

## Section 1: Applicant Identification

1. Applicant's Name: Timothy J. Harach  
Amber R. Harach  
 Mailing Address: 292 Chippanham Ln  
Hockessin DE 19707

Telephone #: 302 547-3124  
 Fax #: \_\_\_\_\_  
 E-mail: 99creekwcr@gmail.com

2. Consultant's Name: John Antonio  
 Mailing Address: 32953 Lighthouse Rd  
Selbyville DE 19975

Company Name: A Plus Marine Svs LLC  
 Telephone #: 302 436-5320  
 Fax #: \_\_\_\_\_  
 E-mail: a-plus-marine@yahoo.com

3. Contractor's Name: A Plus Marine Svs LLC  
 Mailing Address: 32953 Lighthouse Rd  
Selbyville DE 19975

Company Name: A Plus Marine Svs LLC  
 Telephone #: 302 436-5320  
 Fax #: \_\_\_\_\_  
 E-mail: a-plus-marine@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 pvc docks w/ an access walkway

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: 99 Creek Dr.  
Milboro DE 19966

County: ☐ N.C. ☐ Kent ☒ Sussex

Site owner name (if different from applicant): \_\_\_\_\_

Address of site owner: \_\_\_\_\_

8. Driving Directions: \_\_\_\_\_

(Attach a vicinity map identifying road names and the project location)

9. Tax Parcel ID Number: 234-24.00-113.00

Subdivision Name: Winding Creek Village

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: unnamed lagoon waterbody is a tributary to: Guinea Creek
11. Is the waterbody: ☒ Tidal ☐ Non-tidal Waterbody width at mean low or ordinary high water 105' +/-
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>Melda Benston</u>	<u>Carolyn Buckley</u>
<u>97 Creek Dr.</u>	<u>101 Creek Dr.</u>
<u>Millisboro, DE 19975</u>	<u>Millisboro, 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): \_\_\_\_\_

\*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, Timothy J. Harach, hereby designate and authorize Artius Marine Services Inc  
 (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: John Antonio  
 Mailing Address: 32953 Lighthouse Rd  
Saltville DC 19975

Telephone #: 302 436 5320  
 Fax #: \_\_\_\_\_  
 E-mail: artiusmarine@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

12/4/24  
 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

12-2-24  
12-2-24  
 Date

Amber R Harach  
Timothy J. Harach  
 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.

John Antonio  
 Contractor's Name

12/4/24  
 Date

[Signature]  
 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.)

Install 2 PWC floating docks with an access dock in the middle.

2. Please provide numbers and dimensions as follows:

Structure Type	Number	of	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							
PWC Float			5'	14'			2 New
Access dock			40"	10'			1 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? 105 ft. (measured from MLW to MLW)
4. What will be the mean low water depth at the most channelward end of the mooring facility? 1.5 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.  
Low density polyethylene modular docks
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? \_\_\_\_\_ ft.

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

Attached are the registrations.

Make/model _____	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? ☒ 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? 180 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.



**NOTICE:**

Please do not utilize the browsers BACK button while on the Boat Registration Page. Utilize the Navigation at the bottom of the page.

[Logout](#)**Boat(s) Found**

Use the Actions Section per boat

Hull Number Renewal: YDV55882C020

Boat DL Number: DL609AR

Owner(s): AMBER HARACH Or TIMOTHY HARACH No

Vessel Name: None Provided

Make & Model: SEA DOO

Vessel Type: Personal Watercraft

Year Built: 2020

Vessel Class: Class A

Vessel Length(ft): 11

Vessel Length(in): 6

Hull Material: Fiberglass

Propulsion Type: Propeller

Primary Use: Pleasure

Engine Type: Inboard

Fuel: Gasoline

Previous Owner

Name(s):

Previous Registration:

Current Term: 3 Years

Issued Date: 12/29/22

Expiration Date: 12/31/25

Current Registration  
Status: Active

Status Indicator:

Order Duplicate Decal: ☐

Order Duplicate Card: ☒

[X Cancel](#)[Previous](#)[View Shopping Cart](#)

**NOTICE:**

Please do not utilize the browsers BACK button while on the Boat Registration Page. Utilize the Navigation at the bottom of the page.

[Logout](#) **Boat(s) Found**

Use the Actions Section per boat

Hull Number Renewal: YDV55559C020

Boat DL Number: DL608AR

Owner(s): AMBER HARACH Or TIMOTHY HARACH No

Vessel Name: None Provided

Make & Model: SEA DOO

Vessel Type: Personal Watercraft

Year Built: 2020

Vessel Class: Class A

Vessel Length(ft): 11

Vessel Length(in): 6

Hull Material: Fiberglass

Propulsion Type: Propeller

Primary Use: Pleasure

Engine Type: Inboard

Fuel: Other

Previous Owner

Name(s):

Previous Registration:

Current Term: 3 Years

Issued Date: 12/29/22

Expiration Date: 12/31/25

Current Registration  
Status: Active

Status Indicator:

Order Duplicate Decal: ☐

Order Duplicate Card: ☒

[✕ Cancel](#)[◀ Previous](#)[View Shopping Cart](#)



Layers

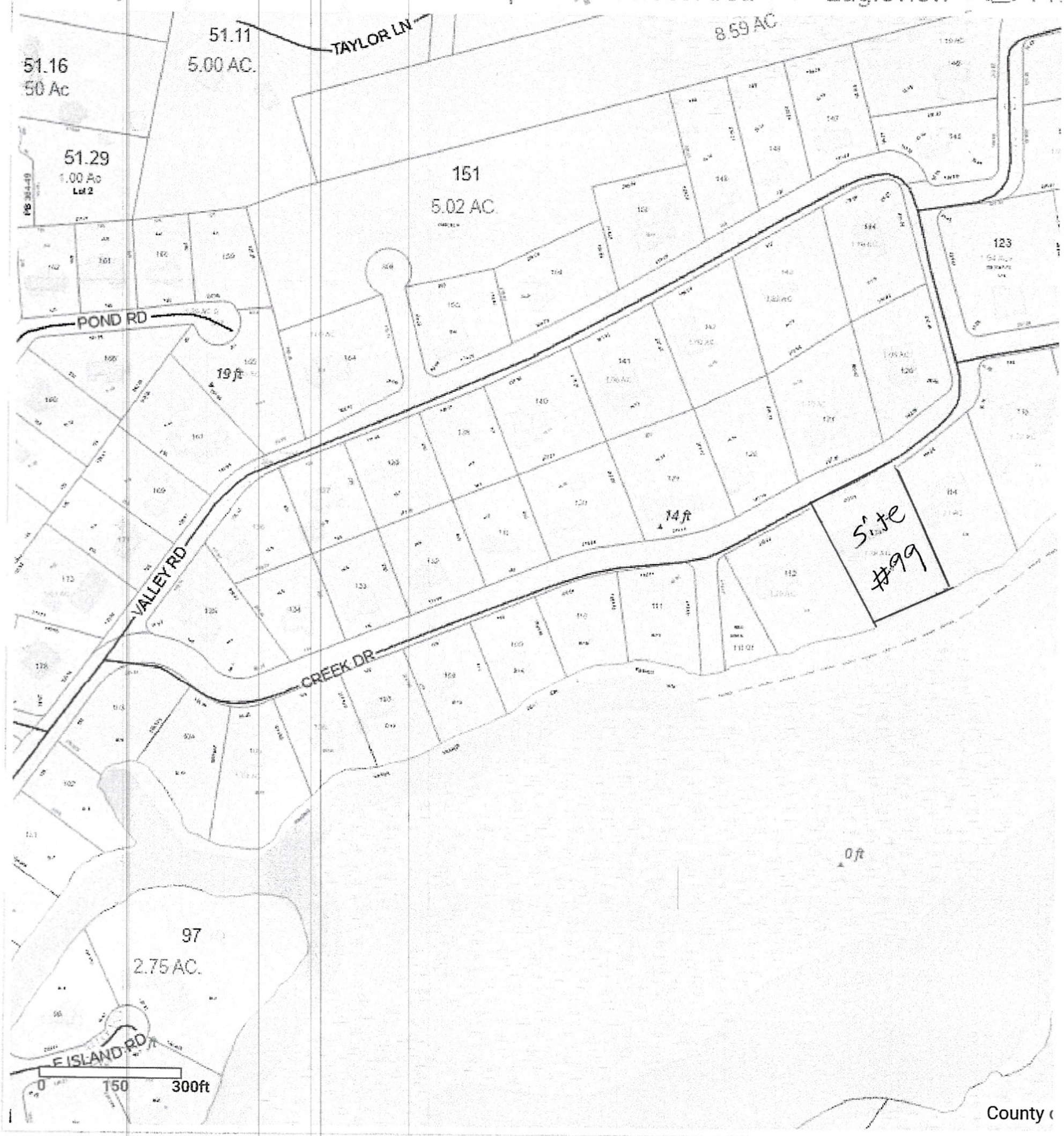
Search

Basemaps

Select Area

Eagleview

Print

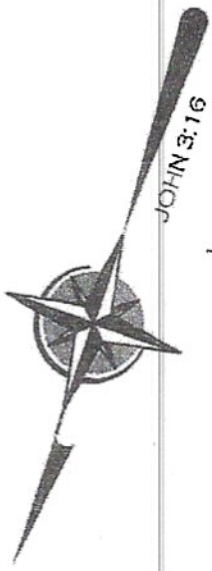




ONLY PLANS INCORPORATING AN ORIGINAL EMBOSSED / RED SEAL & SIGNATURE ARE CONSIDERED TO BE OFFICIAL AND RELIED UPON BY THE USER

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	559.46'	72.18'	N 73°31'09" E	72.13'
C2	502.31'	83.29'	N 72°27'54" E	83.19'

LINE	BEARING	DISTANCE
L1	S 75°23'05" W	77.10'
L2	S 76°58'07" W	47.27'
L3	S 75°40'22" W	59.26'



GUINEA CREEK

LOT 1-2  
1.37 ± ACRES

LOT 1-3

LOT 1-1

#### NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: AR - 1

3. BUILDING SETBACK LINES (BSL)  
FRONT 30'  
SIDE 15'  
REAR 20'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.

4. ALL SIDE AND REAR LOT LINES ARE RESERVED FOR THE CENTERLINE OF A (20) TWENTY FOOT DRAINAGE AND/OR UTILITY EASEMENT. (PER PLAT 8 / 869)

5. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

CREEK DRIVE  
60' RIGHT OF WAY

I, BRADLEY A. ABSHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

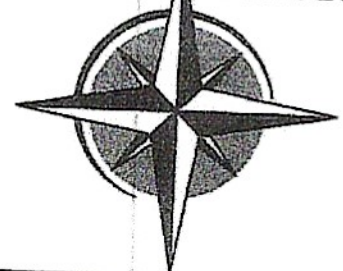
BRADLEY A. ABSHER, DE PLS # 735  
DATE

9.11.24

#### LEGEND

- CONCRETE MONUMENT FOUND
- PK NAIL SET
- UNMARKED POINT

TRUE NORTH



LAND SURVEYING

35322 BAYARD ROAD  
FRANKFORD, DE 19945  
302 / 539 - 2468

## BOUNDARY SURVEY PLAN

LOT 1-2, SECTION 2  
WINDING CREEK VILLAGE

FOR  
TIMOTHY J. HARACH & AMBER R. HARACH

99 CREEK DRIVE, MILLSBORO, DE 19966

TAX MAP 2-34 - 24.00 - 113.00

STATE DELAWARE

COUNTY SUSSEX

HUNDRED INDIAN RIVER

TOWN ---

AREA 1.37 ± ACRES

DEED REF. 2315 / 52

PLAT REF. 8 / 869

DRAWN BY JMH

DATE 09 / 11 / 2024

SCALE 1" = 60'

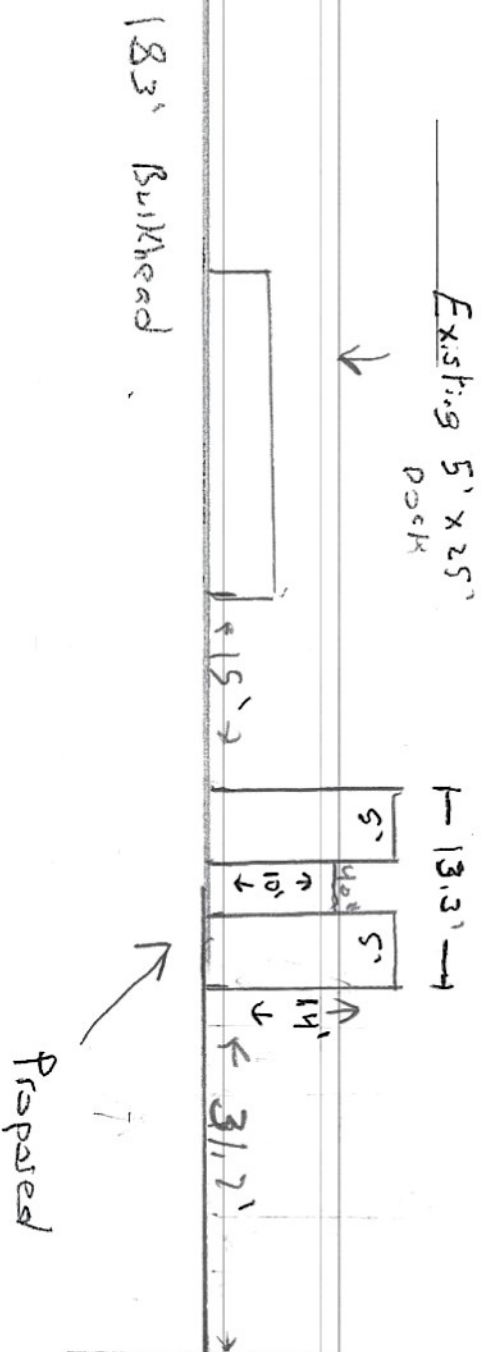
SURVEY # DE - 10641



Timothy Harsh  
 99 Creek Dr.  
 Millsboro, DE 19966

Scale  
 1" = 20'

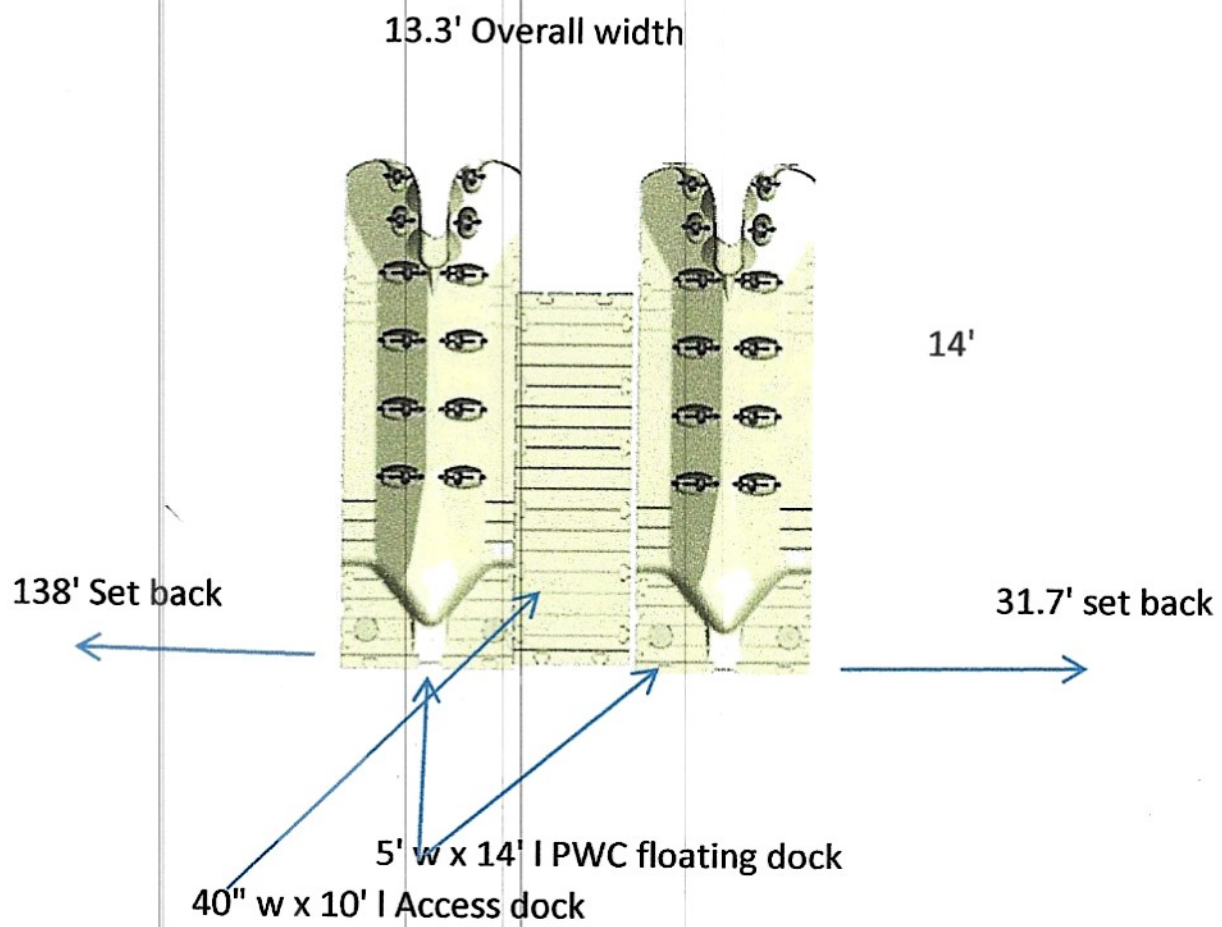
↑  
 105' wide  
 Guinea Creek



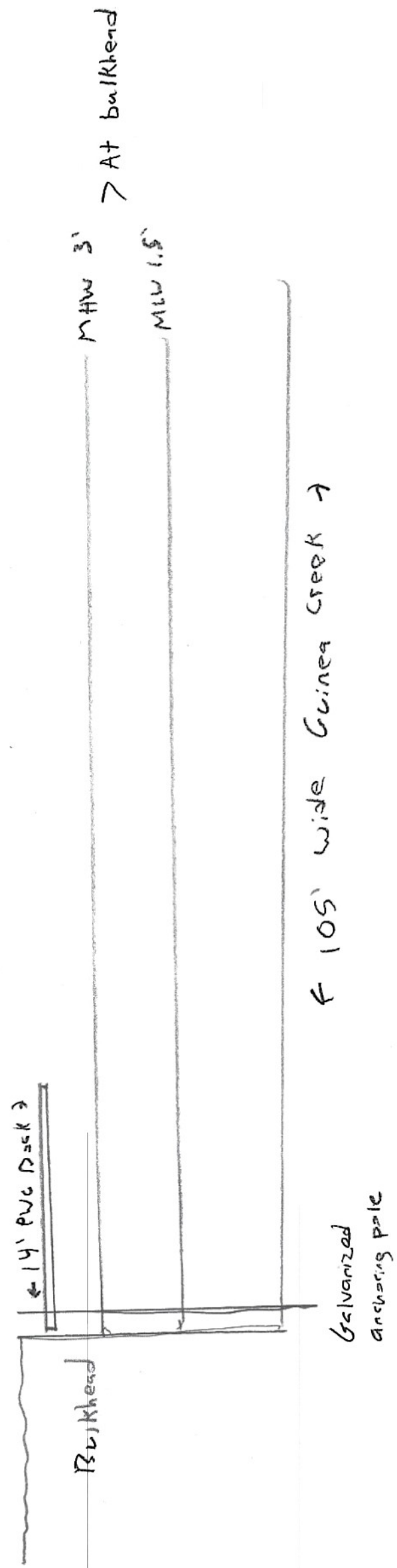
183 - 5' x 14' plus dock  
 2 - 40' x 10' Access dock



Timothy Harach  
99 Creek Dr.  
Millsboro, DE 19966



Timothy Harach  
99 Creek Dr.  
Millsboro, DE 19965





Parcel No.: 234-24.00-113.00

Prepared by:  
Ward & Taylor, LLC  
37212 Rehoboth Avenue Ext  
Rehoboth, DE 19971  
2024-2711

Return to:  
Timothy J. Harach and  
Amber R. Harach  
292 Chippenham Lane  
Hockessin, DE 19707

**THIS DEED**, made this 24 day of September, in the year Two Thousand Twenty-Four, (2024),

**BETWEEN** Mark P. Sunner and Barbara A. Sunner, of Sussex County and the State of Pennsylvania, parties of the first part,

AND

Timothy J. Harach and Amber R. Harach, of New Castle County and the State of Delaware, 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) and other good and valuable consideration, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said parties of the second part, their heirs and assigns, as tenants by the entirety, in fee simple:

All that certain piece, parcel or lot of land, lying and being situate in the Indian River Hundred, Sussex County, State of Delaware, being known as Lot I-2, Section 2, Winding Creek Village, and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Plot Book 8, Page 869, and being more particularly described as follows; to wit:

Beginning at a concrete monument found, located on the southerly right of way line of Creek Drive, and being the north westerly corner of said Lot and a common property corner with Lot I-1; thence by and with Creek Drive and a curve to the right having a radius of 559.46', an arc length of 72.18', a chord bearing of North 73° 31' 09" East, a chord length of 72.13', to a point; thence by and with Creek Drive, North 77° 12' 55" East, a distance of 56.62', to a point; thence by and with Creek Drive and a curve to the left having a radius of 502.31', an arc length of 83.29', a chord bearing of North 72° 27' 54" East, a chord length of 83.19', to an concrete monument found; thence by and with Lot I-3, South 14° 47' 05" East, a distance of 304.74', to a pk nail set; thence by and with Guinea Creek and the centerline of bulkhead the following courses and distances, (1) South 75° 23' 05" West, a distance of 77.10', to a point; (2) South 76° 58' 07" West, a distance of 47.27', to a point; (3) South 75° 40' 22" West, a distance of 59.26', to a pk nail set; thence by and with Lot I-1, North 20° 10' 36" West, a distance of 299.77', to a concrete monument found, and said point of beginning, containing 1.37 acres of land, more or less.

SUBJECT TO ALL covenants, conditions, restrictions and easements of record.

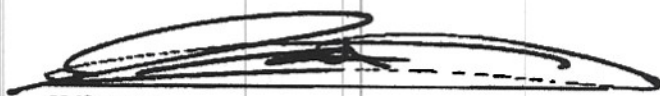
BEING the same lands and premises which Stephen M. Lind, Sr., and Debra Lind, by Deed dated August 31, 1998, and recorded August 31, 1998, in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Book 2317, Page 122, did grant and convey unto Mark P. Sunner and Barbara A. Sunner, in fee.

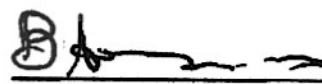
**GRANTEE'S ADDRESS:**

**292 Chippenham Lane  
Hockessin, DE 19707**



IN WITNESS WHEREOF, the Grantor has set her hand and seal the day and year first above written.


  
Witness

 (SEAL)  
Barbara A. Sunner

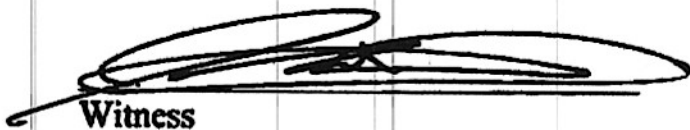
STATE OF Pennsylvania )  
COUNTY OF Northumberland )SS.  
)


The foregoing Deed was acknowledged before me this 10<sup>th</sup> day of September, 2024, by Mark P. Sunner and Barbara A. Sunner.

Commonwealth of Pennsylvania - Notary Seal  
Joshua A. Yocum, Notary Public  
Northumberland County  
My commission expires March 31, 2027  
Commission number 1231996  
Member, Pennsylvania Association of Notaries

  
Notary Public  
Printed Name: Joshua A Yocum  
My commission expires: 03/31/2027

IN WITNESS WHEREOF, the Grantor has set his hand and seal the day and year first above written.

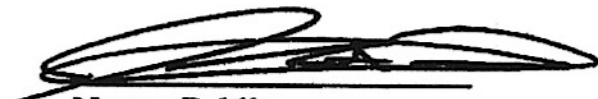
  
Witness

 (SEAL)  
Mark P. Sunner

STATE OF Pennsylvania )  
COUNTY OF Northumberland )SS.  
)

The foregoing Deed was acknowledged before me this 10<sup>th</sup> day of September, 2024, by Mark P. Sunner.

Commonwealth of Pennsylvania - Notary Seal  
Joshua A. Yocum, Notary Public  
Northumberland County  
My commission expires March 31, 2027  
Commission number 1231996  
Member, Pennsylvania Association of Notaries

  
Notary Public  
Printed Name: Joshua A Yocum  
My commission expires: 03/31/27



Tax Map # 234-24.00-113.00

Prepared by/Return To:

Ward & Taylor, LLC

37212 Rehoboth Ave Ext

Rehoboth Beach DE 19971

2024-2711

**RIGHT OF FIRST REFUSAL/CONSENT**

**KNOW ALL MEN BY THESE PRESENTS**, WINDING CREEK VILLAGE PROPERTY OWNERS ASSOCIATION, does hereby approve, consent and waive its right of first refusal for the sale and conveyance of 99 Creek Drive, Millsboro, DE 19966, Lot # 12, Winding Creek Village, Millsboro, DE 19966, for a purchase price of 1,250,000.00 from Mark P. Sunner to Timothy J. Harach and Amber R. Harach of 292 Chippenham Lane, Hockessin, DE 19707.

IN WITNESS WHEREOF, the said Winding Creek Village Property Owners Association, has caused these presents to be signed by its proper officer this 4th day of September, 2024.

WINDING CREEK VILLAGE PROPERTY OWNERS' ASSOCIATION

By Steve Kishewicz

STATE OF DELAWARE :  
: SS.  
COUNTY OF SUSSEX :

**BE IT REMEMBERED**, That on this 4th day of September A.D. 2024, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Steve Kishewicz, Vice President (Office) of Winding Creek Village Property Owners Association, 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 the deed of the said Association.

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

Jacqueline E. Riemschneider  
Notary Public

Notary Print Name: Jacqueline E Riemschneider

My Commission Expires: Sept 18, 2024

JACQUELINE E RIEMENSCHNEIDER  
Notary Public  
State of Delaware  
My Commission Expires On  
September 18, 2024

To whom it may concern,

The Board of Governors of the Winding Creek Village Property Owners Association submit this letter to APPROVE the construction of 2 PWC floating docks and an access dock located on the tidal waters on the rear of the property at 99 Creek Drive, Millsboro DE 19966 per the attached application by Timothy and Amber Harach.

If you need any further information on this matter, please do not hesitate to contact us via [wcvbog@windingcreekvillagepoa.org](mailto:wcvbog@windingcreekvillagepoa.org). If there are any changes or variations from this plan, we must be advised for further review.

Regards,

Board of Governors

Winding Creek Village POA  
To whom it may concern,