

APPLICANT'S REVIEW BEFORE MAILING**DID YOU COMPLETE THE FOLLOWING?**

- | | | |
|-------------------------------------|-----|--|
| <input checked="" type="checkbox"/> | Yes | BASIC APPLICATION |
| <input checked="" type="checkbox"/> | Yes | SIGNATURE PAGE (Page 3) |
| <input checked="" type="checkbox"/> | Yes | APPLICABLE APPENDICES |
| <input checked="" type="checkbox"/> | Yes | SCALED PLAN VIEW |
| <input checked="" type="checkbox"/> | Yes | SCALED CROSS-SECTION OR ELEVATION VIEW PLANS |
| <input checked="" type="checkbox"/> | Yes | VICINITY MAP |
| <input checked="" type="checkbox"/> | Yes | COPY OF THE PROPERTY DEED & SURVEY |
| <input checked="" type="checkbox"/> | Yes | THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET |
| <input checked="" type="checkbox"/> | Yes | APPROPRIATE APPLICATION FEE & PUBLIC NOTICE FEE
(Separate checks made payable to the State of Delaware) |

RECEIVED
AUG 15 2024
BY:

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

**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.

Section 1: Applicant Identification

1. Applicant's Name: Stephen Owsiany Telephone #: 610-731-1009
 Mailing Address: 247 West Linfield-Troppe Rd Fax #: _____
Royersford, PA 19465 E-mail: jmausiany@gmail.com
2. Consultant's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 _____ Fax #: _____
 _____ E-mail: _____
3. Contractor's Name: JT Rogers Marine Const Company Name: _____
 Mailing Address: 25245 Banks Rd Telephone #: _____
Millsboro, DE 19966 Fax #: _____
 E-mail: _____

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):
Floating dock required for loading and unloading
people safely to existing dock.
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: Lot 50 County: N.C. Kent Sussex
32472 River Road Site owner name (if different from applicant): _____
Millsboro, DE 19966 Address of site owner: _____
8. Driving Directions: map attached
- (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 234.34.1250.00 Subdivision Name: NA

WLS 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 Indian River waterbody is a tributary to: Indian River Bay

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:

(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>Jean L. Vettel "49"</u>	<u>Brooks Reynolds "51"</u>
<u>804 Coral Circle</u>	<u>Reynolds-Tr. Living Trust</u>
<u>New Cumberland, VA 17070</u>	<u>2950 SW Wayne Ave</u>
<u>32464 River Road</u>	<u>Topeka, KS 66611</u>
<u>Millsboro, DE 19966</u>	<u>32476 River Road, Millsboro, DE</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):

NA

*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, _____, hereby designate and authorize _____
 (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: _____ Telephone #: _____
 Mailing Address: _____ Fax #: _____
 _____ E-mail: _____

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.

 Agent's Signature

 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.

Stephen Owsiany
 Applicant's Signature

8/15/24
 Date

Stephen Owsiany
 Print Name

22. Contractor's Signature:

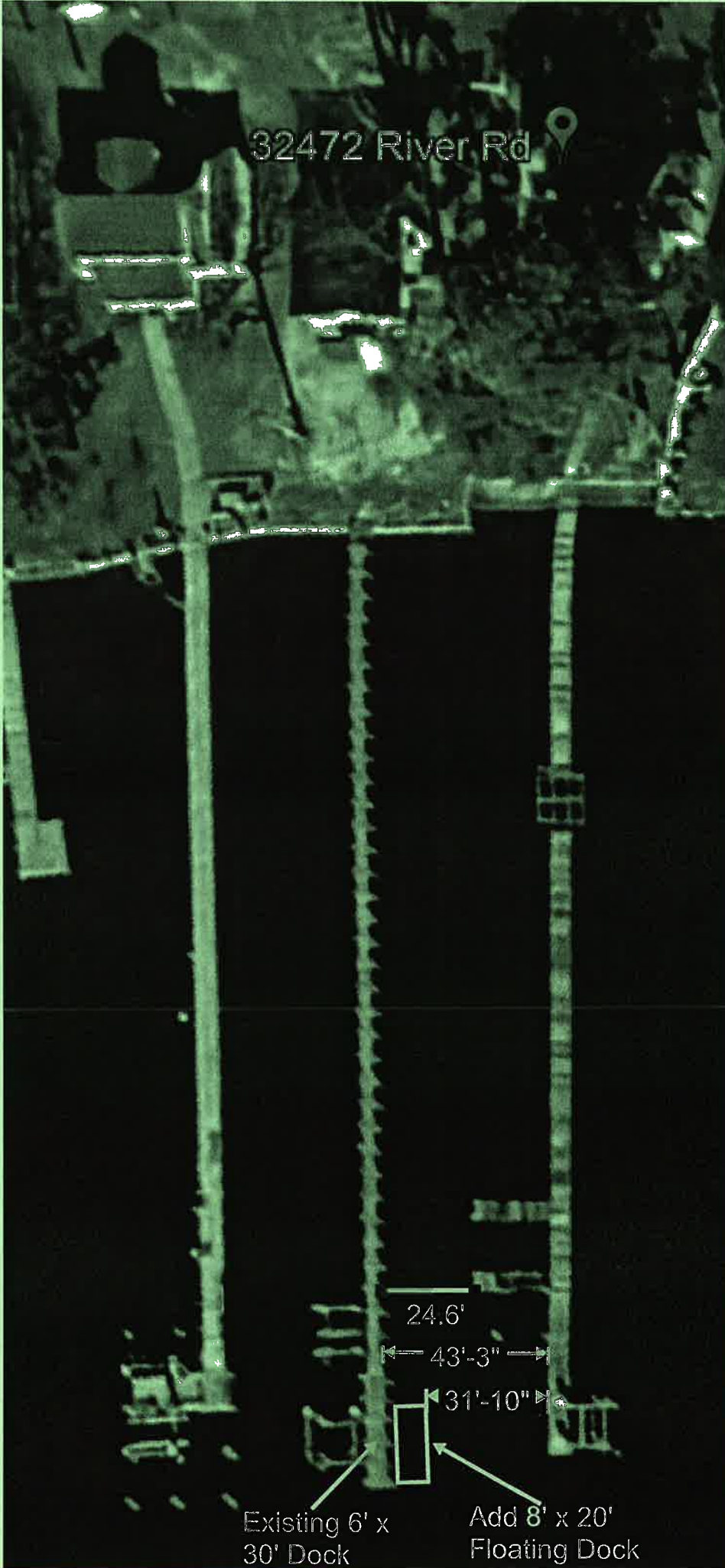
I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge, and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.

Troy D. Messick
 Contractor's Name

8/15/24
 Date

Troy D. Messick
 Print Name

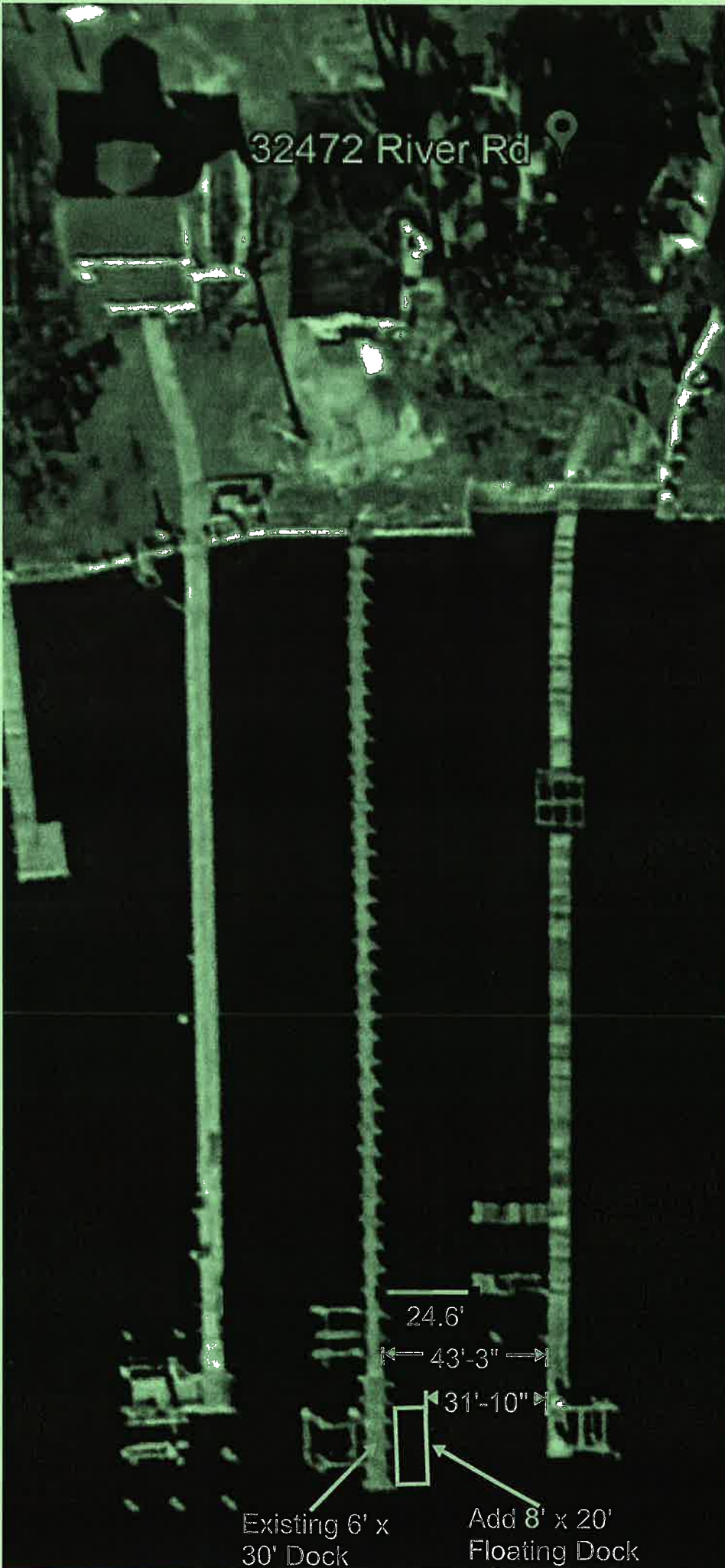
32472 River Rd



Existing 6' x 30' Dock

Add 8' x 20' Floating Dock

32472 River Rd

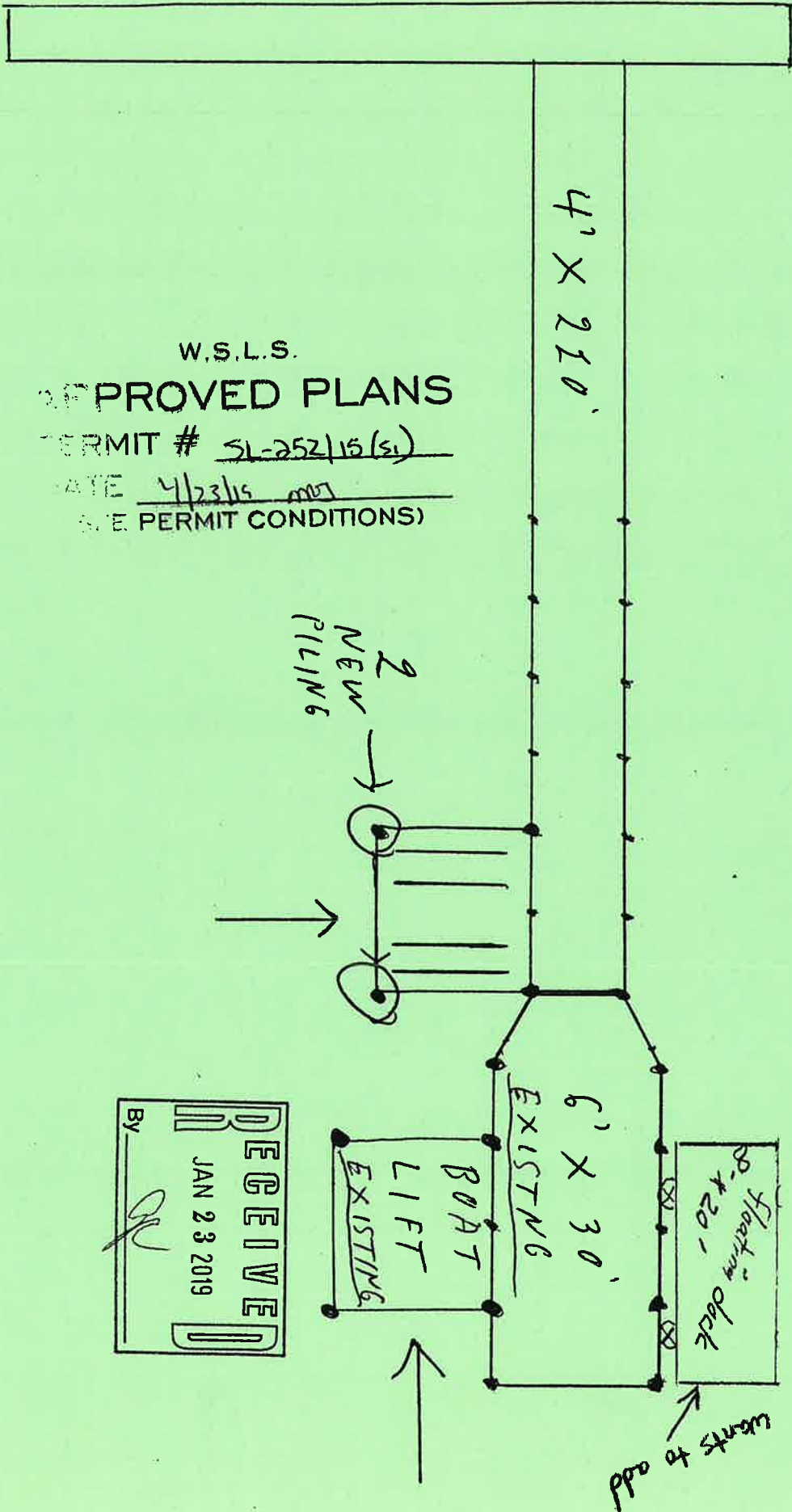


Existing 6' x 30' Dock

Add 8' x 20' Floating Dock

W.S.L.S.
APPROVED PLANS
PERMIT # SL-252/15(SI)
DATE 4/23/15
(SEE PERMIT CONDITIONS)

PLINGS ON 6' CENTERS



RECEIVED
JAN 23 2019
By *[Signature]*



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &
ENVIRONMENTAL CONTROL
DIVISION OF WATER
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

WETLANDS & SUBAQUEOUS
LANDS SECTION

TELEPHONE (302) 739-9943
FAX (302) 739-6304

Stephen and Johanna Owsiany
247 West Linfield Road
Royersford, PA 19468
Tax Parcel: 2-34-34.12-50.00

Subaqueous Lands Lease: SL-252/15
Associated Permits:
Date of Issuance: 11/30/2017
Construction Expiration Date: 11/30/2020

SUBAQUEOUS LANDS LEASE

GRANTED TO:

Stephen and Johanna Owsiany

TO CONSTRUCT AND UTILIZE:

A 4 foot wide by 220 foot long pier
A 6 foot wide by 30 foot long linear dock
A boat lift with 4 associated pilings

OCCUPYING PUBLIC SUBAQUEOUS LANDS TOTALING:

1004 square feet

LOCATED CHANNELWARD OF MEAN LOW WATER:

**In the Indian River
at 32472 River Road
Millsboro, Sussex County, Delaware**

Pursuant to the provisions of 7 Del. C. §7205, and the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this 30th day of November A.D. 2016, to construct the above-referenced project in accordance with the approved plans for this Lease (4 sheets) as approved on October 26, 2016 and the application dated May 15, 2016, and received by this Department on June 25, 2015, and with a public hearing held on July 11, 2016.

WHEREAS, the State of Delaware is the owner of ungranted subaqueous lands lying beneath the waters of Indian River; and

WHEREAS, Stephen and Johanna Owsiany, owner(s) of certain lands adjoining to the Indian River have applied for permission to occupy 1004 square feet of those public lands to install the indicated structures for private use; and

Delaware's good nature depends on you!

WHEREAS, pursuant to the provisions of 7 Del. C. §7203, the Secretary of the Department of Natural Resources and Environmental Control through his duly authorized representative finds that it is not contrary to the public interest if this project is approved subject to the terms and conditions herein set forth.

This Lease shall be continued for a period of **ten (10) years** or so long as the conditions attached to the Lease are adhered to, whichever is the shorter in time. Upon the expiration of the ten-year term, this Lease shall expire and become null and void, unless prior thereto the lessee shall have applied for and received a renewal of this Lease. A renewal may be denied if the State determines that the Lease is no longer in the public interest.

NOW THEREFORE, this Lease is issued subject to the attached Subaqueous Lands Lease General Conditions and the following special conditions:

SPECIAL CONDITIONS

1. This Lease shall not be considered valid until it has been duly recorded in the office for the Recorder of Deeds in and for the appropriate County, and a copy of the recorded Lease is returned to, and has been received by, the Department.
2. This approval is in accordance with the plans and application submitted to the Department of Natural Resources and Environmental Control, a copy of which is attached hereto and made a part hereof.
3. The work authorized by this Lease is subject to the terms and conditions of the attached Department of the Army Permit Number CENAP-OP-R SPGP-20.
4. This Lease is granted for the purpose of berthing no more than four vessels, as indicated on the approved plans. Any other use without prior approval shall constitute reason for this Lease being revoked.
5. The authorized area of structure over public subaqueous lands is 1004 square feet, represented by the 6 by 30 foot long dock, 4 by 205 foot long pier, and a boatlift with 4 associated pilings.
6. The structures authorized by this Lease shall be constructed and maintained in a manner so as to assure water access to adjacent properties.
7. No portion of the structure shall be constructed using creosote treated lumber.
8. No portion of the structure authorized by this Lease shall exceed the dimensions for that structure identified on page one of this Lease.

IN WITNESS WHEREOF, (We), Stephen and Johanna Owsiany, have caused this instrument to be executed on this 30th day of November, 2016. *W*



By: *Stephen G. Owsiany*
Stephen G. Owsiany (Lessee)

By: *Johanna M. Owsiany*
Johanna M. Owsiany (Lessee)

Sworn and Subscribed before me on this 30th day of November, 2016. *W*

(Notary Seal)

Gayle Calder
Notary

IN WITNESS WHEREOF, I, David S. Small, Secretary of the Department of Natural Resources and Environmental Control, have hereunto set my hand this 10th day of February, 2016. *W*

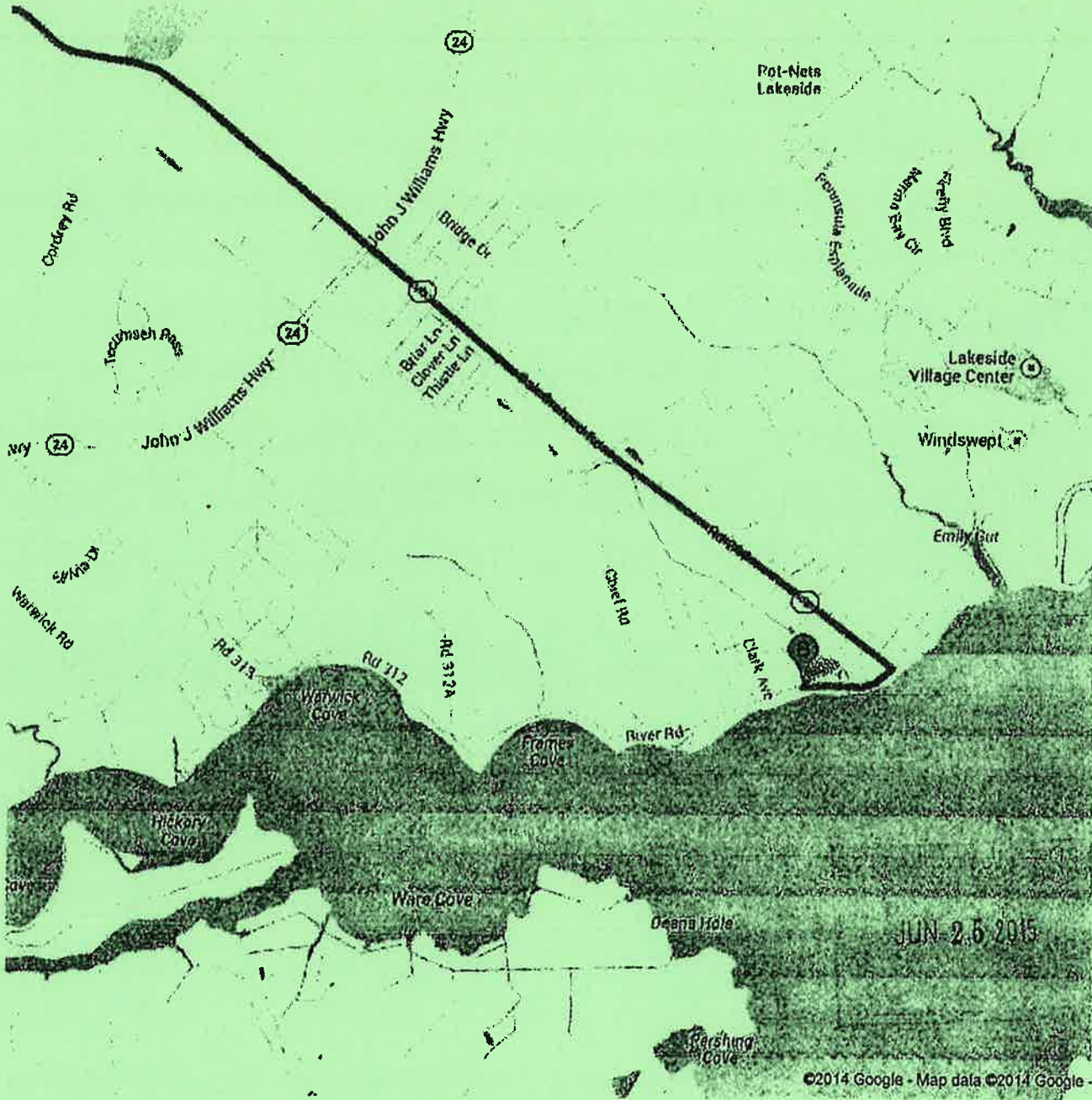
David S. Small
David S. Small, Secretary

Department of Natural Resources and Environmental Control

Google

From Georgetown, DE

Directions to 32472 River Rd, Millsboro, DE 19966
14.7 mi - about 24 mins



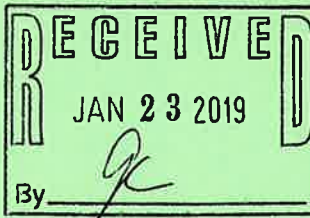
W.S.L.S.

APPROVED PLAI

PERMIT # SI-25215(S)

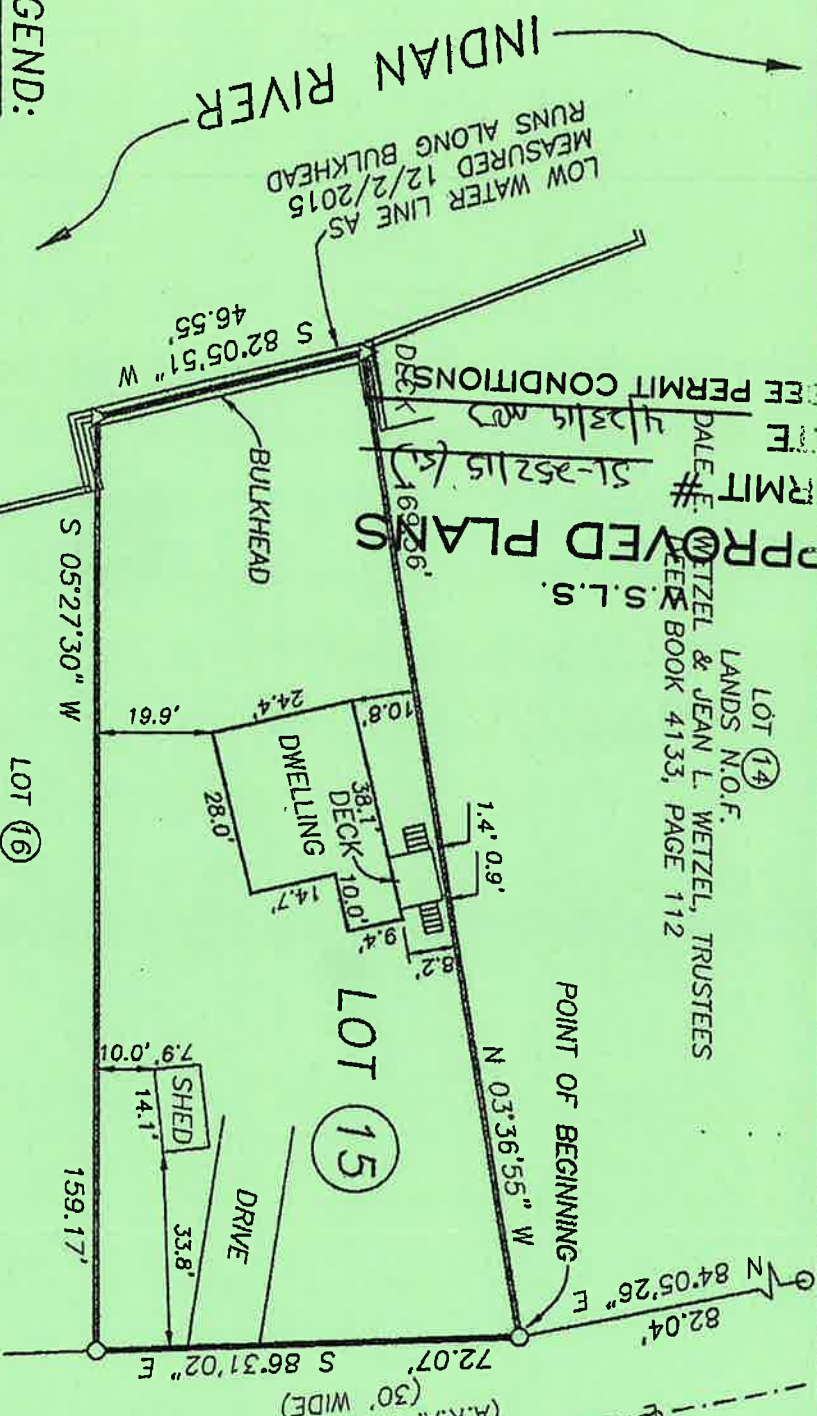
DATE 4/23/15 MS

(SEE PERMIT CONDITIONS)



TAX MAP NO. 2-34-34.12, PARCEL 5

BEARING REFERENCE
PLOT BOOK 95, PAGE 119



APPROVED PLANS
 PERMIT # 51-252115 (S)
 DATE 4/23/15
 SEE PERMIT CONDITIONS
 DECK

LOT 14
 LANDS N.O.F.
 WEITZEL & JEAN L. WEITZEL, TRUSTEES
 DEED BOOK 4133, PAGE 112

LOT 16
 LANDS N.O.F.
 BRUCE G. REYNOLDS, TRUSTEE
 DEED BOOK 3957, PAGE 102
 PLOT BOOK 95, PAGE 119

COUNTY ROAD 312
 (A.K.A. RIVER ROAD)
 (30' WIDE)

INDIAN RIVER

POINT OF BEGINNING

LOW WATER LINE AS MEASURED 12/2/2015 RUNS ALONG BULKHEAD

BULKHEAD

DWELLING

DECK

DRIVE

SHED

82.04' N 84°05'26" E

72.07' S 86°31'02" E

159.17'

7.9' 0.01'

14.1'

33.8'

8.2'

9.4'

10.0'

14.7'

38.1'

10.8'

24.4'

28.0'

1.4' 0.9'

46.55'

S 82°05'51" W

S 05°27'30" W

N 03°36'55" W

LEGEND:
 O FOUND IRON PIPE
 Δ SET MAG NAIL

NOTES:
 1) CLASS "B", SUBURBAN SURVEY
 2) SOURCE OF TITLE: DEED BOOK 4211, PAGE 82
 3) A TITLE SEARCH WAS NETHER REQUESTED,
 PROVIDED OR UTILIZED FOR THIS SURVEY

RECEIVED
 JAN 23 2019
 BY [Signature]

Prepared By
 ADAMS-KEMP ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS
 AND PLANNERS
 217 SOUTH RACE STREET
 GEORGETOWN, DELAWARE 19947
 PHONE: (302) 856-6699
 WWW.ADAMSKEMP.COM

R.B. KEMP, III, P.L.S. 541

BOUNDARY SURVEY PLAN
 PREPARED FOR
 STEPHEN OWSIANY &
 JOHANNA OWSIANY

FOR PROPERTY KNOWN AS
 LOT 15, RIVERDALE PARK, DEED BOOK 229, PAGE 102
 (A.K.A. 32472 RIVER ROAD)
 SITUATED IN
 INDIAN RIVER HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
 AREA: 9,667± SQUARE FEET
 SCALE: 1" = 30'
 DATE: DECEMBER 9, 2015

PLAN NO. 15102

Tax No.: 2-34 34.12 50.00
PREPARED BY & RETURN TO:
Tunnell & Raysor, P.A.
323E Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. AS8778/MLG

THIS DEED, made this 20th day of December, 2013,

- BETWEEN -

RAE STUART EMERICH, of 2131 Westminster Drive, Wilmington, DE 19803,
party of the first part,

- AND -

STEPHEN G. OWSIANY and JOHANNA M. OWSIANY, his wife, of 247 W.
Linfield Road, Royersford, PA 19468, as tenants by the entireties, parties of the second
part.

WITNESSETH: That the said party 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 grants 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 and parcel of land, with the improvements thereon
erected, situate in Indian River Hundred, Sussex County and State of Delaware, lying on
the northerly side of Indian River as laid out and designated as Lot #15 as shown on a Plot
of Lots of Riverdale Park as said Plot appears of record in the Office of the Recorder of
Deeds in and for Sussex County and State of Delaware, in Deed Book 229, Page 102,
reference thereto will be more fully and at large appear, said Lot #15 having a frontage of
fifty feet extending from said River northwardly to a Public Road.

BEING the same lands conveyed to Rae Stuart Emerich, as an undivided fifty
percent (50) interest and Nancy Stuart Waldraff and Robert Waldraff, husband and wife, as
an undivided fifty percent (50) interest, from Rae Stuart Emerich and Nancy Stuart
Waldraff, by Deed dated October 13, 2005, recorded in the Office of the Recorder of

Deeds in and for Sussex County, Delaware, on October 31, 2005, in Deed Book 3224, Page 010.

BEING a part of the same lands conveyed to Nancy Stuart Waldruff, from Nancy Stuart Waldruff and Robert Waldruff, husband and wife, as an undivided fifty percent (50) interest, by Deed dated March 9, 2009, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on March 24, 2009, in Deed Book 3663, Page 242.

BEING a part of the same lands conveyed to Rae Stuart Emerich from Nancy Stuart Waldruff, as an undivided fifty percent (50) interest, by Deed dated March 9, 2009, recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, on March 24, 2009, in Deed Book 3663, Page 245.

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.

