

Wetlands and Subaqueous Lands Section Basic Application Form

Section 1: Applicant Identification

1. Applicant's Name: Mr. Todd Harman Telephone #: 410-365-7655
 Mailing Address: 2019 Benson Mill Rd. Fax #: _____
Sparks Glencoe, MD. 21152 E-mail: tharman@ballaton.com
2. Consultant's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 _____ Fax #: _____
 _____ E-mail: _____
3. Contractor's Name: Jordan Winterling Company Name: SLW Services LLC
 Mailing Address: 32183 Boxer Rd. Telephone #: 410-251-6804
Selbyville, DE. 19975 Fax #: _____
 _____ E-mail: jlw@servicesllc@yahoo.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):
Install 2 Piling For Elevator Style Boat Lift
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 Sills and Revetments	<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. Activities in State Wetlands	<input type="checkbox"/> S. New Dredging

Section 3: Project Location

7. Project Site Address: 38393 Bayberry Lane County: N.C. Kent Sussex
Selbyville, DE. 19975 Site owner name (if different from applicant): _____
 Address of site owner: _____
8. Driving Directions: Safety on Rt 1, Right on Rt 54, Left on Keenwick Rd.
Left on Cedar Rd., Right on Bayberry Lane, House on Left
 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 533-20.13-59.00 Subdivision Name: Keenwick On The Bay

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 _____

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Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: Proy Creek waterbody is a tributary to: Assawoman Bay
11. Is the waterbody: Tidal Non-tidal Waterbody width at mean low or ordinary high water 100'
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):

<u>Nanette Ruhe</u>	<u>Dan Daily</u>
<u>38391 Bayberry Lane</u>	<u>38595 Bayberry Lane</u>
<u>Selbyville, DE 19975</u>	<u>Selbyville, DE 19975</u>

- 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:

- 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): SL-134/07

*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: _____

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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, Todd Harman (Name of Applicant), hereby designate and authorize Jordan Winterling (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: Jordan Winterling
Mailing Address: 32183 Braw Rd.
Selbyville, DE 19975

Telephone #: 410-251-6804
Fax #:
E-mail: jw_servicesllc@yahoo.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

4/24/24
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
Todd Harman
Print Name

3/22/2024
Date

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
Jordan Winterling
Print Name

4/24/24
Date

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.)

Install Boat Lift with 2 Associated Pilings

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>Lift</i>	<i>2</i>	<i>14'</i>	<i>14'</i>			<i>New</i>
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 _____

3. Approximately how wide is the waterway at this project site? 100+ ft. (measured from MLW to MLW)

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 Pilings*

6. Circle any of the following items that are proposed over subaqueous lands: *Aluminum Lift*
 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? 0 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>Sportsman</u> ^{OP# 232}	length <u>22' 9"</u>	width <u>8 1/2'</u>	draft <u>18"</u>
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.

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

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.

State Owned

14. What is the width of the waterfront property frontage adjacent to subaqueous lands? 90 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.

RETURN TO GRANTEE'S ADDRESS:

Todd A. Harman and Vandy F. Harman
2019 Benson Mill Road
Sparks Glencoe, MD 21152

TAX PARCEL #
533-20.13-59.00

PREPARED BY :
Chris Mancini, Esq.
Ridgway Law Group, LLC
1209 Coastal Highway, Suite B
Fenwick Island, DE 19944

File No. CCN-FI-107947

THIS DEED, made this 20 day of January, 2023,

- BETWEEN -

WILLIAM KUCHARICH AND BETSY KUCHARICH, of Sussex County, Delaware,
parties of the first part,

- AND -

TODD A. HARMAN AND VANDY F. HARMAN, of Baltimore County, Maryland,
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 **TEN DOLLARS (\$10.00)** lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant(s) and Conveys unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece or parcel of land, situate, lying and being in Baltimore Hundred, Sussex County, State of Delaware, being known and designated as Lot No 36, Section H, as shown on a plot of lots known as Keen Wik Subdivision No, 3 prepared by George B. Cropper, civil engineer and surveyor in July, 1959. Said plot being of record in the Office of the Recorder of Deeds, in and for Sussex County, in Plot Book 3, Page 19, and as revised by a plot entitled "Revised and reassembled Plot of Lots 35 & 36, Block H, Subdivision 3, Keen wik", as prepared by C. Kenneth Carter & Associates, dated September, 1976, as filed with a Deed in Deed Book 813, page 51, and being more particularly described as follows, to wit:

BEGINNING at a point situate on the easterly right of way of Bay Berry Road, point being a corner of these lands and Lot 35; thence, by and with the division line of Lots 35 & 36, N82

N82 degrees 41' 40 E, 100' +/- to a point on Roy Creek-thence leaving said Lot 35 and by and with the meanderings of Roy Creek in a southerly direction, the distance necessary to reach a point being a corner of these lands and Lot 37; thence, by and with said Lot 37, S89 degrees 08' 00" E, 80' +/- to a point situate on the aforementioned easterly right of way of Bay Berry Road, said point being a corner of these lands and Lot 37; thence, by and with said easterly right of way of Bay Berry Road and the beginning of a curve bearing to the left, said curve having a chord bearing and distance of N26 degrees 42' 30" W, 32.40' to a point being the beginning of a curve bearing to the left, said curve having a chord bearing and distance of N8 degrees 18' 30" W, 44.25' to the point and place of beginning.

BEING the same property conveyed to William Kuharich and Betsy Kuharich, by deed from Gladys B. Pecore f/k/a Gladys B. McCabe, dated September 18, 1996 and recorded September 27, 1996 among the land records of Sussex County, DE, in Book 2152, Page 93 as Instrument No. 1996-24455.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Selbyville, Sussex County, Delaware, including but not limited to those set forth herein. **SURVEY ATTACHED AS "EXHIBIT A"**

1. Restrictions as set forth in Deed Record 508, Page 231.
2. Easement Agreement as set forth in Deed Record 527, Page 92 and Deed Record 573, Page 435.
3. Easements and Conditions as set forth in Plot Book 3, Page 19, revised and reassembled Plot of Lots 35 & 36, Block H, Subdivision 3, Keen Wik in Deed Book 813, Page 48 .
4. Right of Way Agreement as set forth in Deed Record 657, Page 15, Deed Record 674, Page 549, Deed Record 335, Page 554, Deed Record 492, Page 577 and Deed Record 527, Page 92.
5. Assignment of Rights and Obligations for Keen-Wik as set forth in Deed Book 1110, Page 1.
6. Subaqueous Lands Lease as set forth in Deed Book 3471, Page 144.
7. Subaqueous Lands Lease Supplement as set forth in Deed Book 4568, Page 222.
8. RIGHTS of the United States of America, the State of Delaware, the public and other riparian owners between the high and low water marks of Roy Creek running through the premises.
9. **SUBJECT TO** the laws and authority of the United States of America, the State of Delaware, their political subdivisions and agencies, over portions of the premises extending beyond the low water mark of Roy Creek, to regulate commerce and navigation as well as to exert governmental title and ownership of the area lying below the original low water mark.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hand(s) and seal(s) the day and year first above written.

Signed, Sealed and Delivered
In the presence of:

William Kuharich (SEAL)

Betsy Kuharich (SEAL)

STATE OF Delaware

COUNTY OF Sussex

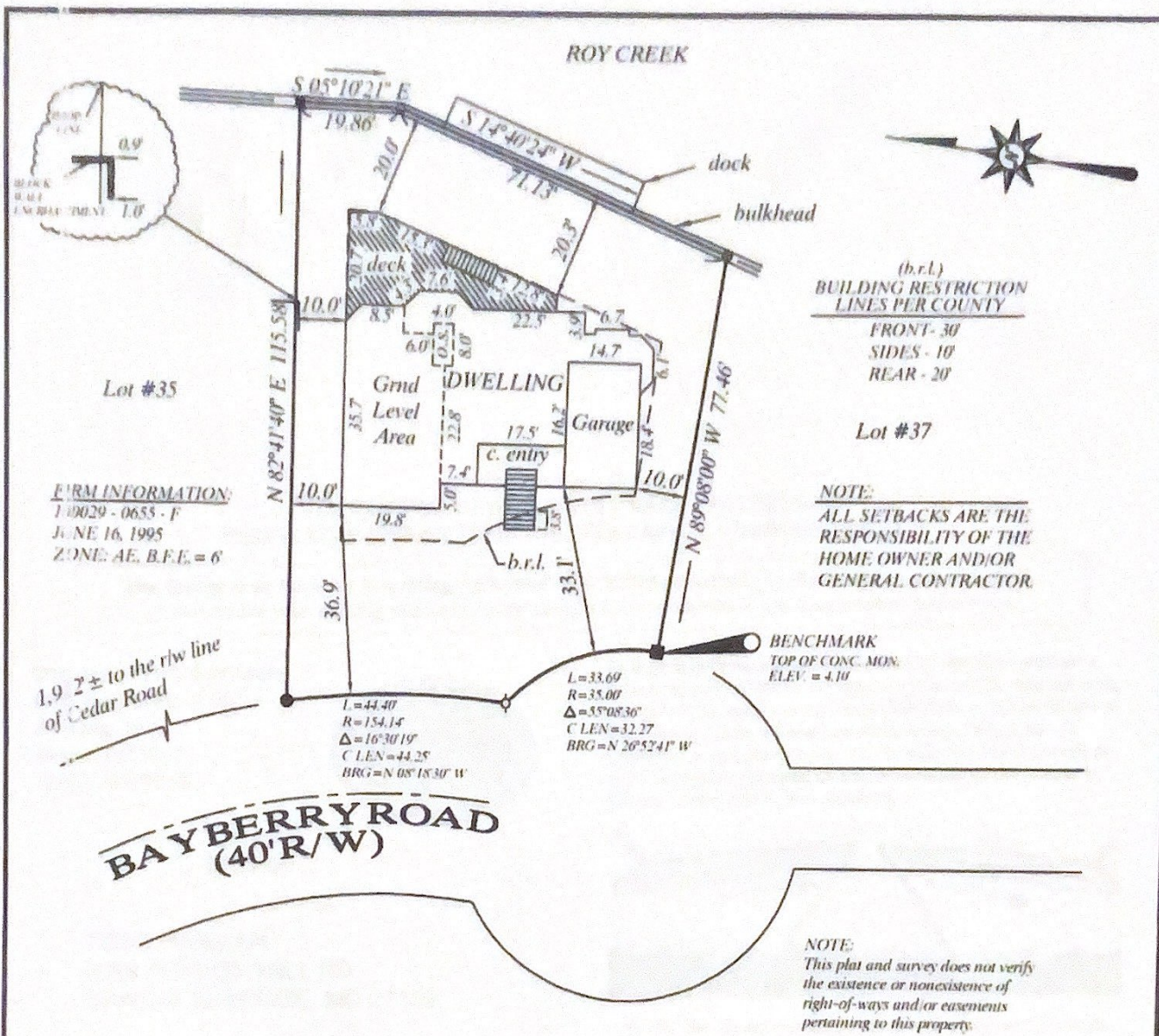
BE IT REMEMBERED, that on this 20 day of January, 2023, personally came before me, the subscribers, William Kuharich and Betsy Kuharich of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.

Christopher Mancini, Esq
ATTORNEY AT LAW
State of Delaware
29 Del C. Sec 4323(a)(3)
Perpetual Commission

Ch. Mancini
Notary Public

My Commission Expires: na



FIRM INFORMATION:
 1-800-29-0655 - F
 JUNE 16, 1995
 ZONE: AE, B.F.E. = 6'

(b.r.l.)
BUILDING RESTRICTION LINES PER COUNTY
 FRONT - 30'
 SIDES - 10'
 REAR - 20'

NOTE:
 ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR.

NOTE:
 This plat and survey does not verify the existence or nonexistence of right-of-ways and/or easements pertaining to this property.

- ◆ 1" K NAIL (SET)
- CON. MON. (FD)
- ⊕ 5/8" RE-BAR (SET)
- ◆ P.K NAIL (FD)
- 3/4" PIPE (FD)

Lands of WILLIAM KUCHARICH and BETSY KUCHARICH. Being known as LOT NO.36, BLOCK "H", SUBDIVISION #3, KEEN WIK.

Revised: 10/17/2002, Proposed dwelling.
 Revised: 06/25/2003, Final dwelling location.

AREA: 7,856 SQ. FT.

TAX MAP NO. 5-33-20.13-59

SCALE: 1" = 30'

No title search provided or stipulated.
CLASS "B" SURVEY

HUNDRED: BALTIMORE
COUNTY: SUSSEX
STATE OF DELAWARE
DATE: 11/19/2002
DRAWN BY: GREG HOOK

SIMPLER SURVEYING & ASSOCIATE
 RD. 1, BOX 98E, FRANKFORD, DE, 19945
 www.delawaresurveyor.com
 PHONE: (302) 539-7873 FAX: (302) 539-4336

SEAL

P.L.S. 289

FOR REMOVAL OF DECALS FOLD HERE AND PEEL BACK
 PLEASE READ INSTRUCTIONS FOR DECAL APPLICATIONS ON THE BACK

Use the form on back for reporting a CHANGE IN STATUS pertaining to the boat described below.
 Please include your mailing address (if different) and phone number should we need to contact you.

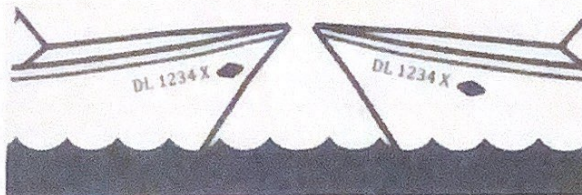
Division of Fish & Wildlife
 Boat Registration Office
 89 Kings Hwy
 Dover, DE 19901
 (302) 739-9916



\$130.00

TODD HARMAN
 2019 BENSON MILL RD
 SPARKS GLENCOE, MD 21152

No boat may be operated on the waters of this State without a current signed certificate of registration on board. Anyone using a vessel on the waters of this State shall present the certificate to any Federal, State, or Local Law Enforcement Officer for inspection at the Officer's request. No other numbers, letters, or pictures may be displayed on the forward half of the hull, or in the area of the registration numbers.



NOTE: The illustration shows the proper placement of decals.

REPORT BOATING ACCIDENTS

Stop and render assistance if you are involved in a boating accident. You are required to report all accidents to the Delaware Natural Resources Police, Fish & Wildlife upon the following circumstances: (1) a person dies; (2) a person is injured and requires medical treatment beyond first aid; (3) damage to the vessel and other property totals more than \$500; or (4) a person disappears from the vessel under circumstances that indicate death or injury.

STATE OF DELAWARE

BOAT REGISTRATION CERTIFICATE

HULL ID NO	REG NO	MAKE	YEAR
SMNSF336F323	DL9626AP	SPORTSMAN OPEN 232	2023
LENGTH	HULL MATERIAL	PROPULSION	OPERATION
22' 8"	Fiberglass	Propeller	Pleasure
VESSEL TYPE	FUEL	ENGINE TYPE	EXPIRATION
Open Motorboat	Gasoline	Outboard	2025
OWNER	BOAT NAME		
TODD HARMAN			
2019 BENSON MILL RD SPARKS GLENCOE, MD 21152			

April 15, 2024

To whom it may concern,

This is a letter stating that there is no objection to the building of a boat lift for the property belonging to Todd Harman. His address is 38393 Bayberry Lane Selbyville, DE 19975.

My name is Dan Daly and I am the property owner next door. My address is 38595 Bayberry Lane, Selbyville DE 19975.

Thank you.

Dan Daly

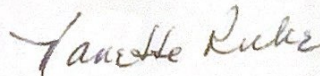
15100 Eclipse Dr
Manassas, VA. 20112
April 17, 2024

DEREC
Wetlands and Subaqueous Lands

Dear Sirs:

My neighbors Todd and Vandy Harmon of 38393 Bayberry Lane Selbyville, DE wish to install a lift for their 23' center console boat to their existing bulkhead. I am in complete agreement with this plan as it will protect the property.

Sincerely,



Nanette Ruhe

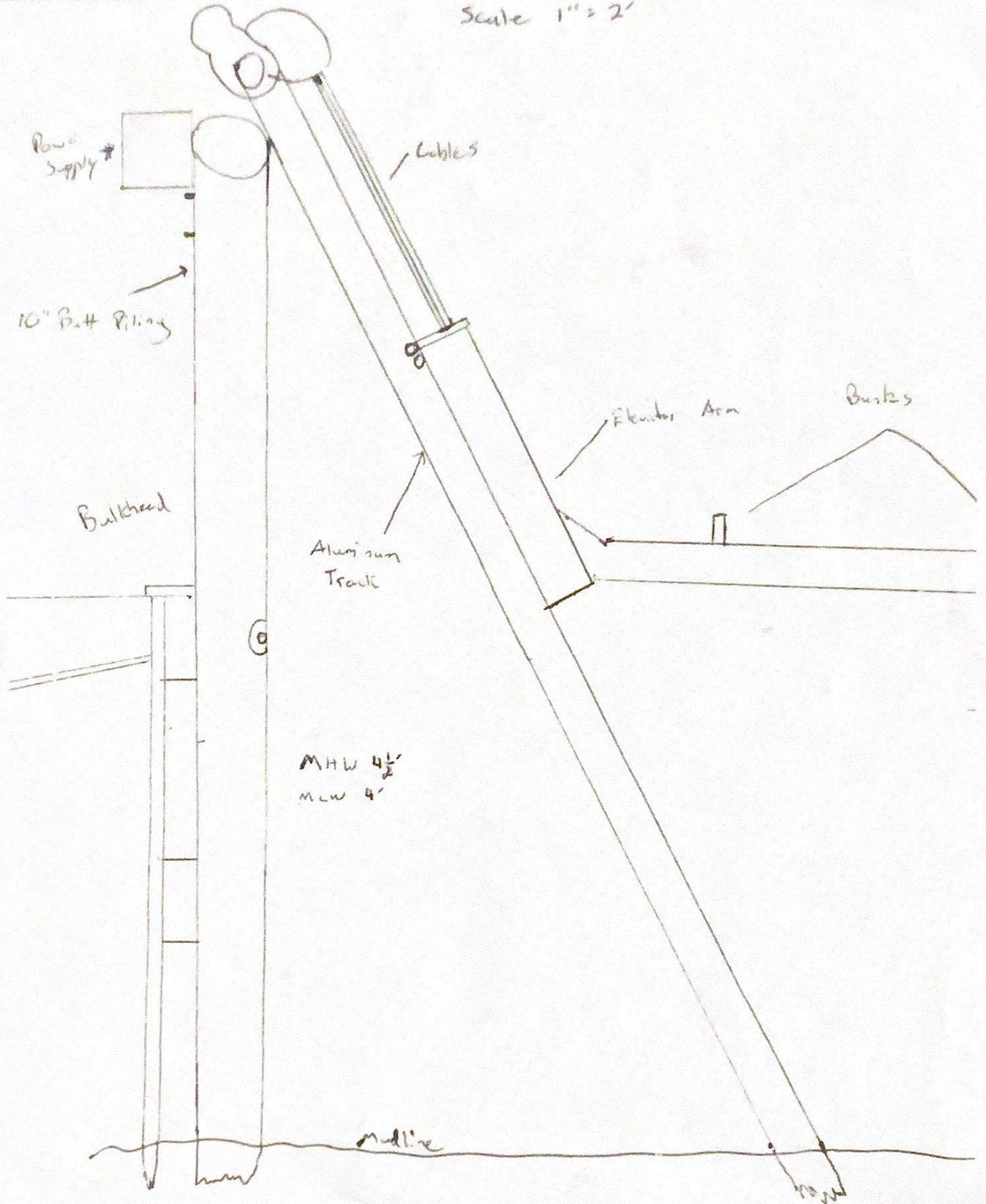
38391 Bayberry Lane
Selbyville, De 19975

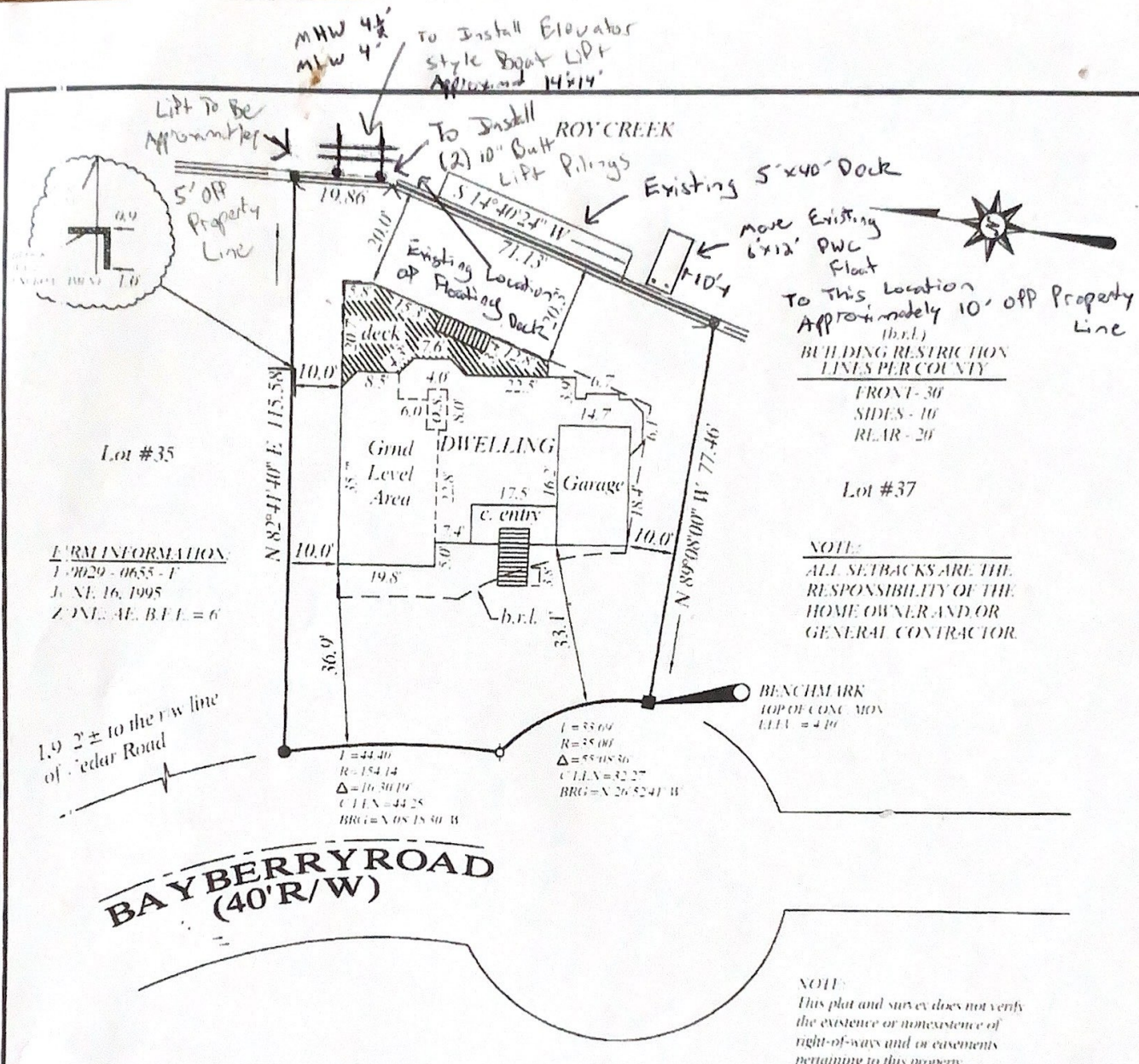
Mr. Todd Herman

LIFT Cross Section

T.M. # 533-20.13-59.00

Scale 1" = 2'





TERMINATION INFORMATION:
 1-9029-0655-1
 J. NE. 16, 1995
 ZONE: AE, B.F.E. = 6'

BUILDING RESTRICTION LINES PER COUNTY
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 SIDES - 10'
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COUNTY: SUSSEX
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 PHONE: (302) 539-7873 FAX: (302) 539-4336

SEAL
PLS 289