

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIRECTOR'S OFFICE

DIVISION OF FISH & WILDLIFE RICHARDSON & ROBBINS BUILDING 89 KINGS HIGHWAY DOVER, DELAWARE 19901

PHONE (302) 739-9910

September 5, 2024

Matthew Jones
Program Manager II
DNREC Watershed Stewardship

Matt.

I authorize the minimal encroachment for bank stabilization on to state property as depicted in the subaqueous lands application plans for the Carolyn Calio project at 100 Mill Pond Dr. Unit 1 on Records Pond. Sites visits by myself and several staff members from both the Wetlands and Subaqueous Lands Section and Division of Fish and Wildlife has determined a shoreline erosion problem does exist at the site which merits some form of bank stabilization. The proposed use of vegetation utilizing a bio-log sill (as depicted in the subaqueous lands application plans) appears to be the most ecologically conducive method to address the problem while stabilizing erosion, reducing sediment and associated turbidity in the pond water column and enhancing the shoreline with native vegetative species for bio-diversity.

If you have questions or need additional information please do not hesitate to contact me.

Sincerely,

Patrick J. Emory

Director

DNREC Division of Fish and Wildlife

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?

YES	_ Yes	BASIC APPLICATION
YES	_Yes	SIGNATURE PAGE (Page 3)
YES	_Yes	APPLICABLE APPENDICES
YES	_Yes	SCALED PLAN VIEW
YES	_Yes	SCALED CROSS-SECTION OR ELEVATION VIEW PLANS
YES	_Yes	VICINITY MAP
YES	_Yes	COPY OF THE PROPERTY DEED & SURVEY
YES	_Yes	THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET
YES	_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: Frank B Cali Mailing Address: 100 Mill Pond Laurel, DE 19	<u>d Dr.</u>	r. Unit 1	Fax #:		t:		
2.	Consultant's Name: Lucas Hastings Mailing Address: 10372 Old Furnace Rd., Seaford, DE 19973 Company Name: Hastings Marine Construction LLC Telephone #: 1-888-519-2253 ext. 11 Fax #: 302-536-7677 E-mail: Lucas@HastingsMarineConstruction.com						<u> </u>	
3.	3. Contractor's Name: Bart K. Hastings Mailing Address: 10372 Old Furnace Rd., Seaford, DE 19973 Company Name: Hastings Marine Con Telephone #: 1-888-519-2253 ext. 12 / Fax #: 302-536-7677 E-mail: Bart@HastingsMarineConstruct				ext. 12 / 302	2-542-5837		
Sec	ction 2: Project Description							All and a second
5. To	Check those that apply: New Project/addition to existing proj Project Purpose (attach additional sinstall 110 linear feet of shore Laurel, DE to include bio-log, v	sheet eline	ets as necessary): e protection and water qu	uality imp	pr	,	ecords P	ond
6.		sed						
	A. Boat Docking Facilities B. Boat Ramps	<u></u>	G. Bulkheads		4	N. Preliminary Ma	arina Chec	klist
	B. Boat Ramps C. Road Crossings	M	H. Fill I. Rip-Rap Sills and Revetn	mante	\dashv	O. Marinas P. Stormwater Ma	magement	—
	D. Channel Modifications/Dams		J. Vegetative Stabilization	Пень	\dagger	Q. Ponds and Impo	oundments	2
	E. Utility Crossings		K. Jetties, Groins, Breakwa	aters	1	R. Maintenance D	redging	' ——
	F. Intake or Outfall Structures		M. Activities in State Wetla		1	S. New Dredging		
	Project Site Address: 100 Mill Po Laurel, DE			er name (if	f d	N.C.	cant): Dr. Unit	1
8.	Driving Directions: Please see			ctions	_			
(At	ttach a vicinity map identifying road	. nam	nes and the project location)					
9.	Tax Parcel ID Number: 332-1.07	<u>7-17</u>	78.04 Subdivisi	ion Name:		Mill Pond Estates	<u>s</u>	
	SLS Use Only: Permit #s:							
Tyl	pe SP \square SL \square S	SU [\square WE \square WQ \square	LA 🗆]		$\mathbf{MP}\;\square$	$\mathbf{WA} \square$
	rps Permit: SPGP 18 □ 20 □ Na	ıtion			In	ndividual Permit#_	<u> </u>	
	ceived Date: e Received? Yes □ No □ Amt	<u>-</u>	Project Scientist:					
			Notice Dates: ON		_][F F		

Section 3: Project Loca	ition (Continued)				
10. Name of waterbody	at Project Location: Records Pon	waterbody is	s a tributary to:	N/A - Non-tidal	
11. Is the waterbody:	☐ Tidal ✓ Non-tidal	Waterbody width at me	an low or ordina	ry high water 770 Fe	et
12. Is the project:	☐ On public subaqueous land☐ In State-regulated wetland				
*If the project is on priv Delaware F&W - Attached	ate subaqueous lands, provide t	he name of the subaqueo	us lands owner:		
(Written permission from	m the private subaqueous lands	owner must be included	with this applica	tion)	
13. Present Zoning:	☐ Agricultural	tial Commercial	☐ Industrial	□ Other	
Section 4: Miscellaneo	us			A STATE OF THE STA	
project (attach addi 332-1.07-179.00 - 0	and complete mailing addresse tional sheets as necessary): George Lodato - 101 Lake Billie Schumann - 101 Rec	Drive, Laurel, DE 19	956		es of the
foot radius of the projec N/A	d marina projects, list the name t (attach additional sheets as nec f DNREC and/or Army Corps of C Wetlands	cessary):			
A. Have you had a B. Has the project b	State Jurisdictional Determination of the meeting?			Yes No	
	tructures or fill at the project sit		√Yes	□ No	
*If no, were str	ructures and/or fill in place prior	r to 1969?	□ Yes √No		
17. Have you applied for √No □ Per	or or obtained a Federal permit adding	from the Army Corps of Denied Date:	Engineers?	-	
Type of Permit:		Federal Permit or	ID #:		- 0
√No □ Per			Perr	nit or ID #:	-
Type of permit (circle a	all that apply): Septic We	ell NPDES Storm	Water		

Section 5: Signature Page

Section 3. Signature Page	9
19. Agent Authorization:	
If you choose to complete this section, all future corresponder agent. In addition, the agent will become the primary point of	
I do not wish to authorize an agent to act on my behalf $\;\square$	
I wish to authorize an agent as indicated below Rebeca Calio I, Carolyn Calio (Name of Applicant) to act on my behalf in the processing of this application and to	ate and authorize Lucas Hastings (Name of Agent)
Department.	rational and additional information requested by the
Authorized Agent's Name: Lucas Hastings Mailing Address: 10372 Old Furnace Rd., Seaford, DE 1997	Telephone #: 888-519-2253 ext. 11 3 Fax #: 302-536-7677 E-mail: lucas@hastingsmarineconstruction.com
20. Agent's Signature:	
I further understand that the Department may request informate appropriately consider this application.	ttached plans are true and accurate to the best of my knowledge tion in addition to that set forth herein if deemed necessary to
Lucas Hastings Agent's Signature	July 08, 2024 Date
21. Applicant's Signature:	Date
	ttached 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 authorized Department representatives to enter upon the
L. Lebecca Cales Applicant's Signature	7-25-2024 Date
L. Rebecca Calio Print Name	
22. Contractor's Signature:	
	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
Hastings Marine Construction LLC Contractor's Name	July 08, 2024 Date

Last Revised on: March 28, 2017

Print Name

Bart K Hastings - Project Manager

FILL

Please make sure answers to all of the questions in this appendix correspond to information on the application	on
drawings.	

1.	How many linear feet will the	fill extend channelward of the:
	a. Tidal waters:	mean high water line? ft.
		mean low water line? ft.
	b. Non-tidal waters:	ordinary high water line? 2.00 ft.
2.	What is the area of fill that wil	I be located:
	a. on subaqueous land (cl	nannelward of mean high water) 220.00 sq. ft.
	b. on vegetated wetlands	? sq. ft.
3.	What is the source of the fill?	
	Hauled in from u	upland sources: What is the source company/location/parcel number?
	Obtained from d	redged material: Complete Dredging Appendix.
_		- 8.00
4.	What is the total volume of fill	
	a. What is the total fill pe	r running foot of shoreline? 0.07 cubic yards
5.	What method will be used to p	place the fill?
	Machine haul to location, h	and place upon filter fabric
6.	State the type and compositio	n percentage of the fill material (e.g. sand 80%, silt 5%, clay 15%, etc.)
	Del-Dot Select Fill Dirt	563
7	How will the fill be retained?	Complete appropriate appendix.
٠.	M300 Filter Fabric - Bio-lo	
	Wisdo Filter Fabric - Bio-io	y siii
8.	What type of vegetation or gro	ound cover will be provided for the filled area(s) to prevent soil erosion and
	help keep sediment from reac	hing State waters?
	Native vegetation to be pl	anted in fill area - noted in Appendix J
9.	Describe the type(s) of structu	re(s) to be erected on the filled area (if any). Complete appropriate
	appendix.	
	None	

Rip-Rap Sills and Revetments

Please respond to each question. Questions left blank may result in the application being returned as incomplete. In addition, the answers to all of the questions in this Appendix must correspond accurately to the information on the plan and section view drawings for the project.

1.	Will the project be:
	New Construction (un-stabilized shoreline)
	Repair or Replacement of an Existing Rip-Rap Structure or Rubble
	Repair or Replacement of an Existing Bulkhead
	(If repair or replacement, submit photographs of the entire existing structure).
2.	How many linear feet of shoreline are proposed to be stabilized? 110
3.	Is the project a: Standard rip-rap revetment Free-standing sill
4.	Describe the existing shoreline: Strong undermining of bank due to wind-driven water - bank is currently unprotected and eroding
	What is the total number of cubic yards of rip-rap that will be used? 16 cu/yrds
6.	What is the number of cubic yards of rip-rap per running foot of shoreline? 0.15 cu/yrd per ft. (See page 4 for a guide to calculating total cubic yards and cubic yards per running foot).
7.	What will be the average weight of the stone used for the: Armor stone: 75 lbs Core stone: 50 lbs
	[If material other than stone, such as prefab geo-grid or other similar product is proposed, please describe here and include photographs or a brochure. The Department strongly discourages the use of broken concrete, cinderblocks or other materials that are less dense than stone, more apt to move
	off site due to currents or wave action, and/or are not aesthetically pleasing or in keeping with the natural environment.]
	Describe: Del-Dot Rated R4 Rip Rap Stone
	Del-Dot Kated K4 Kip Kap Stone

8.	For Standard Revetments answer A–F, below: (for Sill projects, skip to Question #9)
	A. How many linear feet will the structure extend channelward of:
	Mean High Water:Mean Low Water:
	Ordinary High Water: 1.00 (for non-tidal waters)
	B. How many square feet of the structure will be located:
	Channelward of Mean High Water:Channelward of Mean Low Water:
	Channelward of Ordinary High Water: 110.00 (for non-tidal waters)
	On vegetated wetlands:
	C. Will the revetment be backfilled? ✓ Yes No
	If yes, complete Appendix H and include it in your application.
	D. Will filter cloth be used behind the rip-rap structure?
	E. What is the average slope of the existing bank? 1:1
	F. What is the proposed slope of the rip-rap revetment? 1:2
0	(See page 3 for a guide to calculating slopes).
9.	Sill Projects:
	A. What is the base width of the proposed structure:
	B. What is the top width of the proposed structure:C. How many square feet of the structure will be located:
	Channelward of Mean High Water: Channelward of Mean Low Water:
	Channelward of Ordinary High Water: (for non-tidal waters)
	On vegetated wetlands:
	D. What will be the average height of the structure:
	E. How much of the structure (in inches) will extend vertically above:
	Mean High Water: Ordinary High Water: (for non-tidal waters)
	F. Are breaks or notches proposed in the sill to allow for greater flushing? Yes No
	G. Will fill material be placed behind the sill? Yes No If yes, complete appropriate appendix
	H. Will wetland vegetation be planted behind the sill? Yes No
	If yes, complete Appendix H and include it in your application.

- 10. Construction Techniques (Complete for both Revetment and Sill Projects):
 - A. Will any dredging be required? ____ Yes ____ No If yes, please include appropriate dredging Appendix with your application).
 - B. Please describe the sequence of construction and any techniques that will be utilized to minimize adverse impacts on the aquatic environment, and to preserve existing vegetation (particularly woody vegetation) along the shoreline:

Cleaning/clearing of						
bio-log revetment,	installation of f	II dirt between sill	and revetment	, installation	of rip-rap of	ver revetment
Vanish and the second s						

CALCULATIONS

RUN = Base width of the structure (in feet) RISE = Vertical height of the structure (in feet)

- I. How to calculate total cubic yards:
 - 0.5 * RUN * RISE * Linear feet of shoreline stabilized/27 = Total Cubic Yards
- II. How to calculate cubic yards per running foot of shoreline:

Total # Cubic Yards/ Linear feet of shoreline = Cubic yards per running foot

III. How to calculate slope: Slope = RUN/RISE

EXAMPLE:

If we propose to stabilize 100 linear feet of shoreline with a rip-rap revetment that has a basewidth of 6 feet and a height of 3 feet:

0.5 * 6 * 3 * 100/27 = 33.33 Total Cubic Yards

- II. 33.33/100= 0.333 Cubic Yards per running foot
- III. 6/3= Slope of 2

Vegetative Stabilization

- Please make sure that all answers in this appendix correspond to information on the application drawing
- 1. Submit a brief description of the proposed activity

To stabilize existing shoreline bank from continued erosion and to improve the water quality at the site on Records Pond in Laurel, Delaware

2.	Is grading of bank and/or placement of fill part of this project? Yes Volume 15 yes complete Appendix H
3.	Indicate the area of proposed planting that is channelward of the: a. Tidal Waters: mean high water line? ft^2 mean low water line? ft^2 b. Non-tidal waters: ordinary high water line? ft^2
4.	What will the water depth of the plantings be relative to the: (provide the range if it varies) a. Tidal Waters: mean high water line? f mean low water line? ft b. Non-tidal waters: ordinary high water line? 1.00 ft
5.	Provide the list of plant species that will be utilized. Iris Versicolor - Blue Flag Iris - 75% Juncus Effusus - Soft Rush - 25%

6. Describe the sequence of construction and planting.

Planting to be completed upon completion of the installation of the bio-log sill and revement, after the area between sill and revetment has been filled with Del-Dot Select for plant base.

7. Describe the maintenance and monitoring plan for the vegetation.

Plants to be monitored monthly for the first 6 months upon completion and continued to be monitored every 3 months for the 2 years immediately following completion.

NO TITLE SEARCH REQUESTED OR PERFORMED.

This Deed, Made this

day of December

Prepared By: Alan O'Neel P.O. Box 1209 Seaford, DE 19973 Tax Map: 3-32 1.07 178.04 19 94

BETWEEN.

MILL POND ASSOCIATES, INC., of P.O. Box 693, Laurel, Sussex County, Delaware 19956, party of the first part,

-bnd-

FRANK B. CALIO, TRUSTEE FOR THE FRANK B. CALIO REVOCABLE TRUST, DATED MARCH 24, 1994 and CAROLYN L. CALIO, TRUSTEE FOR THE CAROLYN L. CALIO REVOCABLE TRUST, DATED MARCH 24, 1994, of 104 Lansing Avenue, Laurel, Sussex County, Delaware 19956, parties of the second part,

AUG

ALL that certain lot, piece or parcel of land situate, lying and being in the Town of Laurel, Little Creek Hundred, Sussex County, State of Delaware, being known and designated as Lot No. 1, "MILL POND ONE, PHASE ONE".

THIS CONVEYANCE SUBJECT to Declaration of Covenants, Conditions and Restrictions of Mill Pond One, dated April 2, 1993 and filed for record in the office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 1907, page 11.

BEING the same lands conveyed to Mill Pond Associates, Inc., a corporation of the State of Delaware, by deed of Millpond Associates, a partnership, dated April 2, 1993 and recorded in the office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 1906, page 62.

4792 333 12/16/94 TR-TX ST 1940.00

7521 111 12/16/94 CTX-EX SU .00

ALAN L. O'NEAL ATTORNEY AT LAW P.O. BOX 1200 SEAFORD, DELAWARE 18073

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JULY CIY

IN WITNESS WHEREOF, The Said MILL POND ASSOCIATES, INC. has caused its name by Bruce Venables its President to be hereunto set; and the corporate seal of the said corporation has been hercunto affixed by its Secretary, the day and year first above written.

SIGNED, SEALED, DELIVERED AND WITNESSED IN THE PRESENCE OF:

TOWN OF LAUREL

MALTY TOURSTON TAX TRANSTIT : 114 CANCELUD W. KLIM AMOUNT OF TAX

STATE OF DELAWARE COUNTY OF SUSSEX

DATE RECORDED 13/14/94 BE IT REMEMBERED, that on this 14 19 94, personally came before me, the Notary Public of the State and County BRUCE VENABLES President of

MILL POND ASSOCIATES, INC.

a corporation existing under the laws of the State of Delaware party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of the corporation, that the signature of the President thereto is in his own proper handwriting and the seal affixed is the common and corporate seal of the said corporation, and that his act of sealing, executing, acknowledging, and delivering said Indenture was duly authorized by a resolution of the Board of Directors of said corporation.

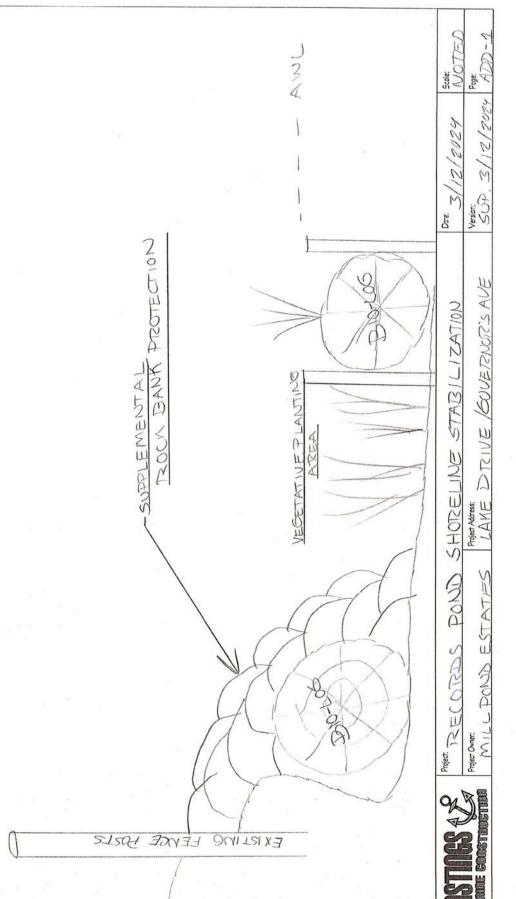
GIVEN under my hand and seal of office, the day and year first above written.

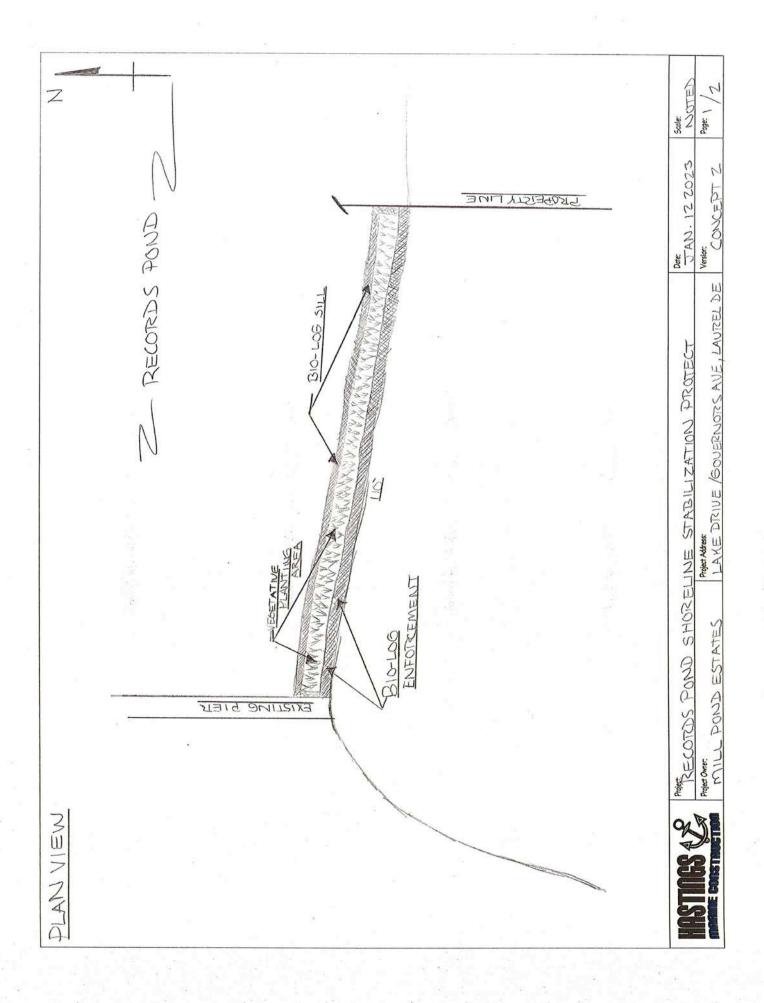
D. J. Still MARCE FAID 94 DEC 16 PM 3: 41

SUSSEX COUNTY

Commission Expires:

SECTION VIEW









Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Sussex County Government



89 Kings Hwy NE, Dover, DE 19901 to 100 Mill Drive 44.1 miles, 1 hr 3 min Pond, Laurel, DE 19956

Mill Pond Estate - Carolyn Call

1

89 Kings Hwy NE

Dover, DE 19901

Take E Division St to US-13 S

		1 min (0.3 mi)
1	1.	Head south on Kings Hwy NE toward E Division St
		413 ft
4	2.	Turn left onto E Division St
		0.2 mi

Follow US-13 S to E 4th St/E Market St in Sussex County

FUIL	W U	13-13 3 to E 4th St/E Market St III Sussex Count	. y		
		58 min (43	3.2 mi)		
L)	3.	Turn right onto US-13 S			
			0.2 mi		
\rightarrow	4.	Use the middle 2 lanes to stay on US-13 S			
			56 ft		
1	5.	Continue straight to stay on US-13 S			
	0	1 Pass by NAPA Auto Parts - Harrington Auto Parts			
	(or	n the right in 17.2 mi)			
			3.0 mi		

Continue on E 4th St/E Market St. Drive to Mill Pond in Laurel

\rightarrow	6.	Turn right onto E 4th St/E Market St	2 min (0.6 mi)
7	7.	Slight right onto Cooper St	0.4 mi
_	_		0.1 mi
L	8.	Turn right onto Governors Ave	463 ft
4	9.	Turn left onto Mill Pond	
	0	Destination will be on the right	
	-		72 ft

100 Mill Pond

Laurel, DE 19956

In accordance with the regulations outlined by the State of Delaware Department of Natural Resources and Environmental Control and the program rules for the Sussex Conservation District, we hereby propose the following vegetative stabilization and living shoreline plant monitoring program for the following site:

Applicant:	Mrs. Rebecca Calio / Calio Trust
Site Address:	100 Mill Pond Dr. Unit 1
	Laurel, DE 19956
Project Overview:	Installation of 100 linear feet of natural
	shoreline to include coconut fiber/coir
	logs, fill, and subaqueous vegetation.

Duration	Activity	Frequency	
First Month	Site review for establishment	Weekly	
	of root growth		

Corrective Action Plan:

Supplement plants with new plugs as needed across site where plants are showing failure to thrive/establish

Duration	Activity	Frequency
Months 2 - 3	Site review for vegetation	Bi-Weekly
	growth and spread.	

Corrective Action Plan:

Supplement plants with new plugs as needed across site where plants are showing failure to thrive and spread. Install wildlife barriers if needed.

Duration	Activity	Frequency
Months 7 - 12	Site review for second season	Monthly
	growth.	

Corrective Action Plan:

Supplement plants with new plugs as needed across site where plants are showing failure to thrive. Remove wildlife barriers if installed.

Duration	Activity	Frequency
Months 13 - 36	Routine Site Review	Quarterly

Corrective Action Plan:

Observe plant growth and patterns and address trouble areas as needed.