

**Section 1: Applicant Identification**

1. Applicant's Name: Robert Kerxton Telephone #: 301-785-9075  
 Mailing Address: 57 Madison Ave Fax #: \_\_\_\_\_  
Fenwick Island De 19944 E-mail: rkerxton@remax.net

2. Consultant's Name: \_\_\_\_\_ Company Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ Telephone #: \_\_\_\_\_  
 \_\_\_\_\_ Fax #: \_\_\_\_\_  
 \_\_\_\_\_ E-mail: \_\_\_\_\_

3. Contractor's Name: Ron Gossard (Bayshore Marine Construction) Company Name: Bayshore Marine Construction  
 Mailing Address: 9836 Shore Break Lanet Telephone #: 301-748-7364  
Unit 101 Fax #: \_\_\_\_\_  
Berlin MD 21811 E-mail: bayshoremarine@comcast.net

**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):  
Remove existing 5' x 16' perpendicular pier and replace with new 6' x 35' Pier. Add 1) Boat lift with associated piling and A jet ski lift (Boatlift housing 2 skis).

6. Check each Appendix that is enclosed with this application:

<input checked="" type="checkbox"/>	A. Boat Docking Facilities	<input checked="" type="checkbox"/>	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: 57 Madison Ave County:  N.C.  Kent  Sussex  
Fenwick Island DE 19944 Site owner name (if different from applicant): \_\_\_\_\_  
 Address of site owner: \_\_\_\_\_

8. Driving Directions: Rt 1 North, Left on West South Carolina st, Left on Bayside De, Right on Glenn Ave and Left on Madison ave.  
On right towards end of road  
 (Attach a vicinity map identifying road names and the project location)

9. Tax Parcel ID Number: 1-34-23.16-174.01 Subdivision Name: Town Of Fenwick

<b>WSLS Use Only:</b>	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: Little Assawoman waterbody is a tributary to: Assawoman

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:

\_\_\_\_\_  
(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):

Jerome Schiavino 59 Madison ave Fenwick Island De 19944

Louis Marchese 55 Madison Ave Fenwick Island DE 19944

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):

N/A

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):

\_\_\_\_\_  
\_\_\_\_\_

\*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**

**18. Agent Authorization:**

If you elect to complete this agent authorization 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, Robert Kerxton, hereby designate and authorize  
Name of Applicant  
Ron Gossard / Bayshore Marine  
Name of Agent to act on my behalf in the processing

of this application and to furnish any information that is requested by the Department.

Authorized Agent's Name: Ron Gossard  
Mailing Address: \_\_\_\_\_ Telephone #: 301-748-7364  
9836 Shore Break Lane Fax #: \_\_\_\_\_  
Unit 101 E-mail: bayshoremarine@comcast.net  
Berlin MD 21811

**19. Agent Signature**

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

Ron Gossard \_\_\_\_\_  
Agent's Signature Date 9/21/23

**20. Applicant's Signature:**

I hereby certify that the information on this form and on the attached plans is true and accurate to the best of my knowledge. I 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 the authorized Department representative(s) to enter upon the premises for inspection purposes during working hours.

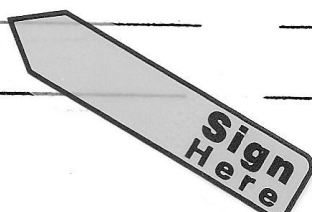
DocuSigned by:  
Robert Kerxton \_\_\_\_\_  
Applicant's Signature Date 9/21/2023

Co-Applicant \_\_\_\_\_  
Date \_\_\_\_\_

**20. Contractor's Signature:**

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

Bayshore Marine Construction \_\_\_\_\_  
Contractor Name Date 9/21/23



**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 with information on the application drawings.

1. Briefly describe the project. (Attach additional sheets as necessary.)

Remove existing 5' x 16' perpendicular pier and replace with new 6' x 35' Pier. Add 1) Boat lift with associated piling and A jet ski lift (Boatlift housing 2 skis).

2. Please provide numbers and dimensions as follows:

Structure Type	Number of Support Pilings	Dimensions (Channelward of MHW or OHW)		Dimensions (Channelward of MLW- n/a for non-tidal water)		New, repair or maintain
		Width _____ ft.	Length _____ ft.	Width _____ ft.	Length _____ ft.	
Pier		6'	35'	6'	35'	X
Boatlift	4	12'	12'	12'	12'	X
Jet ski Lift for 2 skis	4	12'	12'	12'	12'	X
Freestanding Pilings	Number					

Mooring Buoy: How many moorings will be installed? \_\_\_\_\_  
 What will be used for the anchor(s)? \_\_\_\_\_  
 Anchor/Mooring Block Weight \_\_\_\_\_  
 Anchor Line Scope (Length or Ratio) \_\_\_\_\_  
 Water Depth at Mooring Location \_\_\_\_\_

- Approximately how wide is the waterway at this project site? 12,000 ft. (measured from MLW to MLW)
- What will be the mean low water depth at the most channelward end of the mooring facility? 4' ft.
- 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.  
CCA treated piling and marine grade lumber. Galv bolts and stainless screws, aluminum lifts
- Circle any of the following items that are proposed over subaqueous lands:  
 Fish Cleaning Stations/Benches/Ladders/Water Lines/ Satellite/Electric Lines/ Handrails/Other (Describe)  
n/a  
 If any of the items are circled above, include their dimensions and location on the application drawings.

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? 175 ft.

8. Describe the vessels that will be berthed at the docking facility. Please draw proposed vessel locations on plans and drawings.

Make/model <u>pontoon</u>	length <u>22'</u>	width <u>8'</u>	draft <u>10"</u>
Make/model <u>Se Doo</u>	length <u>13</u>	width <u>4</u>	draft <u>6"</u>
Make/model _____	length _____	width _____	draft _____
Make/model _____	length _____	width _____	draft _____

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

10. 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.

11. Is there currently a residence on the property? \_\_\_\_\_ Yes No No

12. Do you plan to reach the boat docking facility from your own upland property? yes Yes \_\_\_\_\_ No If "No", explain your proposed means of access and provide documentation of easement or documentation authorizing access if you intend to cross someone else's property.

13. Will any portion of the structure be located in privately owned underwater land (such as a pond or lagoon) owned by someone other than the applicant? \_\_\_\_\_ Yes No No.

If yes, written permission of the underwater land owner must be provided with this application.

14. What is the width of the waterfront property frontage adjacent to subaqueous lands? \_\_\_\_\_ ft.  
Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line?  
\_\_\_\_\_ Yes No No

If yes, a letter of no objection from the adjacent property owner must be included with this application.

Robert Kerxton  
57 Madison Ave  
Fenwick Island, DE

MLW 2'2"  
MHW 3'

10' Adjacent set back

12' x 12' Boatlift

12' x 12' Jet ski lift

New 6' x 35' Perpendicular  
Pier. 1 Boatlift and 1 jet ski  
lift (boatlift housing skis) Max  
channelward distance 35'

Remove existing pier

10' Adjacent set back



Robert Kerxton 57 Madison Ave Fenwick Island DE 19944

Jet ski Lift 12' outside to outside

10" CCA Treated piling

Motor

Jet ski lift

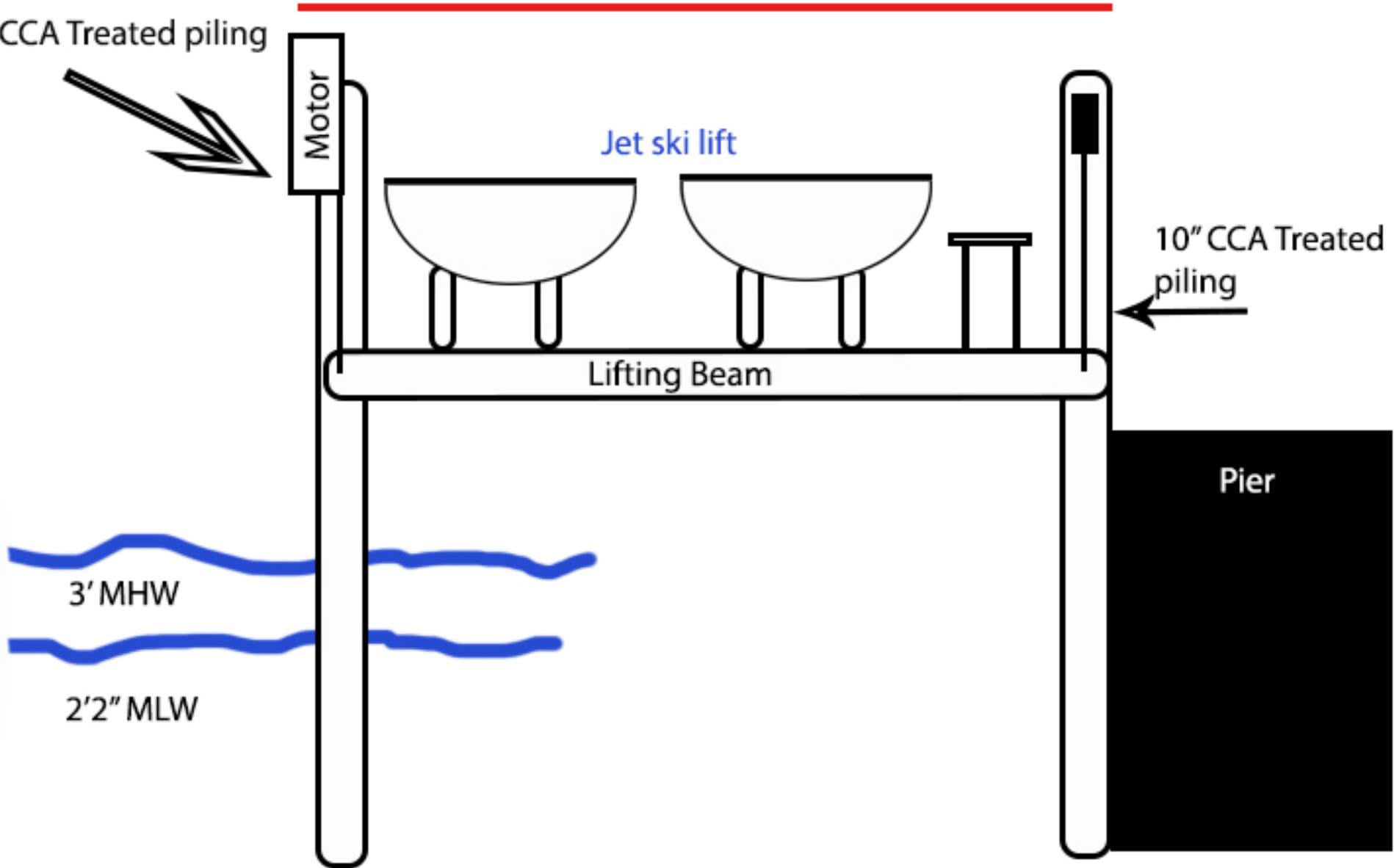
10" CCA Treated piling

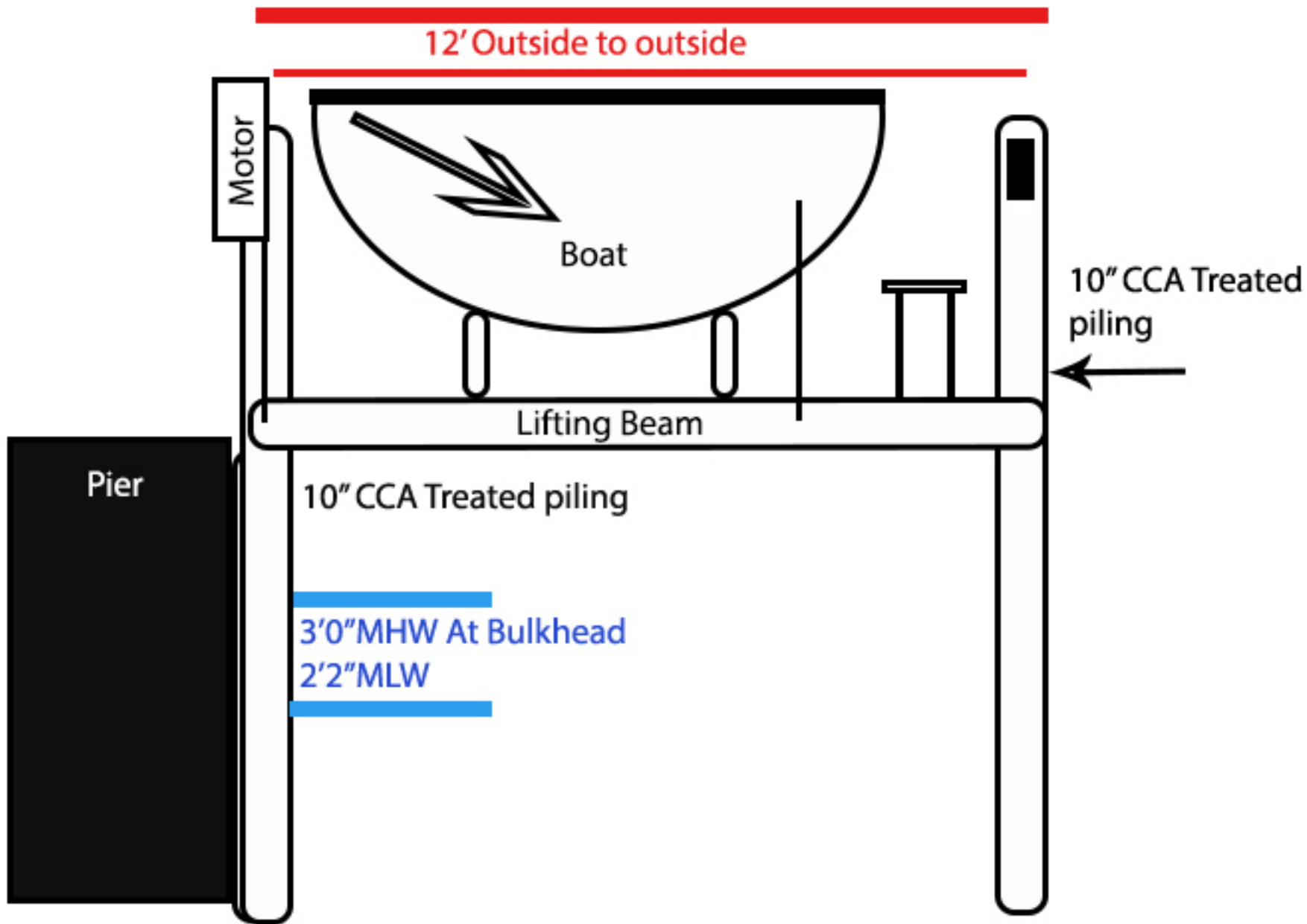
Lifting Beam

Pier

3' MHW

2'2" MLW







TAX MAP # 1-34-23.16-174.01

PREPARED BY & RETURN TO:  
Parsons & Robinson, P.A.  
P.O. Box 480  
118 Atlantic Ave, Ste 401  
Ocean View, DE 19970  
File No. 39394/KNT

Document # 2023000030719 BK: 5967 PG: 15  
On 9/1/2023 at 9:11:15 AM  
RECORDER OF DEEDS Alexandra Reed Baker  
Sussex County, DE  
Consideration: \$1,400,000.00 County/Town: \$21,000.00  
State: \$35,000.00 Total: \$56,000.00 Doc Surcharge Paid

**THIS DEED**, is made effective as of the 31<sup>st</sup> day of August, 2023,

- BETWEEN -

**MATTHEW JAMES WILSON** and **TERESA J. WILSON**, of 5111 North Sherman Street, Mount Wolf, PA 17347, parties of the first part,

- AND -

**ROBERT J. KERXTON** and **JILL K. KERXTON**, husband and wife, as tenants by the entirety, of 11238 Signature Boulevard, Selbyville, DE 19975, parties of the second part.

**WITNESSETH:** That the said parties of the first part, for and in consideration of the sum of ONE DOLLAR and 00/100 (\$1.00) and other valuable consideration, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part:

ALL that certain lot, piece and parcel of land situate, lying and being in Fenwick Island, Baltimore Hundred, Sussex County, and State of Delaware, and being known and designated as Lot No. 230 as shown on a plot of lots laid out and surveyed by George B. Cropper, surveyor, in November 1961, and known as "Bay Side, Inc." at Fenwick Island, Sussex County, Delaware, said plot being recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Plot Filing Case No. 1, and being more particularly bounded and described according to a survey prepared by True North Land Surveying, Bradley A. Absher, DE PLS #735, dated August 23, 2023, a copy of which is attached hereto as Exhibit "A", as follows, to wit:

BEGINNING at an iron pipe situate on the northerly right of way of Madison Avenue (30' Right of Way), said pipe being a corner for these lands and Lot 231; thence, by and with said northerly right of way of Madison Avenue, South 71 degrees 11 minutes 33 seconds West, 50.00' to an iron rod, said rod being a corner for these lands and Lot 229; thence, by and with

Lot 229, North 18 degrees 48 minutes 27 seconds West, 100.28' to a point located on the southerly side of the Assawoman Bay, said point being a corner for these lands and Lot 229; thence, by and with the southerly side of the Assawoman Bay and in part with a bulkhead, North 70 degrees 33 minutes 02 seconds East, 50.00' to a PK Nail, said PK Nail being a corner for these lands and Lot 231; thence, by and with Lot 231, South 18 degrees 48 minutes 27 seconds East, 100.84' to the point and place of beginning, being and containing 5,028 square feet of land, more or less.

BEING the same lands conveyed to Matthew James Wilson and Teresa J. Wilson, husband and wife, by Deed of Jerome M. Schiavino and Pamela G. Schiavino, dated August 20, 2021 and recorded in the Office of the Recorder of Deeds, Georgetown, Sussex County, Delaware, in Deed Book 5535, Page 91.

SUBJECT TO Restrictions as recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 545, Page 77.

SUBJECT FURTHER to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware.

[INTENTIONALLY LEFT BLANK – SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year as written below.

Signed, Sealed and Delivered  
in the presence of:

\_\_\_\_\_  
Witness

Matthew Wilson (SEAL)  
Matthew James Wilson

\_\_\_\_\_  
Witness

Teresa J. Wilson (SEAL)  
Teresa J. Wilson

STATE OF Pennsylvania, York COUNTY, to wit:

BE IT REMEMBERED, that on this 28<sup>th</sup> day of August, 2023, personally came before me, the subscriber, Matthew James Wilson and Teresa J. Wilson, parties to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

Shequetta Nicole Gatling  
Notary Public  
Printed Name: Shequetta Nicole Gatling  
My Commission Expires: 01/12/2027

