

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: Marsh Island Homeowners Association Telephone #: _____
 Mailing Address: Attn. Chris Stormo, President Fax #: _____
PO Box 1767, Millsboro, DE 19966 E-mail: _____
2. Consultant's Name: Edward M. Launay Company Name: Environmental Resource Insights
 Mailing Address: 1 Park Ave. Milford, DE 19963 Telephone #: 302-424-1441
 Fax #: 302-424-0430
 E-mail: elaunay@ericonsultants.com
3. Contractor's Name: unknown Company Name: _____
 Mailing Address: _____ Telephone #: _____
 Fax #: _____
 E-mail: _____

Section 2: Project Description

4. Check those that apply:
 New Project/addition to existing project? Repair/Replace existing structure? (If checked, must answer #16)
5. Project Purpose (attach additional sheets as necessary):
Attach an 8'x24' floating community kayak launch dock to an existing boat docking facility on Love Creek for use by the residents of the Marsh Island residential community. The dock will be attached to the existing boat docking facility access pier with a 4'x20' aluminum ramp. The dock will be fitted with a 4.5'x14' "EZ Dock" kayak launch platform. (See attached sheet)
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
21383 Camp Arrowhead Road, Lewes, Delaware 19958 Site owner name (if different from applicant): _____
 Address of site owner: _____
8. Driving Directions: From SR24, turn south onto CR 279 (Camp Arrowhead Road), travel 0.7 miles to Marsh Island entrance on the east side of CR 279.
 (Attach a vicinity map identifying road names and the project location)
9. Tax Parcel ID Number: 234-7.00-132.00 Subdivision Name: Marsh Island

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 2, item 5 Project Description

The proposed project is to provide the Marsh Island residential community, a county approved 152 unit constructed subdivision with a 8'x24' floating kayak launch dock with riparian access to Love Creek via a previously approved community pier and boat docking facility. The existing boat dock provides mooring for four vessels.

Based on NAVD 88 datum, local mean high water is elevation +0.85 feet and mean low water is -0.55 feet. The depth of water at the channelward end of the kayak launch dock is 2.5 feet at mean low water. The channelward end of the kayak launch dock is 98 feet landward of the Love Creek navigation channel as marked and maintained by DNREC. The design of the project complies with the conditions of the Corps of Engineers' SPGP-20 permit.

The 8'x24' floating dock is fitted with a single 4.5'x14' "EZ-Dock" kayak launch cradle. Three 12 inch diameter piles anchor the floating dock. The dock is accessed by a 4'x20' aluminum ramp attached to the northwest side of the boat docking facility 6 foot wide by 53.5 foot long access pier. The ramp is located 8.5 feet landward of the docking facility. The pier and dock is accessed by a 4 foot wide by 228 foot long pile supported wetland walkway.

Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: Love Creek waterbody is a tributary to: Indian River Bay

11. Is the waterbody: Tidal Non-tidal Waterbody width at mean low or ordinary high water 330

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):

Wandendale Farms Inc. - 821 Savannah Rd, Lewes, DE 19958
Julianna Gonen & Gabriela Richeimer - 4615 Colorado Ave, Washington DC 20011

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:

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-093/13 WE-094/13 SL-199/22

*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: February 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, Tim Green, hereby designate and authorize Environmental Resource Insights - Attn. Edward 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 #: 302-424-1441
 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

4/9/2026

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

4/9/2026

Tim Green
 Print Name

22. Contractor's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge, and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application.

Contractor's Name

Date

Print Name

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.)

Attach a 8'x24' floating dock fitted with a 4.5' by 14' "EZ-DOCK" kayak launch cradle to an existing community marina pier with a 4'x20' aluminum ramp. 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
		Width _____ ft.	Length _____ ft.	Width _____ ft.	Length _____ ft.	
Dock, Pier, Lift, gangway						
Dock	3	8	24	8	24	New
Aluminum Ramp		4	20	4	20	New
EZ-Dock Kayak Launch		4.5	14	4.5	14	New
Pier	16	6	53.5	6	53.5	Existing
"T" Dock	7	6	40	6	40	Existing
Finger Pier	8	6	24	6	24	Existing
Finger Pier	8	6	24	6	24	Existing
Pier Transition	2	4 to 6	9.5	4 to 6	9.5	Existing
Freestanding Pilings	Number 8					
Access Pier	6	4	16	4	16	Existing

Moorings Buoy: How many moorings will be installed? _____
 What will be used for the anchor(s)? _____
 Anchor/Moorings Block Weight _____
 Anchor Line Scope (Length or Ratio) _____
 Water Depth at Mooring Location _____

3. Approximately how wide is the waterway at this project site? 330 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.
salt treated timber, PVC floats and kayak cradle, aluminum ramp

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? 98 ft.

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

Make/model	<u>kayak</u>	length	<u>16</u>	width	<u>4</u>	draft	<u>1.0</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. community dock

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? 1,400 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.

Recorder of Deeds, Alexandra Reed Baker On 4/25/2025 at 12:07:04 PM Sussex County, DE
Consideration: \$0.00 County/Town: \$0.00 State: \$0.00 Total: \$0.00
Additional Surcharge Paid Town: SUSSEX COUNTY

TAX PARCEL NOS.:
234-7.00-132.00
234-7.00-351.00
PREPARED BY & RETURN TO:
Jonathan E. Horner
20184 Phillips Street
Rehoboth Beach, DE 19971

NO TITLE SEARCH MADE OR REQUESTED

THIS DEED made this 24 day of April, 2025.

- BETWEEN -

SCHELL SPE, LLC, a Delaware limited liability company, of 20184 Phillips Street, Rehoboth Beach, DE 19971, party of the first part,

- AND -

MARSH ISLAND HOMEOWNERS ASSOCIATION, P.O. Box 1761, Millsboro, DE 19966, 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:

ALL those certain lots, pieces and parcels of land situate lying and being in Indian River Hundred, Sussex County, State of Delaware and located on the southeasterly side of Camp Arrowhead Road and more particularly shown on the Marsh Island Record Plan prepared by Davis Bowen and Friedel, Inc. dated December 2018, of record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Plot Book 295 at Page 61.

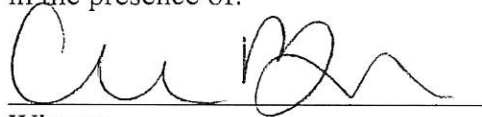
SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

BEING A PART OF that certain property conveyed to Schell Spe, LLC, a Delaware limited liability company, dated June 1, 2018 and recorded June 4, 2018 in the Office of the Recorder of Deeds in and for Sussex County, Delaware in Book 4897, Page 186.

SIGNATURE PAGE TO FOLLOW


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

Signed, Sealed and Delivered
in the presence of:



Witness

SCHELL SPE, LLC, a Delaware limited liability company

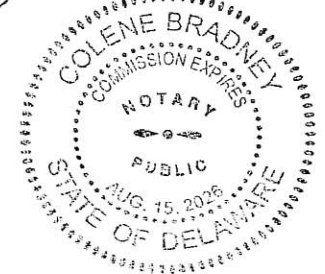
By:  (SEAL)
Jonathan E. Horner, Authorized Signatory

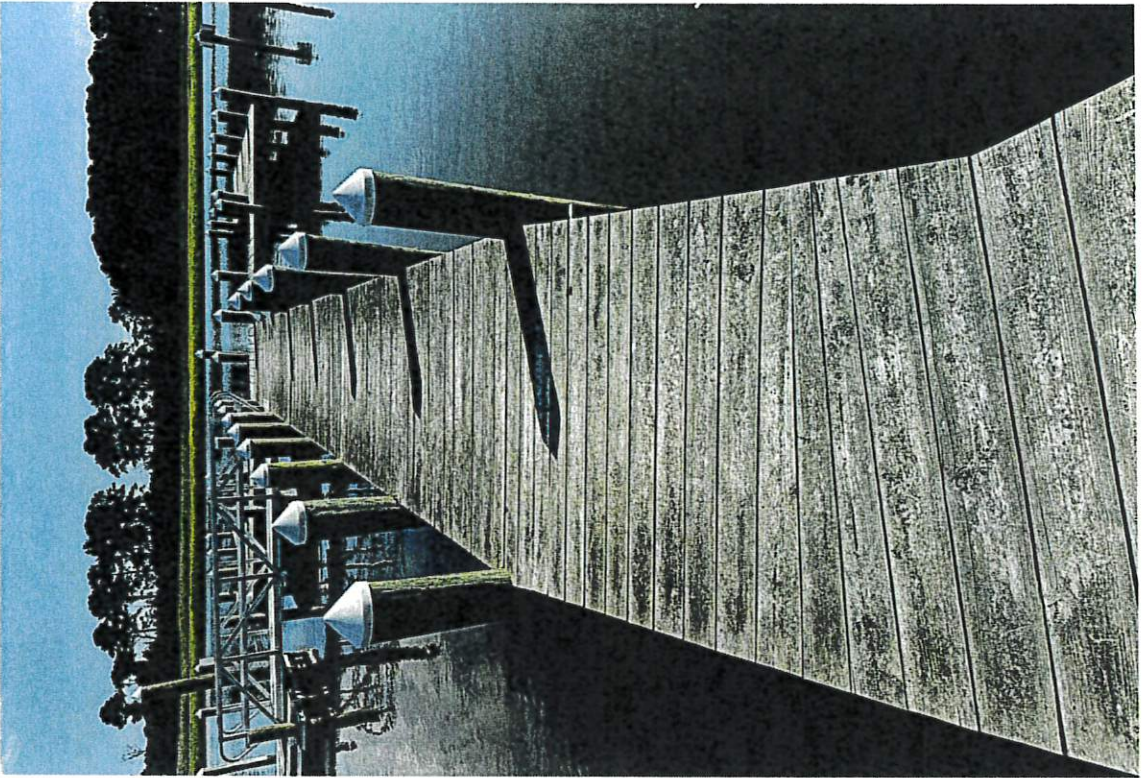
STATE OF DELAWARE

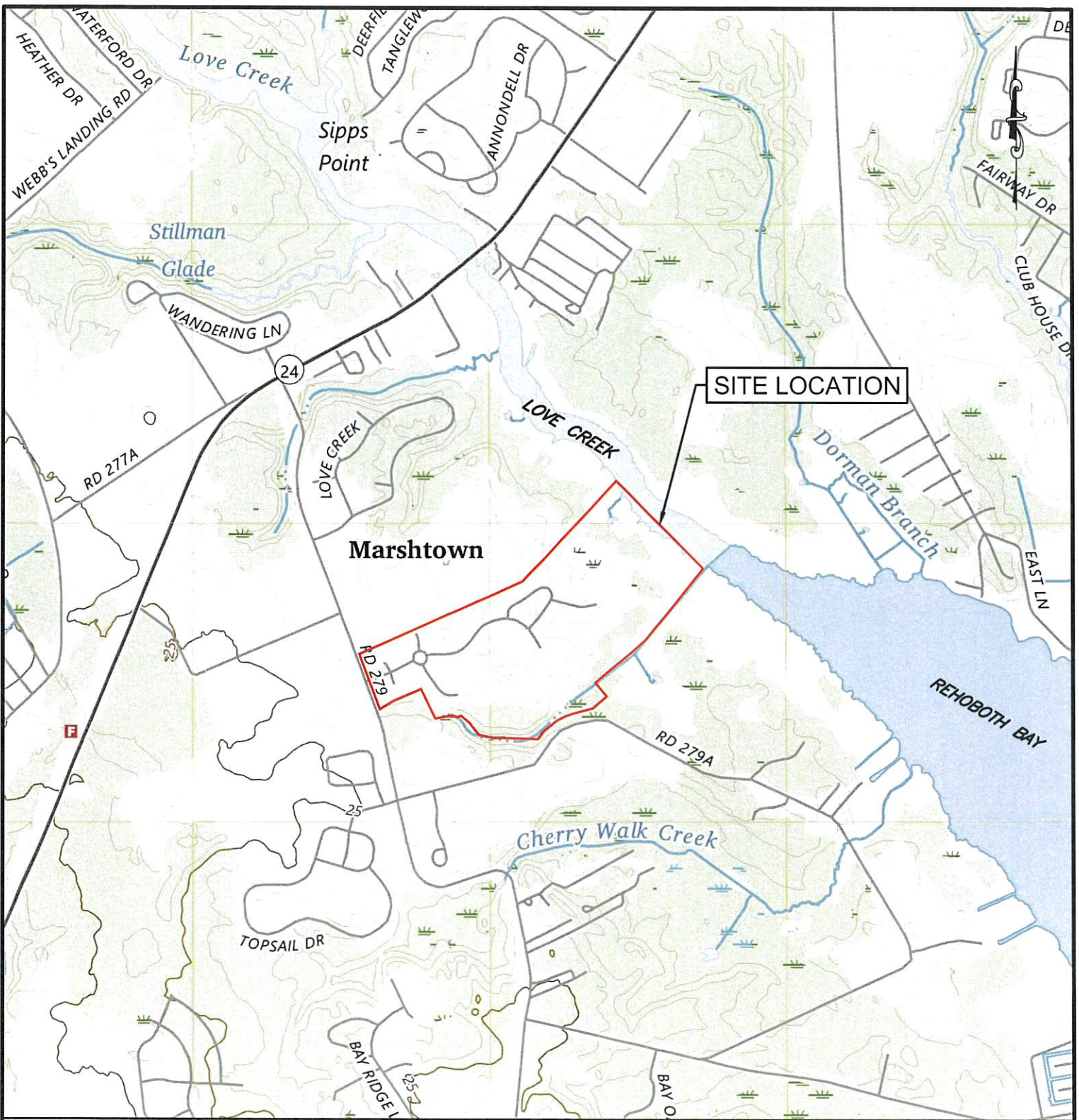
COUNTY OF SUSSEX

BE IT REMEMBERED, that on this 24 day of April, 2025, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Jonathan E. Horner, Authorized Signatory of Schell SPE, LLC, a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of the said limited liability company.

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


NOTARY PUBLIC





FAIRMOUNT QUADRANGLE



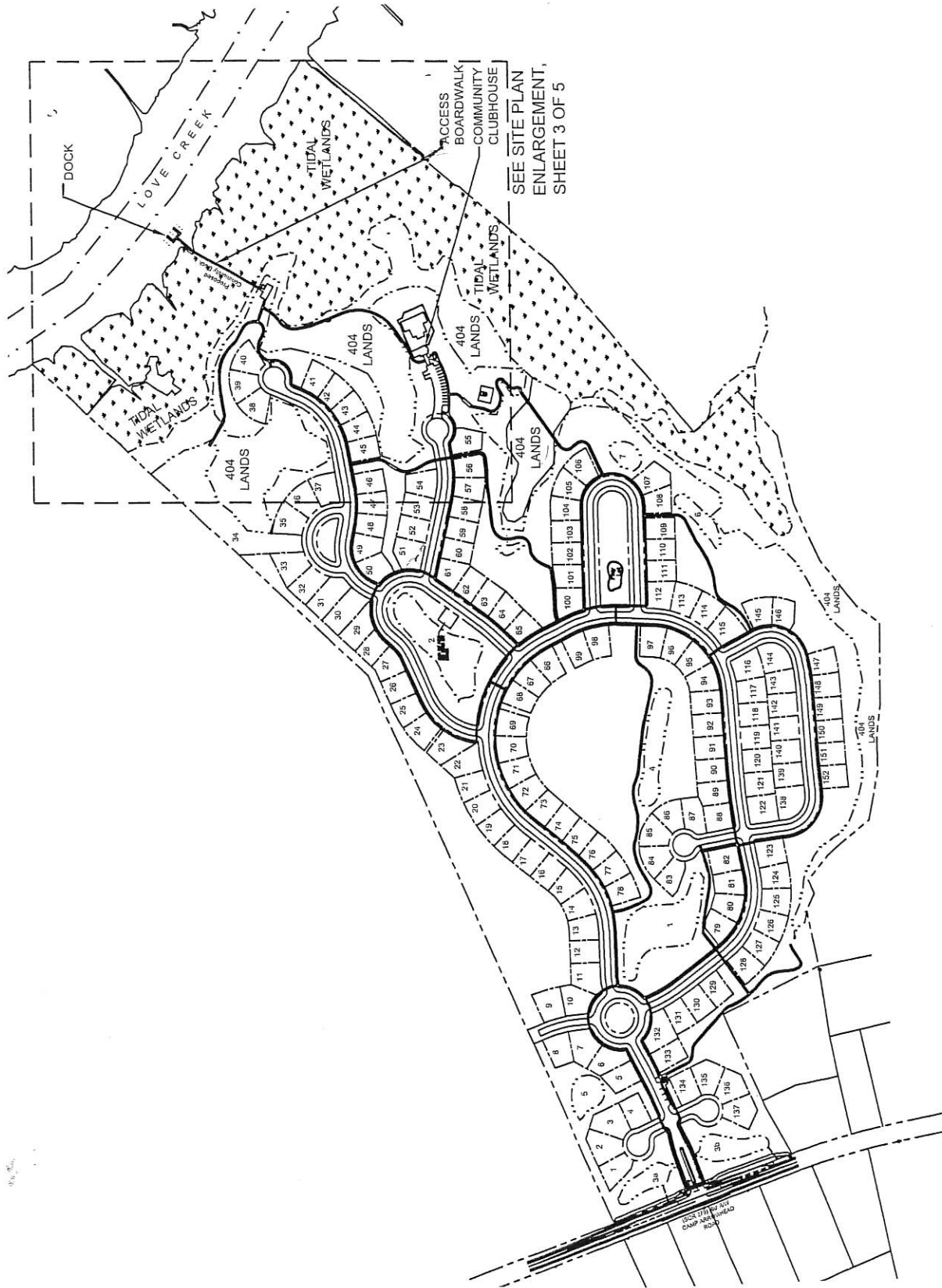
Date:	AUGUST 2025
Scale:	1" = 1500'
Dwn.By:	KWW
Proj.No.:	0593#1094
USGS VICINITY MAP	
Dwg.No.:	1

MARSH ISLAND COMMUNITY DOCKING FACILITY

TMP: 234-7.00-132.00
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE

ERI ENVIRONMENTAL
RESOURCE
INSIGHTS

A DIVISION OF DAVIS, BOWEN & FRIEDEL, INC.

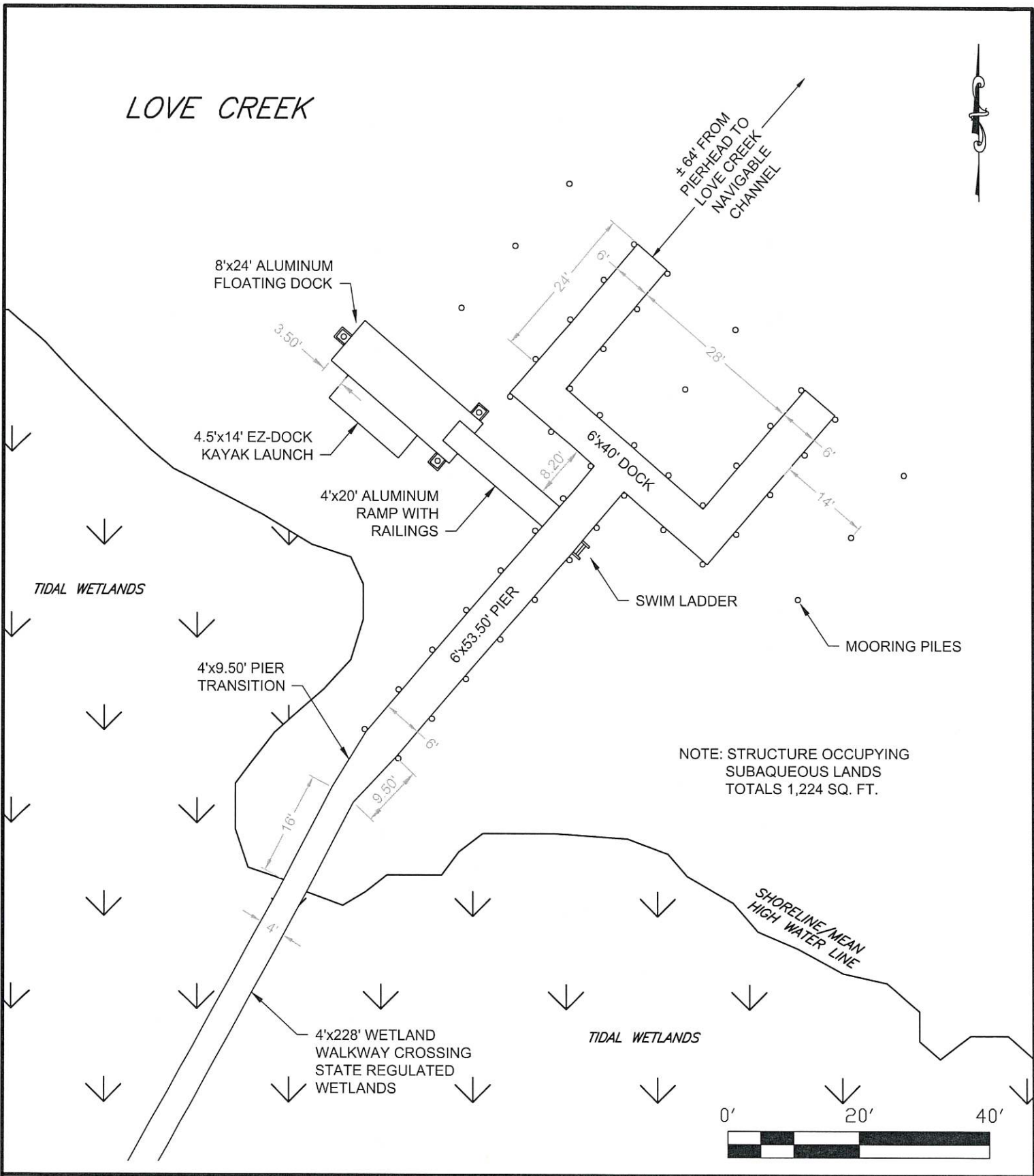


Date:	AUGUST 2025
Scale:	
Dwn.By:	KWW
Proj.No.:	0593#1094
SITE PLAN	
Dwg.No.:	2

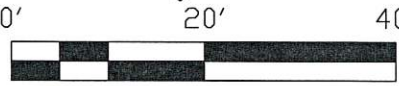
MARSH ISLAND
COMMUNITY DOCKING
FACILITY
 TMP: 234-7.00-132.00
 INDIAN RIVER HUNDRED
 SUSSEX COUNTY, DELAWARE

ERI ENVIRONMENTAL
 RESOURCE
 INSIGHTS
 A DIVISION OF DAVIS, BOWEN & FRIEDEL, INC.

LOVE CREEK



NOTE: STRUCTURE OCCUPYING SUBAQUEOUS LANDS TOTALS 1,224 SQ. FT.

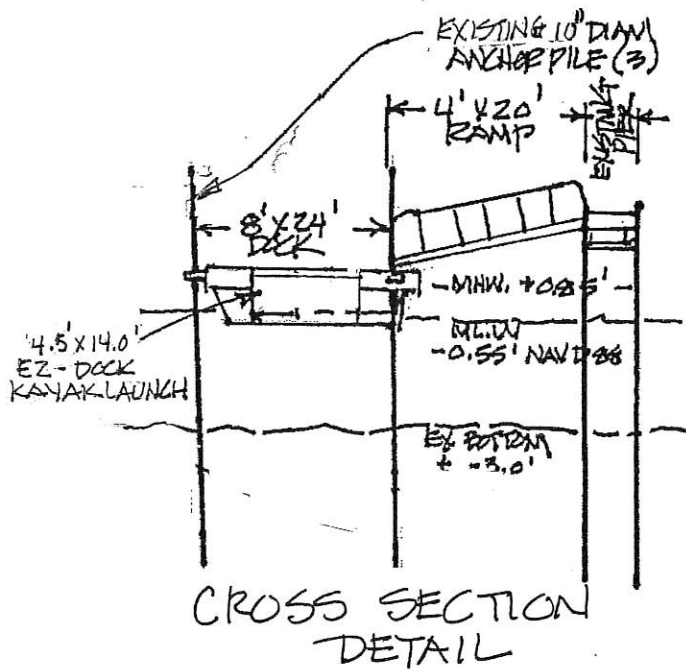


Date:	AUGUST 2025
Scale:	1" = 20'
Dwn.By:	KWW
Proj.No.:	0593#1094
AS-BUILT PLAN	
Dwg.No.:	3

MARSH ISLAND COMMUNITY DOCKING FACILITY

TMP: 234-7.00-132.00
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE

ERI ENVIRONMENTAL
RESOURCE
INSIGHTS
A DIVISION OF DAVIS, BOWEN & FRIEDEL, INC.



Date:	AUGUST 2025
Scale:	
Dwn.By:	KWW
Proj.No.:	0593#1094
CROSS SECTION	
Dwg.No.:	4

MARSH ISLAND COMMUNITY DOCKING FACILITY

TMP: 234-7.00-132.00
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE

ERI ENVIRONMENTAL
RESOURCE
INSIGHTS

A DIVISION OF DAVIS, BOWEN & FRIEDEL, INC.