

Section 1: Applicant Identification

1. Applicant's Name: Joan Waters Freiberg Telephone #: 610-416-4954
 Mailing Address: 154 Farmhouse Dr., Norristown, PA 19403 Fax #: _____
 _____ E-mail: jwaters@cofcogroup.com

2. Consultant's Name: Kayla Short Company Name: Pristine Permitting, LLC
 Mailing Address: 12010 Industrial Park Rd., Telephone #: 443-614-8477
Unit 11, Bishopville, MD 21813 Fax #: _____
 _____ E-mail: kayla@pristinepermitting.com

3. Contractor's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 _____ 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):
Install a 4' x 33' 6" Pier to access water and install (1) Kayak Launch to allow for ease to load on and off of kayaks and provide storage for the kayak when not using.

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: 23742 Herring Reach Ct., Lewes County: ☐ N.C. ☐ Kent ☒ Sussex
DE 19958 Site owner name (if different from applicant): Same
 Address of site owner: Same
8. Driving Directions: Turn right onto Angola Rd, Turn right onto Rd 278/Angola Beach Rd, Turn left onto Herring View Rd., Turn left onto Inlet Breeze Dr
Turn right onto Herring Reach Ct, Destination will be on the right
 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 234-18.00-706.00 Subdivision Name: The Village at Herring Creek

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: Herring Creek waterbody is a tributary to: Rehoboth Bay

11. Is the waterbody: ☒ Tidal ☐ Non-tidal Waterbody width at mean low or ordinary high water Apx. 2,000

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):

James Hawthorne (23740 Herring Reach Ct., Lewes, DE 19958)

Joeseeph Reed (16165 Rockport Dr., Lewes, DE 19958)

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:

Zane Collision

Katie Esposito

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):

Rip-Rap along the shoreline

*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, Joan Waters, hereby designate and authorize Pristine Permitting, LLC C/O Kayla Short
(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: Kayla Short Telephone #: 443-614-8477
Mailing Address: 12010 Industrial Park Rd., Unit 11, Fax #: _____
Bishopville, MD 21813 E-mail: kayla@pristinepermitting.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.

Kayla Short
Agent's Signature

04-11-24
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.

Joan Waters
Applicant's Signature

04-11-24
Date

Joan Waters
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.

Contractor's Name

Date

Print Name

Herring Pointe Development, Inc.

317 Rehoboth Avenue
Rehoboth Beach, DE 19971
302-430-4060

July 11, 2010

Sussex County Planning & Zoning Department
2 The Circle
Georgetown, DE 19947

Re: Bay Pointe community

To Whom it May Concern,

As the owner/developer of the Bay Pointe community and president of the Bay Pointe Homeowners Association (HOA), this letter shall confirm that no HOA property exists between the rear lot lines of lot 92 or the southwestern 86 +/- feet of lot 93. The above-mentioned rear lot lines actually extend into Herring Creek and a portion of the lots are now in the water. Any future applications for bulkheading, rip rap, piers, docks or other improvements shall not require approval of HOA. Additionally, no HOA access shall be permitted to the beach and/or amenities on said lots. Should approval from the HOA ever be deemed necessary for any waterfront improvements (i.e. bulkheading, piers, docks, etc) on lots 92 or 93, this letter shall serve as granting such approval from the developer and HOA.

Please let me know if you have any questions or concerns.

Very truly yours,



Joseph P. Reed
President

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 (1) Kayak Launch and a 4' x 40' Pier

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
Dock, Pier, Lift, gangway		Width ____ ft.	Length ____ ft.	Width ____ ft.	Length ____ ft.	
Kayak Launch	Attached to Pier	3'	6' 10"	3'	6' 10'	New
Pier		4	33'6"	4'	30' 10"	New
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? 2,000+ ft. (measured from MLW to MLW)
4. What will be the mean low water depth at the most channelward end of the mooring facility? 2.5' 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.
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)
Kayak Launch is equipped with retractable ladder for loading/unloading the kayak launch Also equipped with on the kayak launch
 If any of the items are circled above, include their dimensions and location on the application drawings.
Apx. 23' channelward along the pier.

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? 60+ 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>Kayak</u> | length _____ | width _____ | draft _____ |
| 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? X Yes _____ No
12. Do you plan to reach the boat docking facility from your own upland property? X 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 X 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? 86.5 ft.
Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line?
_____ Yes X No
If yes, a letter of no objection from the adjacent property owner must be included with this application.

TAX MAP AND PARCEL #:
2-34-18.00-706.00

PREPARED BY & RETURN TO:
Bonnie M. Benson, P. A.
33576 Crossing Avenue, Unit 2
Lewes, DE 19958
File No. 23-1321/TMG

THIS DEED, made this 28TH day of February, 2023,

- BETWEEN -

CAPSTONE HOMES, L.L.C., as builder, of 28855 Lewes Georgetown Highway,
Lewes, DE 19958, and **JOSEPH P. REED, as title holder**, of 16165 Rockport Drive, Lewes,
DE 19958, parties of the first part,

- AND -

JOAN WATERS FREIBERG and **JOHN FREIBERG**, of 154 Farmhouse Drive,
Norristown, PA 19403, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum
of **Ten and 00/100 Dollars (\$10.00)**, 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, as
tenants by the entirety, and their heirs and assigns, in fee simple, the following described lands,
situate, lying and being in Sussex County, State of Delaware:

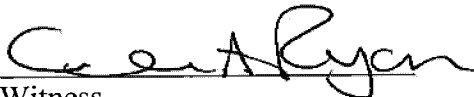
ALL THAT CERTAIN LOT, piece or parcel of land situate in the Indian River
Hundred, Sussex County and State of Delaware, said Lot(s) being known and designated as **Lot
No. 93** as shown on the Record Subdivision Plat of **Bay Pointe**, formerly known as Herring
Pointe, said plan prepared by Design Consultants Group, L.L.C., dated April 18, 2008, and
recorded in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware in
Plot Book 120, Page 203 and said lot(s) also being shown on Herring Pointe Record Subdivision
Plan recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Plot
Book 115, Page 281.


BEING the same lands conveyed to JOSEPH P. REED from JOSEPH P. REED, by Deed, dated January 24, 2023, and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on January 25, 2023, in Deed Book 5845, Page 41.

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 said Capstone Homes, L.L.C., as builder, a Delaware limited liability company, has caused its name to be hereunto set under seal by Joseph W. Booth, Jr., President of Capstone Homes, L.L.C., as builder, the day and year first above written.

CAPSTONE HOMES, L.L.C.,

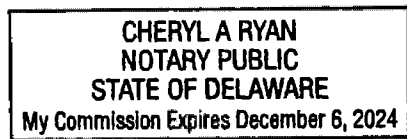

Witness

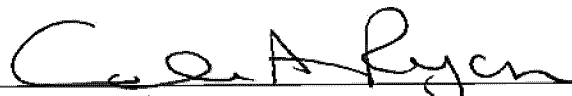
By:  (SEAL)
Joseph W. Booth, Jr., President

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 28th day of February, A.D. 2023, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Joseph W. Booth, Jr., President of Capstone Homes, L.L.C., as builder, a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said limited liability company; that the signature of the President is in his/her own proper handwriting and by his/her authority to act; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by a resolution of the limited liability company.

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




Notary Public

My Commission Expires: 12/6/24

IN WITNESS WHEREOF, the party of the first part has hereunto set their hand and seal the day and year first above written.

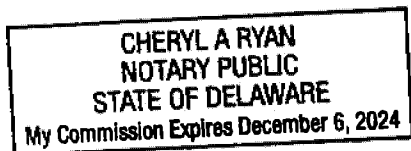
Brent Reed
Witness

By: [Signature] (SEAL)
Joseph P. Reed

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on March 1st, 2023, personally came before me, the subscriber, Joseph P. Reed, party 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.



[Signature]
Notary Public

My Commission Expires: 12/6/24



Power of Attorney
Kayla L Short
Pristine Permitting, LLC

To whom it may concern:

Please be aware that I/we consent and authorize Kayla L. Short with Pristine Permitting, LLC to represent and execute the necessary documentation and requirements for obtaining permits on the following: dock/ pier work, pilings, bulkheads, boatlifts, pwc lifts, and or floating docks on the property stated below. This authorization includes representation at any and all hearings as well as authorization to electronically sign all and any permitting applications on behalf of property owners.

The authorization is only for permit procurement and does not entitle Kayla L. Short to any agreement as to costs associated with the construction.

It is also understood and consented that liability included with the authorization of this document is only for obtaining the corresponding permits. This herein will cease to exist after approval or denial of permits.

Additionally, it is understood that this document does not guarantee an approval from the various governmental agencies and does not hold Kayla L. Short accountable for the approval or denial.

Joan Waters Freiberg
Print Name

John Freiberg
Print Name

Print Name

Joan Waters Freiberg 1/31/24
Property Owner Signature Date

John Freiberg
Property Owner Signature

Date

Job Site Address:

23742 Herring Reach Ct
Lewes Delaware
19958

Mailing Address:

23742 Herring Reach Ct.
Lewes, Delaware
19958

State of Washington, County of District of Columbia:

I Hereby Certify that on this day 1/31/24 by Joan & John Freiberg before me a Notary Public in and for the state and County aforesaid, personally appeared Joan & John Freiberg (or satisfactory proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged they executed the same for the purposes therein contained and further made oath that they executed the same in the capacity therein stated and for the purposes therein contained.

AS WITNESS, my hand and notarial seal.

District of Columbia

Signed and sworn to (or affirmed) before me
on 1/31/24 by Joan & John Freiberg
Date Name(s) of Individual(s) making Statement

James B. Weitz
Signature of Notarial Officer
Notary Public
Title of Office

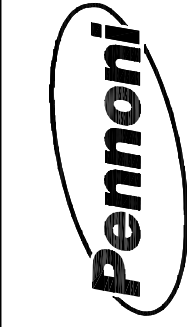
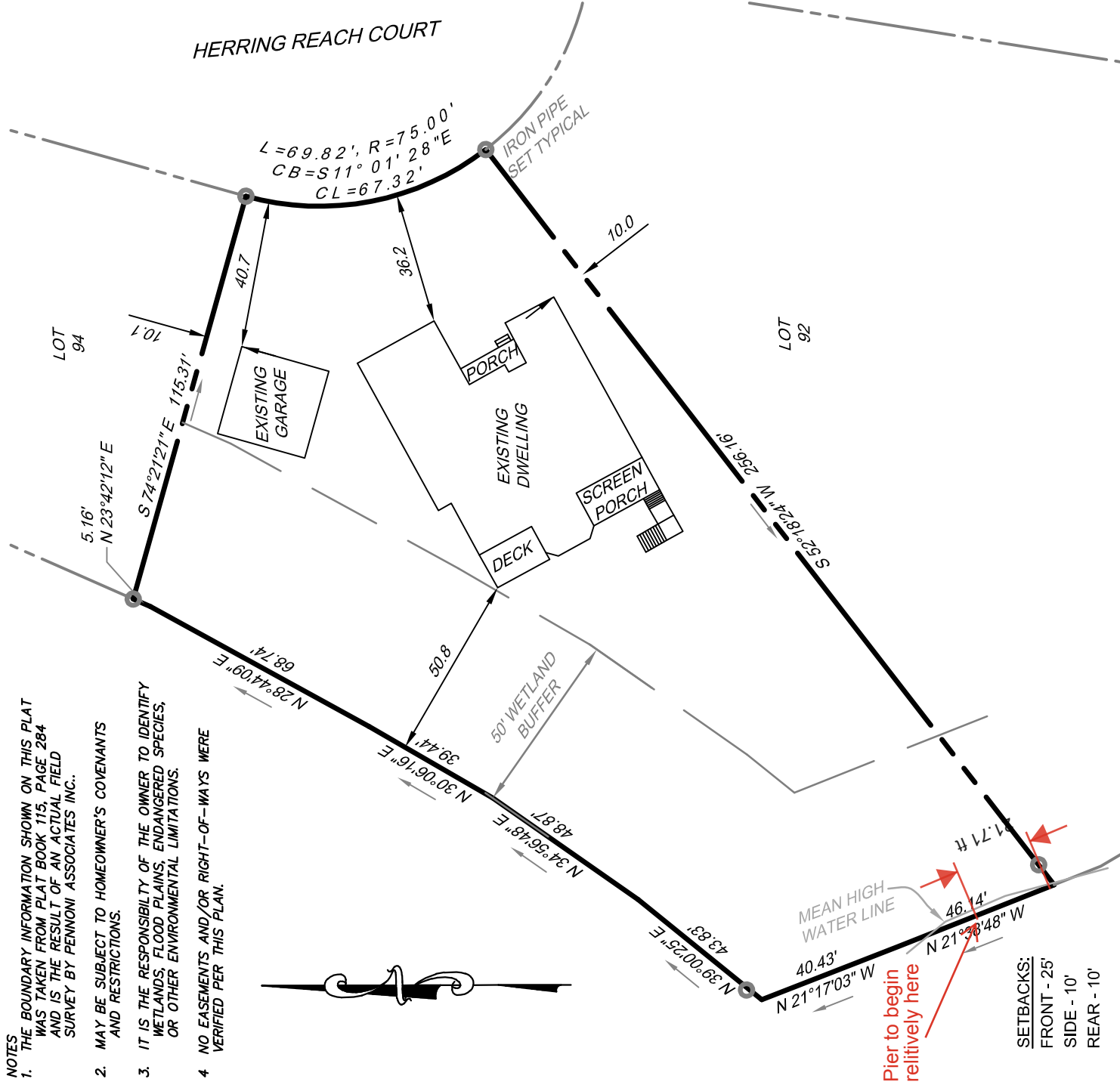
My commission expires: 3/31/26

Please Seal here

James B. Weitz
Notary Public
31 March 2026
My Commission Expires

NOTES

1. THE BOUNDARY INFORMATION SHOWN ON THIS PLAT WAS TAKEN FROM PLAT BOOK 115, PAGE 284 AND IS THE RESULT OF AN ACTUAL FIELD SURVEY BY PENNONI ASSOCIATES INC..
2. MAY BE SUBJECT TO HOMEOWNER'S COVENANTS AND RESTRICTIONS.
3. IT IS THE RESPONSIBILITY OF THE OWNER TO IDENTIFY WETLANDS, FLOOD PLAINS, ENDANGERED SPECIES, OR OTHER ENVIRONMENTAL LIMITATIONS.
4. NO EASEMENTS AND/OR RIGHT-OF-WAYS WERE VERIFIED PER THIS PLAN.



PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATE. AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	CPSTN1D093
DATE	2023-03-28
DRAWING SCALE	1"= 40'
DRAWN BY	KMD
APPROVED BY	KMD
SHEET	1 OF 1

LOT 93, BAY POINTE
HERRING REACH COURT
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

MEAN HIGH WATER LINE SURVEY

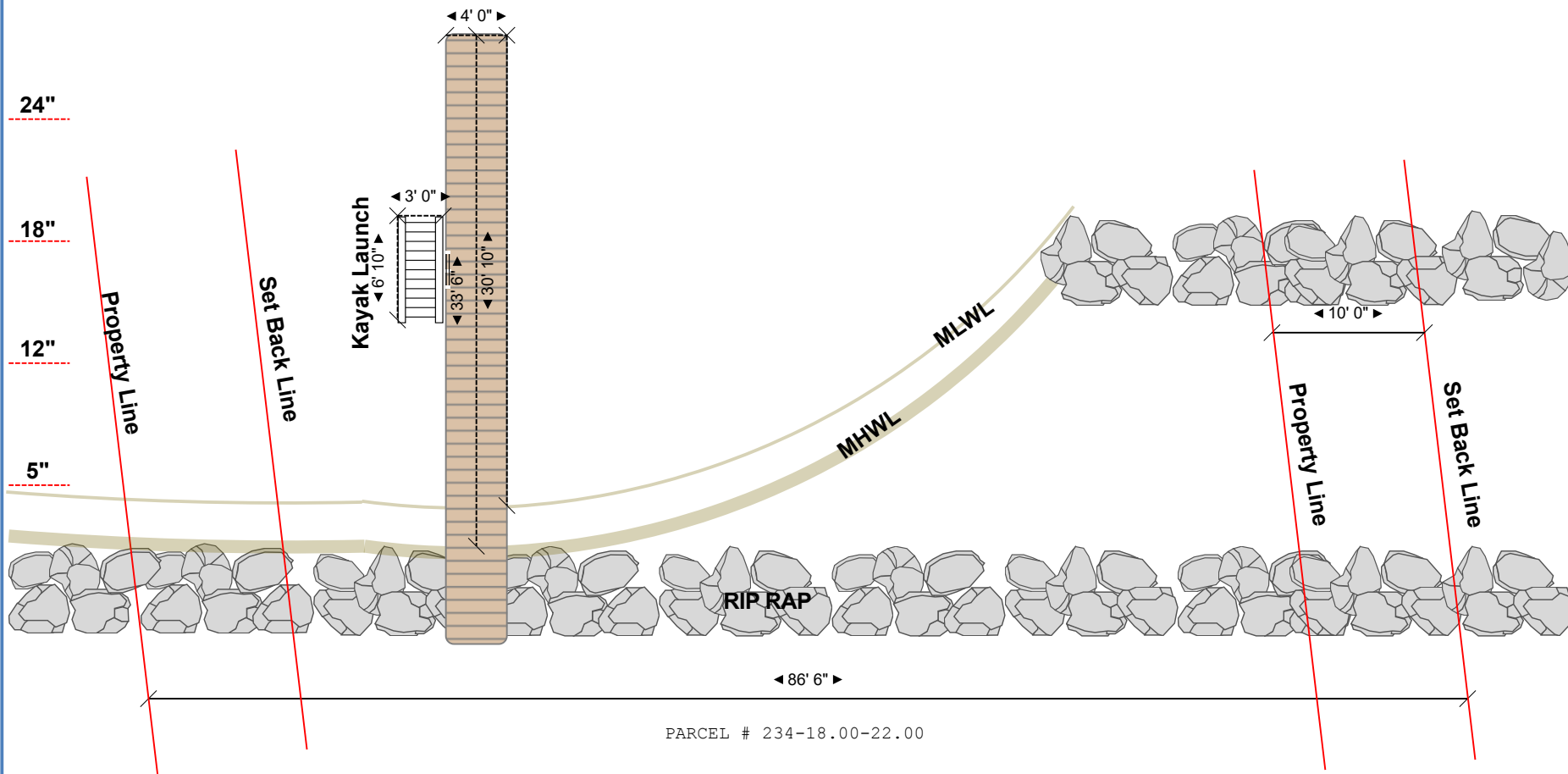
TM: 234-18.00-706.00
CAPSTONE HOMES, LLC.
28855 LEWES GEORGETOWN HIGHWAY
LEWES, DELAWARE 19958

No Known SAV
North Arrow

Pier to be constructed
from the lands of 23742
Herring Reach Ct.,

Button Prong

Depths
@ MLW
30"



Site: 23742 Herring Reach Ct., Lewes DE
Parcel: 234-18.00-22.00

Customer:
J. Waters

Project:
Existing

Drawing:
187

443-614-8477

Pristine Permitting

Work: Install a 4' x 40' Pier and (1)
Kayak Launch

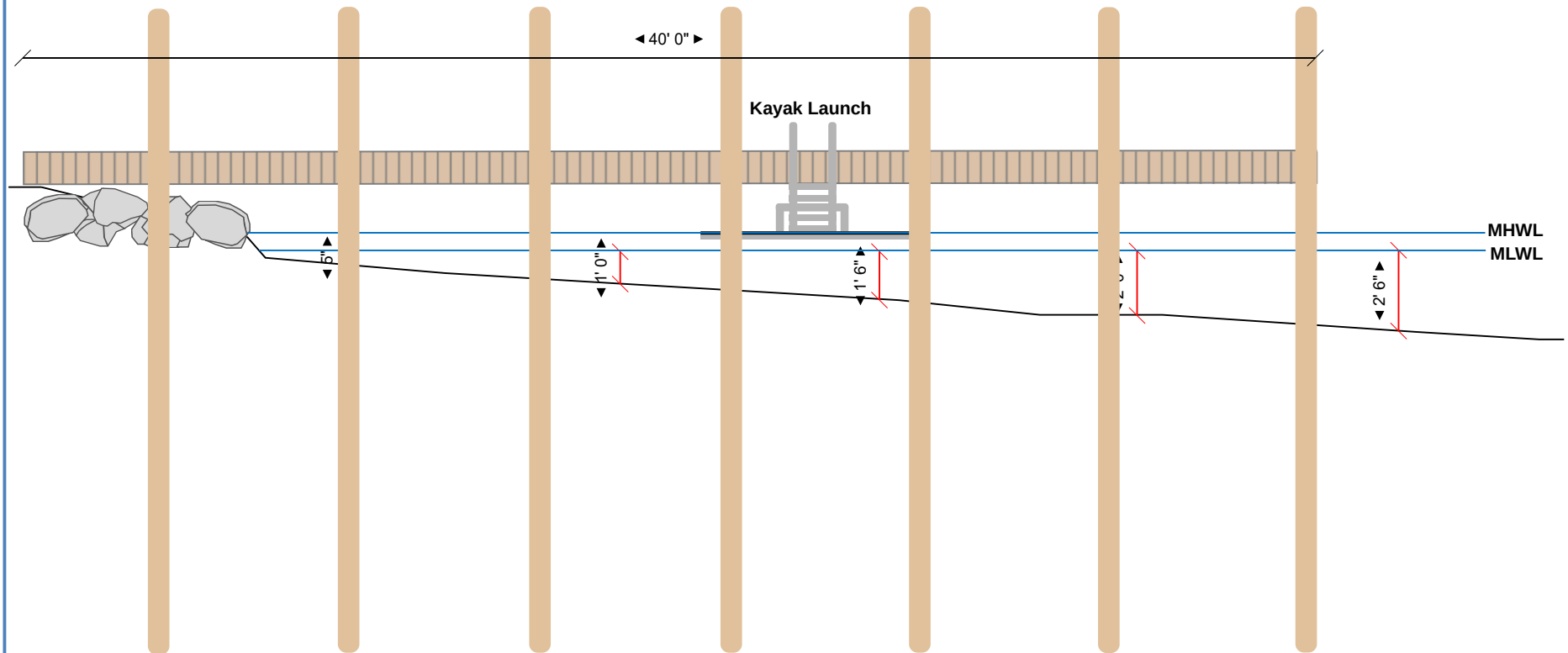
Scale:
3/32":1'0"

Date:
01/30/2022

Drawn:
K. Short

Kayla@
Pristine
Permitting.com

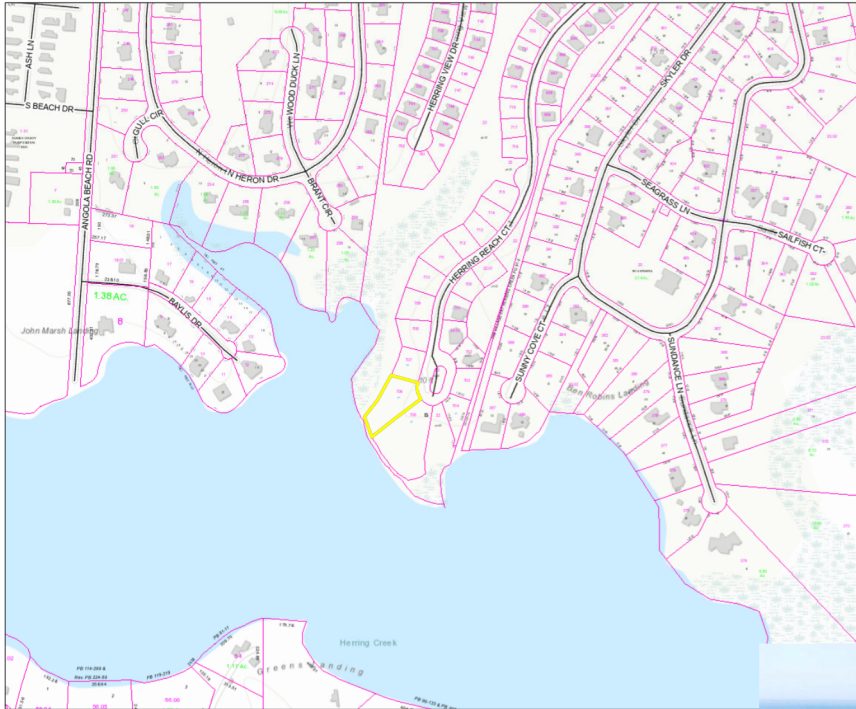
12010 Industrial Park RD
Unit 11
Bishopville MD 21813



Site:	23742 Herring Reach Ct., Lewes DE	Property Owner:	J. Waters	Project ID:	187	Plan:	Cross Section	Notes:	-No known SAV -Max Chnl.	Pristine Permitting, LLC (443) 614-8477 kayla@pristinepermitting.com 12010 Industrial Park Rd., Unit 11, Bishopville, MD 21813
Scope of Work:	Install a 4' x 40' Pier and (1) Kayak Launch	Scale:	1":5'	Date:	09/04/2024	Contractor:	OC Boat Lifts			



Sussex County



PIN:	234-18.00-706.00
Owner Name	FREIBERG JOAN WATERS
Book	5864
Mailing Address	154 FARMHOUSE DR
City	NORRISTOWN
State	PA
Description	BAY POINTE
Description 2	LOT 93
Description 3	
Land Code	

polygonsLayer
Override 1
polygonsLayer
Override 1
Tax Parcels
Streets
County Boundaries

January 6, 2024

