

Section 1: Applicant Identification

1. Applicant's Name: Kenneth J Musto Jr. Telephone #: (302) 399-6413
 Mailing Address: 1641 LAKE DRIVE WEST Fax #: _____
SMYRNA, DE, 19977 E-mail: _____
2. Consultant's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 _____ Fax #: _____
 _____ E-mail: _____
3. Contractor's Name: B2B DESIGN CONTRACTING Company Name: _____
 Mailing Address: 1290 PEACH BASKET ROAD Telephone #: (302) 632-4300
FELDM, DE, 19943 Fax #: (302) 284-2345
 E-mail: AROBERTS119@ADL.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):
To construct a new dock.
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: 1641 LAKE DRIVE WEST County: N.C. Kent Sussex
SMYRNA, DE, 19977 Site owner name (if different from applicant): _____
 Address of site owner: _____
8. Driving Directions: NORTHBOUND RT. 13 MAKE LEFT OND MAIN ST. TAKE LEFT
ON LAKE DRIVE. HOUSE ON LEFT.
 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 1-17-01909-01-2000-00001 Subdivision Name: COTTAGE DALE ACRES

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: LAKE COMO waterbody is a tributary to: _____

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:

Kenneth J. Musto Jr.
 (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):

WILLIAM RAYNOR HARRY WELLES
633 LAKE DRIVE WEST 653 LAKE DRIVE WEST
SMYRNA, DE, 19977 SMYRNA, DE, 19977

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):

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

JULIE MOLENA _____

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**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, Kenneth J. Musto Jr., hereby designate and authorize ALEX ROBERTS
 (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: ALEX ROBERTS
 Mailing Address: 1290 POACH BASKET ROAD
FELTON, DE, 19943

Telephone #: (302) 632-4300
 Fax #: _____
 E-mail: AROBERTS119@AOL.COM

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.

[Signature]
 Agent's Signature

10/31/19
 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.

[Signature]
 Applicant's Signature

10/31/19
 Date

Kenneth J. Musto Jr
 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.

[Signature]
 Contractor's Name

10/31/19
 Date

Alex Roberts
 Print Name

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.)

5' x 26' BOAT 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>8</i>	Width <u><i>5</i></u> ft.	Length <u><i>26</i></u> ft.	Width <u> </u> ft.	Length <u> </u> ft.	<i>NEW</i>
Freestanding Pilings	Number					

Mooring Buoy: How many moorings will be installed? *3*
 What will be used for the anchor(s)? *CHAINS*
 Anchor/Mooring Block Weight
 Anchor Line Scope (Length or Ratio)
 Water Depth at Mooring Location *4 Ft.*

- 3. Approximately how wide is the waterway at this project site? ft. (measured from MLW to MLW)
N/A
- 4. What will be the mean low water depth at the most channelward end of the mooring facility? *4* ft.
- 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 WOOD, GALVANIZED FASTENERS*
- 6. 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)

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

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? _____ ft. *N/A*

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

Make/model _____	length <u>24'</u>	width <u>10'</u>	draft _____	<i>PONDON BOAT</i>
Make/model _____	length _____	width _____	draft _____	
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. *N/A*

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*

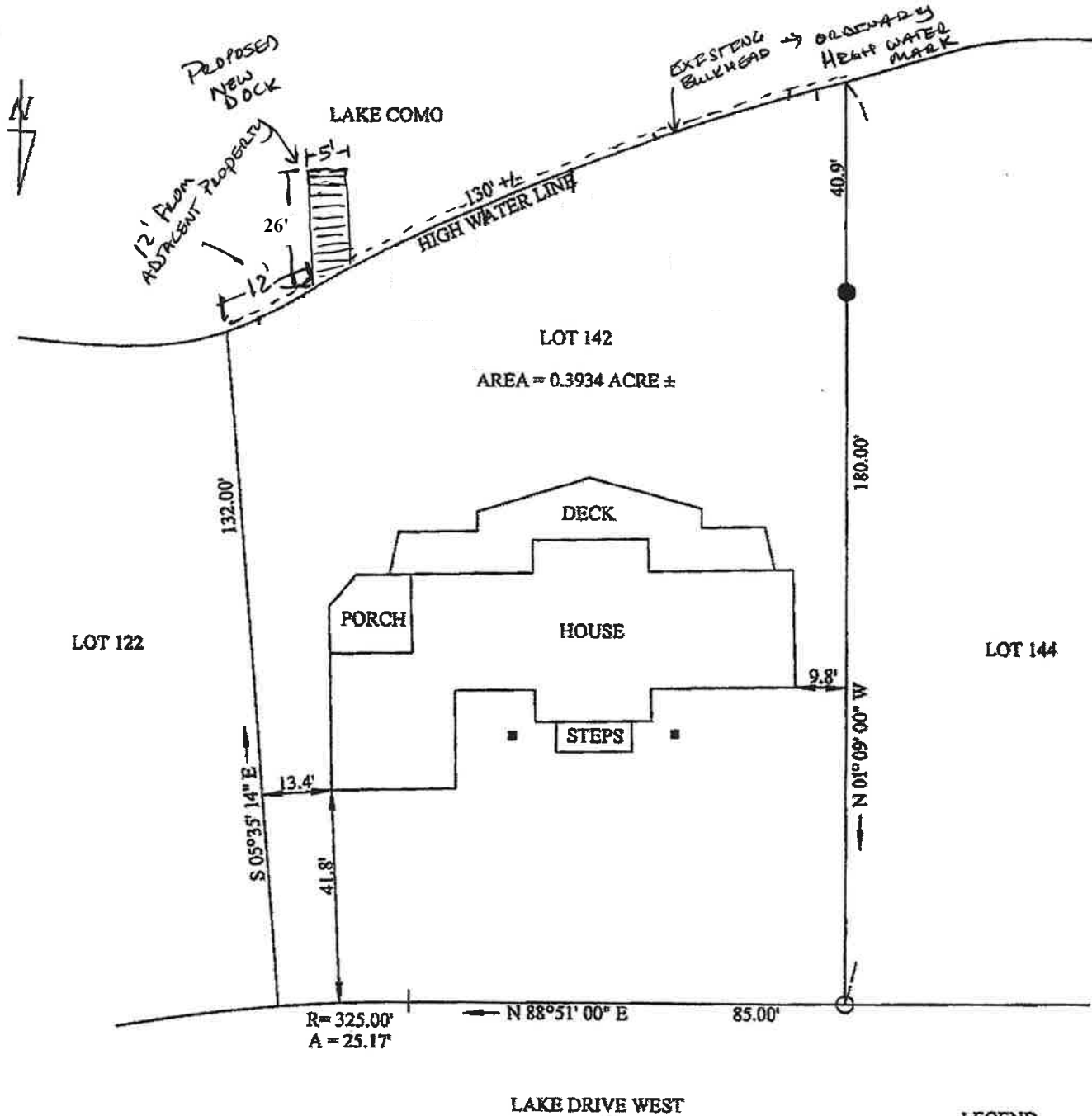
11. Is there currently a residence on the property? Yes _____ No

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? 130 ft.
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.





ADDRESS: 641 LAKE DRIVE WEST

OWNER: JOSEPH AND SHIRLEY SHERIDAN

I CERTIFY THAT THIS SURVEY WAS PREPARED FOR IDENTIFICATION PURPOSES ONLY FOR THE INDIVIDUALS NOTED BELOW. NO RESPONSIBILITY IS EXTENDED AND/OR ASSUMED BY THE ENGINEER TO ANY FUTURE PROPERTY OWNERS OR OCCUPANTS. I CERTIFY THAT THE IMPROVEMENTS INDICATED HEREON ARE LOCATED AS SHOWN.

BUYER: KENNETH MUSTO, JR.

Richard K. Vetter
RICHARD K. VETTER, P.E. #10329

SURVEY BASED ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD AND THE CALL OF DEED D-2222-308.

PROPERTY MAY BE SUBJECT TO EASEMENTS AND/OR RESTRICTIONS AS FOUND IN THE DEED OR THROUGH THE TITLE SEARCH.

LEGEND

- FOUND IRON PIPE
- SET IRON PIN
- CONCRETE PIER

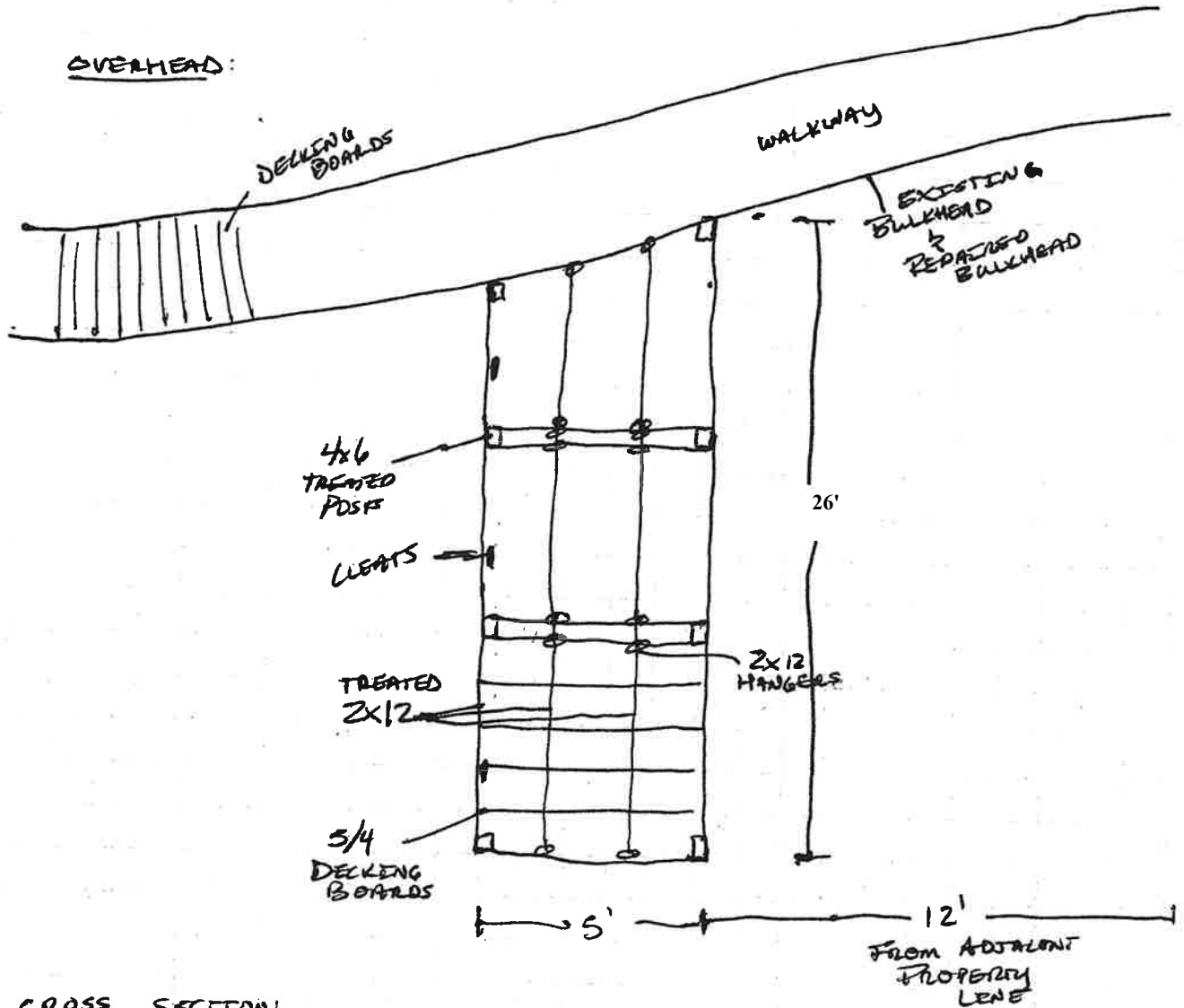
SURVEY PLAN
LOT #142 - SECTION 4 COTTAGE DALE ACRES
TOWN OF SMYRNA KENT COUNTY, DELAWARE
RUMMEL KLEPPER & KAHL 1206 FORREST AVENUE DOVER, DE 19904
SCALE: 1" = 30'
DATE: MAY 17, 2010

B+B DESIGN CONTRACTING LLC
PROJECT: MUSTO DOCK

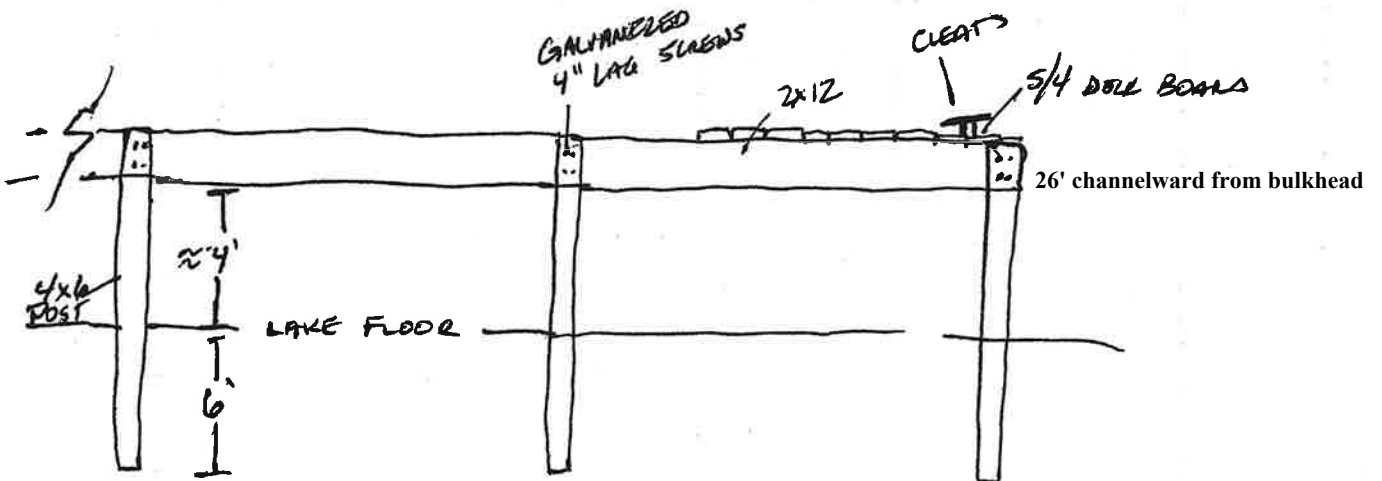
John Ryherd
11/12/24

LOCATION: 641 LAKE DRIVE WEST
SMYRNA, DE 19977

OVERHEAD:



CROSS SECTION:



2
\$56

Accepted for Filing in:
Kent County
Doc# 170572
On: Jun 02, 2010 at 03:37P

TAX PARCEL #: DC-17-019.09-01-28.00-000
PREPARED BY & RETURN TO:
Hudson, Jones, Jaywork & Fisher, LLC
225 S. State Street
Dover, DE 19901
File No. MUSTO/HMF

THIS DEED, made this 28th day of May, 2010,

- BETWEEN -

JOSEPH SHERIDAN and **SHIRLEY A. SHERIDAN**, h/w, parties of the first part,

- AND -

KENNETH J. MUSTO, JR., of 641 Lake Drive West, Smyrna, DE 19977, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and his heirs and assigns:

ALL that certain lot, piece or parcel of land, with the improvements thereon erected, situated in the Town of Smyrna, Kent County, State of Delaware, lying on the south side of Lake Drive West, being all of Lot 142, Section 4 as shown on a Plot of "Cottage Dale Acres", as recorded in the Office of the Recorder of Deeds in Plot Book 11, Page 92, being bounded on the north by Lake Drive West, on the east by Lot 122, on the south by Lake Como, and on the west by Lot 144, and being more particularly described in accordance with a survey by Rummel, Klepper & Kahl, LLP, dated May 17, 2010, as follows, to wit:

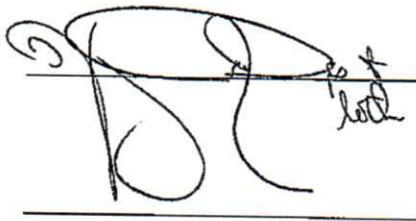
BEGINNING at a point in the south line of Lake Drive West at a corner for this lot and Lot 122; thence running from said point of beginning with Lot 122, South 05 degrees 35 minutes 14 seconds East, 132.00 feet to a point in the high water line of Lake Como at a corner for this lot; thence turning and running with said high water line in a southwesterly direction, 130 feet more or less to a point at a corner for this lot and Lot 144; thence turning and running with Lot 144, North 01 degrees 09 minutes 00 seconds West, passing over a set iron pin at 40.90 feet, a total distance of 180.00 feet to a found iron pipe in the south line of Lake Drive West at a corner for this lot; thence turning and running with the south line of Lake Drive West the following two courses and distances: (1) North 88 degrees 51 minutes 00 seconds East, 85.00 feet to a point of curvature; thence (2) along the arc of a 325.00-foot radius curve to the left, an arc distance of 25.17 feet to the point and place of beginning, and containing 0.3934 acre of land, be the same more or less.

And Being the same lands and premises as conveyed unto Joseph Sheridan and Shirley A. Sheridan, h/w by Deed of George J. Frebert Revocable Trust by Michael C. Frebert, successor trust, by deed dated July 22, 2005, and recorded in the office of the Recorder of Deeds in and for Kent County, State of Delaware, as Record 2005-21414.

Subject, however, to the reservations, restrictions, conditions and covenants of record and subject to such state of facts as an accurate survey and/or inspection of the lands and premises will disclose; the operation and effect of any zoning laws, and building restrictions imposed by public authority; and easements and public utility grants of record.

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:



Joseph Sheridan (SEAL)
Joseph Sheridan

Shirley A. Sheridan (SEAL)
Shirley A. Sheridan

STATE OF DELAWARE, COUNTY OF KENT: to-wit

BE IT REMEMBERED, that on May 28, 2010, personally came before me, the subscriber, Joseph Sheridan and Shirley A. Sheridan, 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.



Harry M. Sheridan
Notary Public
Printed Name: _____
My Commission Expires: _____



LAKE COMO

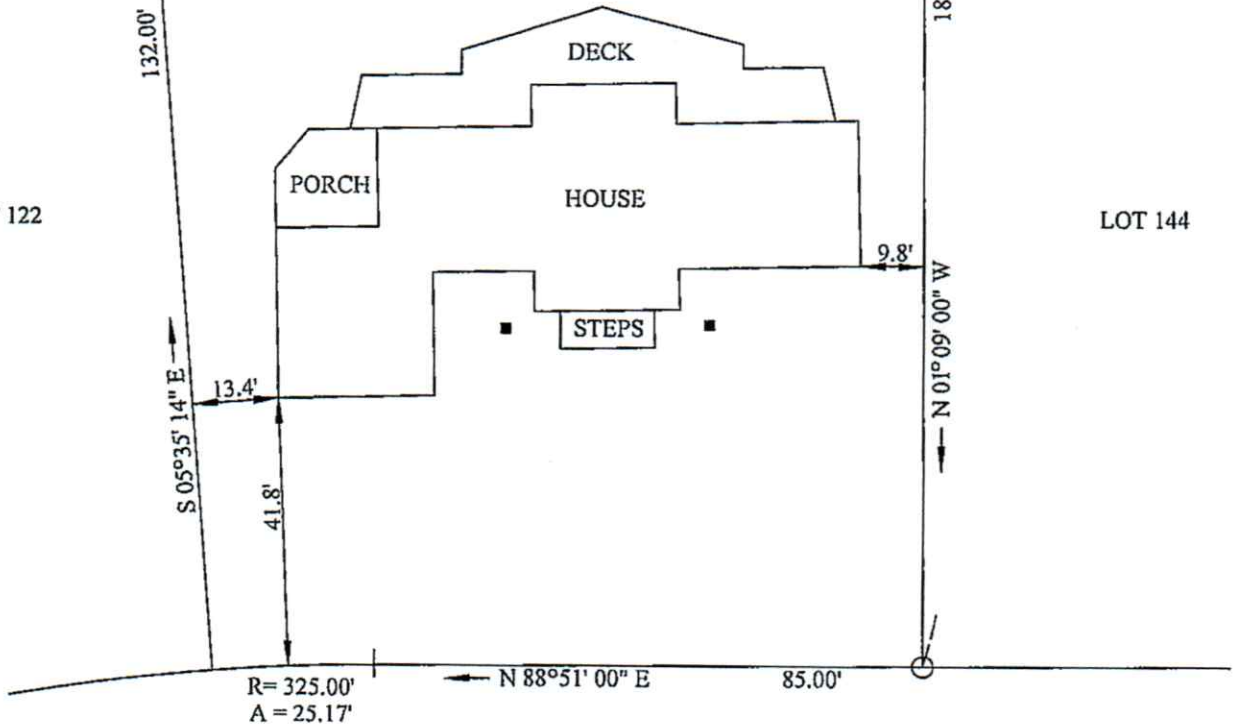
130' +/-
HIGH WATER LINE

LOT 142

AREA = 0.3934 ACRE ±

LOT 122

LOT 144



LAKE DRIVE WEST

LEGEND

- FOUND IRON PIPE
- SET IRON PIN
- CONCRETE PIER

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OWNER: JOSEPH AND SHIRLEY SHERIDAN

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