

May 15, 2024

ERI Project No. 0004#0491

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: Map Change Request
Tax Map Parcels 334-18.00-42.00
Lewes Rehoboth Hundred, Sussex County, Delaware
Applicant: J.G. Townsend Jr. & Company (Goldsboro Farm)

Dear Mr. Jones,

Environmental Resource Insights (ERI) is writing to you on behalf of the applicant, J.G. Townsend Jr. & Company (TMP 334-18.00-42.00) in order to request a change to the Department's Wetland Map No. DNR-069. As we have discussed, a culverted gravel farm road has been present crossing Dorman Creek and its abutting wetlands since before 1937. The road provides equipment access between two active agricultural fields. Map DNR-069 does not separate the road location apart from the portion of forested wetlands identified as state regulated wetlands that borders it. A formal map change is warranted.

Enclosed is a Wetland Delineation Plan and Map Change Exhibit prepared by Atlantic Surveying & Mapping, LLC. which illustrates the accurate boundary of both state and federally regulated wetlands as delineated by ERI. The plan also illustrates the 2,291 square foot area of existing roadway that is the subject of this map change request. A coordinate table of the map change area is provided. Enclosed please find a map change request application form signed by the owner, deed for the subject parcel and historic and recent photographs.

Upon your review of these materials, please let me know if you or your staff need any additional information in support of this request. On behalf of the applicant thank you in advance for your time and attention to this request.

Sincerely,

ENVIRONMENTAL RESOURCE INSIGHTS

Edward M. Launay, Principal

Cc: Paul Townsend, Jr.



WETLANDS AND SUBAQUEOUS LANDS SECTION
JURISDICTIONAL DETERMINATION
AND MAP CHANGE REQUEST FORM

Phone: (302) 739-9943

Fax: (302) 739-6304

Clear form

Requested Action

Please select the type of determination(s) you would like performed and complete the corresponding section indicated: (check all which apply)

- ☒ Tidal Wetlands (jurisdictional determinations (JD), map changes or both) - Complete Section A
- ☐ Subaqueous Lands (ordinary water lines and stream/ditch JD) - Complete Section B
- ☐ Mean High Water Lines- Complete Section C

Basic Information

Property Owner/Applicant

Name: Paul Townsend, JG JR Townsend Company
Address: P.O. Box 430
City/Town: Georgetown
Zip: 19947
Phone: 302-856-2525

Consultant

Name: Edward M. Launay, Environmental Resource Insights
Address: P.O. Box 169 / 38173 DuPont Blvd.
City/Town: Selbyville
Zip: 19975
Phone: 302-436-9637

Subject Property

Address: None- Borders 20110 Mulberry Knoll Road Lewes, DE 19958			
Tax Parcel #: 334-18.00-42.00			
County:	New Castle <input type="checkbox"/>	Kent <input type="checkbox"/>	Sussex <input checked="" type="checkbox"/>
Detailed Directions to site:			
From the Intersection of Mulberry Knoll Road & State Route 24 (John J. Williams Highway) proceed 0.85 miles south on Mulberry Knoll Road			
to farm road gate on west side of road.			
(Please attach a road map with site boundaries indicated)			

I hereby certify that the information on this application form and any supporting documents is true and accurate to the best of my knowledge. I grant permission to authorized Department representative(s) to enter upon the premises during working hours for the purpose of undertaking the requested action.

Owner/Applicant Signature: [Signature], Res. JG Townsend Date: 5-15-24
JR & CO

Applicant (if other than owner): _____ Date: _____

Consultant/Agent Signature: [Signature] Date: 5/15/2024

I request to be present during the site inspection ☐ Yes ☐ No

SECTION A: Tidal Wetlands

Please describe the proposed activity on the parcel (s):

Property consists of two agricultural fields divided by Dorman Branch and its abutting wetlands. A farm access road with culverts has been in place prior to 1937. Map DNR-069 incorrectly identifies the road as part of state regulated forested swamp and the owner wishes to correct the map.

The following Information is Required

1. State of Delaware wetland regulatory map # DNR 069 (for map change only)
2. Survey and Deed of subject property
3. Previous JDs (State or federal) None if on record
4. Conceptual plans of intended project Not Applicable
5. Current Wetland designation F
6. Total area of proposed impact/ wetland designation change 2,291 sq ft

The following information, if provided, will help expedite the review process

1. USGS topographic map with site boundaries shown Included ☒ Not Included ☐
2. Stake/flag the State Wetland jurisdictional line in the field prior to site visit? ☒ Yes ☐ No
3. Site photos? ☒ Included ☐ Not Included
4. For map change requests, explain why you think the mapped area is non-jurisdictional.

Existing farm road between two upland fields has been in place prior to 1937 (1937 & 1954 historic photos included). Change to Map DNR-069 is required to conform to active farm road and boundary of federally regulated (Corps of Engineers) wetlands.

SECTION B: Subaqueous Lands (ordinary water line and stream jurisdictional determinations)*The Following Information is Required*

1. USGS Topographic map with the site boundaries clearly shown and the subject streams/ditches indicated on it
2. Name of the waterbody(s). If unnamed, name of nearest named waterbody.
3. Survey and Deed of subject property
4. Previous JDs (state or federal) (If any on record for the property)
5. Road Map indicating site location

The following information, if provided, will help expedite the review process

- | | | | | |
|--|--------------------------|----------|--------------------------|--------------|
| 1. Soil survey map of the site | <input type="checkbox"/> | Included | <input type="checkbox"/> | Not Included |
| 2. Photos of the site (dated) | <input type="checkbox"/> | Included | <input type="checkbox"/> | Not Included |
| 3. Historic Maps | <input type="checkbox"/> | Included | <input type="checkbox"/> | Not Included |
| 4. Aerial Photos | <input type="checkbox"/> | Included | <input type="checkbox"/> | Not Included |
| 5. Proposed conceptual plans for proposed development/construction project | <input type="checkbox"/> | Included | <input type="checkbox"/> | Not Included |

SECTION C: Mean High Water Line Determinations (MHWL)*The Following Information is Required*

1. Road Map indicating site location
2. Deed and property survey
3. Name of waterbody
4. Is this MHWL determination in conjunction with an application for a permit? If yes, provide applicant's name

Applicant's Name: _____

The following information, if provided, will help expedite the review process

1. Reason for requesting MHWL determination?

- | | | | | |
|--|--------------------------|----------|--------------------------|--------------|
| 2. Photos of shoreline | <input type="checkbox"/> | Included | <input type="checkbox"/> | Not Included |
| 3. Proposed conceptual plans for proposed development/construction project | <input type="checkbox"/> | Included | <input type="checkbox"/> | Not Included |
| 4. Tidal range at site | _____ | ft. | | |

NOTE: Once the MHWL is staked in the field by a WSLS scientist, it must be surveyed with a copy provided to the WSLS. A written JD will be provided upon receipt of the survey confirming the MHWL.

Please return this form along with all supporting documents to the:
Wetlands and Subaqueous Lands Section
DNREC 89 Kings Highway
Dover, DE 19901

Phone: (302) 739-9943
Fax: (302) 739-6304

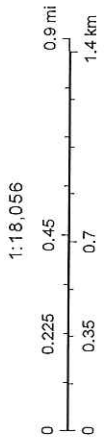


Sussex County

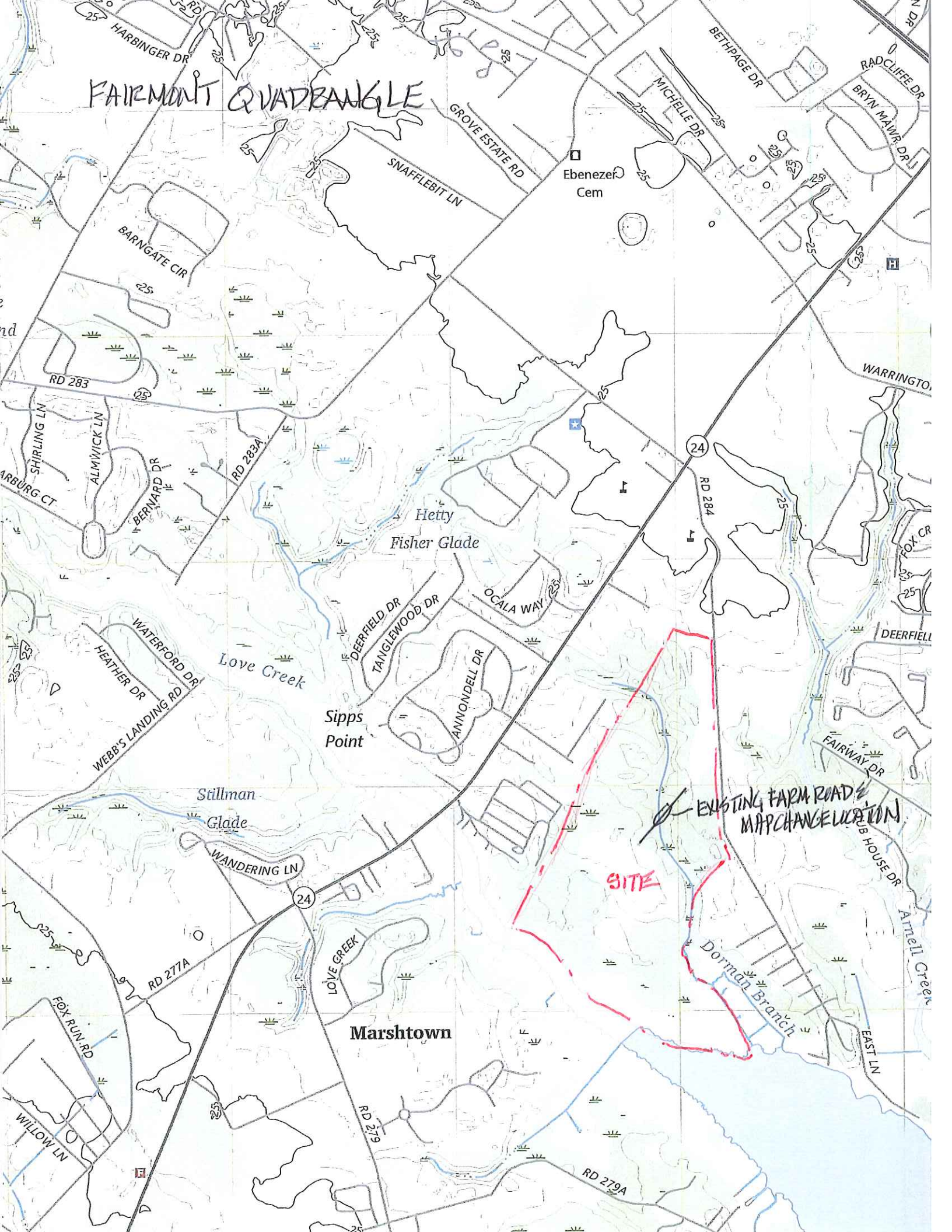


PIN:	334-18.00-42.00
Owner Name	TOWNSEND J G JR
	CO
Book	0
Mailing Address	PO BOX 430
City	GEORGETOWN
State	DE
Description	LOVE CREEK BRIDGE
Description 2	
Description 3	FX
Land Code	

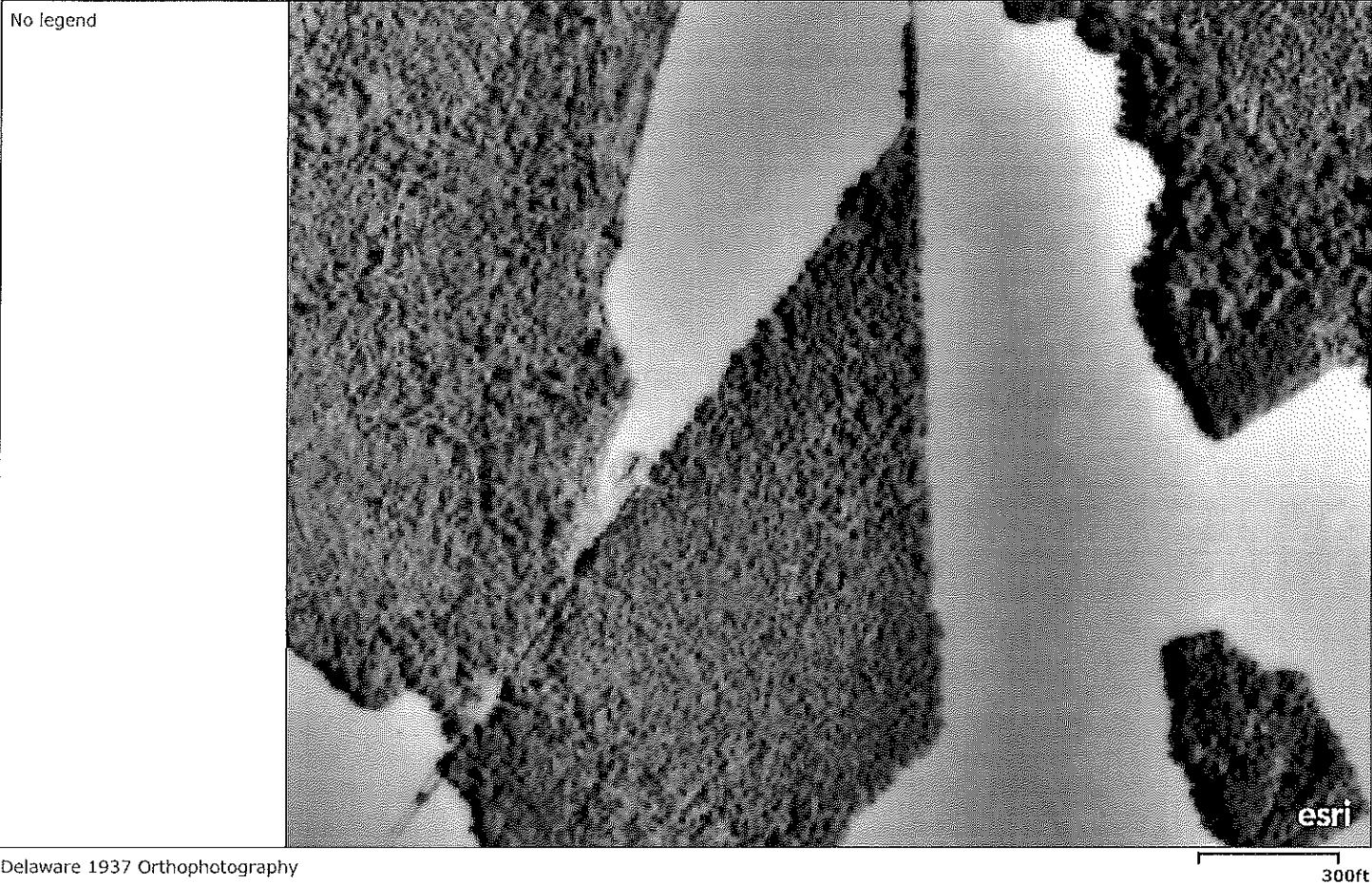
polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
Streets
County Boundaries



FAIRMONT QUADRANGLE



Delaware 1937 Orthophotography



Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap, VGIN, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | USDA Agricultural Stabilization and Conservation Service

My Map



Esri Community Maps Contributors, County of Sussex, DE, Delaware FirstMap, VGIN, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Shackley & Co. Inc.

DEED

GEORGE E. SHOCKLEY and
BELLE W. SHOCKLEY, his wife

to

J. G. TOWNSEND, Jr. & Co. Inc.

*Shackley & Co. Inc. 3-34-12-47
Noted Filed 3-34-18-42
Received for Record*

May 17th A. D. 1944

Charles W. Hurley Recorder.

Fee for Recording, &c., \$2.00
paid

3-34 K O P R

State of Delaware, *Sevier* County ss.

Recorded in the office for the Recording of Deeds, &c., at *Georgetown*
in and for the said County of *Sevier*
in Deed Record *Vol. 346* Page *537* &c.
the *17th* day of *May*, A. D. 1944.
WITNESS my Hand and the Seal of said office.

Charles W. Hurley
Recorder.

This Deed, Made this*First* day of May _____ in the year of
our LORD one thousand nine hundred and forty-four.

BETWEEN GEORGE E. SHOCKLEY and BELLE A. SHOCKLEY, his wife of the
Town of Rehoboth beach, County of Sussex and State of Delaware, parties of the first
part and J. G. TOWNSENB, JR. & CO., INC., a corporation created by and existing
under the laws of the State of Delaware, with offices at Selbyville, Delaware,
parties of the second part,

Witnesseth, That the said parties of the first part, for and in consideration of the sum of
One Dollar (\$1.00) and other valuable considerations _____

_____ 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 successors and assigns,

ALL

those certain three (3) tracts, pieces and parcels of land situate, lying and being
in Lewes and Rehoboth Hundred, County of Sussex and State of Delaware and bounded
and described as follows, to wit: - TRACT NO. 1. - Fronting on the public road
leading from Cedar Grove School House to Love's Creek Bridge and beginning in the
edge of said road at a corner for lands of Margaret H. Carpenter and running east-
erly along and with said Carpenter line until you come to a corner for lands of
Kathryn Morris Joseph; thence southerly and along with line of said Joseph land
and crossing the concrete highway to the center of the old closed county dirt road;
thence still binding said Joseph's land and lands of James H. Truitt (formerly
Futcher lands) and running in a westerly direction to line of dirt road leading to
lands of Benjamin Robinson; thence northerly along and with last named dirt road
to corner of said Margaret H. Carpenter land and place of beginning, be the contents
what it may and being the same lands conveyed to George E. Shockley, party hereto
by Thomas B. Morris and Mary E. Morris, his wife by deed dated January 13, 1936 and
recorded in the office of the Recorder of Deeds in and for Sussex County at George-
town, in deed record, D.D.U., Vol. 303, Page 493, etc., reference being had thereto
will more fully appear.

TRACT NO. 2 - Lying on both sides of the new concrete highway leading from
Love's Creek bridge and fronting on the old dirt road leading to Love's Creek
Bridge and bounded on the north by lands of Roy Dorman, on the east by the lands
devised by Hiram C. Fisher to John D. Fisher, et al, on the south by lands formerly
owned by Anna A. Lucas and on the west by the aforesaid dirt road containing

seventy-four (74) acres more or less, and being all of the lands excepting one acre (1 A.) heretofore sold by the grantors to Clarence Marsh and including all of the lands which were conveyed unto George E. Shockley by Clarence S. Marsh and Ella L. Marsh by deed dated the twenty-sixth day of April, A.D. 1944 and now of record in the office of the Recorder of Deeds in and for Sussex County, at Georgetown, in Deed Record, S.L.J., No. 334, page 564. Being the same lands which were conveyed to George E. Shockley by Emma M. Cole, widow, by deed dated February 2, 1932 and recorded in the aforesaid Recorder of Deeds Office in Deed Book D.I.C., Vol. 285, Page 196, reference thereto will more fully appear.

TRACT NO. 3 - Bounded on the west by Rehoboth Bay and Love's Creek and adjoining lands of William J. Elliott, Robert E. Lynch and Roy Porman on the North; and bound on the east by the public road leading from the J. G. Townsend and Co., farm (formerly Dr. Wm. D. W. Hall farm) to Rehoboth Bay and lands of Benjamin W. Robinson, containing two hundred and forty eight acres (248 A.) of upland and marsh, be the same more or less and being the same lands conveyed to George E. Shockley, party hereto by Mark H. Shockley and Virginia P. Shockley, his wife by deed dated March 17, 1928 and recorded in the aforesaid Recorder's office in Deed Record, D.H.N., Vol. 270, Page 76, etc., reference thereto will more fully appear.

J. G. Townsend

