

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?

<u>X</u> Yes	BASIC APPLICATION
<u>X</u> Yes	SIGNATURE PAGE (Page 3)
<u>X</u> Yes	APPLICABLE APPENDICES
<u>X</u> Yes	SCALED PLAN VIEW
<u>X</u> Yes	SCALED CROSS-SECTION OR ELEVATION VIEW PLANS
<u>X</u> Yes	VICINITY MAP
<u>X</u> Yes	COPY OF THE PROPERTY DEED & SURVEY
<u>online PDF</u> Yes	THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET
<u>online</u> 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: Susan Stucker & Deborah Child Telephone #: 973-699-3083
 Mailing Address: 38414 Maple Lane Fax #: _____
Selbyville, DE 19975 E-mail: susanstucker9@gmail.com
2. Consultant's Name: _____ Company Name: _____
 Mailing Address: _____ Telephone #: _____
 _____ Fax #: _____
 _____ E-mail: _____
3. Contractor's Name: McGinty Marine Construction Company Name: Joshua Schloppner
 Mailing Address: 12050 Industrial Park Rd Telephone #: 410-250-5066
Bishopville, MD 21813 Fax #: _____
 E-mail: josh@mcgintymarine.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):
Contractor will install a boat lift to an 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: _____ County: ☐ N.C. ☐ Kent ☒ Sussex
38414 Maple Lane Site owner name (if different from applicant): _____
Selbyville, DE 19975 Address of site owner: _____
8. Driving Directions: Take DE 54 to Keenwick Rd. Turn right at the stop sign onto Cedar Road. Turn left onto Maple Lane. Last house on the right.
 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 533-19.16-47.00 Subdivision Name: Keenwick

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: Roy Creek waterbody is a tributary to: Assawoman Bay
11. Is the waterbody: ☒ Tidal ☐ Non-tidal Waterbody width at mean low or ordinary high water variable
12. Is the project: ☒ On public subaqueous lands? ☐ On private subaqueous lands?* 117-227 feet
☐ 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):

Robert Braft 38416 Maple Lane Selbyville, DE 19975
James Pitts 38406 Maple Lane, Selbyville, DE 19975

- 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):

N/A

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

Julie Molina

- 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 - 373/21

*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.

Susan Stucker Deborah Child
Applicant's Signature

1/8/2025
Date

Susan Stucker Deborah Child
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.

McGinty Marine Construction
Contractor's Name

1/8/2025
Date

Josh Schleupner
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.)

Contractor will install a boat lift on existing pile of 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						
Boat Lift	one from existing dock	7	12	7	12	New
Freestanding Pilings	Number					

Mooring Buoy: How many moorings will be installed? 0

What will be used for the anchor(s)? N/A

Anchor/Mooring Block Weight N/A

Anchor Line Scope (Length or Ratio) N/A

Water Depth at Mooring Location N/A

variable,

3. Approximately how wide is the waterway at this project site? 117 to 227 feet 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 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. Aluminum boat lift

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.

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? 150 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>Boston Whaler</u>	length <u>14'</u>	width <u>5' 10"</u>	draft <u>9"</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. In process of purchasing/registering

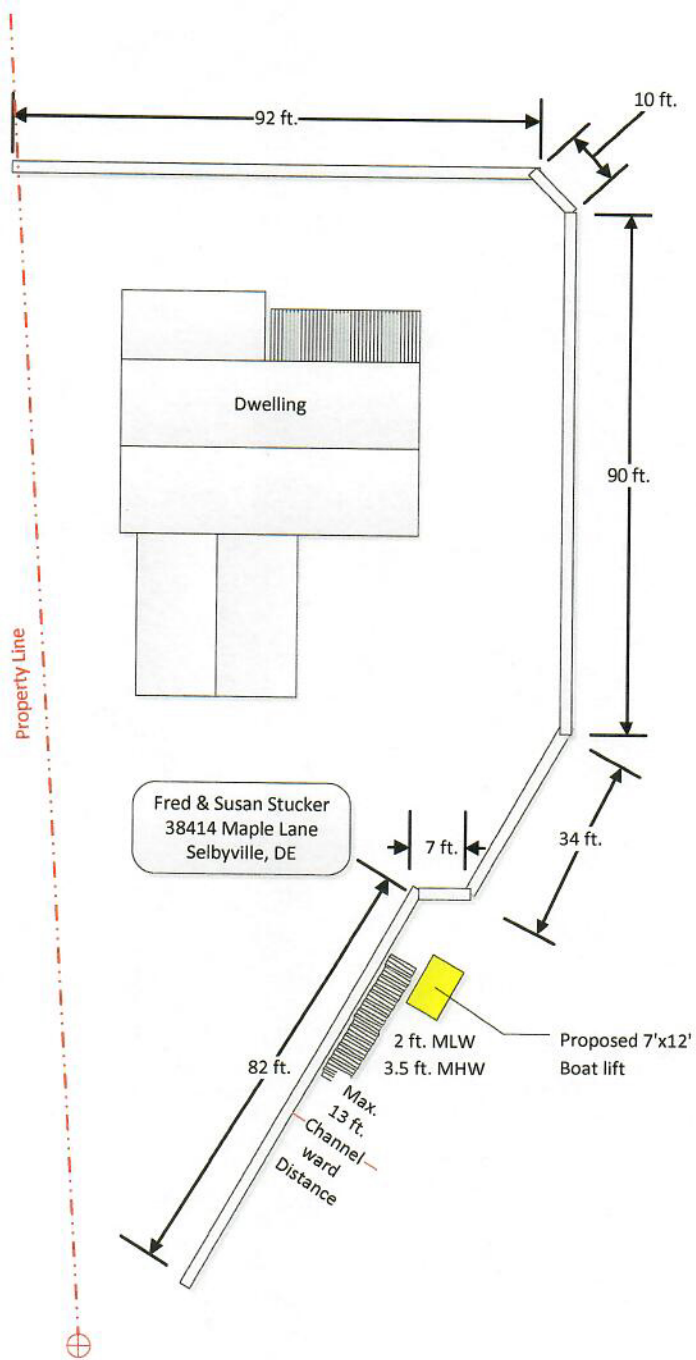
10. Give the number and type of each Marine Sanitation Device (e.g. MSD III, Portable toilet) that will be used on vessels to be docked at the facility. 0

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.

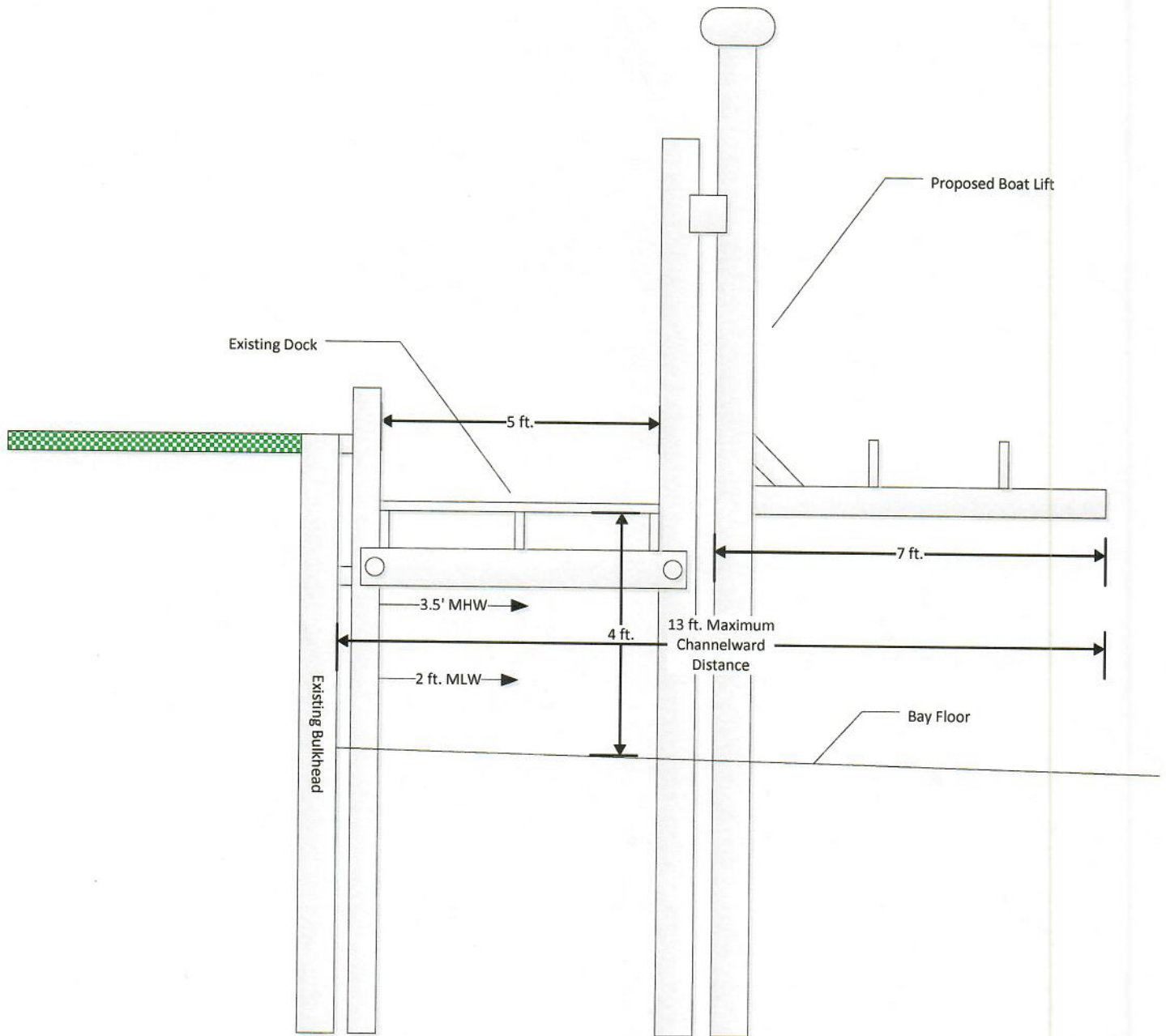
14. What is the width of the waterfront property frontage adjacent to subaqueous lands? 315 ft.
Will any portion of the structure or any vessel be placed within 10 feet of your neighbor's property line?
_____ Yes X No
If yes, a letter of no objection from the adjacent property owner must be included with this application.



McGinty Marine Construction

Customer Name	Fred & Susan Stucker
Job Location	38414 Maple Lane Selbyville, DE 19975
Date	11-18-2024
Page Number	1 fo 1
Drawn By	Josh Schleupner

Dock & Lift Cross Section

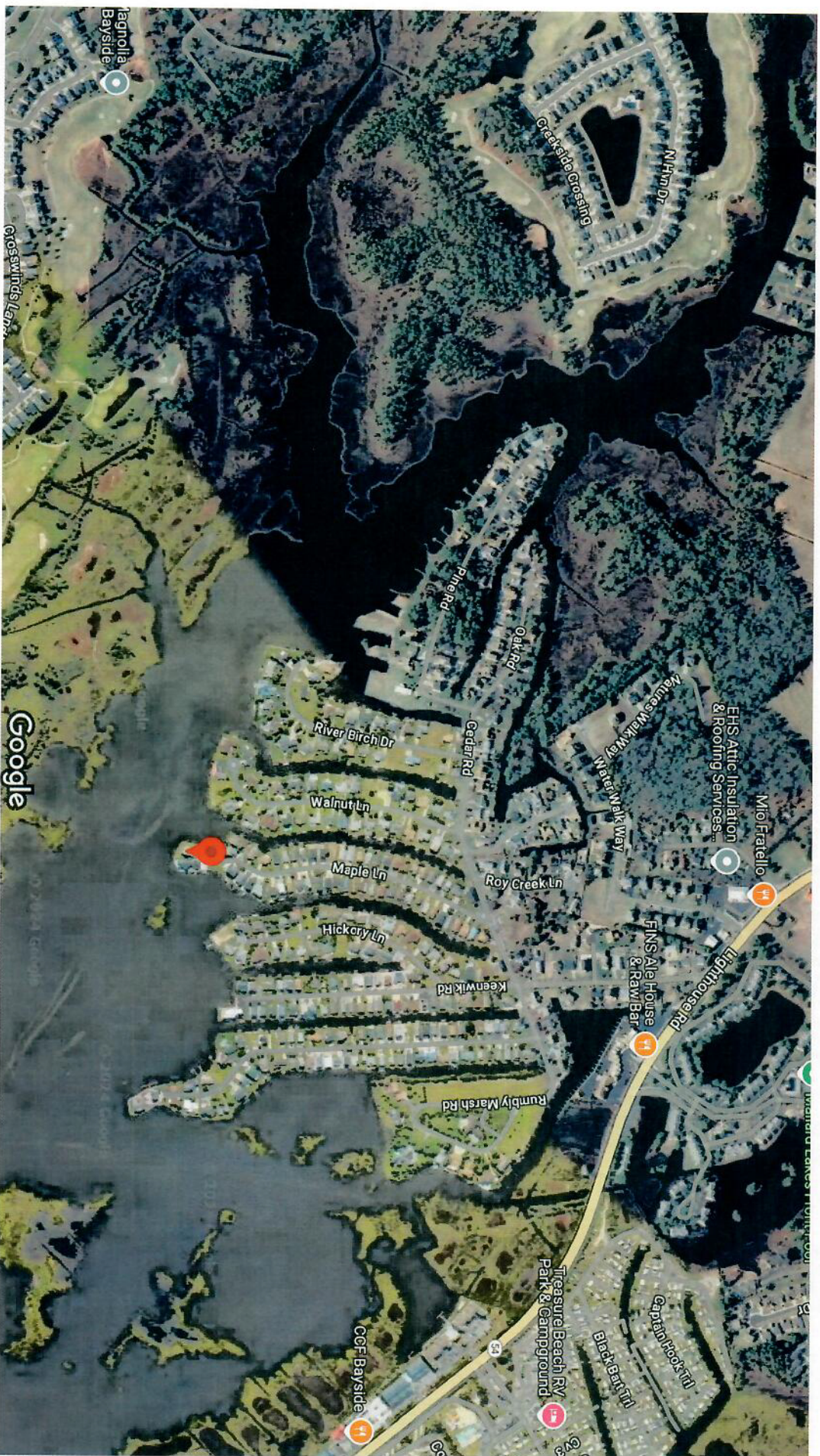


McGinty Marine Construction
Ocean City, MD
410-250-5066

Customer Name	Fred & Susan Stucker
Date	12-6-2024
Job Location	38414 Maple Lane Selbyville, DE 19975
Page Number	1 of 1
Drawn By	JS

38414 Maple Ln

Selbyville, DE 19975



Document # 2023000027963 BK: 5954 PG: 275
On 8/9/2023 at 12:27:53 PM
RECORDER OF DEEDS Alexandra Reed Baker
Sussex County
Consideration: \$0.00 County/Town: \$0.00
State: \$0.00 Total: \$0.00 Doc Surcharge Paid

Tax Number: 5-33 19.16 47.00
PREPARED BY & RETURN TO:
Tunnell & Raysor, P.A.
30 E. Pine Street
Georgetown, DE 19947
File No. DO4492/ERM

NO TITLE SEARCH REQUESTED
NO TITLE SEARCH PERFORMED
NO TITLE GUARANTEE
DEED PREPARATION ONLY

THIS DEED, made this 7th day of August, 2023,

- BETWEEN -

DEBORAH SCOTT CHILD AND SUSAN SCOTT STUCKER, CO-TRUSTEES OF THE DISCLAIMER TRUST CREATED PURSUANT TO ARTICLE 2.1 OF THE LAST WILL AND TESTAMENT OF JANE A. SCOTT, of 1248 Poplar Avenue, Mountainside, NJ 07092, party of the first part,

- AND -

DEBORAH SCOTT CHILD AND SUSAN SCOTT STUCKER, CO-TRUSTEES OF THE DISCLAIMER TRUST CREATED PURSUANT TO ARTICLE 2.1 OF THE LAST WILL AND TESTAMENT OF JANE A. SCOTT, of 38414 Maple Lane, Selbyville, DE 19975, party 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 party of the second part, and its successors and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

PARCEL ONE: ALL that certain lot, piece or parcel of land situate, lying and being in Baltimore Hundred, Sussex County, State of Delaware, and being known and designated as Lot No. 31, Maple Lane, on a Plot of Lots known as "Subdivision No. 5, Keen-Wik", as surveyed in July of 1966 by George Bert Cropper, Inc., said plot being of record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, in Plot Book No. 1, page 508.

PARCEL TWO: ALL that certain tract, piece, or parcel of land situate, lying and being in Baltimore Hundred, Sussex County, and State of Delaware, and being the Southwesterly one-half (1/2) of Maple Lane in Keen-Wik and being more particularly described as follows, to wit: **BEGINNING** at a concrete monument set on the Northwest corner of Lot 30 and the Northeast corner of Lot 31 as shown on a Plot of the Resubdivision of Lots 30-31-32 of Keen-Wik; thence along and with the Northerly line of Lot 30 North 82 degrees 22 minutes 30 seconds West for distance of 20 feet to the Westerly side of Maple Lane; thence by and with the Westerly side of Maple Lane North 14 degrees 26 minutes East 69 feet to the Southwesterly corner of Lot 33; thence North 33 degrees 28 minutes 26 seconds East 26.13 feet to the center of Maple Lane adjoining lands now or formerly of William H. Scott, et ux.; thence turning and running along and with the center of Maple Lane and lands now or formerly of William H. Scott, et ux., South 07 degrees 21 minutes 32 seconds West 92.03 feet to the point and place of beginning, be the contents what they may. The survey description herein was derived from a survey prepared by Peter E. Loewenstein, Registered Surveyor, dated August, 1974.

BEING the same lands conveyed to Jane A. Scott from Gerald D. Scott and Jane A. Scott, his wife, by Deed dated August 18, 1997, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on August 28, 1997, in Deed Book 2226, Page 193.

THEREAFTER, the said Jane A. Scott departed this life on or about September 1, 2007 and pursuant to Article 2.1 of the Last Will and Testament of Jane A. Scott, did devise the abovementioned lands unto her husband, Gerald D. Scott.

THEREAFTER pursuant to Qualified Disclaimer and Renunciation dated April 22, 2008, Gerald D. Scott disclaimed his interest in the above described property

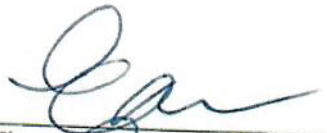
PURSUANT to Article 2.1 of the Last Will and Testament of Jane A. Scott, as a result of the disclaimer the property transferred to the Disclaimer Trust.

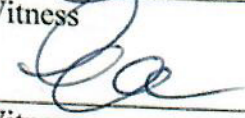
PURSUANT to Article 4.2 A of the Last Will and Testament of Jane A. Scott, her husband, Gerald D. Scott and daughter, Deborah Scott Child, will act as Co-Trustees of the Disclaimer Trust.

THERAFER the said Gerald D. Scott departed this life on or about June 11, 2018, and pursuant to Article 4.2 B of the Last Will and Testament of Jane A. Scott, Deborah Scott Child and Susan Scott Stucker will act as Co-Trustees of the Disclaimer Trust.

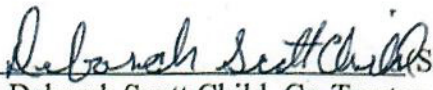
SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

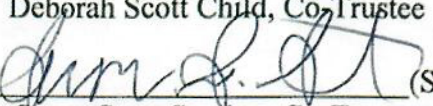
IN WITNESS WHEREOF, the party of the first part has hereunto set its hand and seal the day and year first above written.



Witness


Witness




Deborah Scott Child, Co-Trustee


Susan Scott Stucker, Co-Trustee

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

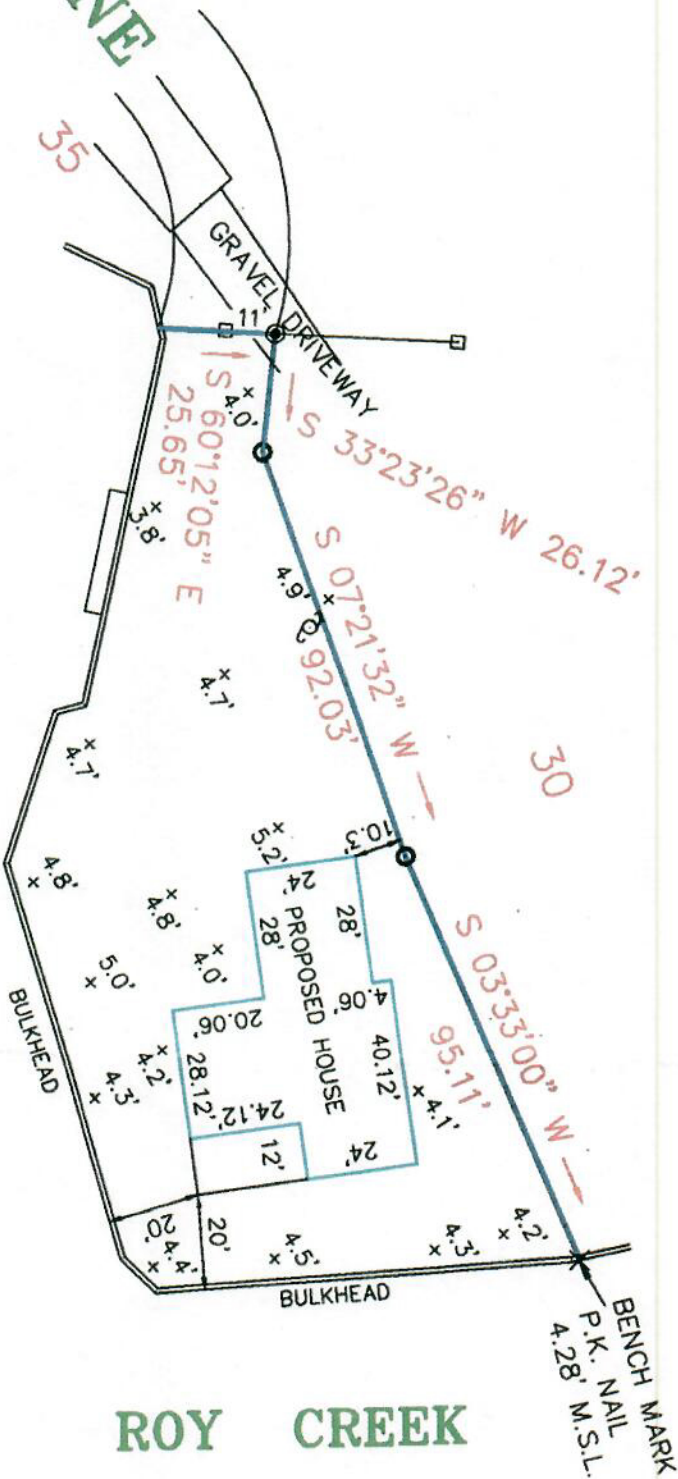
BE IT REMEMBERED, that on August 7, 2023, personally came before me, the subscriber, Deborah Scott Child and Susan Scott Stucker, Co-Trustees of the Disclaimer Trust created pursuant to Article 2.1 of the Last Will and Testament of Jane A. Scott, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be its act and deed.

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

ETTA R. MAYERS 

ATTORNEY AT LAW WITH Notary Public
POWER TO ACT AS NOTARY PUBLIC My Commission Expires: 11/1
PER 29 DEL. C SEC 4323 (A)3

18B-78



MAPLE LANE

ROY CREEK

ROY CREEK

LOT & TOPO SURVEY

REVISED LOT 31 - SUBDIVISION 5 SCOTT

KEEN-WIK

BALTIMORE HUNDRED - SUSSEX COUNTY - DELAWARE

- X = P.K. NAIL FOUND
- = 3" CONCRETE MARKER FOUND
- = 3/4" IRON PIPE FOUND
- = 3/4" IRON PIPE SET
- CLASS "B" SURVEY
- FLOOD ZONE: AE 6'

AREA: 14,032 sq. ft. ±

Scale: 1"=40' Date: 12-23-99 Drawn By: E.M.M.



ROUTE 1, BOX 17-B 118 ATLANTIC AVENUE OCEAN VIEW, DELAWARE 19970
PHONE: (302) 539-2386 FAX: (302) 539-2499

JOB NO. 99420
F.B. NO. 2034-69
T.M. 5-33-19.16-47

18B-78
DRAWING NO.

This plot and survey does not verify the existence or non-existence of right-of-ways or easements on this property.

