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March 5, 2024

VIA ELECTRONIC MAIL

Mr. Shawn M. Garvin
Secretary
Dept. of Natural Resources and Environmental Control
[Commercial Government LegalNotice@delaware.gov](mailto:Commercial_Government_LegalNotice@delaware.gov)

**Re: Quarry Walk, Yorklyn Road, Hockessin – Temporary Holding Tank Application
Tax Parcel #'s 08-008.10-117 to -120, 08-008.10-083 to -103**

Dear Secretary Garvin:

This office represents the concerned residents of the Yorklyn Valley (the “Residents”). The Residents have been made aware of the Temporary Holding Tank Application (the “Application”) submitted by the Quarry Walk LLC, the Developer of the subdivision identified as Quarry Walk, which is currently under consideration by your Office. The Residents respectfully request a public hearing be scheduled on the matter, and submit this correspondence in support thereof.

In the February 8, 2024 letter submitted to the DNREC Division of Water by the Developer’s engineering firm, the following affirmation was made:

The subdivision consists of 61 attached dwelling units to be serviced by a pump station that is to be constructed by New Castle County and connected to the sanitary sewer in Yorklyn Road. Unfortunately, the County’s timing for the construction of the pump station does not coincide with that of the construction of the dwellings by the developer; therefore, we are requesting permission to install a series of temporary holding tanks (10 total) to provide sanitary sewer service for 25 lots (referenced above) until such time that the pump station is constructed and functioning.

Upon information obtained from the New Castle County Department of Public Works, the statement regarding the County’s construction of a pump station to service Quarry Walk is materially misleading; the County has **no plans** to construct such a pump station, and, as such, no “timing” issue exists. Rather, the reality before your Office is the proposed approval of perpetual holding tanks, a very disastrous result, especially given the need to drain these tanks no less than fifteen (15) times a month, forever.

As the Residents have been informed by the County, the Developer was granted permission to connect to the County’s existing sewer lines, at the Developer’s sole expense, at which point the County

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would assume responsibility over the connection. Thus, any failure to establish the sewer connection before any Quarry Walk homes are occupied is solely a failure of the Developer in working with the County to fund the pump station. Seeing as there is, at best, a material misunderstanding between the Developer and the County as to the sewer connection, a public hearing must be scheduled to allow the Developer an opportunity to explain publicly (i) the discrepancy between its explanation of events and the County's understanding of what the Developer must undertake to obtain the sewer connection it approved, (ii) how the Developer intends to rectify that discrepancy going forward such that there will be no perpetual use of the holding tanks, and (iii) how long the holding tanks will be operated safely if such tanks must be used forever.

The Residents are rightfully concerned that the Developer is applying to install the septic holding tanks as inappropriate political leverage, and is using your Office to perpetuate that scheme. By obtaining the right to install the tanks, the Developer will be able to allow twenty-five (25) homeowners -- probably more than fifty (50) voting homeowners -- to move into Quarry Walk; voting homeowners, who will all need to have their holding tanks drained every two (2) days. This enormously expensive burden on the homeowners will then become political capital for the Developer, allowing the Developer, through the homeowners, to exert enormous pressure on the County to make concessions regarding the sewer connection; concessions that were not agreed to when the Quarry Walk subdivision was conceived. While the scope of those concessions are not yet clear, they no doubt will result in cost savings for the Developer, and higher costs for the County and its taxpayers. Indeed, the costs to the Developer impact only the Developer's bottom line. Yet, the unforeseen costs to the County impact all tax payers, the vast majority of which, including the Residents, will never see one iota of benefit from the Quarry Walk sewer connection.

Accordingly, the Residents respectfully request a public hearing be held on the Temporary Holding Tank Application so that an explanation of the discrepancy between the Developer and the County, and the proposed resolution of that discrepancy, can be heard by the taxpayers, including the Residents, who are ultimately being asked to pay for the Developer's failure to gain closure on its obligation to arrange and pay for the necessary pump station.

Respectfully,

/s/ Robert J. Valihura, Jr.

Robert J. Valihura, Jr., Esq.

RJV/SMQ

cc: Residents of Yorklyn Valley

From: [Rebar Jr., John J \(DNREC\)](#)
To: [Rebar Jr., John J \(DNREC\)](#)
Subject: FW: Quarry Walk tanks for waste water
Date: Monday, June 24, 2024 2:23:14 PM

From: lynniedavis78 <lynniedavis78@gmail.com>
Sent: Tuesday, March 5, 2024 9:49 AM
To: Commercial_Government_LegalNotice <Commercial_Government_LegalNotice@delaware.gov>
Subject: Quarry Walk tanks for waste water

I am requesting a public hearing on the install of 12 waste water tanks to be installed at the new development of Quarry Walk on Yorklyn Road.

How safe are these tanks? What are the hazards if a tank leaks?

What are the procedures in place to inspect these tanks? Why didn't Dnrec or the county know sewer lines could not be installed BEFORE NOW??

We need answers before this project proceeds.

Thank you.

Lynn Davis
567 Dawson Tract Rd.
Yorklyn, DE

Sent from my Verizon, Samsung Galaxy smartphone

From: [Bronson, Kevin \(DNREC\)](#) on behalf of [Commercial_Government_LegalNotice](#)
To: [Rebar Jr., John J \(DNREC\)](#)
Subject: FW: Quarry Walk, LLC
Date: Wednesday, March 06, 2024 8:54:57 AM

From: Brian Harnos <brian_harnos@hotmail.com>
Sent: Monday, March 4, 2024 9:55 PM
To: [Commercial_Government_LegalNotice](mailto:Commercial_Government_LegalNotice@delaware.gov) <Commercial_Government_LegalNotice@delaware.gov>
Subject: Quarry Walk, LLC

Requesting a public hearing for Quarry Walk, LLC. The proposed actions create significant environmental risk.

Additionally, this is a request for meritorious objection.

Thanks,

Brian Harnos
C: (302) 743 - 1985
brian_harnos@hotmail.com

From: [Bronson, Kevin \(DNREC\)](#) on behalf of [Commercial_Government_LegalNotice](#)
To: [Caruthers, Derrick P. \(DNREC\)](#)
Cc: [Rebar Jr., John J \(DNREC\)](#)
Subject: FW: Quarry Walk
Date: Tuesday, March 05, 2024 11:29:03 AM

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

From: Meg Mchugh <meg@broomstreet.com>
Sent: Monday, March 4, 2024 8:23 PM
To: [Commercial_Government_LegalNotice](#) <Commercial_Government_LegalNotice@delaware.gov>
Subject: Quarry Walk

As a resident of Yorklyn , I am very concerned about the proposed twelve 1500 gallon tanks to receive and store waste water There is a petition being circulated and I (and all my neighbors) will be calling my state representatives
Meg Mchugh Sent from my iPad

From: [Bronson, Kevin \(DNREC\)](#) on behalf of [Commercial_Government_LegalNotice](#)
To: [Rebar Jr., John J \(DNREC\)](#)
Subject: FW: Requesting a public hearing: Quarry Walk
Date: Wednesday, March 06, 2024 8:55:05 AM

From: Marie Miller <iammaries11@gmail.com>
Sent: Tuesday, March 5, 2024 12:08 AM
To: Commercial_Government_LegalNotice <Commercial_Government_LegalNotice@delaware.gov>
Subject: Requesting a public hearing: Quarry Walk

This message comes to request a public hearing so citizens have the opportunity to learn more about the wastewater management proposal currently being considered for the Quarry Walk development.

Thank you,
Marie Miller
(865) 851-5143

Marie

From: [Bronson, Kevin \(DNREC\)](#) on behalf of [Commercial_Government_LegalNotice](#)
To: [Rebar Jr., John J \(DNREC\)](#)
Subject: FW: Quarry Walk
Date: Wednesday, March 06, 2024 8:54:49 AM

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

From: nancypote@gmail.com <nancypote@gmail.com>

Sent: Monday, March 4, 2024 9:14 PM

To: Commercial_Government_LegalNotice <Commercial_Government_LegalNotice@delaware.gov>

Subject: Quarry Walk

A public hearing should be held!!!!

Sent from my iPhone

From: [Bronson, Kevin \(DNREC\)](#) on behalf of [Commercial_Government_LegalNotice](#)
To: [Rebar Jr., John J \(DNREC\)](#)
Subject: FW: Application of Quarry Walk
Date: Wednesday, March 06, 2024 8:54:33 AM

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

From: Megan & Bob Stewart <megan.bobstewart@gmail.com>

Sent: Monday, March 4, 2024 8:40 PM

To: Commercial_Government_LegalNotice <Commercial_Government_LegalNotice@delaware.gov>

Subject: Application of Quarry Walk

As a concerned citizen, I respectfully request a hearing on the wastewater management plan proposal for this property.

Megan Stewart

From: [Bronson, Kevin \(DNREC\)](#) on behalf of [Commercial_Government_LegalNotice](#)
To: [Rebar Jr., John J \(DNREC\)](#)
Subject: FW: Quarry walk
Date: Wednesday, March 06, 2024 8:54:17 AM

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

From: maria vandegrift <marvandel@icloud.com>

Sent: Monday, March 4, 2024 8:10 PM

To: Commercial_Government_LegalNotice <Commercial_Government_LegalNotice@delaware.gov>

Subject: Quarry walk

This is a request for a public hearing on the holding tanks proposal for this development.

Thank you,

Maria E. Vandegrift

816 Grande lane

Hockessin, De 19707

302-2397945

We write regarding the permit request for:

Quarry Walk, LLC

810 Yorklyn Road

Hockessin, DE 19707

Site Tax Map ID: 08-008.10-117 to 120; 08-008.10-083 to 103

Physical Site Address: approximately 1,200 feet north of Old Wilmington Road

Project Description: Quarry Walk, LLC proposes to utilize twelve 1,500 gallon tanks and appurtenances to receive and temporarily store wastewater from 25 dwellings in the Quarry Walk subdivision.

We are requesting a public hearing to bring this issue into public view transparently and with clarity. We would like the opportunity for our comments to be heard, publicly, regarding this permit which DNREC would like to move forward. We do not want DNREC to exercise this, yet again, without openly consulting the community of Yorklyn which is most affected by this whole project.

First, the premise on which the permit application is based by Apex Engineering is false:

*The subdivision consists of 61 attached dwelling units to be serviced by a pump station that is **to be constructed by New Castle County** and connected to the sanitary sewer in Yorklyn Road. Unfortunately, the County's timing for the construction of the pump station does not coincide with that of the construction of the dwellings by the developer; therefore, we are requesting permission to install a series of temporary holding tanks (10 total) to provide sanitary sewer service for 25 lots (referenced above) until such time that the pump station is constructed and functioning.*

In the words of Eric Laramore, P.E. Engineering Division Manager NCC Department of Public Works: "**The County is not constructing a pump station and the County has no timing issue.**". Apparently they are responsible for inspecting the project once completed by the contractor/developer and maintaining that connection.

If NCC is not responsible, can we assume that the contractor/developer is? Can we also assume that they are behind because of poor planning or supply chain issues, neither of which is the County's or the community's responsibility. Additionally, it should not be the community's problem to suffer the consequences of an open ended permit with additional truck traffic and a potential sewage problem in the valley.

Based on that false statement alone, we believe we need a public hearing so that the pattern of poor communication, no community involvement, and asking forgiveness afterward that both Drake McNish Cattermole and DNREC have exhibited be mitigated before hand.

Second, the idea that DNREC would begin this process by assuming that:

A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received within 15 days from this notice. A public hearing request shall be deemed meritorious if it exhibits a familiarity with the application and provides a reasoned statement of the action's probable impact.

is similarly part of a pattern that seems to want to exclude the community by making the visibility of such comments a few more steps from transparency.

The pattern demonstrated in numerous projects by this developer, Drake McNish Cattermole and DNREC of neglecting the community's voice and Cattermole's unkept promises is consistent in its disregard for any process that would include valuable history and potential consequences from the Walker Farm to Gibraltar to the Quarry Walk to Mill's Edge.

The arbitrary inclusion of additional properties into the Auburn Valley Master Plan (AVMP) has broken the trust in DNREC and proven Cattermole to be a deceptive and, at times, deceitful player.

This project has already gone too far without adequate public input and is clearly overwhelmingly opposed by the Yorklyn community and the community at large. It should not be allowed to continue to do so in this manner.

Finally, the impact of increased truck traffic supporting an open-ended sewage problem by parties with a record of unmet obligations is what we are concerned about. The neighbors downstream have had repeated problems with downstream discharges from Quarry Walk. They do not want this.

Transparency is what we are asking for. A community voice at the table instead of being on the table is what we are asking for. A relationship based on trust in words and action is what we are asking for. A public hearing is what we are asking for. The pattern is disconcerting at best, and feels more like a violation of Public Trust.

The history of Quarry Walk is replete with opaque and poorly communicated processes and results. Beginning with its inclusion in the Auburn Valley Master Plan in 2016 when it was NEVER part of NVF nor of the 2011 AVMP... without a public meeting until it was done. Calling it a brownfield after 100 years of not calling it a brownfield. The miasma of re-designation is questionable, at best. Why did the second parcel called Mill's Edge also get re-designated as well as the area that was supposed to have been in a Conservation Easement.

Therefore, because this permit request, based on a false premise, advanced by an opaque process without public consultation, to serve a project that has been, we believe that the Public Trust and the community's value would be further undermined without a public hearing.

Attached please find a list citizens concerned enough to have their names included in this "meritorious objection" who call for a public meeting.

We are, respectfully, your,

Yorklyn Community

Residents in favor of a public meeting

1.Carlos Alejandro Photography
1155 Yorklyn Road
Yorklyn, DE 19736
carlos@caphoto.com

2.Stone Lieberman
151 gun club rd
Yorklyn DE 19736
Stoneliieberman@gmail.com

3.Carly Simmons
165 Gun Club Rd
Yorklyn De 19736
Carlysimmonsmusic@gmail.com

4.Christine Witherspoon
121 Gun Club Rd
Yorklyn DE 19736
tippy6964@gmail.com

5.Anna Marshall Reynolds
P.O. Box 56
Yorklyn DE 19736
Annaglenhall@gmail.com

6.Tracey Stegemeior
302.383.0938
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7.Diane Necastro
302.379.8959
wmha24@gmail.com

8.Rob Pyle
P.O. Box 88
Yorklyn DE 19736
Pyleye@gmail.com

9.J Everton green
P.O. Box 140
Yorklyn DE 19736
Heresjohnny@gmail.com

10.Marita Deeds
P.O. Box 75
Yorklyn DE 19736
No email

11.Meg Mchugh
562 Dawson Tract
Yorklyn DE 19736
meg@broomstreet.com

12.Kira Alejandro
1145 Yorklyn Road
Yorklyn, DE 19736
kira.alejandro@gmail.com

13.Little Bird Hat Company
1153 Yorklyn Road
Yorklyn, DE 19736
info@littlebirdhats.com

14.Yoyodyne, LLC
PO Box 1
1155 Yorklyn Road
Yorklyn, DE 19736

15.Jeffrey Lott
317 Lower Snuff Mill Row
Yorklyn, DE 19736
jeffrey.lott@me.com

16.Ronald Walker
302.545.8819

17.Woodcrest LLC
121 gun club rd Yorklyn DE19736
Reynolds58973@gmail.com

18.Diane LeSieur
dianalynn819@gmail.com

19.B. Kendall
302.994.1232
bkendall@aol.com

20.Sand Pratt
sanleight@yahoo.com

21.Ted Sandstrom
302.239.2673

22.Mike Wilson
1145 Yorklyn Rd
Box 3
Yorklyn, DE 19736
michaellankwilson@gmail.com

23.Susanne Moran
PO Box 145
Yorklyn DE 19736-0145
sm1317@verizon.net

24.Sandra Finsel
834 Old Public Rd
Hockessin, DE 19707
sfinsel7@gmail.com

25. Elliott Wunsunton
302.685.3001
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26.Robert Palmatary
Bopalmatary.com.

27.Concord Pet
jpiser@concordpetfoods.com

28.Chris Stegemeier
302.388.9236
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29.Jon Stegemeier
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30.Emma Donahue
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31.Ally Whitmarsh
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32.Chrissy Donahue
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33.Jim Donahue
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34.Heather Ironside
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35.Kenneth W. Lodge
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36.Susan B. Lodge
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37. Cyndi Rappa
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38.Steve Weaver
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39.Monique McLeod
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40.Kim Gray
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41. Winnie Arnold
PO Box 234
2841 Creek Rd
Yorklyn, DE 19736

indigo636@aol.com

42. Chris Arnold

chris61670@gmail.com

43. Eric Hoeschel
1 Yorkridge Trail
Hockessin, DE 19707

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44. Holly Newell
15 Yorkridge Trail
Hockessin, DE 19707

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45. Chad Kendall
351 Springhouse Lane
Hockessin, DE 19707

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46. Maggie Messinger
2610 West 16th St
Wilmington DE 19806

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47. Marion Thurrell
302.239.1269

Mwthurrell@gmail.com

48. Doug Leach
302.234.1271

doug.leach1@comcast.net

49. Lauren Hornberger

clementine@hotmail.com

50. Alyse Blend

alyse.b95@icloud.com

51. Jacqueline Marks
302.584.3048

52. Richard Marks
302.584.2982

rmarks1@outlook.com

53. Ben Anemoni
302.897.4567

Anemoni23@outlook.com

54. Nancy McEwen
302.345.7851

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55. Lisa Rex
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56. Donna Gicker
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57. Richard Carlson
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58. Gilda Lee Carlson
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59. Maggie Campanelli
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60. Michelle T Joden
856.275.6673

Michele.rn7@gmail.com

61. Christine Philippi
310.490.4226

christinesillis@gmail.com

62. Joe Gutoski
302.981.0356
vodvox@yahoo.com

63. Raymond Para
302.530.7041
rlpara.dds@gmail.com

64. Mike Madeatoat
302.388.1794
freno98@yahoo.com

65. Vickie K Ahern
610.357.1862
ukahern@yahoo.com

66. Nancy Elliott
302.239.4462.
Elliott7475@verizon.net

67. Matthew Lutz
215.921.6904
matthewwlutz@gmail.com

68. Thomas Luhr
302.561.5590
TLuhr@Gamil.com

69. Bruce Kelsey
302.584.3811
BTkelsey@verizon.net

70. Evelina Kaminski
ekaminski113@gmail.com

71. Marion Newbold
Marionnewbold@comcast.net

72. Greg Ashe
918 Yorklyn Road
Hockessin De 19707
Cashcrzzy@gmail.com

73. CJ Ashe
918 Yorklyn Rd
Hockessin, DE 19707
Cjashe19@gmail.com

74. Lindsay Hoeschel
1 Yorkridge Trail Hockessin, DE 19707
lindsay.hoeschel@nccvt.k12.de.us

75. Brandon Calloway
561 Cabot Drive
Hockessin, DE 19707
mcrbrandon@gmail.com

76. Krystal Calloway
561 Cabot Drive
Hockessin, DE 19707
krystal12185@gmail.com

77. Carmen/Karen Campanelli
527 Dawson Tract
Hockessin, De 19707
kcamp527@hotmail.com

78. Tim Arnold
Tarnold197844@verizon.net

79. Stephanie Hillinshead
ltlfeet17@aol.com

80. Willard G Crichton
427 Upper Snuff Mill Row, Hockessin, DE
19707
crichtonwg@gmail.com

81. Jody Kleinfelter
433 Upper Snuff Mill Row, Hockessin, DE
19707
JodyLKleinfelter@outlook.com