

February 21, 2025

ERI Project No. 0004-0559

Mr. Matthew Jones, Program Manager  
Delaware Department of Natural Resources and Environmental Control  
Division of Water Resources  
Wetlands and Subaqueous Lands Section  
89 Kings Highway  
Dover, Delaware 19901

**RE: Lease Transfer/Renewal & Installation of Boat Lift  
Subaqueous Lands Permit  
Romano Property, Tax Map Parcel: 234-34.11-32.00  
Indian River Hundred, Millsboro, Sussex County, Delaware  
Former Subaqueous Lands Lease SL-144/04 (Ronald Sims)**

Dear Mr. Jones,

Environmental Resource Insights (ERI) has been retained by Mr. Joseph Romano to act as his agent in regard to the transfer/renewal of the Subaqueous Lands Lease for the existing docking facility on the property. That request also entails the installation of a new 12,000 lbs boat lift mounted on four piles, replacing two existing mooring piles on the north side of the dock.

ERI is filing a separate Statewide Activity Approval (SAA) request for the in kind and in place reconstruction of 91.49 feet of bulkhead with 6 foot returns and the 166.5 foot long pier extending into the Indian River.

Should you or your staff have any questions in regard to the current this application or the SAA request, I am available at your convenience.

Sincerely,

ENVIRONMENTAL RESOURCE INSIGHTS



Edward M. Launay  
Senior Professional Wetland Scientist No. 875

Cc: Mr. Joseph Romano

# **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>  X  </u>	Yes	THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET
<u>  X  </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: Joe Romano Telephone #: 302-632-5751  
 Mailing Address: 32046 River Road Fax #: \_\_\_\_\_  
Millsboro, DE 19966 E-mail: ROMANO1773@gmail.com
2. Consultant's Name: Edward M. Launay Company Name: Environmental Resource Insights  
 Mailing Address: 1 Park Ave, Milford, DE 19963 Telephone #: 302-436-9637  
 Fax #: 302-424-0430  
 E-mail: elaunay@ericonsultants.com
3. Contractor's Name: Troy Messick Company Name: JT Rogers Marine Construction  
 Mailing Address: 25245 Banks Rd Telephone #: 302-945-3016  
Millsboro, DE 19966 Fax #: 302-945-1846  
 E-mail: troymessick71@gmail.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 a new 12,000 pound boat lift with four individual pilings (two existing mooring piles to be removed) on the longstanding docking facility.

(See Attached Sheet - Section 2, Item 5, Project Description)

6. Check each Appendix that is enclosed with this application:

<input checked="" type="checkbox"/>	A. Boat Docking Facilities		G. Bulkheads		N. Preliminary Marina Checklist
	B. Boat Ramps		H. Fill		O. Marinas
	C. Road Crossings		I. Rip-Rap Sills and Revetments		P. Stormwater Management
	D. Channel Modifications/Dams		J. Vegetative Stabilization		Q. Ponds and Impoundments
	E. Utility Crossings		K. Jetties, Groins, Breakwaters		R. Maintenance Dredging
	F. Intake or Outfall Structures		M. Activities in State Wetlands		S. New Dredging

**Section 3: Project Location**

7. Project Site Address: 32046 River Road County: ☐ N.C. ☐ Kent ☒ Sussex  
Millsboro, DE 19966 Site owner name (if different from applicant): \_\_\_\_\_  
 Address of site owner: \_\_\_\_\_
8. Driving Directions: Start by heading northeast on John J Williams Highway (DE-24 E) toward Rd 310. Turn right onto Layton Davis Rd and continue for 1.2 miles before turning left onto River Road (Rd 312). The project location is approximately 0.3 miles away on the right side of River Road.  
 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 234-34.11-32.00 Subdivision Name: Whit's Point - Lot 22

<b>WSLS Use Only:</b>		<b>Permit #s:</b> _____	
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 2, Item 5, Project Description

The Romano property is located at 32048 River Road, Millsboro, DE 19966 within the Indian River Hundred, Sussex County, Delaware. The property consists of approximately 91.49 feet of bulkheaded shoreline along the frontage of the Indian River. The property is tax map parcel 234-34.11-32.00.

A longstanding docking facility exists, part of which was originally grandfathered with subsequent revisions and leases approved by the Department. The Romano's recently purchased the property and they request that a new lease be issued reflecting a lease transfer and the in place repair of 91.49 feet of timber bulkhead replaced with a vinyl sheet pile bulkhead along the existing shoreline and the in place repair and replacement of the existing docking facility. Two existing mooring piles on the west side of the pier will also be replaced. The existing docking facility is landward of the mean high water and mean low water and is described as follows:

- A 4.9 foot wide by 55.3 foot long previously grandfathered pier,
- A 12 foot wide by 20.7 foot long previously grandfathered dock (composed of a 4.9 foot wide expanding to 12 foot wide by 7 foot long section and a 12 foot wide by 14 foot long section),
- A 4.7 foot wide by 77.0 foot long pier,
- An 11.7 foot wide by 13.5 foot long dock (composed of a 4.7 foot wide expanding to 11.7 foot wide by 6.7 foot long section and an 11.7 foot wide by 6.8 foot long section),
- Two (2) stand-alone pilings,
- A 16 foot wide by 16 foot long canopy with overhead boat hoists located on the central portion of the pier.

The construction of a new 12,000 lbs boat lift on the east side of the dock is proposed mounted on four 12" timber piles spaced 10 feet long by 14 feet wide. Two existing piles on that side of the dock will be removed. That proposed work is described as follows:

- A boat lift with four (4) associated pilings (replacing two existing mooring piles)

The dock repair will be typical marine construction consisting of salt treated piles and timbers secured with galvanized or stainless steel hardware. Existing water and electric service to the dock will be maintained.



**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 +/- 2250'

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):

Ira B. Brittingham - 22339 Sussex Pines Road, Georgetown, DE 19947

George N. Porter - 12356 Harbour Ridge Blvd., Palm City, FL 34990

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):

Not Applicable

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-144/04

SL-3002/94

SL-3002/94S

SL-1302/84

\*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: 2/7/2025

Type of Permit: SPGP-20

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, Joe Romano, hereby designate and authorize Edward M. Launay  
(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: Edward M. Launay

Telephone #: 302-436-9637

Mailing Address: 1 Park Ave, Milford, DE 19963

Fax #: 302-424-0430

E-mail: elaunay@ericonsultants.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.

Agent's Signature

Date

2/23/2025

**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.

Applicant's Signature

Date

2/21/25

JOE ROMANO  
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

2/24/25

FLOY D. MESSICK  
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.)

See basic application (Section 2, Item 5, Project Description)

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.	
Boat Lift	4	10	14	10	14	NEW
Pier	23	Varies	76.0	Varies	76.0	Repair
Pier	18	4.7	77.0	4.7	77.0	Repair
Dock	8	Varies	13.5	Varies	13.5	Repair
Canopy		16	16	16	16	Repair
	See project description - Section 2 Items 5 for exact dimensions					
Freestanding Pilings	Number					
	2	10 inch mooring	piles			Repair

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? +/- 2230 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)

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? +/-1300 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>Avalon Catalina</u>	length	<u>23'</u>	width	<u>8' 6"</u>	draft	<u>1' 3 "</u>
Make/model	<u>                    </u>	length	<u>          </u>	width	<u>          </u>	draft	<u>          </u>
Make/model	<u>                    </u>	length	<u>          </u>	width	<u>          </u>	draft	<u>          </u>
Make/model	<u>                    </u>	length	<u>          </u>	width	<u>          </u>	draft	<u>          </u>

9. Please provide a copy of the current state registration or Coast Guard Certificate of Documentation for each motorized vessel listed above. DL2380AM

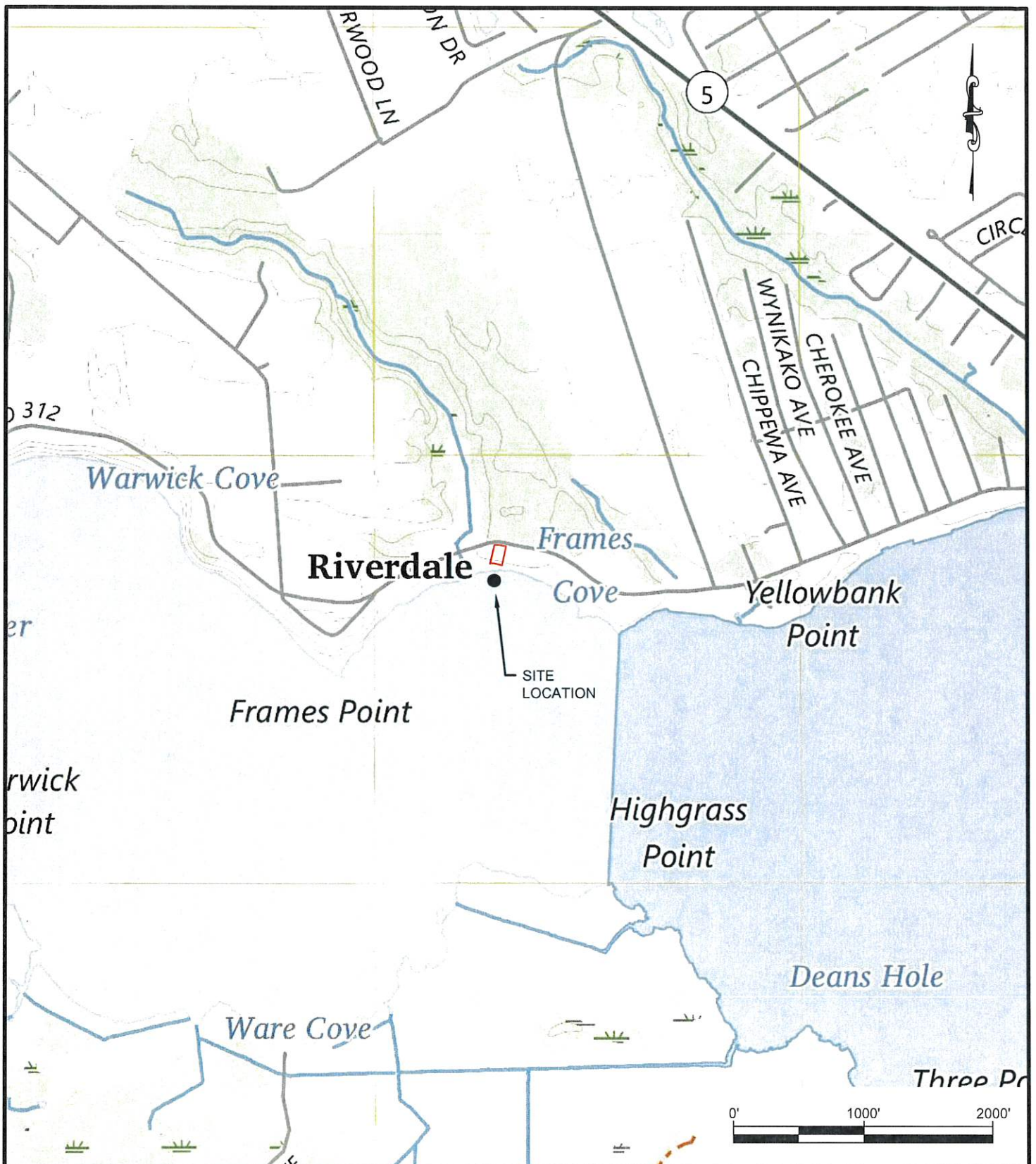
10. Give the number and type of each Marine Sanitation Device (e.g. MSD III, Portable toilet) that will be used on vessels to be docked at the facility. Portable Toilet

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? 91.49 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.



Date:	JANUARY 2025
Scale:	1" = 1000'
Dwn.By:	KWW
Proj.No.:	0004-0559
FRANKFORD QUAD.	
Dwg.No.:	1

# USGS TOPO MAP

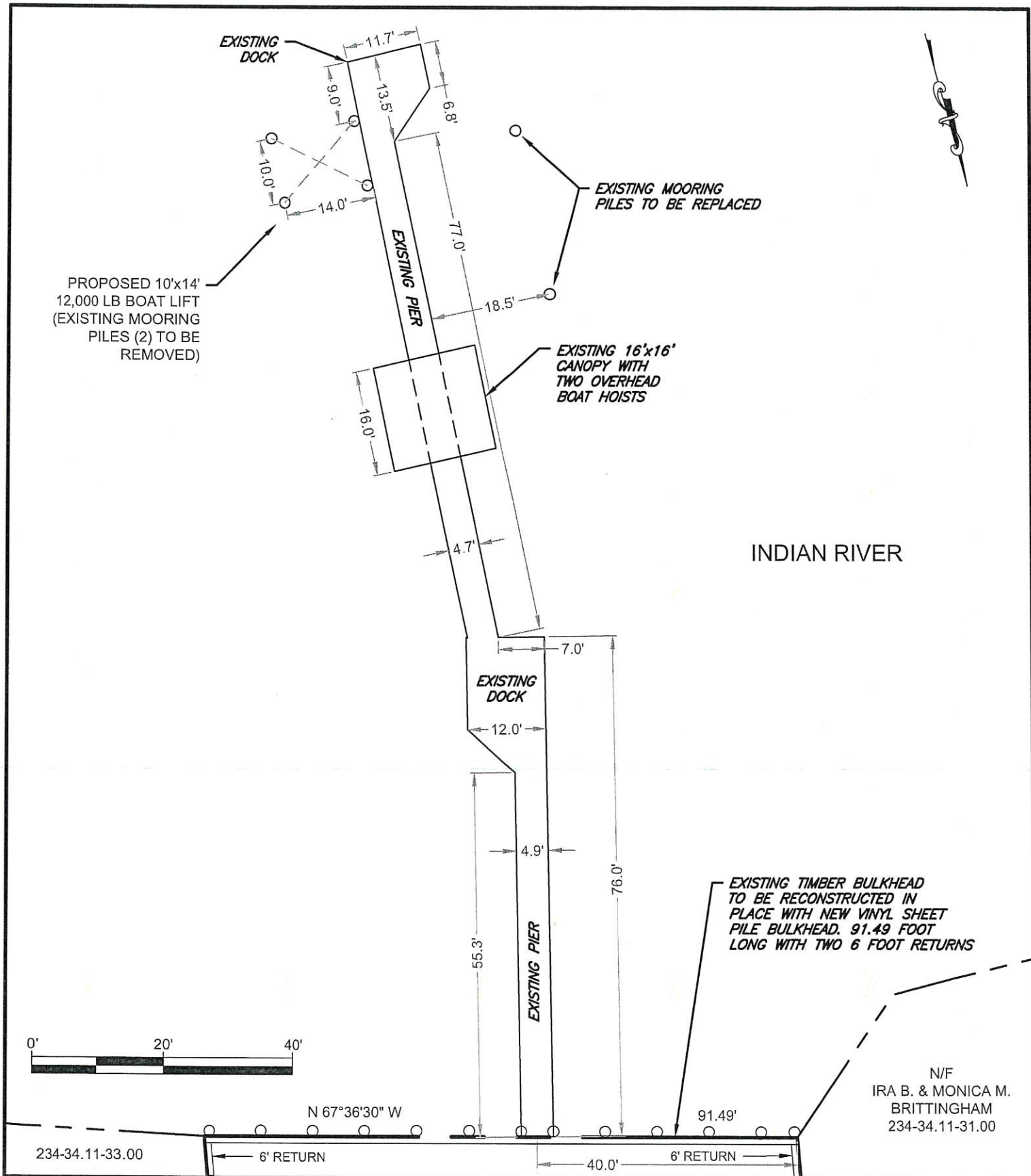
## ROMANO BULKHEAD AND BOAT DOCKING FACILITY

TMP: 234-34.11-32.00  
INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DELAWARE

**ERI** ENVIRONMENTAL  
RESOURCE  
INSIGHTS

A DIVISION OF DAVIS, BOWEN & FRIEDEL, INC.





Date:	JANUARY 2025
Scale:	1" = 20'
Dwn.By:	KWW
Proj.No.:	0004-0559
PIER PLAN	
Dwg.No.:	2

# ROMANO PIER PLAN

## IN-KIND PIER RECONSTRUCTION AND PROPOSED BOAT LIFT

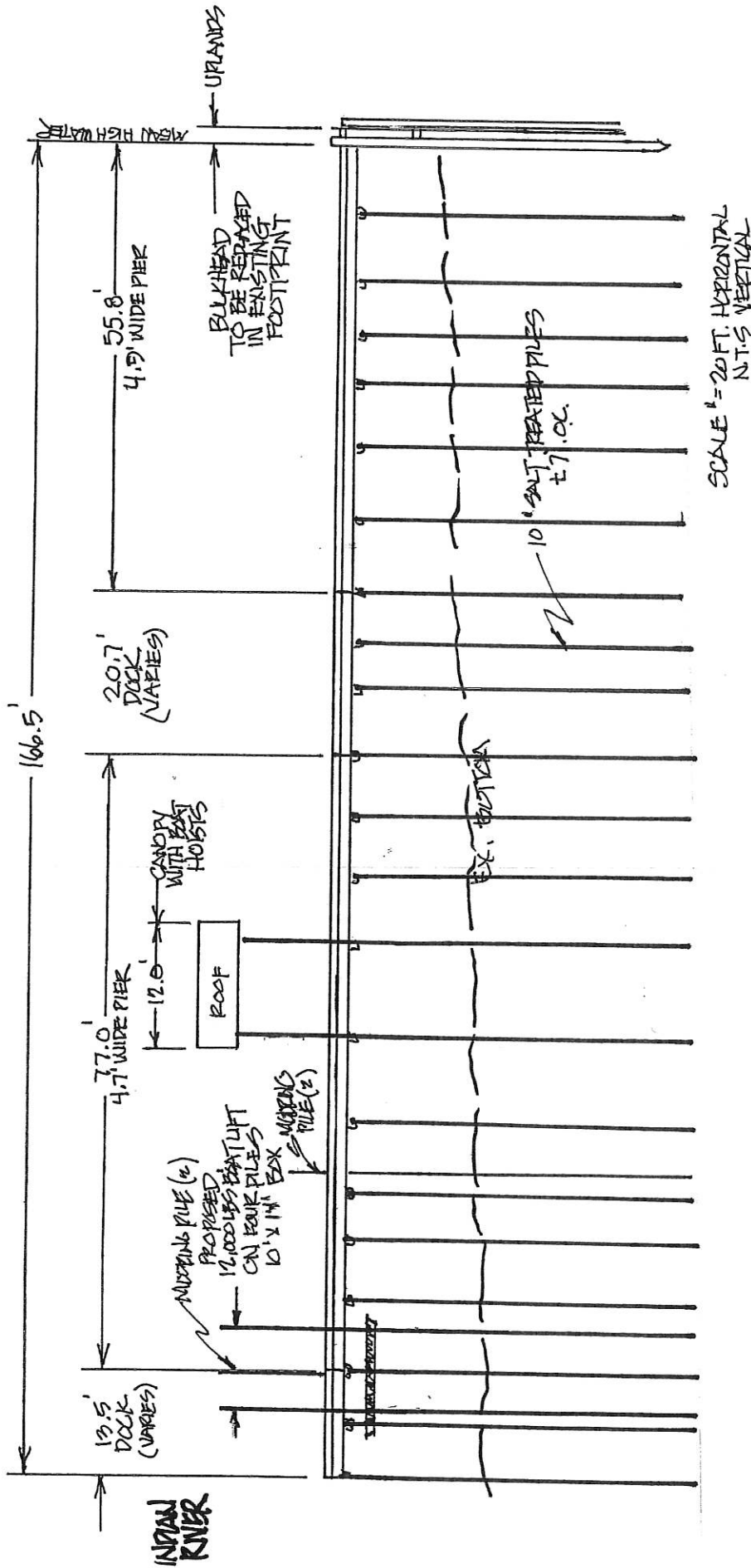
TAX MAP PARCEL 234-34.11-32.00  
INDIAN RIVER HUNDRED  
SUSSEX COUNTY, DE



ENVIRONMENTAL  
RESOURCE  
INSIGHTS

A DIVISION OF DAVIS, BOWEN & FRIEDEL, INC.

N/F  
IRA B. & MONICA M.  
BRITTINGHAM  
234-34.11-31.00



ROMANO PIER CROSS SECTION  
 IN-KIND PIER RECONSTRUCTION & PROPOSED BOAT LIFT  
 TAX MAP PARCEL 234-34.11 - 32.00 INDIAN RIVER HUNDRED  
 SUSSEX COUNTY, DELAWARE

**Parcel ID:** 2-34-34.11-32.00

**PREPARED BY & RETURN TO:**

Wolfe & Associates LLC

ATTN: Post-Closing Department

5197 W Woodmill Drive, Suite 26

Wilmington, DE 19808

File No.: 24-0204

*No survey requested or performed*

**THIS DEED**, made this 18<sup>th</sup> day of March, 2024,

- BETWEEN -

**RONALD TRENT SAMS, SUCCESSOR TRUSTEE OF THE RONALD D. SAMS REVOCABLE TRUST DATED AUGUST 20, 1992**, of Sussex County, DE, party of the first part,

- AND -

**NICOLE ROMANO and JOSEPH ROMANO**, as tenants by the entirety, of Sussex County, DE, parties of the second part.

**WITNESSETH:** That the said party 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, and their heirs and assigns, in fee simple, as the following described lands, situate, lying and being in Sussex County, State of Delaware:

**ALL** that certain lot, piece or parcel of land with the improvements thereon erected, situate, lying and being in Indian River Hundred, Sussex County, Delaware, lying on the Southerly side of County Route 312 and being more particularly described as follows, to-wit:

**BEGINNING** at an iron pipe situate on the Southerly right of way line of County Route No. 312, said point of Beginning being a comer for this lot and lot No. 21 of Whitts Point, thence from said point of Beginning by and with the southerly right of way of County Route No. 312, North 75 degrees, 07 minutes, 31 seconds West, 90.50 feet to an iron pipe set, a comer for this lot and lands now or formerly of Donald O. Green, etux; thence turning and running by and with a common boundary line for this lot and lands now or formerly of Donald O. Green, etux, South 17 degrees, 25 minutes, 00 seconds West, 111.10 feet to an iron pipe set; thence continuing along the same course 15.00 feet, more or less, to a point in the Indian River thence turning and running by and along said Indian River South 69 degrees, 53 minutes, 39 seconds East, 91.49 feet to a point in said River; thence turning and running North 17 degrees, 00 minutes, 00 seconds East, by and with the common boundary line for this lot and Lot No. 21 aforesaid, 20.00 feet, more or less, to an iron pipe found; thence continuing along the same course by and with the common boundary



line for this lot and Lot No. 21 aforesaid, 114.41 feet, home to the place of Beginning, improved by a two story frame dwelling house and garage as surveyed by J, J. Mccann, Inc., registered surveyors, on August 29, 1983.

**BEING** the same lands and premises which Ronald D. Sams and Suzanne Sams, by Deed dated March 8, 2022, and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Record 5666, Page 217 granted and conveyed unto Ronald Duane Sams and Ronald Trent Sams, Trustees, or any successors in trust, under the Ronald D. Sams revocable trust dated August 20, 1992, in fee.

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

**[SIGNATURE PAGE TO FOLLOW]**

IN WITNESS WHEREOF, the said Ronald D. Sams Revocable Trust dated August 20, 1992 has caused its name to be hereunto set under seal by Ronald Trent Sams, Co- Trustee and Ronald Duanne Sams, Co- Trustee of Ronald D. Sams Revocable Trust dated August 20, 1992, the day and year first above written.

Signed, sealed and delivered in the presence of:

RONALD D. SAMS REVOCABLE TRUST  
DATED AUGUST 20, 1992

RT Sams Trustee (SEAL)  
RONALD TRENT SAMS, SUCCESSOR  
TRUSTEE

\_\_\_\_\_  
WITNESS

STATE OF DELAWARE  
COUNTY OF ~~SUSSEX~~, to-wit  
Kent

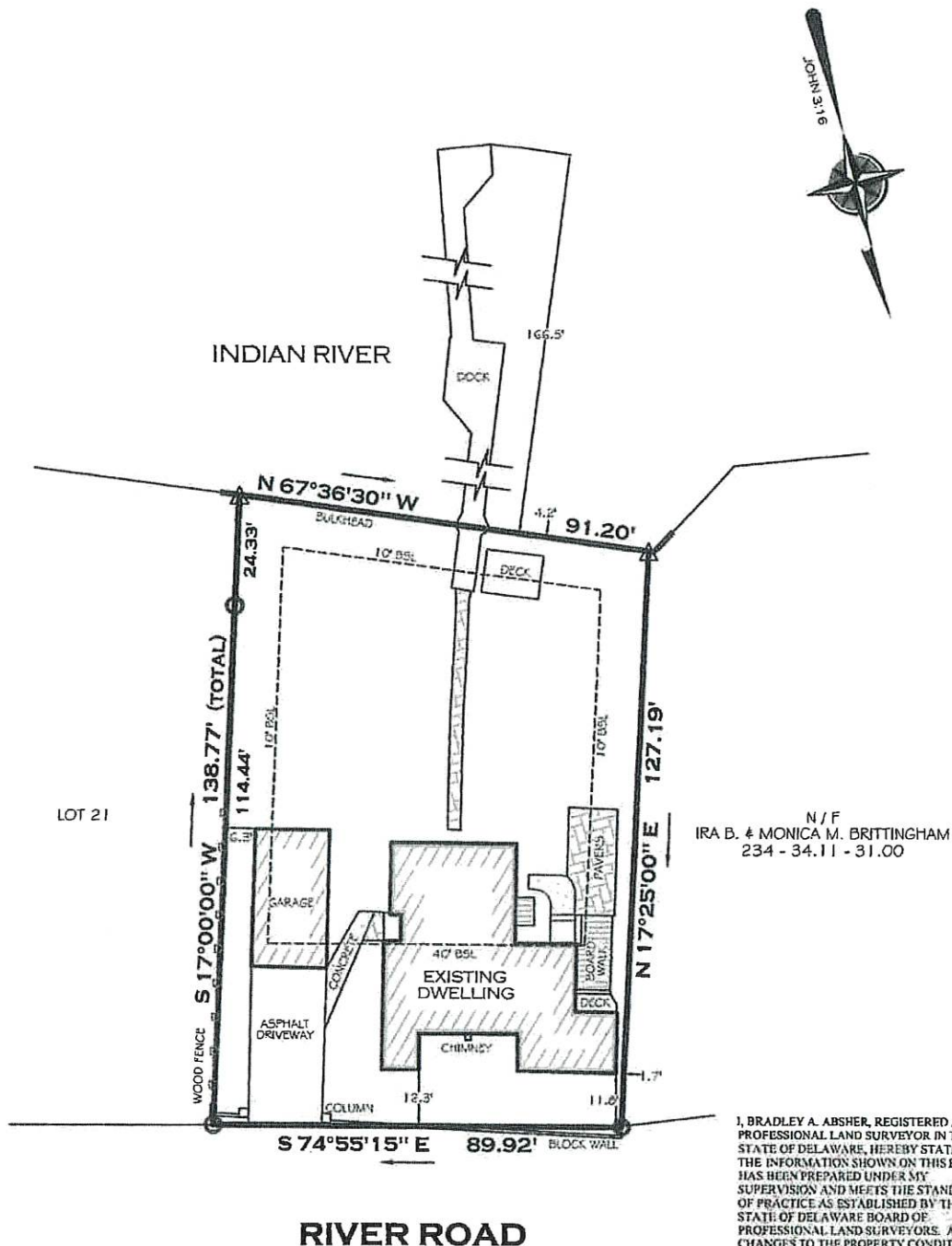
BE IT REMEMBERED, that on this 14th day of March, A.D. 2024, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Ronald Trent Sams, Successor Trustee of the Ronald D. Sams Revocable Trust dated August 20, 1992, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation; that the signature is in his/her own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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

Brian T. Miller  
Notary Public  
My Commission Expires: 3/2/26

Grantees' Address:  
32046 River Road  
Millsboro, DE 19966





#### NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: MR
3. BUILDING SETBACK LINES (BSL)  
FRONT 40'  
SIDE 10'  
REAR 10'

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. 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.

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

4-26-24

#### LEGEND

- IRON PIPE FOUND
- △ PK NAIL SET

TAX MAP	2-34 - 34.11 - 32.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	INDIAN RIVER
TOWN	---
AREA	12,014 ± SQ. FT.
DEED REF.	6072 / 165
PLAT REF.	D.B. 1207 / 252
DRAWN BY	JMH
DATE	04 / 26 / 2024
SCALE	1" = 30'
SURVEY #	DE - 00839

## BOUNDARY SURVEY PLAN

FOR  
NICOLE ROMANO & JOSEPH ROMANO

32046 RIVER ROAD, MILLSBORO, DE 19966

TRUE NORTH



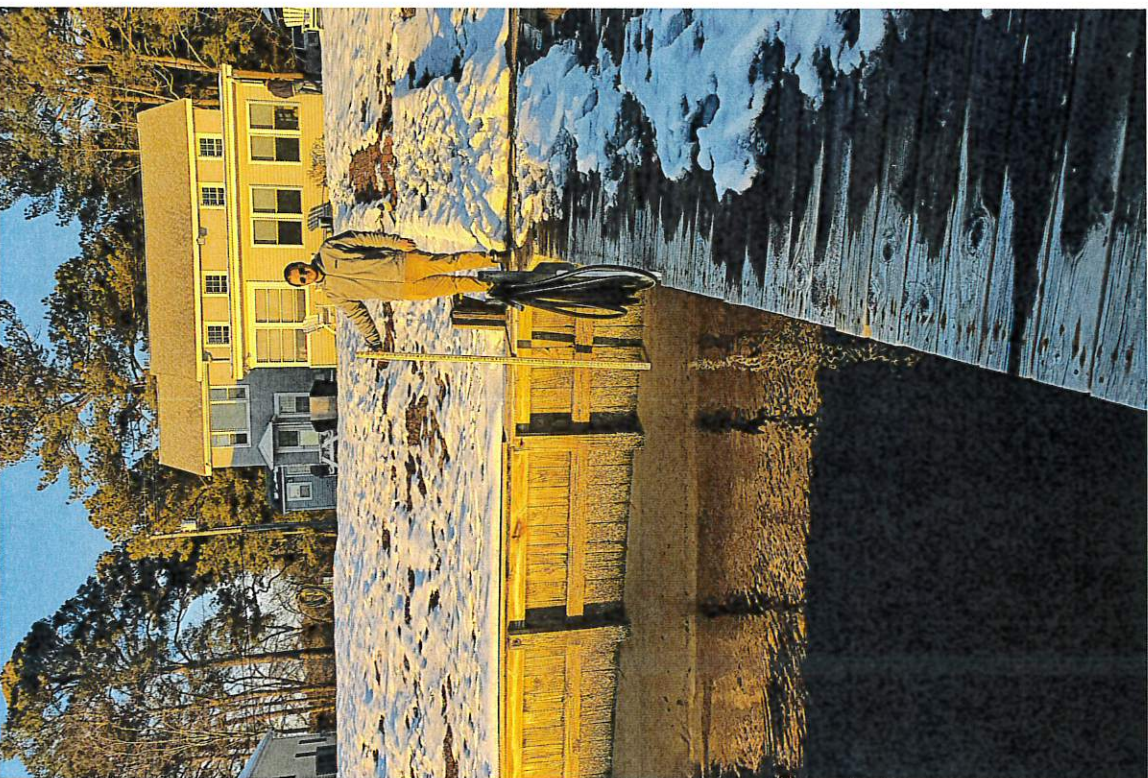
LAND SURVEYING

35322 BAYARD ROAD  
FRANKFORD, DE 19945  
302-539-2488











32981

02996 2030



Prep By:

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

WETLANDS & SUBAQUEOUS  
LAND SECTION

TELEPHONE (302) 739-4691  
FACSIMILE (302) 739-6304

Subaqueous Lands Lease No.: SL-144/04  
Renewal of Lease No.: SL-3002/94S  
Date of Issuance: 6/16/04  
Construction Expiration Date: 6/16/07  
Tax Parcel No.: 2-34-34.11-32

**SUBAQUEOUS LANDS LEASE**

**GRANTED TO RONALD D. SAMS TO MAINTAIN A 5 FOOT WIDE BY 35.5 FOOT LONG GRANDFATHERED PIER, A 4.7 FOOT WIDE BY 77.5 FOOT LONG PIER, AN 11.7 FOOT WIDE BY 12.5 FOOT LONG DOCK, AND FOUR STAND-ALONE PILES AND TO REPAIR BY REPLACING A 12.5 FOOT WIDE BY 19.5 FOOT LONG GRANDFATHERED DOCK AND MAINTAIN SAID STRUCTURE IN THE INDIAN RIVER BAY AT BOX 136 RIVER ROAD, MILLSBORO, SUSSEX COUNTY, DELAWARE**

Ret:

Mr. Ronald D. Sams  
RR4 Box 136  
Millsboro, Delaware 19966

Pursuant to the provisions of 7 Del. C. 7203, and the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this 16<sup>th</sup> day of June A.D. 2004 to construct and maintain the above-referenced project in accordance with the approved plans (3 sheets), as approved on May 19, 2004; and application dated April 4, 2004 and received by this Division on April 5, 2004 with additional information received on May 19, 2004.

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

WHEREAS, Ronald D. Sams, owner of certain adjoining lands to The Indian River Bay, has applied for permission to maintain a 5 foot wide by 35.5 foot long grandfathered pier, a 4.7 foot wide by 77.5 foot long pier, an 11.7 foot wide by 12.5 foot long dock, and four stand-alone piles and to repair by replacing a 12.5 foot wide by 19.5 foot long grandfathered dock and maintain said structure in the Indian River Bay;

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 approval is in accordance with the plan and application submitted to the Department of Natural Resources and Environmental Control, a copy of which is attached hereto and made a part hereof.

*Delaware's good nature depends on you!*



SL-144/04  
Page 2 of 5

THIS Lease shall be continued for a period of twenty (20) 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 twenty-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.

THIS Lease is issued subject to the following conditions:

### **SPECIAL CONDITIONS**

1. The conditions contained herein shall be incorporated into any and all construction contracts and other ancillary documents associated with earth disturbance and any other activities directly or indirectly associated with construction and maintenance which may impact subaqueous lands associated with this project. The lessee and contractor are responsible to ensure that the workers executing the activities authorized by this Lease have full knowledge of, and abide by, the terms and conditions of this Lease.
2. 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.
3. The dock structure to be replaced must be repaired/replaced in the foot print of the existing structure. No portion of the decking on any dock or pier authorized by this Lease shall exceed the width and length dimensions for that structure identified on Page One of this Lease.
4. This Lease represents a renewal of Subaqueous Lands Lease No. SL-3002/94S granted to Ronald D. Sams. All special and general conditions contained in this Lease renewal shall supersede conditions set forth in Subaqueous Lands Lease No. SL-3002/94S which shall become null and void.
5. The actual number of square feet located on public subaqueous lands is approximately 809, which includes a 5 foot by 10 foot section of pier, a 12.5 foot by 19.5 foot dock, a 4.7 foot by 77.5 foot pier, an 11.7 foot by 12.5 foot dock, and four (4) stand-alone piles channelward of the mean low water line.
6. The structure shall be maintained in such a manner so as not to violate the State of Delaware Department of Natural Resources and Environmental Control "Surface Water Quality Standards," as amended August 11, 1999.
7. This Lease does not authorize any repairs, additions, or modifications to the existing structures authorized herein except for the replacement of the 12.5 foot by 19.5 foot dock. Such activities require separate written authorization from the Department of Natural Resources and Environmental Control.

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8. The leased structure shall be constructed and maintained in a manner so as not to impair water access to adjacent properties.
9. Use of creosote timber is prohibited.
10. The structures on/or adjacent to subaqueous lands shall be for the explicit purpose of berthing one vessel.
11. The work authorized by this permit is subject to the terms and conditions of the appropriate Department of the Army Permits.

#### GENERAL CONDITIONS

1. The project is to be undertaken in accordance with the plans submitted and attached hereto. Any activities not specifically authorized herein may require a supplemental approval from this office prior to the initiation of construction. A determination on the need for a supplemental approval will be made by this office pursuant to the lessee submitting written notification and revised plans indicating project changes to this office.
2. Representatives of the Department of Natural Resources and Environmental Control may inspect such work during any phases of the construction and may collect any samples or conduct any tests that are deemed necessary.
3. This Lease does not cover the structural stability of the project units.
4. Prior to the expiration of this Lease, the lessee shall remove all structures covered under this Lease unless the Lease has been renewed in accordance with its terms.
5. Any actions, operations or installations which are considered by the Department to be contrary to the best interests of the public may constitute reason for the discontinuance and/or removal of said action, operation or installation.
6. The lessee shall maintain any structure on public subaqueous lands in good and safe condition and will protect and save the State of Delaware harmless from any loss, cost or damage by reason of said structures.
7. The issuance of this Lease does not imply approval of any other part, phase, or portion of any overall project the lessee may be contemplating.
8. This Lease shall not be construed to grant or confer any right, title, easement, or interest in, to, or over any land belonging to the State of Delaware other than that of a tenant.

9. This Lease is subject to the terms and conditions contained in any easement, license or lease that may have been granted by the State or any political subdivision, board, commission or agency of the State in the vicinity of the leased premises.
10. This Lease is granted for the purposes as stated herein. Any other use without prior approval shall constitute reason for this Lease being revoked.
11. This Lease is personal and may not be transferred without the prior written consent of the Department. Prior to the transfer of the adjacent upland property, the lessee shall obtain the written consent of the Department to transfer this Lease to the new upland property owner. Failure to obtain such written consent may result in the revocation of this Lease and the removal of all structures authorized by this Lease at the expense of the lessee.
12. This lease shall expire if the project has not been completed within three (3) years from the date of issuance.
13. If the lessee considers three (3) years to be insufficient for completion of the project, the lessee may submit a project time schedule for consideration by the Department. If the time schedule is approved, it shall be attached hereto and made a part thereof.
14. The lessee shall at all times comply with all applicable laws and regulations of the Department of Natural Resources and Environmental Control.
15. The issuance of this Lease does not constitute approval for any of the activities as may be required by any other local, state or federal governmental agency.
16. Application for renewal must be submitted six (6) months prior to the expiration date of this Lease.
17. This Lease may be revoked upon violation of any of the above conditions.

SL-144/04  
Page 5 of 5

IN WITNESS WHEREOF, I, Ronald D. Sams, have caused this instrument to be executed on this  
5<sup>th</sup> day of JUNE, 2004.

By: Ronald D. Sams  
Lessee  
[Signature]  
Notary Public

ROBERT H. CASSEDAY  
NOTARY PUBLIC DELAWARE  
COMM. EXP. OCTOBER 31 2006

(Notary Seal)

IN WITNESS WHEREOF, I, John A. Hughes, Secretary, Department of Natural Resources and  
Environmental Control, have hereunto set my hand this 16<sup>th</sup> day of  
June, 2004.

John A. Hughes  
John A. Hughes  
Secretary of the Department of  
Natural Resources and  
Environmental Control

RECORDER OF DEEDS  
JOHN F. BRADY

04 JUN 22 AM 11:03

SUSSEX COUNTY  
DOC. SURCHARGE PAID





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

TELEPHONE (302) 739-4691  
FACSIMILE (302) 739-6304

WETLANDS & SUBAQUEOUS  
LANDS SECTION

Mr. Ronald D. Sams  
RR4 Box 136  
Millsboro, Delaware 19966

JUN 16 2004

**Re: Subaqueous Lands Lease granted to maintain a 5 foot wide by 35.5 foot long grandfathered pier , a 4.7 foot wide by 77.5 foot long pier, a 11.7 foot wide by 12.5 foot long dock, and four stand-alone piles and to repair by replacing a 12.5 foot wide by 19.5 foot long grandfathered dock and maintain said structure in the Indian River Bay at Box 136 River Road, Millsboro, Sussex County, Delaware**

Dear Mr. Sams:

Enclosed is the Subaqueous Lands Lease Approval granted by the State of Delaware. Please read carefully all Special and General Permit Conditions. The Lessee and Contractor are responsible to ensure that all conditions are strictly adhered to. **Please note that this Lease is not considered valid until the Lease has been duly recorded in the office of the Recorder of Deeds for the appropriate County, and evidence of lease recordation has been received by this office.**

**Please note Special Condition 3 which states that the dock structure to be replaced must be repaired/replaced in the foot print of the existing structure. No portion of the decking on any dock or pier authorized by this Permit shall exceed the width and length dimensions for that structure identified on Page One of this Lease.**

If you have any questions, please feel free to contact this office at (302) 739-4691.

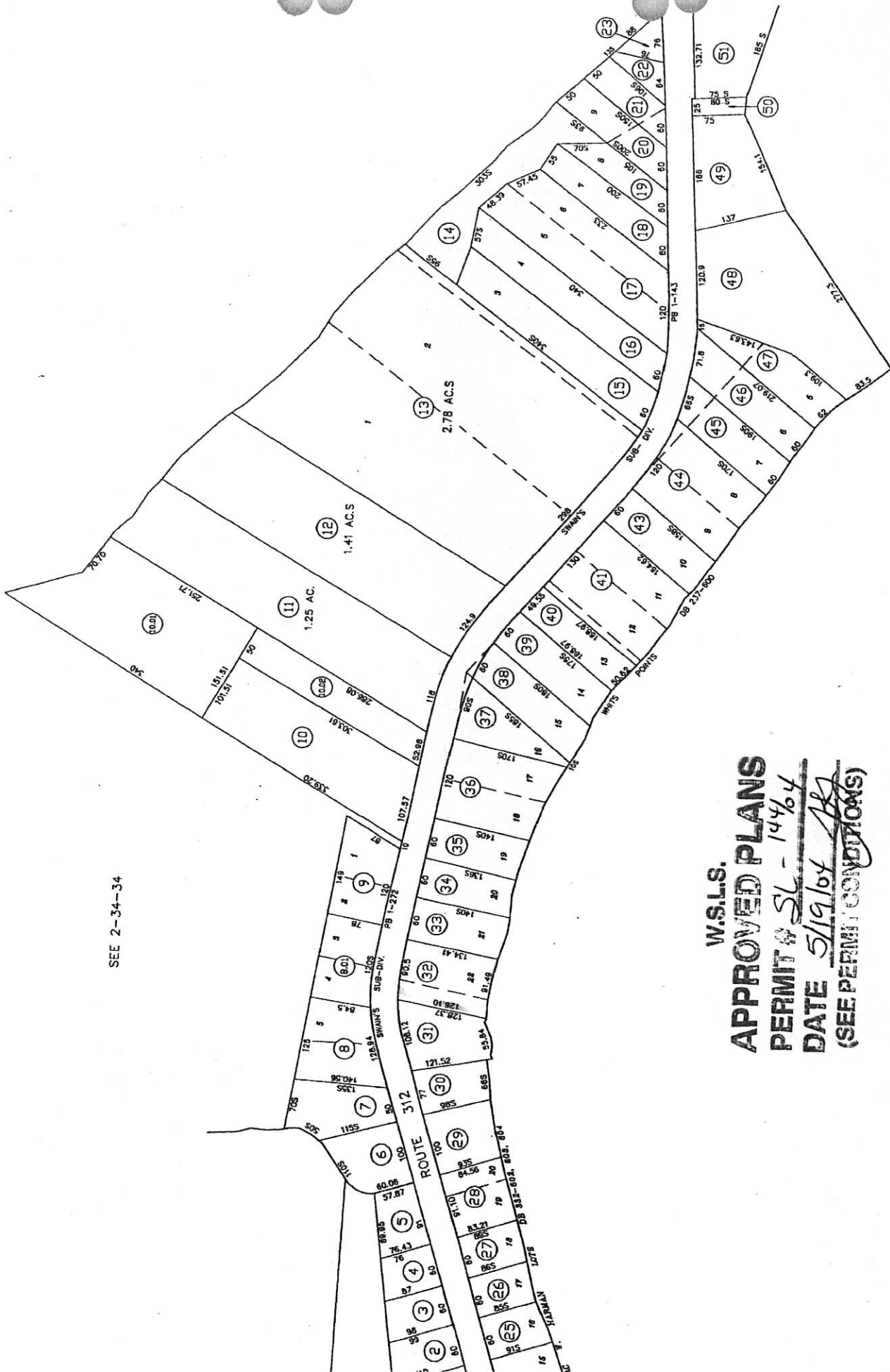
Sincerely,

A handwritten signature in cursive script, appearing to read "Laura M. Herr".

Laura M. Herr  
Program Manager  
Wetlands & Subaqueous  
Lands Section

LMH/jlj

SEE 2-34-34



W.S.L.S.  
**APPROVED PLANS**  
PERMIT # SL-14464  
DATE 5/19/04 *AB*  
(SEE PERMIT CONDITIONS)

19-04

TO: JENNIFER JOHNSON

302-739-6304

DNREC

DOVER

W.S.L.S.

2 PAGES

APPROVED PLANS

PERMIT # 52-144/04

DATE 5/19/04

(SEE PERMIT CONDITIONS)

102

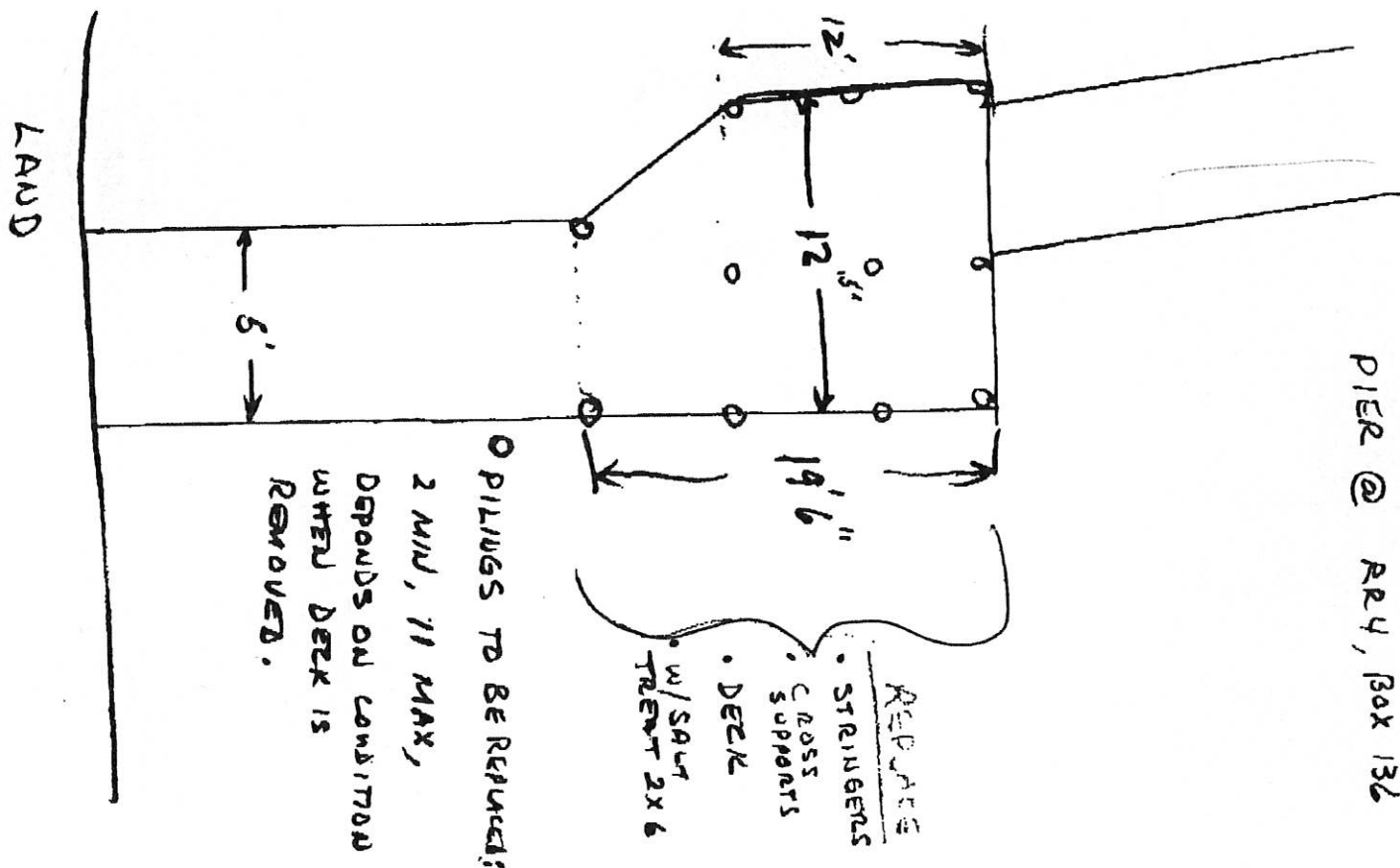
FROM: RONALD SAMS

FAX: 302 945-2586

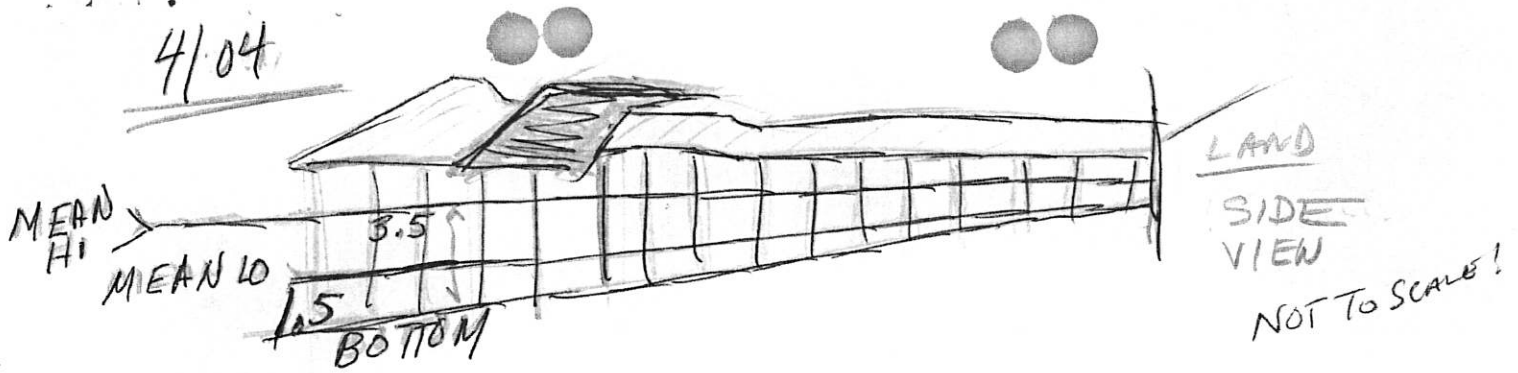
RR 4, Box 136

MILLBORD DE 19966

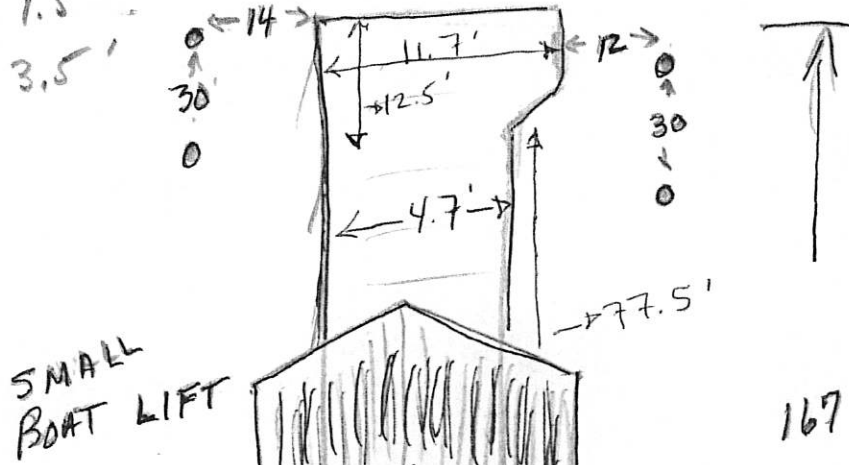
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4/04



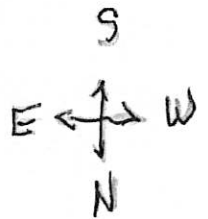
1. MEAN LOW 1.5'
2. MEAN HI 3.5'



5/14/04  
Revised based  
on site visit &  
field measurements

W.S.L.S.  
**APPROVED PLANS**  
PERMIT # 5-144/04  
DATE 5/19/04  
(SEE PERMIT CONDITIONS)

APR - 5 2004



PORTER

BRITTINGHAM

NO NEW ADDITIONS SINCE LAST APPLICATION.

NOT TO SCALE!





**DEPARTMENT OF NATURAL RESOURCES  
AND  
ENVIRONMENTAL CONTROL**

**NOTICE OF AUTHORIZATION**

**Permit/Lease No. and Description:** SL-144/04 To repair by replacing a 12.5 foot wide by 19.5 foot long grandfathered dock, in the Indian River Bay at Box 136 River Road, Millsboro, Sussex County, Delaware

**Issued to:** Ronald Sams

**Location of Work:** Same as above

**Date of Expiration:** 6/16/2007

**DISPLAY THIS CERTIFICATE IN A  
HIGHLY VISIBLE LOCATION ON THE JOB SITE.**

*William F. Moyer*

**William F. Moyer, Section Manager  
Wetlands & Subaqueous Lands Section**