

WETLANDS AND SUBAQUEOUS LANDS SECTION PERMIT APPLICATION FORM

**For Subaqueous Lands, Wetlands, Marina and
401 Water Quality Certification Projects**

**State of Delaware
Department of Natural Resources and Environmental Control
Division of Water**

Wetlands and Subaqueous Lands Section



**APPLICATION FOR APPROVAL OF
SUBAQUEOUS LANDS, WETLANDS, MARINA
AND WATER QUALITY CERTIFICATION PROJECTS**

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY**Application Instructions:**

1. Complete each section of this basic application and appropriate appendices as thoroughly and accurately as possible. Incomplete or inaccurate applications will be returned.
2. All applications must be accompanied by a scaled plan view and cross-section view plans that show the location and design details for the proposed project. Full construction plans must be submitted for major projects.
3. All applications must have an original signature page and proof of ownership or permitted land use agreement.
4. Submit an original and two (2) additional copies of the application (total of 3) with the appropriate application fee and public notice fee* (prepared in separate checks) to:

**Department of Natural Resources and Environmental Control
Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, Delaware 19901**

*Application and public notice fees are non-refundable regardless of the Permit decision or application status.

5. No construction may begin at the project site before written approval has been received from this office.

Helpful Information:

1. Tax Parcel Information:

New Castle County	(302) 395-5400
Kent County	(302) 736-2010
Sussex County	(302) 855-7878
2. Recorder of Deeds:

New Castle County	(302) 571-7550
Kent County	(302) 744-2314
Sussex County	(302) 855-7785
3. A separate application and/or approval may be required through the Army Corps of Engineers. Applicants are strongly encouraged to contact the Corps for a determination of their permitting requirements. For more information, contact the Philadelphia District Regulator of the Day at (215) 656-6728 or visit their website at: <http://www.nap.usace.army.mil/Missions/Regulatory.aspx>.
4. For questions about this application or the Wetlands and Subaqueous Lands Section, contact us at (302) 739-9943 or visit our website at: <http://www.dnrec.delaware.gov/wr/Services/Pages/WetlandsAndSubaqueousLands.aspx>. Office hours are Monday through Friday 8:00 AM to 4:30 PM, except on State Holidays.

APPLICANT'S REVIEW BEFORE MAILING

DID YOU COMPLETE THE FOLLOWING?

- | | | |
|--------------------------|-----|--|
| <input type="checkbox"/> | Yes | BASIC APPLICATION |
| <input type="checkbox"/> | Yes | SIGNATURE PAGE (Page 3) |
| <input type="checkbox"/> | Yes | APPLICABLE APPENDICES |
| <input type="checkbox"/> | Yes | SCALED PLAN VIEW |
| <input type="checkbox"/> | Yes | SCALED CROSS-SECTION OR ELEVATION VIEW PLANS |
| <input type="checkbox"/> | Yes | VICINITY MAP |
| <input type="checkbox"/> | Yes | COPY OF THE PROPERTY DEED & SURVEY |
| <input type="checkbox"/> | Yes | THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET |
| <input type="checkbox"/> | Yes | APPROPRIATE APPLICATION FEE & PUBLIC NOTICE FEE
(Separate checks made payable to the State of Delaware) |

Submit 3 complete copies of the application packet to:

**Department of Natural Resources and Environmental Control
Wetlands and Subaqueous Lands Section
89 Kings Highway
Dover, Delaware 19901**

Before signing and mailing your application packet, please read the following:

The Department requests that the contractor or party who will perform the construction of your proposed project, if other than the applicant, sign the application signature page along with the applicant in the spaces provided. When the application is signed by the contractor as well as the applicant, the Department will issue the Permit to both parties. For Leases, the contractor will receive a separate construction authorization that will make them subject to all of the terms and conditions of the Lease relating to the construction

Section 1: Applicant Identification

1. Applicant's Name: Mark Fox Telephone #: +17173952675
 Mailing Address: 109 Mountain Lane Fax #: _____
Lebanon, PA 17042 E-mail: mark_fox13@yahoo.com
2. Consultant's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 _____ Fax #: _____
 _____ E-mail: _____
3. Contractor's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 _____ Fax #: _____
 _____ E-mail: _____

Section 2: Project Description

4. Check those that apply:
 New Project/addition to existing project? Repair/Replace existing structure? (If checked, must answer #16)
5. Project Purpose (attach additional sheets as necessary):
To increase the dock size from 10' x 5' to 20' x 5'.
6. Check each Appendix that is enclosed with this application:

<input checked="" type="checkbox"/>	A. Boat Docking Facilities		G. Bulkheads		N. Preliminary Marina Checklist
	B. Boat Ramps		H. Fill		O. Marinas
	C. Road Crossings		I. Rip-Rap Sills and Revetments		P. Stormwater Management
	D. Channel Modifications/Dams		J. Vegetative Stabilization		Q. Ponds and Impoundments
	E. Utility Crossings		K. Jetties, Groins, Breakwaters		R. Maintenance Dredging
	F. Intake or Outfall Structures		M. Activities in State Wetlands		S. New Dredging

Section 3: Project Location

7. Project Site Address: _____ County: N.C. Kent Sussex
1407 South Bayshore Drive Site owner name (if different from applicant): _____
Milton, DE 19968 Address of site owner: _____
8. Driving Directions: _____
Route 16 east to South Bayshore Drive south. Property is on the right hand side of South Bayshore Drive
 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 2-35 10.06 5.00 Subdivision Name: Broadkill Beach

WSLS Use Only:	Permit #s: _____
Type	SP <input type="checkbox"/> SL <input type="checkbox"/> SU <input type="checkbox"/> WE <input type="checkbox"/> WQ <input type="checkbox"/> LA <input type="checkbox"/> SA <input type="checkbox"/> MP <input type="checkbox"/> WA <input type="checkbox"/>
Corps Permit: SPGP 18 <input type="checkbox"/> 20 <input type="checkbox"/>	Nationwide Permit #: _____ Individual Permit # _____
Received Date: _____	Project Scientist: _____
Fee Received? Yes <input type="checkbox"/> No <input type="checkbox"/>	Amt: \$ _____ Receipt #: _____
Public Notice #: _____	Public Notice Dates: ON _____ OFF _____

Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: Deep Hole Creek waterbody is a tributary to: Broadkill River

11. Is the waterbody: Tidal Non-tidal Waterbody width at mean low or ordinary high water _____

12. Is the project: On public subaqueous lands? On private subaqueous lands?*

In State-regulated wetlands? In Federally-regulated wetlands?

*If the project is on private subaqueous lands, provide the name of the subaqueous lands owner:

Mark and Thuong Fox The dock extension is landward of the low tide watermark which is part our parcel per my deed and survey.
(Written permission from the private subaqueous lands owner must be included with this application)

13. Present Zoning: Agricultural Residential Commercial Industrial Other

Section 4: Miscellaneous

14. A. List the names and complete mailing addresses of the immediately adjoining property owners on all sides of the project (attach additional sheets as necessary):

John Yost - 202 Trellis Lane Middletown, DE 19709

Marina Hill - 1405 S Bayshore Drive 19968

B. For wetlands and marina projects, list the names and complete mailing addresses of property owners within a 1,000 foot radius of the project (attach additional sheets as necessary):

Allen Leah - 1408 S Bayshore Drive Milton, DE 19968

Andreas Rauer - 63 Stuart Drive Dover, DE 19901

Joseph Fortson - 4205 Shannon Hill Road Alexandria, VA 22310

15. Provide the names of DNREC and/or Army Corps of Engineers representatives whom you have discussed the project with:

A. Have you had a State Jurisdictional Determination performed on the property? Yes No

B. Has the project been reviewed in a monthly Joint Permit Processing Meeting? Yes No

*If yes, what was the date of the meeting? _____

16. Are there existing structures or fill at the project site in subaqueous lands? Yes No

*If yes, provide the permit and/or lease number(s):

Existing permitted walkway and dock

*If no, were structures and/or fill in place prior to 1969? Yes No

17. Have you applied for or obtained a Federal permit from the Army Corps of Engineers?

No Pending Issued Denied Date: _____

Type of Permit: _____ Federal Permit or ID #: _____

18. Have you applied for permits from other Sections within DNREC?

No Pending Issued Denied Date: _____ Permit or ID #: _____

Type of permit (circle all that apply): Septic Well NPDES Storm Water

Other: _____

Section 5: Signature Page

19. Agent Authorization:

If you choose to complete this section, all future correspondence to the Department may be signed by the duly authorized agent. In addition, the agent will become the primary point of contact for all correspondence from the Department.

I do not wish to authorize an agent to act on my behalf

I wish to authorize an agent as indicated below

I, _____, hereby designate and authorize _____
 (Name of Applicant) (Name of Agent)
 to act on my behalf in the processing of this application and to furnish any additional information requested by the Department.

Authorized Agent's Name: _____ Telephone #: _____
 Mailing Address: _____ Fax #: _____
 _____ E-mail: _____

20. Agent's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.

 Agent's Signature

 Date

21. Applicant's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application. I grant permission to authorized Department representatives to enter upon the premises for inspection purposes during working hours.

Mark Fox

5/3/2023

Applicant's Signature

Date

Mark Fox

Print Name

22. Contractor's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge, and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.

 Contractor's Name

 Date

 Print Name

**APPENDIX A
BOAT DOCKING FACILITIES**

- * Any boat docking facility for more than four (4) vessels is considered a marina facility (see definitions and explanations section) and requires the applicant to complete Appendices N and O, and make application to the U. S. Army Corps of Engineers for approval.
- * Please make sure answers to all of the questions in this appendix correspond to information on the application drawings.

1. Briefly describe the project and the project purpose. (Attach additional sheets as necessary.) See definition section of Joint Application Form Reference Guide for clarification of "Dock" and "Pier."

To increase the size of the existing dock from 10' x 5' to 20' x 5' following the same linear lines of the existing dock. I am interested in increasing the dock size to better accommodate my ability to moor a larger boat to the dock.

2. Please provide numbers and dimensions as follows:

1 Dock(s): Dimensions (Channelward of mean high water line) 10 ft. by 5 ft.
 Dimensions (Channelward of mean low water line) ___ ft. by ___ ft.

This is in addition to the existing 10'x5' dock

___ Pier(s): Dimensions (Channelward of mean high water line) ___ ft. by ___ ft.
 Dimensions Channelward of mean low water line) ___ ft. by ___ ft.

___ Finger Piers(s):
 Dimensions (Channelward of mean high water line) ___ ft. by ___ ft.
 Dimensions (Channelward of mean low water line) ___ ft. by ___ ft.

X Support Pilings: Total No. 8 Stand-Alone Pilings: Total No. _____

___ Mooring Buoy: What will be used for the anchor(s)? _____
 Anchor/Mooring Block Weight _____
 Anchor Line Scope (Length or Ratio) _____
 Water Depth at Mooring Location _____

___ Dolphin ___ # Piles per Dolphin

___ Other: (Describe) Wetlands Walkway
 Total Dimensions (Channelward of mean high water line) ___ ft. by ___ ft.

3. Approximately how wide is the waterway at this project site? 50 ft.
 (as measured from MLW to MLW)

4. What will be the mean low water depth at the most channelward end of the mooring facility? 3 ft.

(APPENDIX A, CONTINUED)

-
-
5. What type of material(s) will be used for construction of the mooring facility (e.g. salt treated wood, aluminum, fiberglass floats, etc.) Use of creosote-treated wood is prohibited.
-
-

Salt Treated Lumber will be used.

6. Will any structure(s) be built on the boat docking facility? (i.e. handrails, electric or waterlines, dock box, fish cleaning station etc.) X Yes ___ No If your answer is "YES", note dimensions and location on application drawings.

A 4 ft high railing will be built on each end of the dock and along the side facing my home.

7. What will be the distance from the most channelward end of the docking facility to the edge of any natural or man-made channel? 45 ft.
8. Describe the vessels that will be berthed at the docking facility. Please draw exact vessel locations on plans and drawings.

The boat that will be moored is a non motorized row boat. Also I have future plans of mooring a sea kayak.

9. What size vessel(s) will be berthed at the facility? (Attach sheets as needed).

<u>16ft</u>	length	<u>5ft</u>	width	<u>16 inches</u>	draft
_____	length	_____	width	_____	draft
_____	length	_____	width	_____	draft
_____	length	_____	width	_____	draft

10. Please provide a copy of the current state registration or Coast Guard Certificate of Documentation for each motorized vessel listed above.

PA 6727BS

11. Do you plan to reach the boat docking facility from your own upland property? X Yes ___ No If "No", explain your proposed means of access.

12. Is there currently a residence on the property? X Yes ___ No

13. Give the number and type of each Marine Sanitation Device (e.g. MSD III, Portable toilet) that will be used on vessels to be docked at the facility.

N/A

14. For ponds or artificial lagoons where the underwater land is privately owned by someone other than the applicant, written permission of the underwater land owner must be provided with this application.

15. Will any portion of the structure or any vessel be placed within 10 feet of your property line? _____ Yes X No If yes, a letter of no objection from the adjacent property owner must be included with this application.

Revised: July, 1999

2-35 10.06 5.00
PREPARED BY:
Sergovic & Carmean, P.A.
123 West Market Street
P.O. Box 751
Georgetown, DE 19947-0751
File No. RE-4777

THIS DEED, made this 9th day of September, 2009,

- BETWEEN -

HARRY E. MAWSON, JR., of 30 Forge Road, Glen Mills, PA 19342, party of the first part,

- AND -

MARK H. FOX and THUONG THUONG LAM FOX, of 109 Mountain Lane, Lebanon, PA 17042, husband and wife as tenants by the entirety, parties of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Hundred Seventy-Nine Thousand Dollar (\$179,000.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the parties of the second part, and their heirs and assigns:

ALL that certain tract, piece or parcel of land situate, lying and being in Broadkill Hundred, Sussex County, State of Delaware, being more particularly described as follows, to wit: Being all of Lot 4, Block C, as shown upon a plot of Old Inlet Beach, Section I, Broadkill Beach, as the same appears of record in the Office of the Recorder of Deeds at Georgetown, Delaware in Plot Book 8, page 87, be the contents thereof what they may, said lot fronting a distance of 100 feet on the south side of Bayshore Drive by a depth between parallel lines of fifty feet.

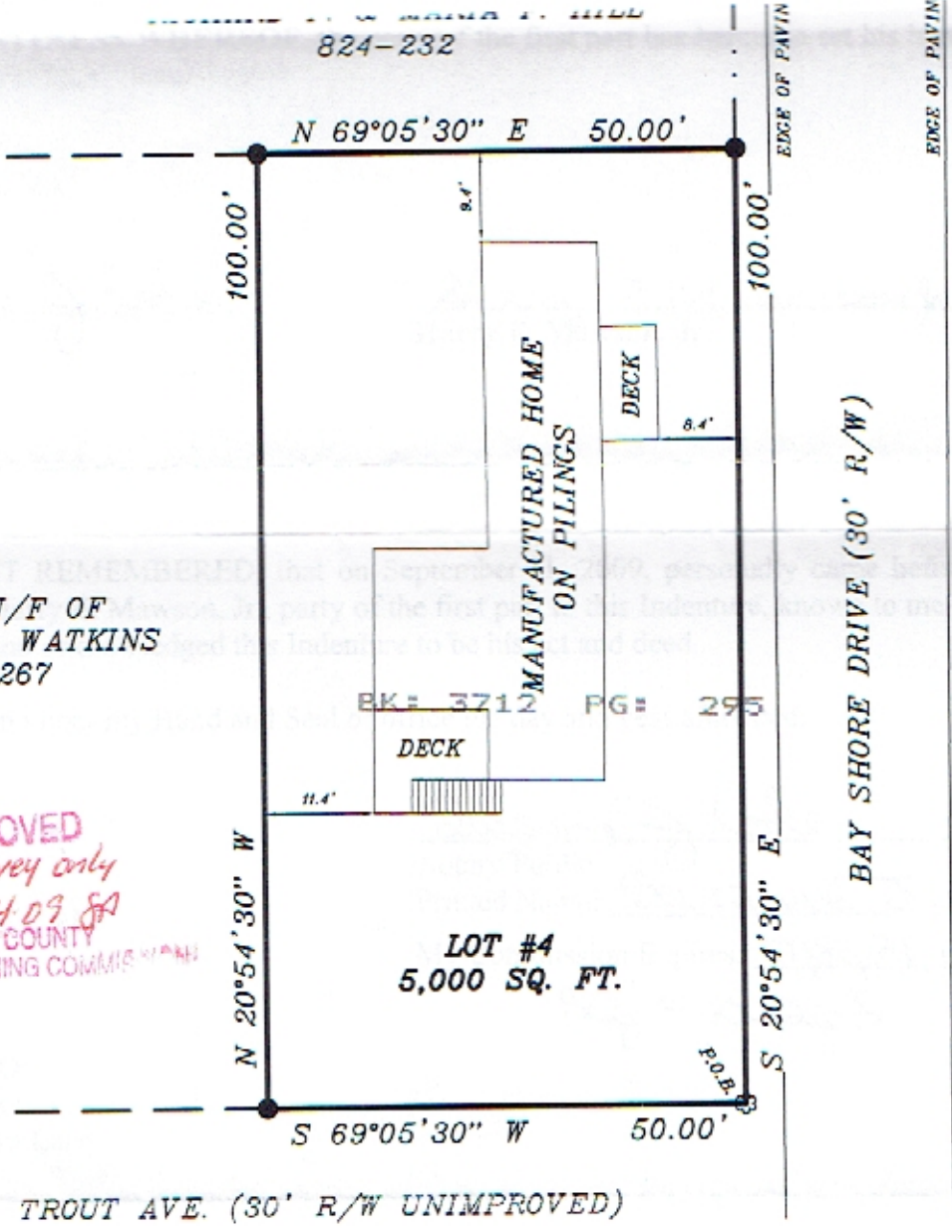
BEING the same lands conveyed to Harry E. Mawson, Jr. and Marjorie L. Mawson, his wife, by a Deed of Jennie H.J. Layton dated November 10, 1976 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware, in Deed Book 883, page 137. Marjorie L. Mawson departed this life March 6, 1992 at which time the property passed unto Harry E. Mawson, Jr., in its entirety by right of survivorship.

FAR PF

5



824-232



LANDS N/F OF
SUZANNE T. WATKINS
2706-267

APPROVED
lot Survey only
9.14.09 SA
SUSSEX COUNTY
PLANNING & ZONING COMMISSION

LOT #4
5,000 SQ. FT.

TROUT AVE. (30' R/W UNIMPROVED)

BAY SHORE DRIVE (30' R/W)

LANDS TO BE CONVEYED TO MARK H. FOX

LOT #4 BLOCK C SECTION 1 OF "OLD INLET BEACH" SUBDIVISION
BROADKILN HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
SCALE: 1" = 20' SEPTEMBER 9, 2009

- IRON PIPE (FOUND)
- ⊗ POINT IN CEDAR (5" DIA.)
- IRON PIPE (SET)

SURVEYED/PREPARED BY:

PHONE 302 541 5850
FAX 302 541 5851

MILNER LAND SURVEYING
LEWIS, INC.

34313 PEPPERS CORNER ROAD

FRANKFORD, DELAWARE 19945

SUBURBAN SURVEY

Mark H. Fox

BK: 3712 PG: 295

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Suzanne J. Cole

Harry E. Mawson, Jr. (SEAL)
Harry E. Mawson, Jr.

STATE OF VA, COUNTY OF Accomack to-wit

BE IT REMEMBERED, that on September 11, 2009, personally came before me, the subscriber, Harry E. Mawson, Jr., party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

Given under my Hand and Seal of office the day and year aforesaid.

Suzanne J. Cole
Notary Public
Printed Name: Suzanne J. Cole
My Commission Expires: May 31, 2013
Reg. # 100263

RETURN TO:
Mark H. Fox
109 Mountain Lane
Lebanon, PA 17042



RECEIVED
SEP 15 2009
ASSESSMENT DIVISION
OF SUSSEX COUNTY

Consideration: 179,000.00

County 2,685.00
State 2,685.00
Town Total 5,370.00
Received: Dana L Sep 15, 2009

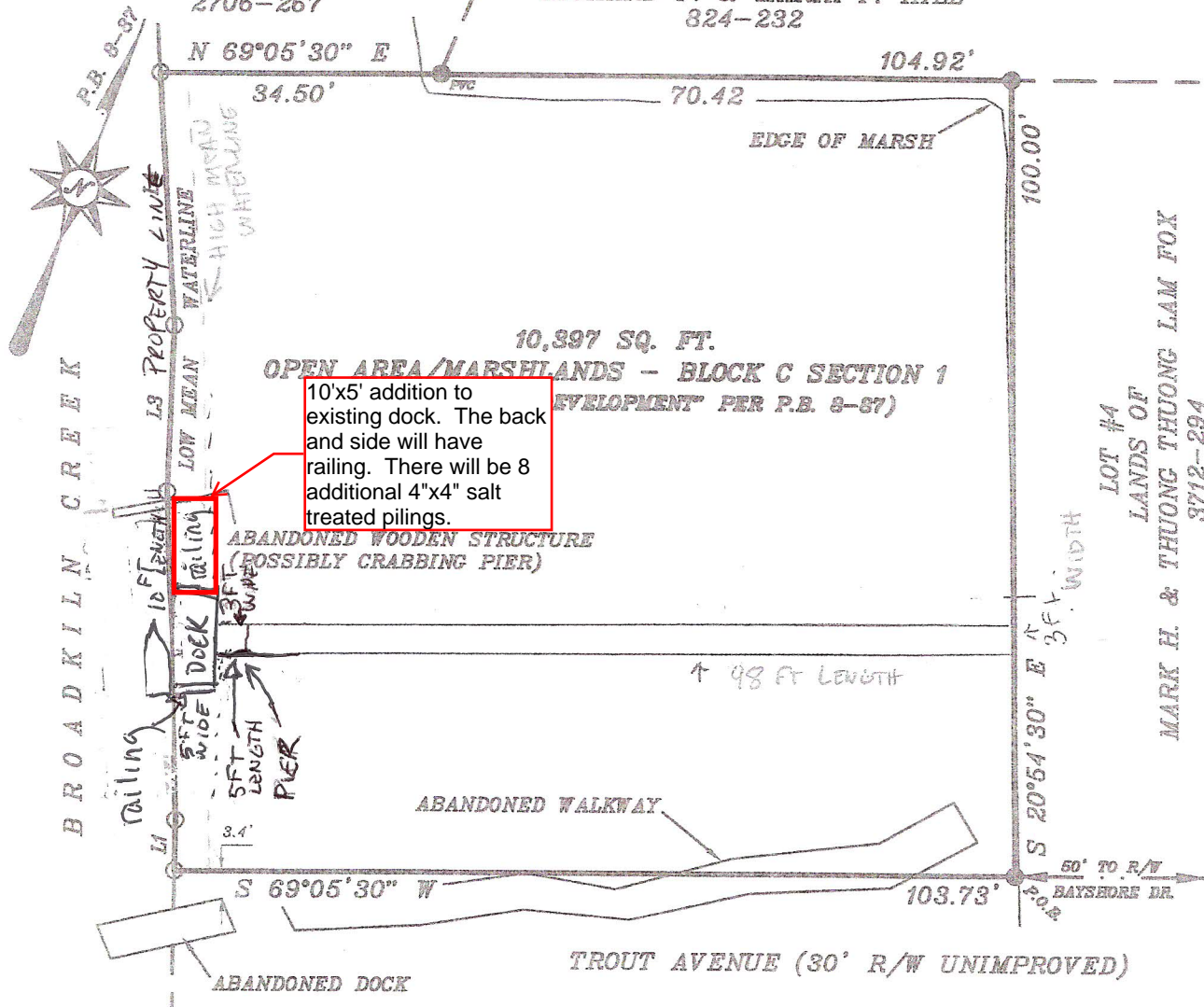
Recorder of Deeds
John F. Brady
Sep 15, 2009 10:11A
Sussex County
Doc. Surcharge Paid

PLAIN VIEW

T.M. #2-35-10.06-4

LOT #2
LANDS N/F OF
SUZANNE T. WATKINS
2706-267

LOT #3
LANDS N/F OF
RICHARD P. & MARIA F. HILL
824-232



10,897 SQ. FT.
OPEN AREA/MARSHLANDS - BLOCK C SECTION 1
DEVELOPMENT PER P.B. 8-87)

10'x5' addition to existing dock. The back and side will have railing. There will be 8 additional 4"x4" salt treated pilings.

- IRON PIPE (FOUND)
- PVC PIPE (FOUND)
- POINT

LANDS TO BE CONVEYED TO
MARK H. FOX

OPEN AREA/MARSHLANDS OF
BLOCK C SECTION 1 OF "OLD INLET BEACH" SUBDIVISION
BROADKILL HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

SCALE: 1" = 20' SEPTEMBER 23, 2011

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 19°28'16" W	6.32'
L2	N 21°59'03" W	41.15'
L3	N 18°09'48" W	20.87'
L4	N 23°45'25" W	31.73'

SURVEYED/PREPARED BY:

PHONE 302 541 5850
FAX 302 541 5851

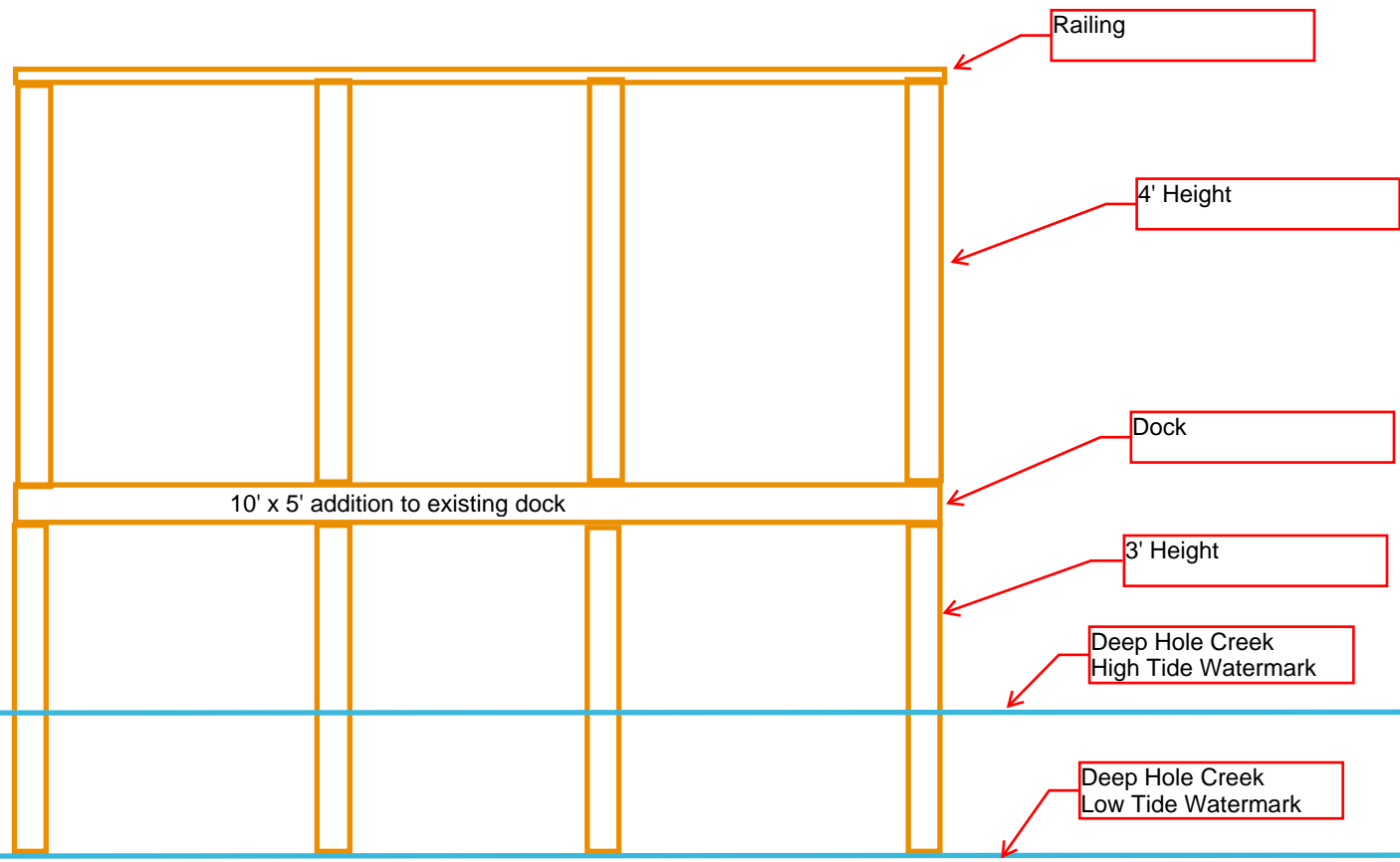
MILLER LAND SURVEYING
LEWIS, INC.

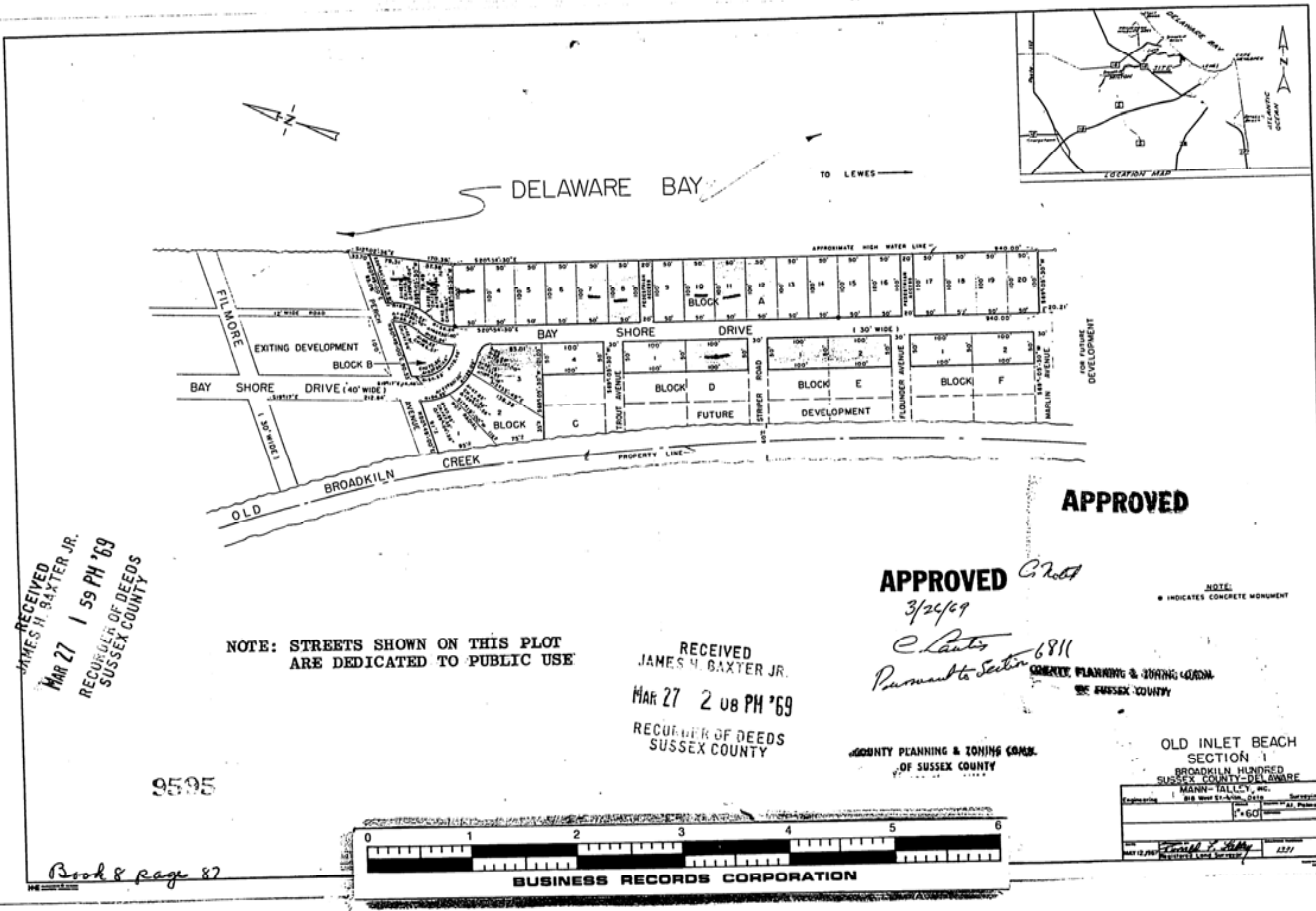
SUBURBAN SURVEY

34313 PEPPERS CORNER ROAD

FRANKFORD, DELAWARE 19945

Evaluation View





RECEIVED
 JAMES H. BAXTER JR.
 MAR 27 1 59 PM '69
 RECORDER OF DEEDS
 SUSSEX COUNTY

NOTE: STREETS SHOWN ON THIS PLOT
 ARE DEDICATED TO PUBLIC USE

9595

Book & page 87

RECEIVED
 JAMES H. BAXTER JR.
 MAR 27 2 08 PM '69
 RECORDER OF DEEDS
 SUSSEX COUNTY

APPROVED *C. Lantz*
 3/24/69
C. Lantz
 Pursuant to Section 6811

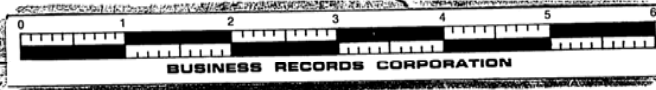
APPROVED

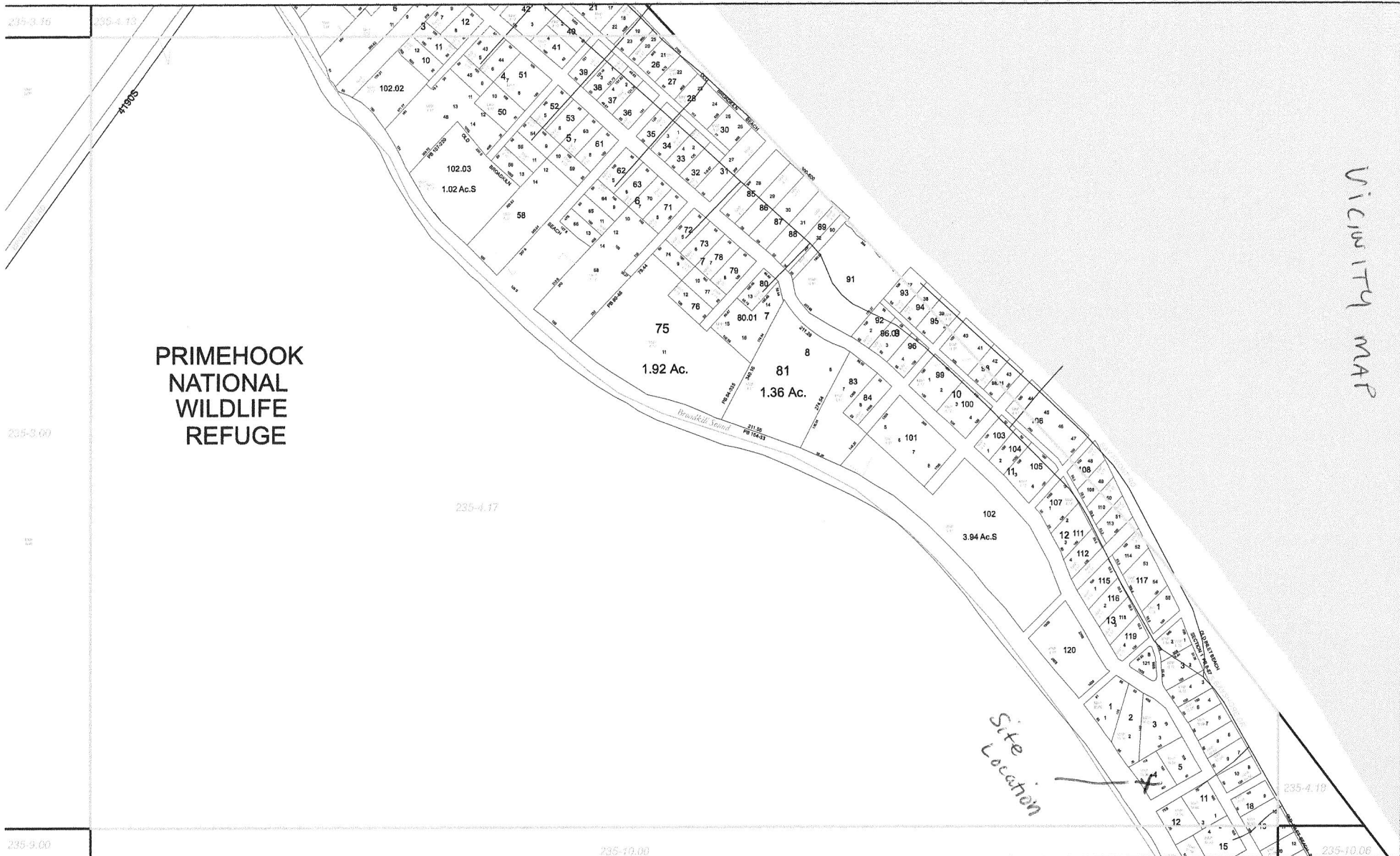
NOTE:
 * INDICATES CONCRETE MONUMENT

COUNTY PLANNING & ZONING COM.
 OF SUSSEX COUNTY

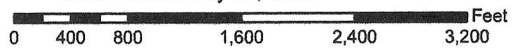
OLD INLET BEACH
 SECTION 1

BROADKILL PLANNED
 SUSSEX COUNTY, DELAWARE
 MANN-TALLEY, INC.
 204 West 12th Street, Dover, Delaware
 * GCJ
 DATE PREPARED: *March 1969*
 DRAWN BY: *Edward J. Talley*
 SHEET NO.: 2277





Date Printed: May 31, 2011



Sussex County Delaware



235-4.17

Legend
 Map Line - 41.80
 Map Number - 41.80
 Adjacent Map - 41.80

