From: Smith, Melanie A. (DNREC)
To: DAQ.DNRECtory
Subject: Middletown Materials application - DelDOT Contract/Job No.: T201412701
Date: Wednesday, September 23, 2026 11:28:58 AM
Attachments: image.png
image001.png
image002.png
image003.png
image004.png
image005.png

Please file for Middletown Materials application **(APC-2002/0738-OPERATION (Amendment 13)(NSPS) (MNSR)(SM))**
Thank you.

Melanie Smith, P.E.
Engineer
Phone: 302-739-9436
Email: melanie.smith@delaware.gov
100 W. Water Street, Suite 6A, Dover, DE 19904
dnrec.delaware.gov

From: [redacted]
Sent: Wednesday, September 23, 2026 11:11 AM
To: Smith, Melanie A. (DNREC) <Melanie.Smith@delaware.gov>
Subject: Fwd: New Contact Planning Form - DelDOT Contract/Job No.: T201412701

Begin forwarded message:

> **From:** Brian Olszak <bolszak@georgetowndel.com>
> **Date:** September 23, 2026 at 10:56:59 AM EDT
> **To:** [redacted]
> **Cc:** Jamie Donaway <jdonaway@georgetowndel.com>, Eugene Dvornick <GDvornick@georgetowndel.com>, Jeff Ward <jward@georgetowndel.com>
> **Subject: Re: New Contact Planning Form - DelDOT Contract/Job No.: T201412701**
>
> Amber,

The temporary placement and operation of portable equipment within the Department of Transportation's operating right of way, in order to construct required DOT roadway facilities and other related improvements as a part of a DelDOT project, is not subject to zoning, subdivision or building code ordinances/regulations of the Town of Georgetown.

Regards,
Brian

Brian J. Olszak
Community Development Director
Town of Georgetown
Phone: (302) 856-7391
Fax: (302) 856-6348

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From: info@georgetowndel.com <info@georgetowndel.com>
Sent: Wednesday, September 16, 2026 7:49 AM
To: Brian Olszak <bolszak@georgetowndel.com>; Jamie Donaway <jdonaway@georgetowndel.com>
Subject: New Contact Planning Form

There's a new Contact Planning form on https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.georgetowndel.com&c=E,1,7X51Tp0jZ-ck9T7b3lTyKZcSk1Bnv81ftCpecj97ehiGTwfRHGkbqx0RX6wMBj_ThU0-CujNcYShwQZnYG2PE7L8hMvZX9NP6MauBQeC5Bt8SJsEfoY,&typo=1 for

Name: [redacted]
E-mail: [redacted]
Phone: (302) 423-8137
Comments: Good morning,

I am reaching out on behalf of Middletown Materials (and Adel Construction) regarding a temporary construction activity associated with a Delaware Department of Transportation (DelDOT) project. DNREC has requested that we obtain documentation from Georgetown regarding the applicability of local zoning requirements to the temporary placement and operation of portable equipment within the DelDOT project area.

The project is:

DelDOT Contract/Job No.: T201412701
Project: US 113 at SR 18/SR 404 Grade Separated Intersection
Equipment: GCS-16 portable crushing/screening equipment
Activity: Temporary processing/recycling of construction materials generated as part of the DelDOT project for beneficial reuse within the project limits.

The equipment would be temporarily located and operated in association with the DelDOT construction project and is not intended to establish a permanent processing or recycling facility at the site.

DNREC provided us with an example of a similar determination previously made by Sussex County for portable concrete crushing equipment located within DelDOT right-of-way. In that instance, Sussex County advised that:

“Building structures and facilities constructed, or to be constructed, within the Department of Transportation’s operating right of way that facilitates maintaining the highway system and are used to assist in the operational and maintenance activities for all roads, shall not be subject to zoning, subdivision or building code ordinances or regulations by any political subdivision of the state.”

DNREC accepted the County's email confirmation as documentation of local zoning status for purposes of the associated air permit application.

Could you please confirm whether the temporary placement and operation of the

GCS-16 equipment associated with DelDOT Contract T201412701 is similarly not subject to County zoning approval, or otherwise confirm that no separate County zoning approval is required for this temporary construction activity?

This confirmation will be provided to DNREC in support of the permit application for the portable equipment.

Thank you for your assistance.

Best regards,

Thank you