

Wetlands and Subaqueous Lands Section Basic Application Form

Section 1: Applicant Identification

1. Applicant's Name: Stephan Jody, RONIA TOWSKI  
 Mailing Address: 320 Robin Dr  
NAZARETH, PA 18064

Telephone#: 610-349-3909  
 Fax #: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

2. Consultant's Name: John Merritt  
 Mailing Address: 37992 Lighthouse Rd  
Selbyville, De. 19975

Company Name: Merritt MARINE  
 Telephone#: 302-841-2806  
 Fax #: 302-436-2038  
 E-mail: merrittmarineconstruction  
@AOL.com.

3. Contractor's Name: John Merritt  
 Mailing Address: 32992  
Lighthouse RD  
Selbyville, De. 19975

Company Name: Merritt MARINE  
 Telephone #: 302-841-2806  
 Fax #: 302-436-2038  
 E-mail: merrittmarineconstruction  
@AOL.com.

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):

Replace existing pier and dock with updated pier, dock, 2-Boat lifts and floating dock for Kayakers/canoes

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

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

Section 3: Project Location

7. Project Site Address: 38944  
Bayfront Dr.  
Ocean View, De. 19970

County:  N.C.  Kent  Sussex  
 Site owner name (if different from applicant): \_\_\_\_\_  
 Address of site owner: \_\_\_\_\_

8. Driving directions: \_\_\_\_\_

(Attach a location road map with the site indicated on the map).

9. Tax Parcel Number: 1-34-5.00-333.00 Subdivision Name: Quilnic Point

WSLS Use Only: Permit #: \_\_\_\_\_

Type SP  SL  SV  WE  WQ  LA  SA  MP  WA

Corps Permit: SPGP 18  20  Nationwide Permit #: \_\_\_\_\_ Individual Permit # \_\_\_\_\_

Received Date: \_\_\_\_\_ Project Scientist: \_\_\_\_\_

Fee Received? Yes  No  Amt: \$ \_\_\_\_\_ Receipt #: \_\_\_\_\_

Public Notice # \_\_\_\_\_ Public Notice Dates: ON \_\_\_\_\_ OFF \_\_\_\_\_

Public Notice #: \_\_\_\_\_ Public Notice Dates: ON \_\_\_\_\_ OFF \_\_\_\_\_

Section 3: Project Location (Continued)

10. Name of Waterbody at Project Location Indian River Waterbody is a Tributary to: Indian River Bay

11. Is the waterbody: Tidal  Non-tidal

12. Is the project:

On public subaqueous lands?  On private subaqueous lands?  In wetlands?

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

N/A  
(Written permission of 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 name and complete mailing address of the immediately adjoining property owners on all sides of the project. (Attach additional sheets as necessary):

Christine Tinsle 38952 Bayfront Drive  
Ocean View, De. 19970  
Tom Farrah 38942 Bayfront Drive  
Ocean View, De. 19970

B. For wetlands and marina projects, list the name and complete mailing address of each property owner within a 1000 foot radius of the project. (Attach additional sheets as necessary)

N/A

15. Indicate the names of all representatives from DNRBC and the Army Corps of Engineers who you have discussed the project with:

None

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. If there is any existing fill or structures in subaqueous lands at the project site, were the structures constructed or fill placed prior to 1969? Yes  No  - If no, provide a copy of any prior and/or current authorization(s) for projects at this site. If a copy is not available, provide the permit or lease number(s) if known.

SL-138/04

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

None  Pending  Issued  Denied Date: \_\_\_\_\_

Type of permit: \_\_\_\_\_ Federal Permit or ID #: \_\_\_\_\_

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

None  Pending  Issued  Denied Date: \_\_\_\_\_ Permit or ID #: \_\_\_\_\_

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

**Section 5: Signature Page**

**19. 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.

Jody Poniatowski, hereby designate and authorize  
Name of Applicant  
John Merritt to act on my behalf in the processing  
Name of Agent

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

Authorized Agent's Name: John Merritt  
Mailing Address: 32993 Telephone #: 302-841-2806  
Lighthouse RD Fax #: 302-436-2038  
Selbyville, De. 19975 E-mail: merritt@MARINECONSTRUCTION  
@AOL.COM

**20. 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 further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.

[Signature] Date 5/20/23  
Agent's Signature

**21. 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 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.

Jody Poniatowski Date 4/26/23  
[Signature]  
Applicant's Signature  
Stephan Poniatowski  
Print Name  
Jody Poniatowski

**22. 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, 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.

[Signature] Date 5/20/23

**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.)

*Replace existing pier and dock with updated pier, dock, 2 Boat Lifts and floating kayak dock.*

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. _____	
Dock, Pier, Lift, gangway						
<i>Pier</i>	<i>6</i>	<i>3'</i>	<i>27'</i>	<i>0</i>	<i>0</i>	<i>New</i>
<i>Pier</i>	<i>2</i>	<i>4'</i>	<i>6'</i>	<i>4'</i>	<i>6'</i>	<i>New</i>
<i>Dock</i>	<i>13</i>	<i>6'</i>	<i>50'</i>	<i>6'</i>	<i>50'</i>	<i>New</i>
<i>2-Boat Lifts</i>	<i>8</i>	<i>13'</i>	<i>13'</i>	<i>13'</i>	<i>13'</i>	<i>New</i>
<i>Floating dock (kayak)</i>	<i>3</i>	<i>10'</i>	<i>14'</i>	<i>10'</i>	<i>14'</i>	<i>New</i>
Freestanding Pilings	Number					

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

- Approximately how wide is the waterway at this project site? 200± ft. (measured from MLW to MLW) *measured 8/9/23*
- What will be the mean low water depth at the most channelward end of the mooring facility? 18" 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. *Salt-treated lumber, Aluminum boat lift, fiberglass floats, galvanized piling*
- Circle any of the following items that are proposed over subaqueous lands: *Rings*  
 Fish Cleaning Stations/Benches Ladders Water Lines Satellite Electric Lines Handrails Other (Describe)

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? 7 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>Bennington</u>	length <u>20'4"</u>	width <u>8'4"</u>	draft <u>18"</u>
Make/model <u>Yamaha</u>	length <u>23'</u>	width <u>8'</u>	draft <u>14"</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. Yes

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. N/A

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

12. Do you plan to reach the boat docking facility from your own upland property?  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.  
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? 123.28'  
Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line?  
 Yes  No  
If yes, a letter of no objection from the adjacent property owner must be included with this application.

# STATE OF DELAWARE

## BOAT REGISTRATION CERTIFICATE

HULL ID NO	REG NO	MAKE	YEAR
YAMC0290C717 LENGTH	DL8641AK HULL MATERIAL	YAMAHA PROPULSION	2017 OPERATION
23' 0" VESSEL TYPE	Fiberglass FUEL	Propeller ENGINE TYPE	Pleasure EXPIRATION
Open Motorboat OWNER	Gasoline BOAT NAME	Inboard	2019

STEPHEN PONIATOWSKI  
320 ROBIN DRIVE  
NAZARETH, PA 18064

SYNCHRONY BANK

Original registration  
updated registration  
was sent cropped off.  
But shows Expiration  
and Hull number to  
Authenticate

# STATE OF DELAWARE

## BOAT REGISTRATION CERTIFICATE

ID NO	REG NO	MAKE	YEAR
0290C717 TH	DL8641AK HULL MATERIAL	YAMAHA PROPULSION	2017 OPERATION
L TYPE	Fiberglass FUEL	Propeller ENGINE TYPE	Pleasure EXPIRATION
Motorboat	Gasoline BOAT NAME	Inboard	2025

EN PONIATOWSKI

BIN DRIVE  
ETH, PA 18064

SYNCHRONY BANK

CUT OUT THE REGISTRATION CARD FROM THIS FORM AND SIGN IN THE SPACE PROVIDED. NO REFUNDS, RETURNS, OR CREDITS.

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA FISH AND BOAT COMMISSION  
CERTIFICATE OF BOAT REGISTRATION

VALIDATED 04/03/2023 HULL IDENTIFICATION NUMBER ETWH7558I920  
0415758 BENNINGTON

TITLE NUMBER	MANUFACTURER		
	FEET	INCHES	YEAR
06/25/1956	20	4	2020

THIS CERTIFICATE OF REGISTRATION CARD SHALL BE ON BOARD THE BOAT WHENEVER THE BOAT IS IN USE.

March 31, 2025 PA 2428 DZ  
EXPIRES REGISTRATION NUMBER

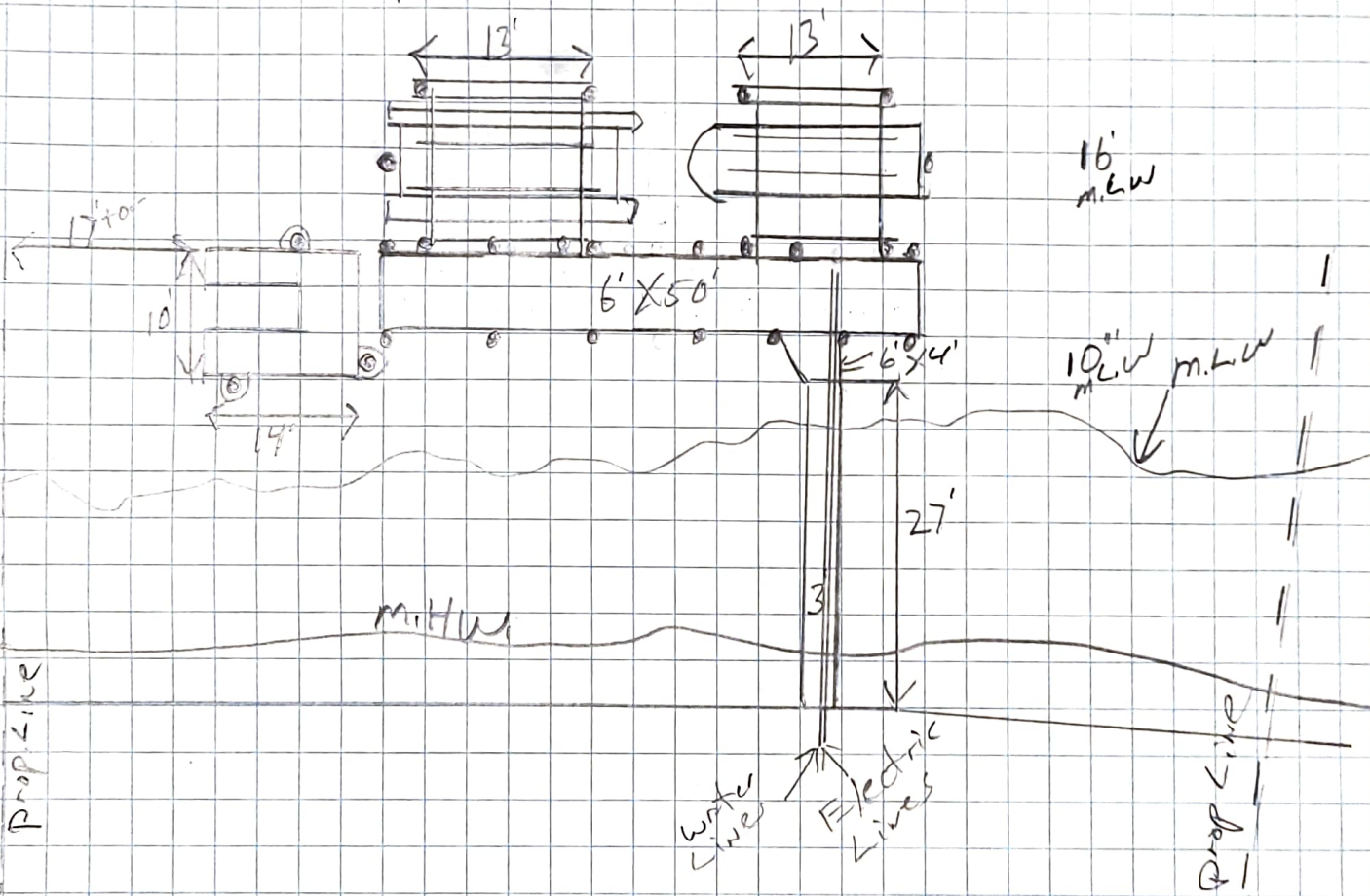
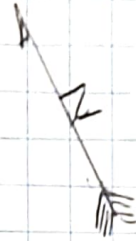
WILLIAM R BERGSTOL  
GEORGE R HYDOCK  
288 FRUTCHEY CT  
MOUNT BETHEL PA 18343

TYPE: PONTOON HULL: ALUMINUM PROP: PROPELLER DRIVE: OUTBOARD  
FUEL: GAS USE: PLEASURE

*William R Bergstol*  
*George R Hydock*  
VALID ONLY WHEN SIGNED IN INK - DO NOT

WILLIAM R BERGSTOL  
GEORGE R HYDOCK  
288 FRUTCHEY CT  
MOUNT BETHEL PA 18343

Indian River Bay

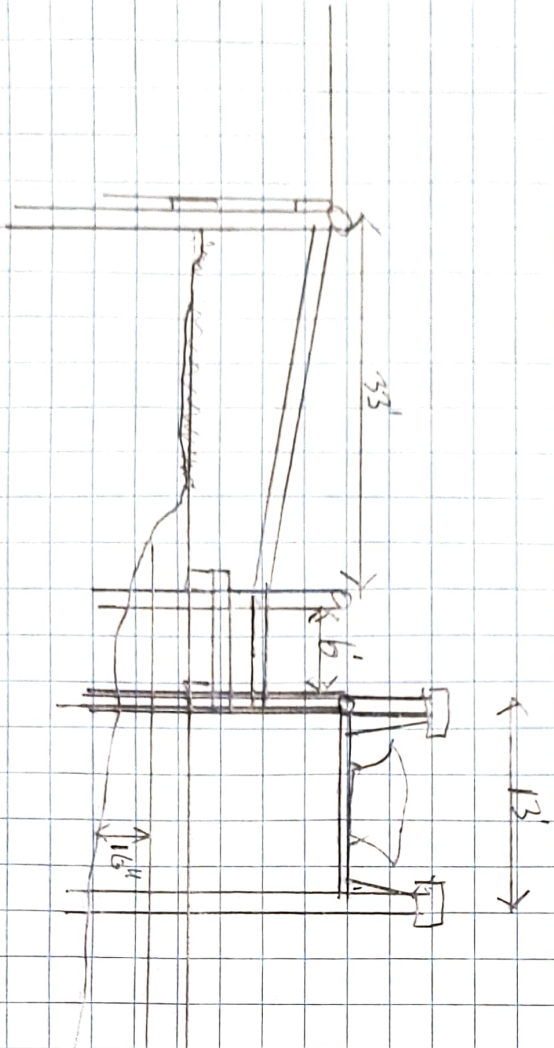


Stephan Jody Poniatowski  
38944 Day Frost Dr.  
Ocean View, Va. 19970

Scale 1" = 15'



Struct Body Paintwork,  
3894/1 Bay Front Dr.  
Ocean View, De. 14970



Scale 1" = 15'

M.H.W.  
M.L.W.

TAX MAP # 134-5.00-333.00

PREPARED BY & RETURN TO:

Parsons & Robinson, P.A.  
P.O. Box 480  
118 Atlantic Ave, Ste 401  
Ocean View, DE 19970  
File No. 38214/CW

**THIS DEED**, made this 14<sup>th</sup> day of January, 2022,

- BETWEEN -

**JOAN ANGIULLO, TRUSTEE UNDER DECLARATION OF TRUST DATED SEPTEMBER 19, 1996, AS MAY BE AMENDED AND/OR REINSTATED**, of 400 Captain Robinson Drive, Avondale, PA 19311, party of the first part,

- AND -

**STEPHEN A. PONIATOWSKI** and **JODY L. PONIATOWSKI**, of 320 Robin Drive, Nazareth, PA 18064, parties of the second part, as tenants by the entirety.

**WITNESSETH:** That the said party 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 grants and conveys unto the parties of the second part:

**ALL** that certain lot, piece or parcel of land situate, lying and being in the development known as "QUILLEN'S POINT SUBDIVISION", Baltimore Hundred, Sussex County, and State of Delaware, being known and designated as LOT NUMBER TWENTY-FOUR (24), as shown on a certain plot of lots entitled "QUILLEN'S POINT SUBDIVISION", Baltimore Hundred, Sussex County and State of Delaware, dated July 30, 1981, prepared by Peter E. Loewenstein 4 Associates, Inc., Professional Land Surveyors, which said plot was filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, on October 6, 1981, in Plot Book 24, Page 135, and was revised by a revised plot of "QUILLEN'S POINT SUBDIVISION", which said revised plot was filed for record in the Office of the Recorder of Deeds, aforesaid, on April 7, 1982, in Plot Book 26, Page 39, which said plots are now superseded by a revised plot of "QUILLEN'S POINT SUBDIVISION", which said revised plot was filed for record in the office of the Recorder of Deeds, aforesaid, on October 8, 1982, in Plot Book 27, Page 1, reference thereunto being had, will more fully and at large appear.

**BEING** the same lands and premises which Richard J. Angiullo and Joan Angiullo, by Deed dated January 16, 1997 and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Record 2183, Page 304 granted and conveyed unto Joan Angiullo, Trustee Under Declaration of Trust dated September 19, 1996 , in fee.

**SUBJECT** 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.

IN WITNESS WHEREOF, the said Joan Angiullo, Trustee Under Declaration of Trust dated September 19, 1996, as may be amended and/or reinstated has caused its name to be hereunto set, the day and year first above written.

**JOAN ANGIULLO, TRUSTEE UNDER  
DECLARATION OF TRUST DATED  
SEPTEMBER 19, 1996, AS MAY BE  
AMENDED AND/OR REINSTATED**

*Richard Angiullo*  
Witness

By: *Joan Angiullo* (SEAL)  
Joan Angiullo, Trustee

STATE OF DELAWARE, COUNTY OF NEW CASTLE: to-wit

BE IT REMEMBERED, that on this 10th day of January, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Joan Angiullo, Trustee Under Declaration of Trust dated September 19, 1996, as may be amended and/or reinstated, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed and the act and deed of said trust.

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

*Lynda A. Durso*  
Notary Public  
Printed Name: LYNDA A. DURSO  
My Commission Expires: 11/9/2022



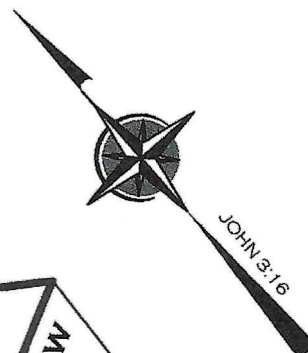
ONLY PLANS INCORPORATING AN ORIGINAL EMBOSSED / RED SEAL & SIGNATURE ARE CONSIDERED TO BE OFFICIAL AND RELIED UPON BY THE USER

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	75.00'	30.45'	30.24'	N 37°35'23" W

**NOTE**

THIS PROPERTY MAY BE SUBJECT TO WETLANDS AND ANY BUFFERS OR SETBACKS ASSOCIATED WITH WETLANDS. A WETLANDS PROFESSIONAL WOULD BE REQUIRED TO DETERMINE THE ABOVE. TRUE NORTH LAND SURVEYING, INC. IS NOT HELD LIABLE FOR ANY RECOURSE ASSOCIATED WITH ANY FINDINGS.

**INDIAN RIVER BAY**



I, BRADLEY A. ABSHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

*Bradley A. Absher*  
 BRADLEY A. ABSHER, DE PLS # 735  
 DATE 12.8.21

**NOTES**

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: MR
3. BUILDING SETBACK LINES (BSL)
  - FRONT 30'
  - SIDE 10'
  - REAR 10'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.

4. DRAINAGE AND/OR UTILITY EASEMENTS WILL BE PROVIDED TEN FEET FROM EACH SIDE LOT LINE AND TEN FEET FROM THE LINES ADJOINING THE PERIMETER OF THE SUBDIVISION. (PER PLAT 27/1)
5. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

TAX MAP	1-34 - 5.00 - 333.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	---
AREA	11,694 ± SQ. FT.
DEED REF.	2183 / 304
PLAT REF.	27 / 1
DRAWN BY	JMH
DATE	12 / 08 / 2021
SCALE	1" = 30'
SURVEY #	DE - 08444

**BOUNDARY SURVEY PLAN**

**LOT 24  
QUILLENS POINT**

FOR  
**STEPHEN A. & JODY L. PONIATOWSKI**

38944 BAYFRONT DRIVE, OCEAN VIEW, DE 19970

**LEGEND**

- IRON ROD FOUND
- ▲ PK NAIL FOUND
- △ PK NAIL SET

**TRUE NORTH**



**LAND SURVEYING**

35380 ATLANTIC AVENUE  
 MILLVILLE, DE 19967  
 302-539-2488