount of waste, roughly  
13 15,000 gallons every two days for an indefinite  
14 period, is no minor feat. A heavy-duty septic truck  
15 is rated at 5,000 gallons. And this will require  
16 multiple trips in the two-day span. Essentially this  
17 would account for near daily emissions on Yorklyn  
18 Road.

19           In DNREC's 2018 Greenhouse Gas report,  
20 the transportation sector, such as these heavy-duty  
21 vehicles needed to haul waste, was identified as the  
22 largest contributor to greenhouse gas emissions. The  
23 Agency is fully aware of the cost of allowing such a  
24 request. But who is holding them accountable to their

1 own stated goals?

2 Just last year, the Climate Change  
3 Solutions Act of 2023 was passed, which as I quote  
4 from DNREC's website, "The Delaware Climate Change  
5 Solutions Act of 2023 sets our goal for the State to  
6 implement additional greenhouse gas emissions  
7 reduction strategies to ensure that statewide  
8 greenhouse gas emissions are reduced by 50 percent by  
9 2030 and reach net zero by 2050."

10 In what world does greenhouse gas  
11 emission reduction strategies mean relying on diesel-  
12 powered trucks to provide basic human services? Is  
13 the Agency so incompetent that they cannot even  
14 remember their own stated goal, or is this a case of  
15 "do as I say, not as I do"?

16 If approved, this egregious oversight  
17 would smell worse than the proposed holding tanks in  
18 this summer heat. The Agency should deny such a  
19 request based on the grounds of their own emissions  
20 reduction strategy and instead direct the developer to  
21 invest in the proper infrastructure required for  
22 development of this size.

23 MS. VEST: Great. Thank you, Mr.  
24 Lieberman.

1                   Again, I appreciate each of the  
2 commenters taking time out of their busy personal  
3 schedules to offer the comments. It's important.  
4 DNREC cares about what the communities think when  
5 permits come up like this, and your time and your  
6 thoughts are greatly appreciated. So, again, I thank  
7 you.

8                   For those who may have just started  
9 learning about this or haven't, you know, offered any  
10 comments yet but now after you've heard all of this  
11 you think you might want to, go to the hearing page.  
12 Go to DNREC online, and at the top you'll see a bunch  
13 of various tabs. Look for the Admin. Law tab, click  
14 on that, go to Public Hearings. I believe Quarry Walk  
15 is the second to the top because they're done in  
16 chronological order. Click on that. It will take you  
17 to the whole page where all the exhibits are. When we  
18 get the court reporter's transcript from this  
19 evening's proceeding, it'll get posted up there as  
20 well. All the comments that come in, we post them on  
21 that Hearing page as soon as they are received.

22                   So my suggestion to everyone out there  
23 this evening is take some time, go check out that  
24 hearing page. And as long as comments come in between

1 now and July 10th, which is the time that the record  
2 closes for additional comment, it'll count just like  
3 it was given tonight. It'll be incorporated. It'll  
4 get put on the Hearing page. And it'll all be  
5 gathered as part of the official hearing record and  
6 given for the Secretary to review prior to a decision  
7 being made in this matter.

8 I do want to note that when you go to  
9 the Hearing page, there are a variety of ways by which  
10 you can offer comment. Comment can be submitted  
11 through a comment link form right on the Hearing  
12 webpage. It can also be submitted via email to  
13 DNRECHearingComments@delaware.gov. There are links  
14 right on the page that will allow you to just click  
15 and offer your comment. Or, of course, you can submit  
16 it to me via the United States Postal Service --  
17 "snail mail" or whatever you want to call it -- and  
18 the address to my office in Dover is on the Hearing  
19 page as well.

20 I should note that written comments to  
21 DNREC may not be submitted via standard social media  
22 platforms such as X, formerly known as Twitter,  
23 Facebook, YouTube, or any type of standardized text  
24 messaging.

1                   Again, I want to thank everybody for  
2 attending this evening. Hopefully we learned  
3 something, and again, don't hesitate to offer comment.  
4 Even if you commented tonight, if you want to do  
5 supplemental, you can certainly do so.

6                   Thank you again for tuning in. This  
7 hearing is formally adjourned.

8                   (Whereupon, the meeting concluded at  
9 6:40 p.m.)

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CERTIFICATE

I, ANDREW WEADER, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

*Andrew Weader*

ANDREW WEADER  
Notary Public in and for the  
Commonwealth of Pennsylvania



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CERTIFICATE OF TRANSCRIBER

I, RENEE DECEMBER, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



RENEE DECEMBER

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