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 Kent County Sussex County	(302) 395-5400 (302) 736-2010 (302) 855-7878
2.	Recorder of Deeds:	New Castle County Kent County Sussex County	(302) 571-7550 (302) 744-2314 (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 TOU COMILETE THE FOLLOWING:						
	Yes	BASIC APPLICATION				
	Yes	SIGNATURE PAGE (Page 3)				
	Yes	APPLICABLE APPENDICES				
	Yes	SCALED PLAN VIEW				
	Yes	SCALED CROSS-SECTION OR ELEVATION VIEW PLANS				
	Yes	VICINITY MAP				
	Yes	COPY OF THE PROPERTY DEED & SURVEY				
	Yes	THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET				
	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:

DID YOU COMPLETE THE FOLLOWING?

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: Robert J. S Mailing Address: 635 South B Wilmington, D	ancroft Parkway	Telephone Fax #: E-mail:	e#:302-59 Stearn@RF	8-2988 L.com	
2.	Consultant's Name: David Sma Mailing Address: 1060 S. Gov Suite 101 Dover, DE 19	ernor's Ave	Telephone	Name: <u>Verda</u> e #: <u>302-27</u> dsmall@v	0-5446	
3.	Contractor's Name:Mailing Address:		Telephone	Name: e #:		
Sec	ction 2: Project Description	NAC 30 10 10 10 10 10 10 10 10 10 10 10 10 10				, management
□ 1 5. □ 1	Check those that apply: New Project/addition to existing proje Project Purpose (attach additional sher DNREC's instructions, the ror the following existing structions)	neets as necessary): new owner is submi	itting a new app	olication for a	subaqueous]	lands lease
6.	Check each Appendix that is enclose	ed with this application	:			
X	A. Boat Docking Facilities	G. Bulkheads			ry Marina Chec	klist
	B. Boat Ramps	H. Fill		O. Marinas		
	C. Road Crossings	I. Rip-Rap Sills an			er Management	
	D. Channel Modifications/Dams	J. Vegetative Stabi			l Impoundment	S
	E. Utility Crossings F. Intake or Outfall Structures	K. Jetties, Groins, M. Activities in St			nce Dredging	
	F. Intake of Outrail Structures	M. Activities in Su	ate wenands	S. New Dred	aging	
	Section 3: Project Location County: \(\text{N.C.} \) Kent \(\text{X Sussex} \) N. Project Site Address: \(\frac{600 \text{ Pilottown Road}}{Lewes, DE 19958} \) Address of site owner: \(\text{Address} \) Address of site owner:					
(At	Driving Directions: Turn left onto Rd 267/Pilottown Road. Destination a vicinity map identifying road road Parcel ID Number: 335-4.18-	tion is on the right.				
WS Ty			WQ □ LA □		—————————————————————————————————————	WA □
	rps Permit: SPGP 18 \(\Bigcap 20 \Bigcap \) Nati		WQ LAT			
Re	ceived Date:	Project Scientist:				
		\$ R	Receipt #:			
Pu	blic Notice #: Public	Notice Dates: ON	(OFF		

Section 3: Project Loca	ition (Continued)	Lewes & Rehol	both			
10. Name of waterbody	at Project Location			is a tributary to:	Delaware	Bay
11. Is the waterbody:	X Tidal □ No	n-tidal Wa	terbody width at mo	ean low or ordin	ary high wate	er <u>193 feet</u>
12. Is the project:	X On public suba ☐ In State-regula		☐ On private sub☐ In Federally-re			
*If the project is on priv	ate subaqueous land	s, provide the na	me of the subaqueo	ous lands owner:		
(Written permission from	n the private subaqu	eous lands owne	er must be included	with this applica	ation)	
13. Present Zoning:	☐ Agricultural	☐ Residential	☐ Commercial	☐ Industrial	☐ Other	
Section 4: Miscellaneou	18	VOORSO				C2 C180/000
North/West: David South: Patrick M. M West: Robert J. Stea B. For wetlands and foot radius of the projec Not Applicable	arn Jr., 635 S Bar	st the names and	y, Wilmington,	DE 19805		
15. Provide the names of Anthony Konra		ny Corps of Engir Rebecca B		whom you have	discussed the	project with:
Matthew R. Jon	es	Catherine I	Bronson			
B. Has the project b	State Jurisdictional I been reviewed in a magest the date of the magest	onthly Joint Peri			☐ Yes ☐ Yes Ŋ	
16. Are there existing start start yes, provide SL-327/03	e the permit and/or le		-	□ Yes	s 🗆 No	
*If no, were str	uctures and/or fill in	place prior to 19	969?	□ Yes □ No		
17. Have you applied fo X No □ Pen				Engineers?		-
Type of Permit:	-		Federal Permit o	r ID #:		
18. Have you applied for \overline{X} No \square Pen				Per	mit or ID #: _	
Type of permit (circle a	ll that apply): Se	ptic Well	NPDES Storm	n Water		
Other:						

Sec	tion 5: Signature	Page
10	Agent Authorizati	ion:

19. Agent Authorization.	
If you choose to complete this section, all future corresponde agent. In addition, the agent will become the primary point of	ence to the Department may be signed by the duly authorized of contact for all correspondence from the Department.
I do not wish to authorize an agent to act on my behalf $\ \Box$	
I wish to authorize an agent as indicated below $\ \square$	
I, Robert J. Stearn Jr., hereby design (Name of Applicant)	nate and authorize David Small
(Name of Applicant) to act on my behalf in the processing of this application and Department.	
Authorized Agent's Name: David Small Mailing Address: 1060 S. Governor's Avenue Suite 101 Dover, DE 19904	Telephone #:302-270-5446 Fax #: E-mail:dsmall@verdantas.com
20. Agent's Signature:	
I further understand that the Department may request informate appropriately consider this application.	attached plans are true and accurate to the best of my knowledge. ation in addition to that set forth herein if deemed necessary to 02/05/2024
Agent's Signature	Date
21. Applicant's Signature:	
and that I am required to inform the Department of any chang further understand that the Department may request informat appropriately consider this application. I grant permission to premises for inspection purposes during working hours.	attached plans are true and accurate to the best of my knowledge ges or updates to the information provided in this application. I ion in addition to that set forth herein if deemed necessary to a authorized Department representatives to enter upon the
Robert J. Steat	Date Date
Applicant's Signature	Date
Robert J. Stearn Jr.	
Print Name	
22. Contractor's Signature:	
I hereby certify that the information on this form and on the a and that I am required to inform the Department of any chang further understand that the Department may request informatian appropriately consider this application.	attached plans are true and accurate to the best of my knowledge, ges or updates to the information provided in this application. I ion in addition to that set forth herein if deemed necessary to
Contractor's Name	Date
Print Name	

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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.)

The owner, Mr. Robert J. Stearn Jr., is applying for a new lease for the existing structures on his property, which include two piers and two freestanding pilings, in addition to a dock and deck.

2. Please provide numbers and dimensions as follows:

Structure Type	Number of	Dimensions (C	Dimensions (Channelward of		Dimensions (Channelward of		
	Support	MHW or OHW	MHW or OHW)		MLW- n/a for non-tidal		
	Pilings			water)	water)		
Dock, Pier, Lift,		Width	Length	Width	Length		
gangway		ft.	ft.	ft.	ft.		
Pier	12	6 feet	30 feet	6 feet	30 feet	maintain	
Pier	12	4 feet	30 feet	4 feet	30 feet	maintain	
Dock	9	5 feet/10 feet	28.3 feet	0 feet	0 feet	maintain	
Deck	0	10 feet	14 feet	0 feet	0 feet	maintain	
·			-				
Freestanding	Number						
Pilings							
	2						

Mo	ooring 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				
3.	Approximat	tely how wide is the waterway at this project site? ft. (measured from MLW to MLW)				
4.	What will b	e the mean low water depth at the most channelward end of the mooring facility? 9 ft.				
5.	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. The piers and dock are constructed of composite material.					
6.	Circle any o	f the following items that are proposed over subaqueous lands:				

If any of the items are circled above, include their dimensions and location on the application drawings.

Fish Cleaning Stations/Benches/Ladders/Water Lines/ Satellite/Electric Lines/ Handrails/Other (Describe)

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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? 15 ft.					
8.	Describe the vessels that will plans and drawings. Current					1
	Make/model	length	width	draft		
	Make/model					
	Make/model					
	Make/model					
9.	Please provide a copy of the c motorized vessel listed above. N/A	_	ation or Coast Guar	d Certificate of [Documentation for each	1
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 of	on the property?	YesX No			
12.	 Do you plan to reach the boat docking facility from your own upland property? X 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.	3. 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?YesX_No. If yes, written permission of the underwater land owner must be provided with this application.)
14.	What is the width of the water Will any portion of the struct Yes X No If yes, a letter of no objection	ture or any vessel b	e placed within 10) feet of your ne	eighbor's property line	?
			•			

Document # 201800035865 BK: 4957 PG: 222 On 10/2/2018 at 3:06:42 PM RECORDER OF DEEDS Scott Dailey Sussex County. DE Consideration: \$1.675,000.00 County/Town: \$25,125.00 State: \$41.875.00Total: \$67,000.00 Doc Surcharge Paid 3-35 4.18 4.00 & 97.00 PREPARED BY & RETURN TO: Sergovic Carmean Weidman McCartney & Owens, P.A. 406 S. Bedford St, Suite 1 P.O. Box 751 Georgetown, DE 19947-0751 File No. RE-9669

THIS DEED, made this 28th day of September, 2018,

- BETWEEN -

REMO TOTO and **DIANE L. TOTO**, of Box 2071 Oxford Road, Lincoln University, PA 19352, parties of the first part,

- AND -

ROBERT J. STEARN, JR. and SHAZMIN K. STEARN, of 635 South Bancroft Parkway, Wilmington, DE 19805, husband and wife, as tenants by the entirety, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00), 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, and their heirs and assigns:

TRACT NO. 1:

ALL that certain tract, piece and parcel of land situated in the City of Lewes, Lewes and Rehoboth Hundred, Sussex County and State of Delaware, and being more particularly described in accordance with a recent survey prepared by Cotten Engineering, Michael Soule Cotten, Professional Engineer, August 22, 2018, as follows, to wit:

COMMENCING at a capped iron rebar to be set, said rebar having coordinates in the Delaware State Plane coordinate system of N: 285316.38 and E: 730445.99, said rebar also being the point and place of **BEGINNING** and a corner for the lands described herein and the lands now or formerly of John T. & Barbara B. Kiker and the southwesterly right of way line of Pilottown Road (50' wide), thence with the right of way line of Pilottown Road, having a bearing of South 32°54'01" East for a distance of 61.22 feet, to a capped iron rebar to be set, thence with the lands now or formerly of Rodney Avenue, having a bearing of South 40°48'22" West for a distance of 196.01 feet, to an iron rebar found, thence with the lands now or formerly of Christopher & Eric Kjellmark, having a bearing of North 48°59'09" West for a distance of 115.46 feet, to a point, thence with the lands now or formerly of Susan H. Maedler, Trustee,

having a bearing of North 41°56'44" East for a distance of 66.86 feet, to an iron rebar found, thence with the lands now or formerly of Kiker, having the following 2 bearings and distances: thence having a bearing of South 48°59'09" East for a distance of 55.00 feet, to an iron rebar found, thence having a bearing of North 40°56'58" East for a distance of 146.13 feet, to the point and place of **BEGINNING**, **CONTAINING** AREA 15,787± square feet or 0.360± acres, more or less, together with all of the improvements located thereon.

TRACT NO. 2:

ALL that certain tract, piece and parcel of land situated in the City of Lewes, Lewes and Rehoboth Hundred, Sussex County and State of Delaware, and being more particularly described in accordance with a recent survey prepared by Cotten Engineering, Michael Soule Cotten, Professional Engineer, August 22, 2018, as follows, to wit:

COMMENCING at a capped iron rebar to be set, said rebar having coordinates in the Delaware State Plane coordinate system of N: 285355.65 and E: 730480.10, said rebar also being the point and place of **BEGINNING** and a corner for the lands described herein and the lands now or formerly of Kathleen Klinger and the northeasterly right of way line of Pilottown Road (50' wide), thence with the lands now or formerly of Klinger, having a bearing of North 40°56'58' East for a distance of 80.39 feet, to a capped rebar to be set, thence with the Lewes and Rehoboth Canal, having a bearing of South 28°12'08' East for a distance of 62.58 feet, to a capped rebar to be set, thence with the lands now or formerly of John S. & Jean M. Boyer, Trustee, having a bearing of South 40°48'22' West for a distance of 75.11 feet, to a capped iron rebar to be set, thence with the right of way line of Pilottown Road, having a bearing of North 32°54'01' West for a distance of 61.08 feet, to the point and place of **BEGINNING**, **CONTAINING AREA** 4,552± square feet or 0.104± acres, more or less, together with all of the improvements located thereon.

BEING the same lands conveyed to Remo Toto and Diane L. Toto from Barry D. Coulter and Pamela J. Coulter dated September 13, 2001 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware, in Deed Book 2642, page 248.

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, Delaware.

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

Signed, Sealed and Delivered in the presence of:		
	Remo Toto	(SEAL)
	Diane I. Toto	(SEAL)

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on September 28, 2018, personally came before me, the subscriber, Remo Toto and Diane L. Toto, parties of the first part 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.

Notary Public	
Printed Name:	
My Commission Expires:	

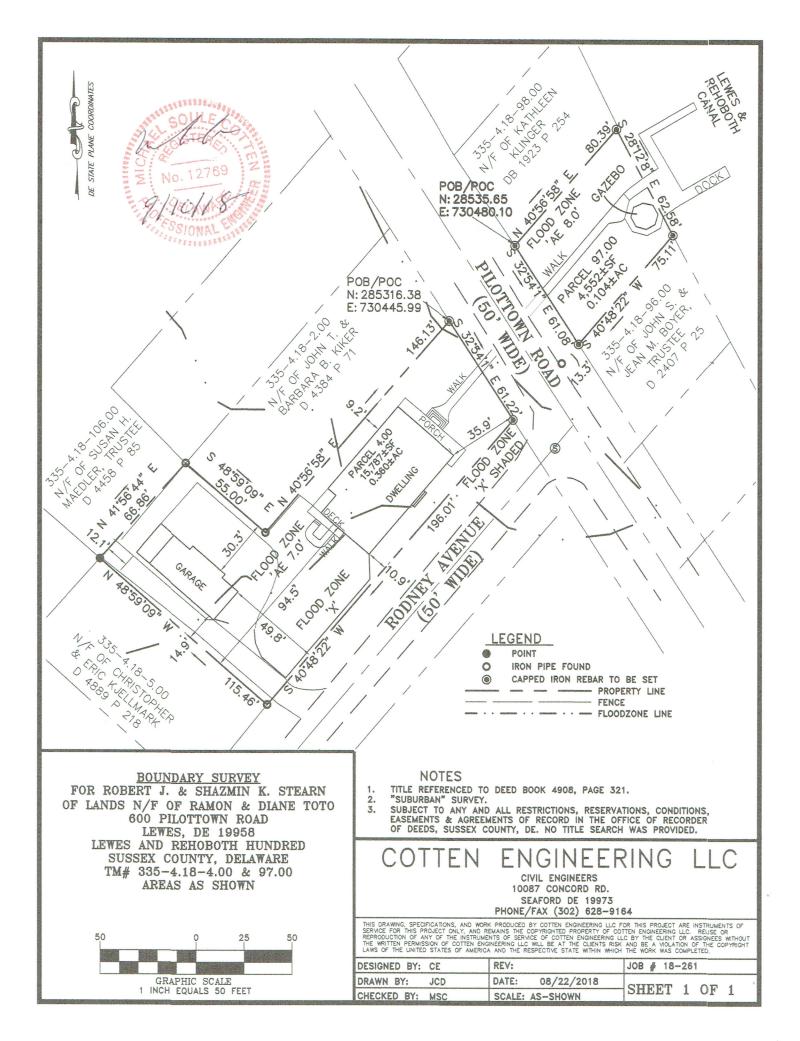
Shannon Carmean Burton Attorney

Admitted to the Delaware Bar 12-15-03

Bar ID #004386

Uniform Law on Notarial Acts

Pursuant to 29 Del C Sec. 4323(a)(3)



LEWES & REHOBOTH CANAL (APPROXIMATE WIDTH = 193'±) EDGE OF NAVIGATIONAL CANNEL ELECTRIC BOAT LIFT EXISTING SOUTHERN 30' x 6' WIDE EXISTING PILINGS COMPOSITE PIER EDGE OF BUFFER ZONE 2 - EXISTING STAND-ALONE PILINGS EXISTING NORTHERN 30' x 4' WIDE COMPOSITE PIER LANDS N.O.F MCCOY LANDS N.O.F KLINGER EXISTING RIP-RAP EXISTING COMPOSITE DECK ~ SUSSEX COUNTY ~ DELAWARE **EXISTING RIP-RAP FACILITIES** REHOBOTH CANAL MLW MLW grass grass **DOCKING** PLAN MHW MHW SITE grass REHOBOTH BEACH ∞ **EXISTING** grass LEWES EXISTING 20' x 5' COMPOSITE DOCK grass **EXISTING DOCKING FACILITIES: EXISTING GAZEBO** EXISTING: 30' x 6' COMPOSITE PIER WITH ELECTRIC BOAT LIFT 30' x 4' COMPOSITE PIER, 2 - MORING PILINGS 20' x 5' COMPOSITE ACCESS DECK EXISTING BOAT PIER ACCESS WALKWAY COMPOSITE ON-SHORE RECREATIONAL DECK AND STONE EDGING GAZEBO 9' 20'± 8.3'± 14'± BOAT PIER ACCESS WALKWAY WITH STONE PAVERS DATE: IN: LEWES & REHOBOTH CANAL DECEMBER, 2023 600 PILOTTOWN ROAD SCALE: LEWES, SUSSEX COUNTY, DELAWARE 19958 TAX MAP PARCEL #3-35-4.14-97 1'' = 10'20' APPLICANT: ROBERT STEARN SHEET: DATE: DECEMBER, 2023 OF 2 DRAWING SCALE 1'' = 10'

