

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?

- | | | |
|--------------------------|-----|--|
| <input type="checkbox"/> | Yes | BASIC APPLICATION |
| <input type="checkbox"/> | Yes | SIGNATURE PAGE (Page 3) |
| <input type="checkbox"/> | Yes | APPLICABLE APPENDICES |
| <input type="checkbox"/> | Yes | SCALED PLAN VIEW |
| <input type="checkbox"/> | Yes | SCALED CROSS-SECTION OR ELEVATION VIEW PLANS |
| <input type="checkbox"/> | Yes | VICINITY MAP |
| <input type="checkbox"/> | Yes | COPY OF THE PROPERTY DEED & SURVEY |
| <input type="checkbox"/> | Yes | THREE (3) COMPLETE COPIES OF THE APPLICATION PACKET |
| <input type="checkbox"/> | 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~~ Waterways
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: Matthew Wilson
 Mailing Address: 5111 North Sherman St
Mt. Wolf, PA 17347

Telephone #: (717) 858-3517
 Fax #: _____
 E-mail: mwilson_676@comcast.net

2. Consultant's Name: _____
 Mailing Address: _____

Company Name: _____
 Telephone #: _____
 Fax #: _____
 E-mail: _____

3. Contractor's Name: _____
 Mailing Address: _____

Company Name: _____
 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): Lease Renewal

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: 39604 Baltimore
St Bethany Beach DE
19930

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: _____ Subdivision Name: _____

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: Little Assawomen Bay waterbody is a tributary to: _____

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

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):

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, Matthew Wilson, hereby designate and authorize _____
 (Name of Applicant) (Name of Agent)
 to act on my behalf in the processing of this application and to furnish any additional information requested by the Department.

Authorized Agent's Name: _____ Telephone #: _____
 Mailing Address: _____ Fax #: _____
 _____ E-mail: _____

20. Agent's Signature:

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

 Agent's Signature

 Date

21. Applicant's Signature:

I hereby certify that the information on this form and on the attached plans are true and accurate to the best of my knowledge and that I am required to inform the Department of any changes or updates to the information provided in this application. I further understand that the Department may request information in addition to that set forth herein if deemed necessary to appropriately consider this application. I grant permission to authorized Department representatives to enter upon the premises for inspection purposes during working hours.

Matthew J. Wilson
 Applicant's Signature

12/18/2025
 Date

Matthew J. Wilson
 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.)

Lease Renewal

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	8	6'	35'			Maintain
Lift Boat	2					Maintain
Double PWC Lift	4	10'	10'			Maintain
Pier	8	4'	27'			Maintain
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 _____

- Approximately how wide is the waterway at this project site? _____ ft. (measured from MLW to MLW)
- What will be the mean low water depth at the most channelward end of the mooring facility? _____ ft.
- 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.
- 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.

Make/model _____	length _____	width _____	draft _____
Make/model _____	length _____	width _____	draft _____
Make/model _____	length _____	width _____	draft _____
Make/model _____	length _____	width _____	draft _____

No vessels to be berthed @ the facility

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? _____ 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.

TAX MAP # 134-20.11-41.01

PREPARED BY & RETURN TO:
Parsons & Robinson, P.A.
P.O. Box 480
118 Atlantic Ave, Ste 401
Ocean View, DE 19970
File No. 40274/KNT

Document # 2025000033134 BK: 6367 PG: 226
On 9/8/2025 at 8:39:10 AM
RECORDER OF DEEDS Alexandra Reed Baker
Sussex County
Consideration: \$3,600,000.00 County/Town: \$54,000.00
State: \$90,000.00 Total: \$144,000.00 Doc Surcharge Paid

THIS DEED, is made effective as of the 5 day of September, 2025,

- BETWEEN -

FRANK P. BALCAVAGE and **NICOLE BALCAVAGE** of 1717 Wildberry Road, Bethlehem, PA 18015, parties of the first part,

- AND -

MATTHEW J. WILSON of 5111 North Sherman Street, Mount Wolf, PA 17347, party of the second part, as sole owner.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of ONE DOLLAR and 00/100 (\$1.00) and other valuable consideration, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part:



ALL that certain lot, piece or parcel of land situate, lying and being in Baltimore Hundred, Sussex County, Delaware, known and designated as **LOT NUMBER 26, FIRST ADDITION TO BAY VIEW PARK**, as said plan is filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Plot Book 3, Page 7.

BEING the same lands conveyed to Frank P. Balcavage and Nicole Balcavage, husband and wife, as tenants by the entirety, by Deed of Frank P. Balcavage, dated June 23, 2017 and recorded August 23, 2017 in the Office of the Recorder of Deeds, Georgetown, Sussex County, Delaware, in Deed Book 4756, Page 311.

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, State of Delaware.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year as written below.

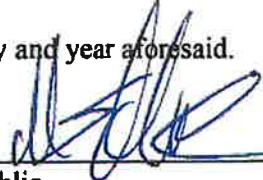
Signed, Sealed and Delivered
in the presence of:

_____		_____ (SEAL)
Witness	Frank P. Balcavage	
_____		_____ (SEAL)
Witness	Nicole Balcavage	

STATE OF DELAWARE, COUNTY OF SUSSEX, to wit:

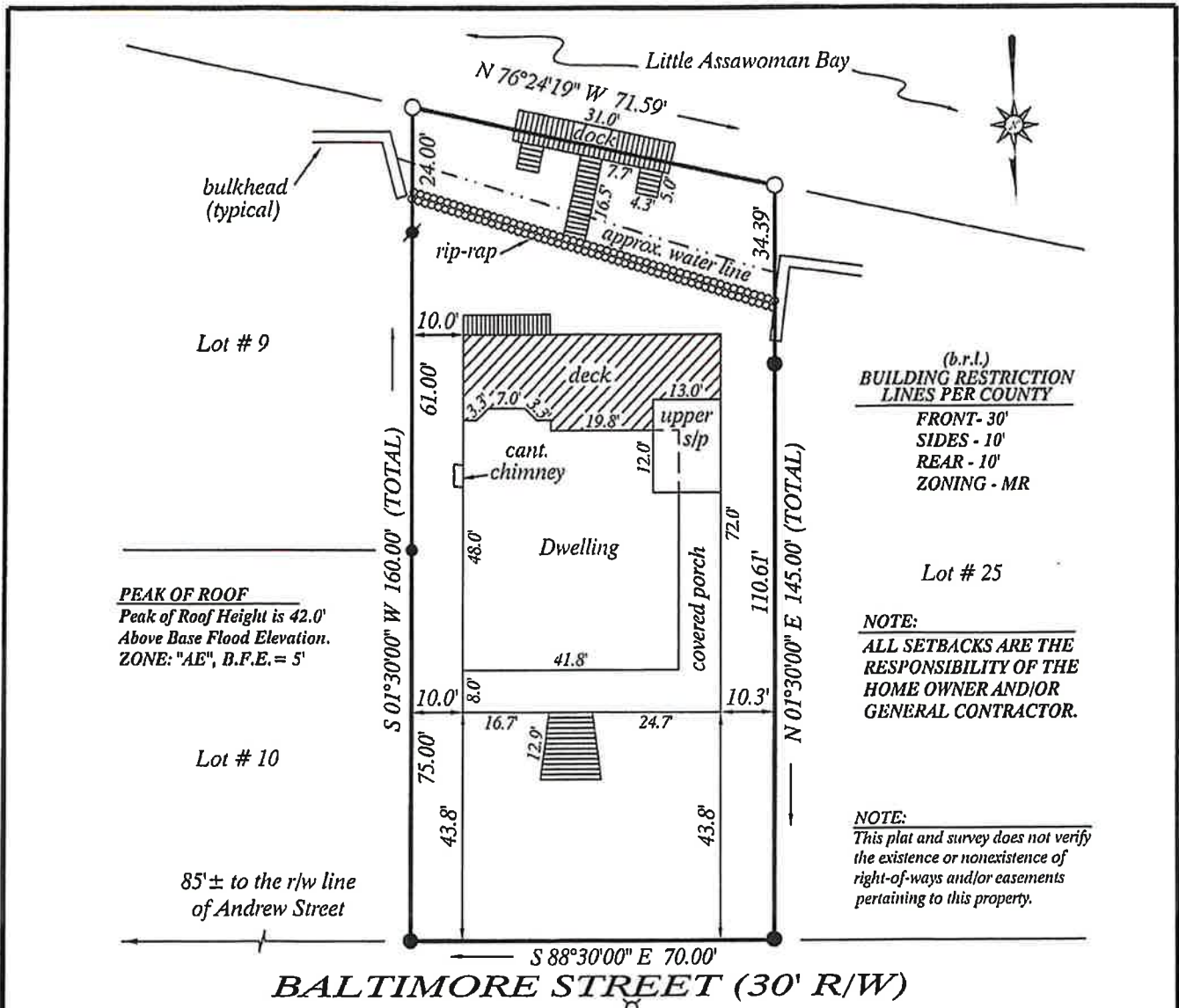
BE IT REMEMBERED, that on this 5 day of September, 2025, personally came before me, the subscriber, Frank P. Balcavage and Nicole Balcavage, parties to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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



Notary Public
Printed Name: MANAEN S. ROBINSON
My Commission Expires: N/A

MANAEN S. ROBINSON, IV, ESQ.
ATTORNEY AT LAW-DELAWARE
NOTARY PURSUANT TO
29 DEL. C., SEC. 4323(a)(3)



(b.r.l.)
**BUILDING RESTRICTION
 LINES PER COUNTY**
 FRONT - 30'
 SIDES - 10'
 REAR - 10'
 ZONING - MR

Lot # 25

NOTE:
 ALL SETBACKS ARE THE
 RESPONSIBILITY OF THE
 HOME OWNER AND/OR
 GENERAL CONTRACTOR.

NOTE:
 This plat and survey does not verify
 the existence or nonexistence of
 right-of-ways and/or easements
 pertaining to this property.

PEAK OF ROOF
 Peak of Roof Height is 42.0'
 Above Base Flood Elevation.
 ZONE: "AE", B.F.E. = 5'

BENCHMARK
 PK NAIL
 ELEV. = 3.08'
 (NAVD '88)

FIRM INFORMATION:
 100029 - 0520- J
 JAN. 06, 2005
 ZONE: AE, B.F.E. = 5'

Lands of DANIEL ANASTASI and CYNTHIA ANASTASI. Being known as LOT NO. 26, FIRST ADDITION TO BAY VIEW PARK.

Ref: plat book 3, page 6.

- ⊗ P/K NAIL (SET)
- 3/4" PIPE (FD)
- POINT
- ⊗ 5/8" RE-BAR (FD)

Revised: 11/8/2005, Proposed dwelling location.
 Revised: 10/11/2006, Final dwelling location, dock. No title search provided or stipulated.
 SCALE: 1"=30' CLASS "B" SURVEY

AREA: 10,675 SQ. FT.
 TAX MAP NO. 1-34-20.11-41.01

HUNDRED: BALTIMORE
 COUNTY: SUSSEX
 STATE OF DELAWARE
 DATE: 06/16/2005
 DRAWN BY: T. JOHNSON

SIMPLER SURVEYING & ASSOCIATE, INC.
 32486 POWELL FARM ROAD, FRANKFORD, DE 19945
 www.delawaresurveyor.com
 PHONE: (302) 539-7873 FAX: (302) 539-4336

SEAL
Gregory M. Heath
 10/12/06
 P.L.S. 711



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

WETLANDS & SUBAQUEOUS
LANDS SECTION

TELEPHONE (302) 739-9943
FACSIMILE (302) 739-6304

Supplemental Approval No.: SU-426/14
Associated Permit No.: SL-175/14
Date of Issuance: 3/4/2015
Construction Expiration Date: 3/4/2018
Tax Parcel No.: 134-20.11-41.01

Frank P. Balcavage
5945 Paula Court
Coopersburg, PA 18036

CER, Inc.
Attn: Dr. Evelyn Maurmeyer
P.O. Box 674
Lewes, DE 19958

**SUPPLEMENTAL APPROVAL
GRANTED TO FRANK BALCAVAGE TO CONDUCT THE FOLLOWING ACTIVITIES IN
THE LITTLE ASSAWOMAN BAY AT 39664 BALTIMORE STREET, BETHANY BEACH,
SUSSEX COUNTY, DELAWARE:**

New Structures:

- Install four (4) pilings for a PWC lift
- Install one (1) double PWC lift
 - 10' wide by 10' long

Pursuant to the provisions of 7 Del. C. §7205, and the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this 4th day of March A. D. 2015, to amend an existing lease to construct the above referenced project in accordance with the approved plans for this Supplemental Approval (2 Sheets), as approved on February 11, 2015, and the application dated December 5, 2014, and received by this Division on December 16, 2014 with additional information received on December 31, 2014.

The above referenced Subaqueous Lands Lease shall be amended subject to the terms and conditions herein set forth.

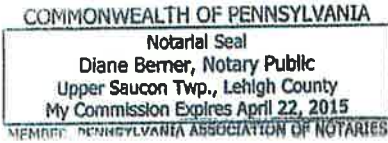
Delaware's good nature depends on you!

SPECIAL CONDITIONS

1. This Supplemental Approval is an addendum to Subaqueous Lands Lease No. SL-175/14 granted to Frank Balcavage by the State of Delaware on August 08, 2014. This Supplemental Approval shall be attached thereto and made a part thereof.
2. The conditions contained herein shall be incorporated into any and all construction contracts and other ancillary documents associated with construction which may impact subaqueous lands. The lessee and contractor are responsible to ensure that the workers executing the activities authorized by this Supplemental Approval have full knowledge of, and abide by, the terms and conditions of this Supplemental Approval.
3. This Supplemental Approval 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.
4. All of the structures listed on Page One of this Supplemental Approval shall not exceed the dimensions stated on Page One of this Supplemental Approval.
5. The lessee shall notify the Department of Natural Resources and Environmental Control **within ten (10) days** of completion of the work authorized by this Supplemental Approval by completing and returning the enclosed Contractor's Post Construction Completion Report form.
6. This Supplemental Approval does not authorize any repairs, additions, or modifications to the existing structures other than those authorized herein. Such activities require separate written authorization from the Department of Natural Resources and Environmental Control.
7. A copy of this Supplemental Approval and approved plans must be available on site during all phases of construction activity.
8. The work authorized by this Supplemental Approval is subject to the terms and conditions of the Department of the Army SPGP-20.
9. This Supplemental Approval shall expire if the project has not been completed prior to the Construction Expiration Date indicated on Page 1. All authorized activities and/or construction must be completed on or before that date.
10. All other terms and conditions of Subaqueous Lands Lease No. SL-175/14 shall remain in full force and effect.

IN WITNESS WHEREOF, I, Frank Balcavage, have caused this instrument to be executed on this 26 day of February, 2015.

By: *Frank Balcavage*
Frank Balcavage
(Lessee)



(Notary Seal)

Diane Berner
Notary Public

IN WITNESS WHEREOF, I, David Small, Secretary of the Department of Natural Resources and Environmental Control, have hereunto set my hand this 4 day of March, 2015.

David S. Small
David S. Small, Secretary
Department of Natural Resources and Environmental Control

W.S.L.S.
APPROVED PLANS
PERMIT # SU-426/14
DATE 2/11/15 DG
(SEE PERMIT CONDITIONS)

DEC 16 2014

SUPPLEMENTAL APPROVAL OF SL-175/14:
INSTALLATION OF DOUBLE PWC LIFT
IN: Little Bay (embayment of Little Assawoman Bay)
AT: 39664 Baltimore Street, Bay View Park
South Bethany, Sussex County, DE 19930
Tax Map Parcel #1-34-20.11- 41.01
APPLICANT: Nicole and Frank Balcavage
DATE: December 5, 2014



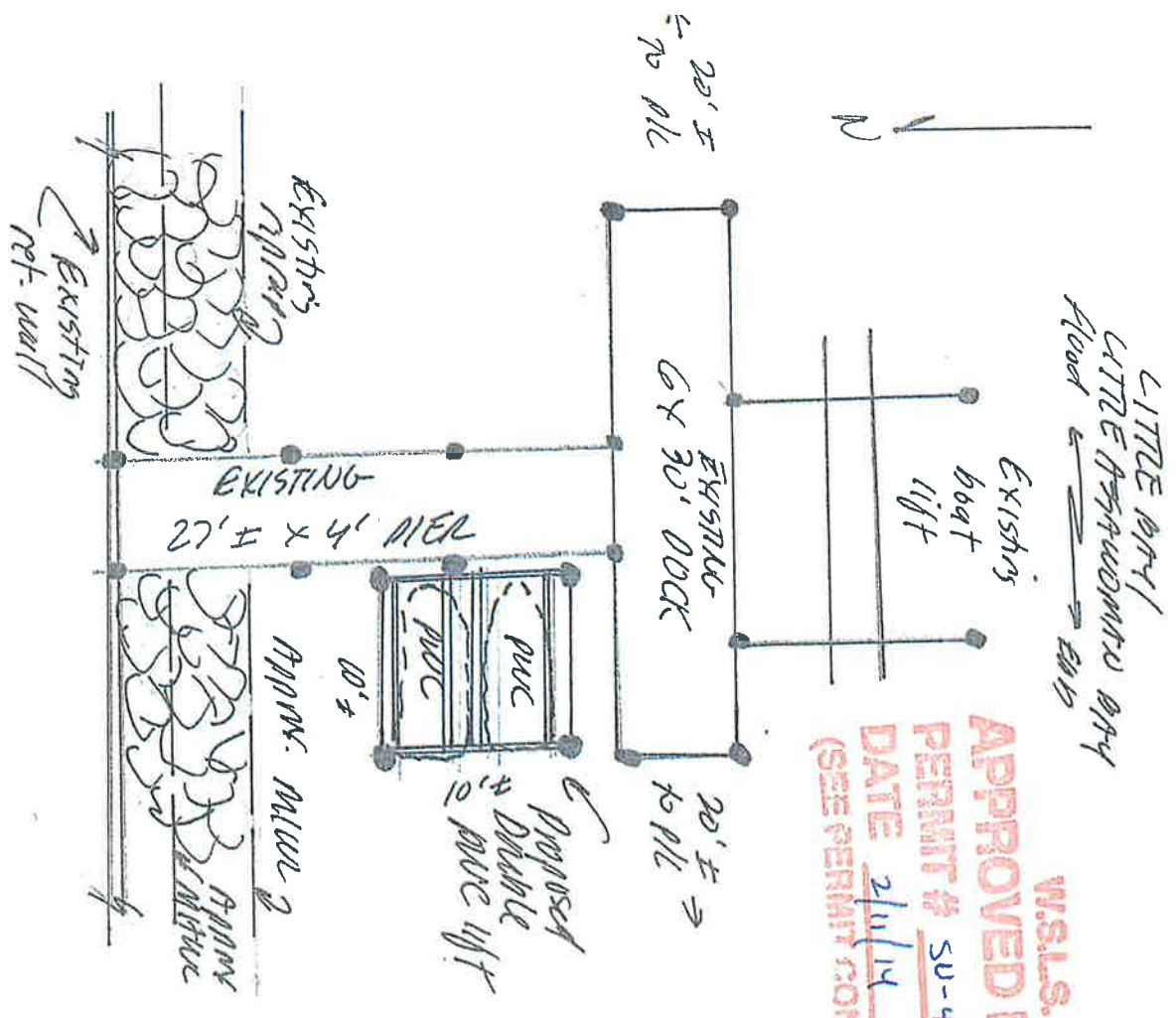
Google earth

feet 100
meters 50



Figure 6. GoogleEarth 2010 aerial photograph showing site location, 39664 Baltimore Street, Bay View Park, South Bethany, Sussex County, Delaware, adjacent to Little Bay, Little Assawoman Bay. Applicant seeks Supplemental Approval of SL-175/14 to install a double PWC lift along existing pier, as shown.

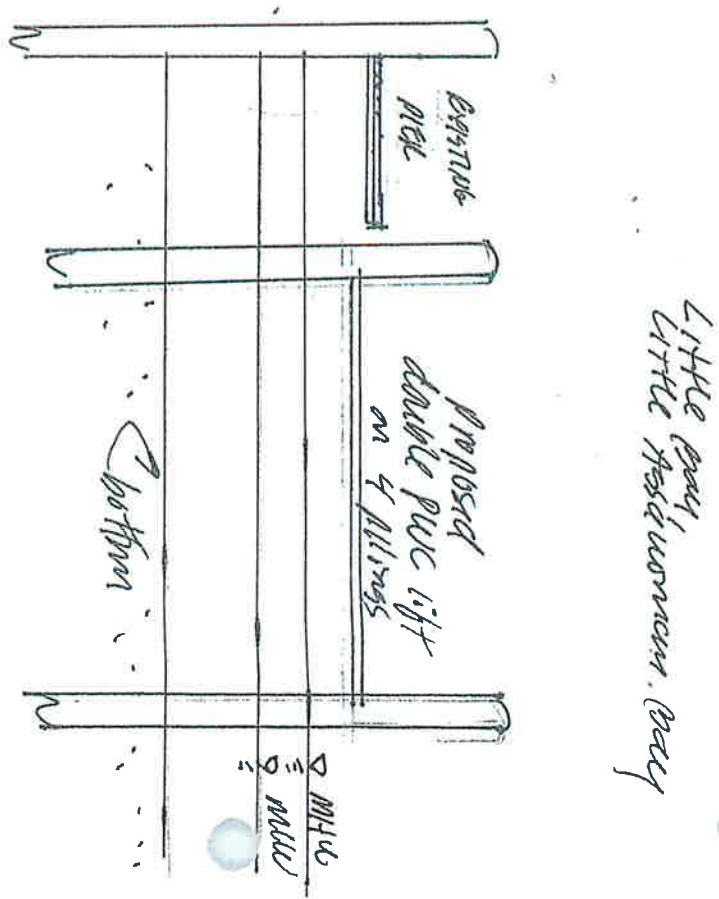
(A) PLAN VIEW SKETCH (1" = 10' ±)



W.S.L.S.
APPROVED PLANS
 PERMIT # SU-426/14
 DATE 2/11/14 D6
 (SEE PERMIT CONDITIONS)

SUPPLEMENTAL APPROVAL OF SL-175/14:
INSTALLATION OF DOUBLE PVC LIFT
 IN: Little Bay (embayment of Little Assawoman Bay)
 AT: 39664 Baltimore Street, Bay View Park
 South Bethany, Sussex County, DE 19930
 Tax Map Parcel #1-34-20.11-41.01
 APPLICANT: Nicole and Frank Balcavage
 DATE: December 5, 2014

(B) CROSS-SECTION SKETCH (1" = 4' ±)



DEC 16 2014

Figure 8 . Plan view and cross-section sketches of proposed project. Sketches for permit application purposes only.



**DEPARTMENT OF NATURAL RESOURCES
AND
ENVIRONMENTAL CONTROL**

NOTICE OF AUTHORIZATION

Permit/Lease No. and Description: SU-426/14 TO CONDUCT THE FOLLOWING ACTIVITIES IN THE LITTLE ASSAWOMAN BAY AT 39664 BALTIMORE STREET, BETHANY BEACH, SUSSEX COUNTY, DELAWARE:

New Structures:

- Install four (4) pilings for a PWC lift
- Install one (1) double PWC lift
 - 10' wide by 10' long

Issued to: Frank Balcavage

Location of Work: Same as above

Date of Construction Expiration: 03/04/2018

J. Leath Fyginale

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

Wetlands & Subaqueous Lands Section

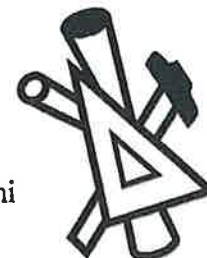


STATE OF DELAWARE
 DEPARTMENT OF NATURAL RESOURCES &
 ENVIRONMENTAL CONTROL
 DIVISION OF WATER
 89 KINGS HIGHWAY
 DOVER, DELAWARE 19901

WETLANDS & SUBAQUEOUS
 LANDS SECTION

TELEPHONE (302) 739-9943
 FACSIMILE (302) 739-6304

**SUBAQUEOUS LEASE SUPPLEMENTAL
 CONTRACTOR'S COMPLETION REPORT
 POST-CONSTRUCTION**



Subaqueous Lands Lease Supplemental No.:
 SU-426/14
Name: Frank Balcavage

Scientist: Dominic Graziani

Project Description: Activities outlined on Page 1 of SU-426/14

I hereby certify that I have constructed the project authorized by the above-referenced Permit/Lease in accordance with the approved plans for the project.

Printed Name of Contractor

Name of Company

Contractor's Signature

Date

Daytime Telephone Number

Upon completion of construction, this form shall be completed, signed by the contractor, and mailed to the Wetlands and Subaqueous Lands Section at:

**DNREC
 Wetlands and Subaqueous Lands Section
 89 Kings Highway
 Dover, Delaware 19901**

Or faxed to the Wetlands and Subaqueous Lands Section at: 302-739-6304

This form must be received by the Department within ten days of the date that construction is completed. Once the form has been received, the Department will call the contractor's telephone number listed above to confirm receipt.

For official use only

Compliance inspection date _____ **Built in accordance with plans** Yes No **Scientist** _____

Delaware's good nature depends on you!



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

WETLANDS & SUBAQUEOUS
LANDS SECTION

TELEPHONE (302) 739-9943
FACSIMILE (302) 739-6304

Subaqueous Lands Lease No.: SL-175/14
Previous Subaqueous Lands Lease No: SU-287/06;
SL-298/05; SL-179/00
Date of Issuance: 8/12/2014
Amended Date:
Tax Parcel No.: 1-34-20.11-41.01

Frank P. Balcavage
5945 Paula Court
Coopersburg, PA 18036

**SUBAQUEOUS LANDS LEASE TRANSFER
GRANTED TO FRANK BALCAVAGE TO UTILIZE THE FOLLOWING STRUCTURES IN
LITTLE ASSAWOMAN BAY AT 39664 BALTIMORE STREET, BETHANY BEACH, SUSSEX
COUNTY, DELAWARE:**

- **Existing Structures:**
 - One (1) 4 foot wide by 25 foot long pier
 - One (1) 6 foot wide by 30 foot long dock
 - One (1) boatlift
 - Two (2) stand-alone pilings
- **Authorized Structures not constructed**
 - Two (2) 4 foot wide by 4 foot long finger piers
- **Existing Unauthorized Structures:**
 - One (1) 4 foot wide by 12 foot long cantilevered platform
 - Two (2) sets of water access steps
 - 3 feet wide by 3 feet long

Pursuant to the provisions of 7 Del. C. 7205, and the Department's Regulations Governing the Use of Subaqueous Lands, permission is hereby granted on this 12th day of August A.D. 2014, to utilize the above-referenced structures in accordance with the approved plans (2 sheets), as originally approved on September 14, 2006 and a letter requesting an official lease transfer dated May 20, 2014 and received by this Division on May 27, 2014.

WHEREAS, the State of Delaware is the owner of ungranted subaqueous lands lying beneath the waters of the Little Assawoman Bay; and

WHEREAS, Frank Balcavage, owner of certain adjoining lands to the Little Assawoman Bay has applied for an official Lease transfer;

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.

THIS Lease is issued subject to the following conditions:

SPECIAL CONDITIONS

- 1) **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.**
- 2) This Lease represents an official transfer of Subaqueous Lands Lease #SL-298/05 granted to Daniel and Cynthia Anastasi. All Special and General Conditions contained in this Lease shall be followed in concert with the Special and General Conditions set forth in Subaqueous Lands Lease No. SL-298/05.
- 3) **Some minor violations were detected during the review and processing of your Lease transfer. The approved dimensions of the structure authorized by the prior Lease are stated on Page 1 of this Lease. However, based upon our site inspection, the following structures deviate from the original approved plans:**
 - a) **One (1) unauthorized 4 foot wide by 12 foot long cantilevered platform was found attached to the existing 6 foot wide by 30 foot long dock.**
 - b) **Two (2) sets of unauthorized 3 foot wide by 3 foot long access stairs.**
 - c) **The authorized dimensions for the existing pier are 4 feet wide by 19 feet long, but the actual length of the pier is 4 feet wide by 25 feet long.**

Because of the minimal nature of these violations, the Department does not intend to take enforcement action. However, this Lease shall not be construed as authorizing the illegal portions of any structure. Should any additional modifications or additions to the existing structures be made without prior written authorization from this office, enforcement action may be taken at that time, including fines and/or a requirement that you remove the illegal structures from subaqueous lands. At the time of repair, replace, or modification a permit must be obtained and it may be required that the structure be brought into compliance with the approved plans.

- 4) This Lease shall be continued through January 25, 2026 or so long as the conditions attached to the Lease are adhered to, whichever is the shorter in time. Upon the expiration of this term, this Lease shall become null and void, unless prior thereto the lessee has 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.
- 5) The current area of structure over public subaqueous lands authorized by this Lease is 218 square feet represented by a 6 foot wide by 30 foot long dock, a 4 foot long by 9 foot wide pier and a boat lift with two stand-alone pilings authorized to be utilized channelward of the mean low water line. **The actual area of structure over public subaqueous lands, including all unauthorized structures listed on Page 1 of this Lease, is 308 square feet channelward of the mean low water line.**
- 6) The structures on/or adjacent to subaqueous lands shall be for the explicit purpose of water access and vessel berthing.
- 7) No portion of the structures authorized by this Lease shall exceed the dimensions for that structure identified on Page One of this Lease.
- 8) The structures shall be maintained in a manner so as not to impair water access to the adjoining property.

GENERAL CONDITIONS

1. The lessee shall at all times comply with all applicable laws and regulations of the Department of Natural Resources and Environmental Control.
2. The structures authorized herein shall be maintained in accordance with the Lease conditions, the final stamped and approved plans, and with the information provided in the Lease application.
3. The conditions contained herein shall be incorporated into any and all construction contracts associated with construction or maintenance of the structures authorized herein. The lessee and/or contractor are responsible to ensure that the workers executing maintenance have full knowledge of, and abide by, the terms and conditions of this Lease.
4. Representatives of the Department of Natural Resources and Environmental Control shall be allowed to access the property to inspect the leased structures, collect any samples or conduct any tests that are deemed necessary.
5. This Lease authorizes only the activities described herein. Modifications to the project may require a supplemental approval from this office prior to the initiation of construction. A determination of 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. Failure to contact the Department prior to executing changes to the project shall constitute reason for this Lease being revoked.
6. The structures shall be constructed and maintained so as not to violate the State of Delaware Department of Natural Resources and Environmental Control, "Surface Water Quality Standards" dated June 11, 2011.

7. All construction materials, waste or debris associated with above-water maintenance of the authorized structures shall be properly disposed of and contained at all times to prevent its entry into waters or wetlands.
8. Disturbance of subaqueous lands or wetlands adjacent to the authorized structures or activities is prohibited. Disturbance of subaqueous lands or wetlands in the path of construction activity shall be minimized. Any temporarily impacted subaqueous lands or wetlands shall be returned to pre-disturbance elevations and conditions.
9. The lessee and contractor shall employ measures to prevent spills of fuels, lubricants or other hazardous substances associated with the use or above water maintenance of the pier or dock. In the event of a spill, the lessee and contractor shall make every effort to stop the leak and contain the spill, and shall immediately contact the Hazardous Spill Response Team (HAZMAT) at 1-800-662-8802 and this office at (302) 739-9943. The lessee and contractor are responsible to comply with all directives to contain and clean up the spilled material(s) as stipulated by the HAZMAT team, and to restore the site as may be required by this office.
10. The lessee shall protect and save the State of Delaware harmless from any loss, cost or damage resulting from the structures or activities authorized herein.
11. The lessee shall maintain all authorized structures in a good and safe condition.
12. The issuance of this Lease does not constitute approval for the authorized structures that may be required by any other local, state or federal governmental agency.
13. 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.
14. This Lease does not authorize any repairs additions, or modifications to the existing structures authorized herein. Such activities require separate written authorization from the Department of Natural Resources and Environmental Control.
15. 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.
16. Application for renewal must be submitted prior to the expiration date of this Lease.
17. Any actions, operations or installations which are found by the Department to be contrary to the public interest may constitute reason for the discontinuance and/or removal of said action, operation or installation. Removal and restoration shall be at the expense of the lessee and/or upland property owner within thirty (30) days of receipt of written notice of revocation and demand for removal.
18. Failure to comply with any of the terms or conditions of this Lease may result in enforcement action, which could include the revocation of this Lease and subsequent restoration of the site to preconstruction conditions.

IN WITNESS WHEREOF, I, Frank Balcavage, have caused this instrument to be executed on this 2nd day of August, 2014.

By: [Signature]
Frank Balcavage (Lessee)



(Notary Seal)

By: [Signature]
Notary Public

^{David S. Small SR}
IN WITNESS WHEREOF, I, ~~Collin P. O'Mara~~, Secretary of the Department of Natural Resources and Environmental Control, have hereunto set my hand this 12th day of August, 2014.

[Signature]
^{David S. Small SR} Collin P. O'Mara, Secretary
Department of Natural Resources and Environmental Control

**SUPPLEMENT APPROVAL: SL-298/05:
ADDITION OF 4' X 4' PIER; 6' X 30' DOCK;
AND RELOCATION OF BOAT LIFT WITH
TWO (2) CHANNELWARD SUPPORT PILINGS**

IN: Little Bay (embayment of Little Assawoman Bay)
AT: Lot 26, Baltimore Street, Bay View Park
(Tax Map Parcel #1-34-20.11-41.01)
Bethany Beach, Sussex Co., DE 19930
APPLICANTS: Daniel and Cynthia Anastasi
DATE: August, 2006

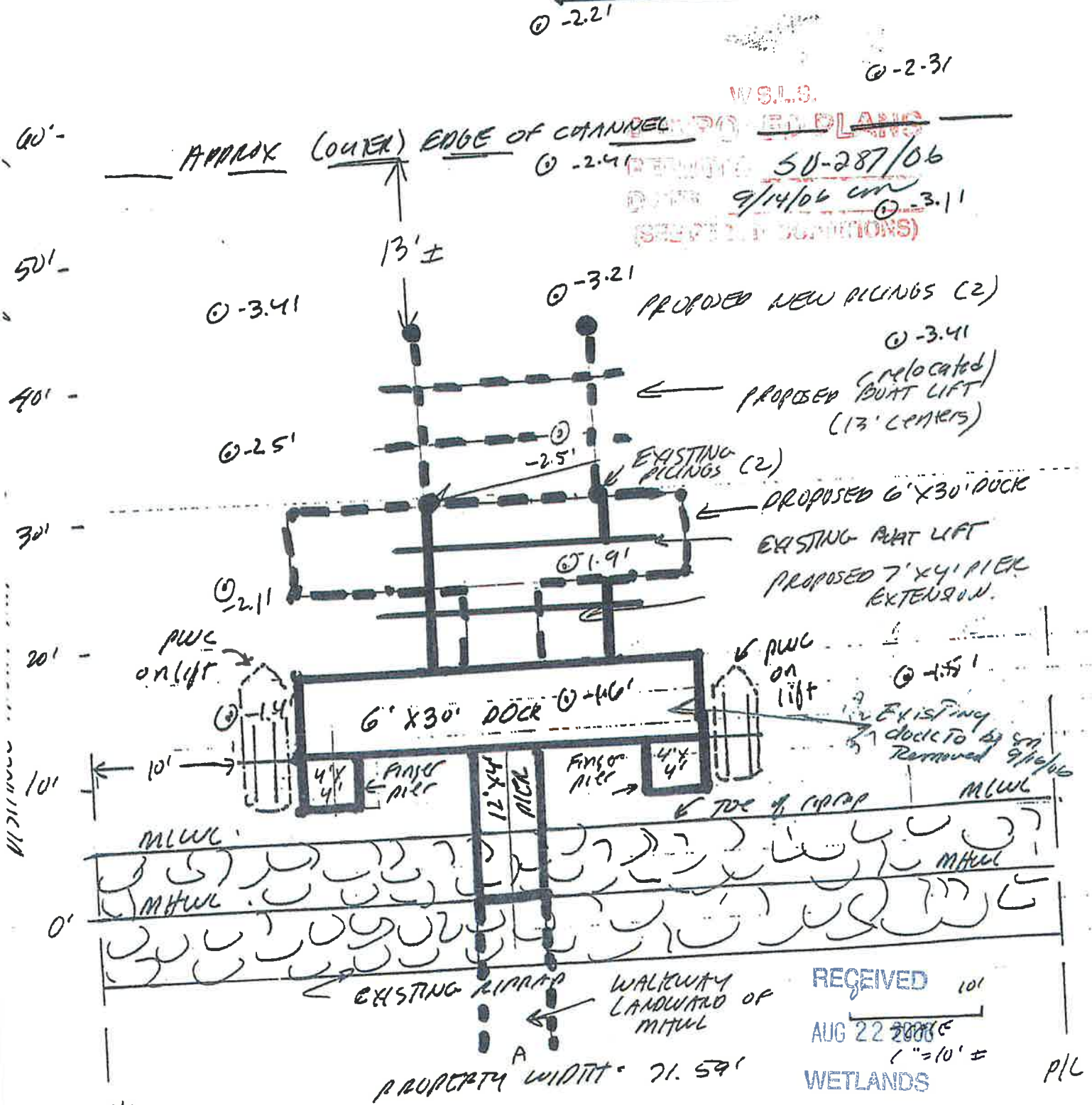


Figure 6. Plan view sketch showing existing (as built) structure (solid lines), and proposed structure (dashed lines). For permit application purposes only.

SUPPLEMENTAL APPROVAL: SL-298/05:
ADDITION OF 7' X 4' PIER; 6' X 30' DOCK;
AND RELOCATION OF BOAT LIFT WITH
TWO (2) CHANNELWARD SUPPORT PILING
 IN: Little Bay (embayment of Little Assawoman Bay)
 AT: Lot 26, Baltimore Street, Bay View Park
 (Tax Map Parcel #1-34-20.11-41.01)
 Bethany Beach, Sussex Co., DE 19930
 APPLICANTS: Daniel and Cynthia Anastasi
 DATE: August, 2006

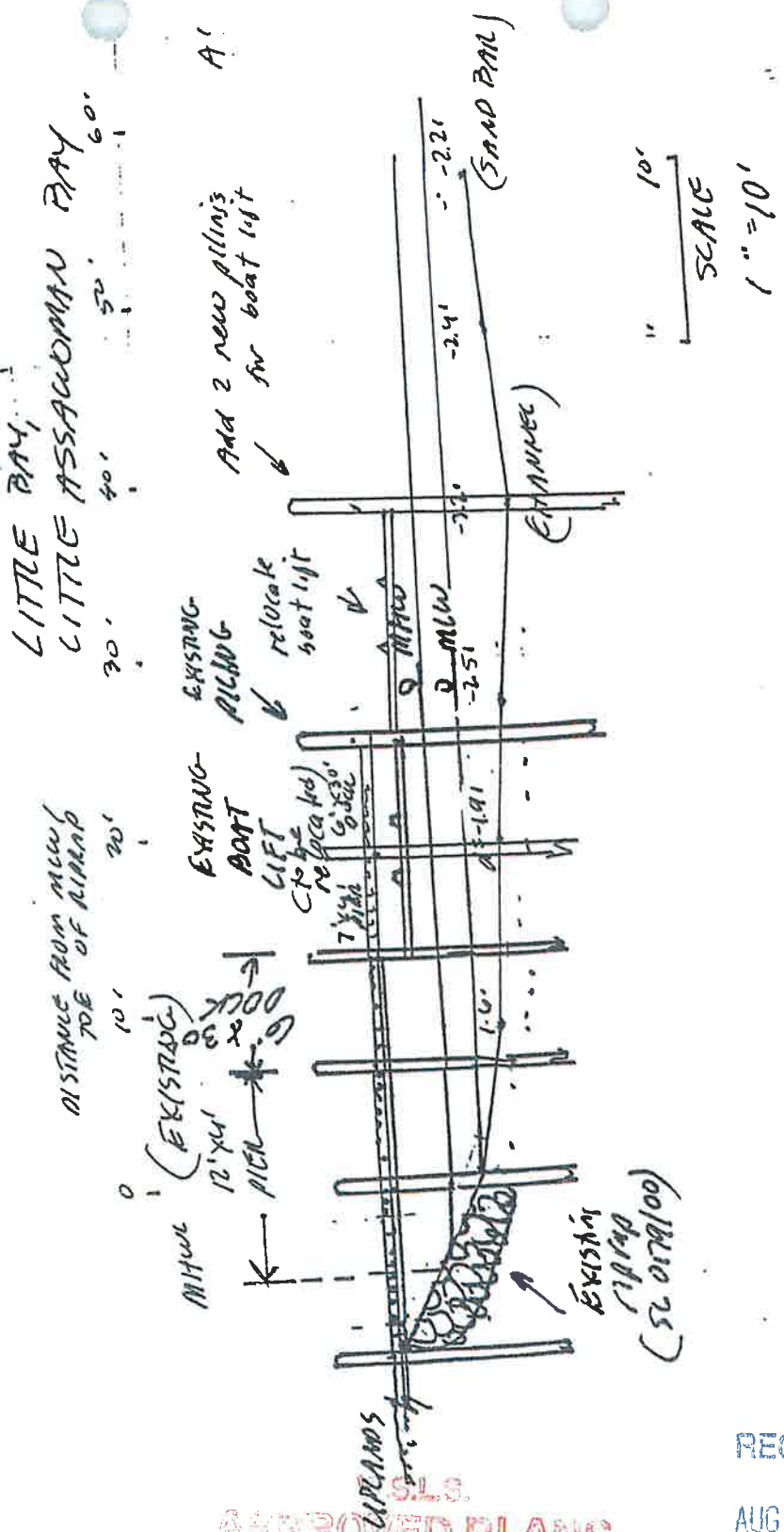


Figure 7. Cross-section sketch of proposed project. Sketch for permit application purposes only.

APPROVED PLANS
 DATE: 9/14/06
 (STEP 2 APPROVALS)

RECEIVED
 AUG 22 2006
 WETLANDS



WETLANDS & SUBAQUEOUS
LANDS SECTION

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

TELEPHONE (302) 739-9943
FACSIMILE (302) 739-6304

Supplemental Lease Approval No.: SU-287/06

Subaqueous Lands Lease No.: SL-298/05

Date of Issuance: 11/2/06

Tax Parcel: i-34-20.11-41.01

SUPPLEMENTAL APPROVAL

GRANTED TO DANIEL AND CYNTHIA ANASTASI TO MAINTAIN 75 LINEAR FEET OF ROCK REVETMENT, TO REMOVE AN EXISTING 5 FOOT WIDE BY 25 FOOT LONG DOCK, MAINTAIN A PIER 4 FEET WIDE BY 12 FEET LONG, REMOVE A DOCK 6 FEET WIDE BY 30 FEET LONG, TWO 4 FOOT BY 4 FOOT FINGER PIERS WITH PERSONAL WATER CRAFT LIFTS AND TWO MOORING PILING FOR A BOAT LIFT, AND CONSTRUCT A PIER EXTENSION OF 4 FEET WIDE BY 7 FEET LONG, RELOCATE AND RECONSTRUCT THE 6 FOOT WIDE BY 30 FOOT LONG DOCK WITH 2 FINGER PIERS 4 FEET WIDE BY 4 FEET WIDE AND 2 PERSONAL WATER CRAFT LIFTS AND 2 PILING FOR A BOAT LIFT, IN THE LITTLE ASSAWOMAN BAY AT LOT 26 BALTIMORE AVENUE, BAYVIEW PARK, SOUTH BETHANY BEACH, SUSSEX COUNTY, DELAWARE

Daniel and Cynthia Anastasi
4108 Everett Street
Kennington, MD 20895

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 2nd day of November A. D. 2006, to amend an existing lease to maintain the above-referenced project in accordance with the approved plans for this lease (2 Sheets), as approved on 9/14/06, and received by this Division on 8/22/06.

THE above referenced Subaqueous Lands Lease shall be amended subject to the terms and conditions herein set forth.

1. This Supplemental Approval is an addendum to Subaqueous Lands Lease No. SL-298/05 granted to Daniel and Cynthia Anastasi by the State of Delaware on 1/25/05. This supplemental approval shall be attached thereto and made a part hereof.

Delaware's good nature depends on you!


SU-287/06

2. This approval is in accordance with the plans submitted on 8/22/06 and approved on 9/14/06 by the Department of Natural Resources and Environmental Control, copies of which are attached hereto and made a part hereof.

3. Any structures that may be found to be a navigation or safety hazard could be cause for removal of those structures at the lessee's expense.

4. All other terms and conditions of Subaqueous Lands Lease No. SL-298/05 remain in full force and effect.

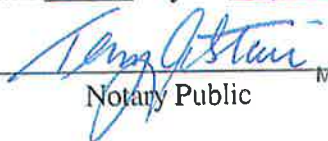
IN WITNESS WHEREOF we, Daniel and Cynthia Anastasi, the lessees, have caused this instrument to be executed on this 30th day of OCTOBER, 2006.

By: 
Daniel Anastasi (Lessee)

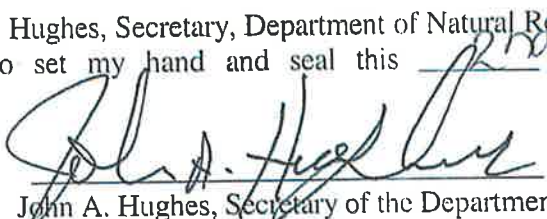
By: 
Cynthia Anastasi (Lessee)

SWORN and subscribed before me on
this 30th day on October, 2006.

(SEAL)


Notary Public My Commission Expires
October 3, 2007

IN WITNESS WHEREOF, I, John A. Hughes, Secretary, Department of Natural Resources and Environmental Control, have hereunto set my hand and seal this 2nd day of November, 2006.

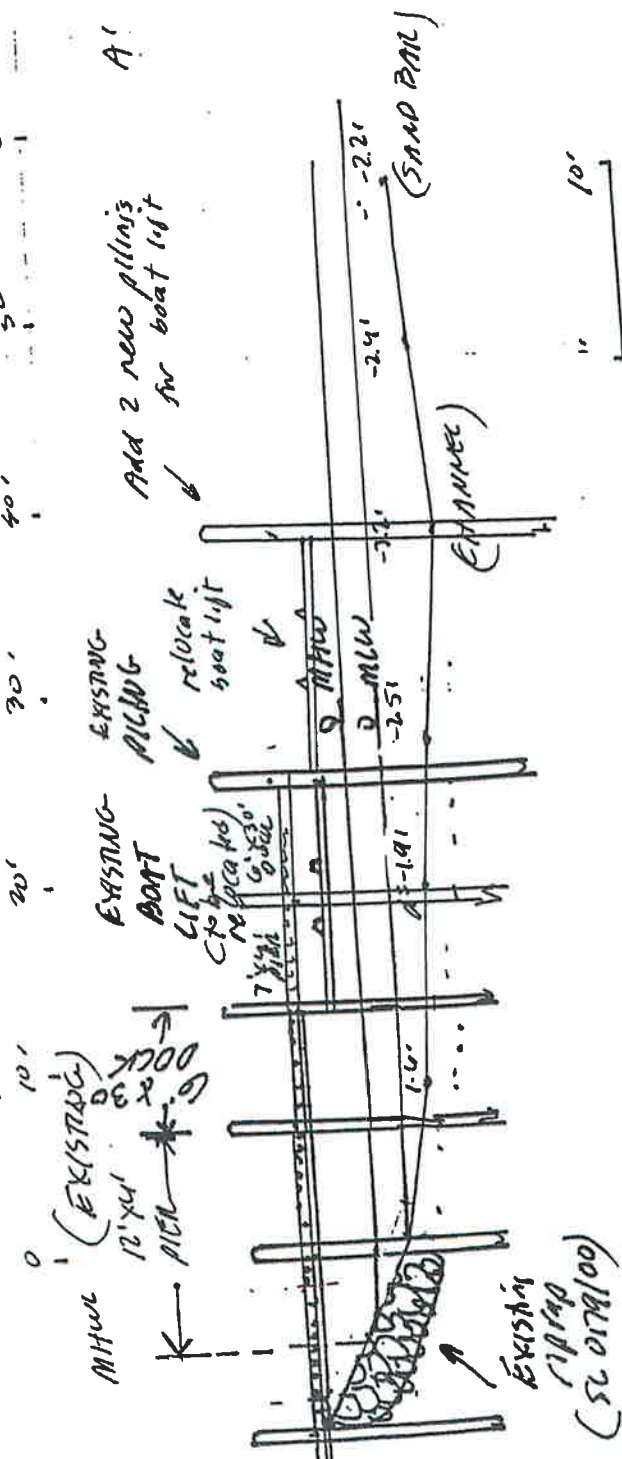

John A. Hughes, Secretary of the Department
of Natural Resources and Environmental Control

**SUPPLEMENTAL APPROVAL: SL-298/05:
 ADDITION OF 7' X 4' PIER; 6' X 30' DOCK;
 AND RELOCATION OF BOAT LIFT WITH
 TWO (2) CHANNELWARD SUPPORT PILING**

IN: Little Bay (embayment of Little Assawoman Bay)
AT: Lot 26, Baltimore Street, Bay View Park
 (Tax Map Parcel #1-34-20.11-41.01)
APPLICANTS: Daniel and Cynthia Anastasi
DATE: August, 2006

LITTLE BAY
 LITTLE ASSAWOMAN BAY

DISTANCE FROM MHW TOE OF RIPRAP



WETLANDS
 S.L.S.
APPROVED PLANS
 PERMIT: SU-287/06
 DATE: 9/14/06 cm
 (SEE PERMITS CONDITIONS)

RECEIVED
 AUG 22 2006
 WETLANDS

Figure 7. Cross-section sketch of proposed project. Sketch for permit application purposes only.



**DEPARTMENT OF NATURAL RESOURCES
AND
ENVIRONMENTAL CONTROL**

NOTICE OF AUTHORIZATION

Permit/Lease No. and Description: SU-287/06 To maintain 75 linear feet of rock revetment, to remove an existing 5 foot wide by 25 foot long dock, maintain a pier 4 feet wide by 12 feet long, remove a dock 6 feet wide by 30 feet long, two 4 foot by 4 foot finger piers with personal water craft lifts and two mooring piling for a boat lift, and construct a pier extension of 4 feet wide by 7 feet long, relocate and reconstruct the 6 foot wide by 30 foot long dock with 2 finger piers 4 feet wide by 4 feet wide and 2 personal water craft lifts and 2 piling for a boat lift, in the Little Assawoman Bay at Lot 26 Baltimore Avenue, Bayview Park, South Bethany Beach, Sussex County, Delaware

Issued to: Daniel and Cynthia Anastasi

Location of Work: Same as above

Date of Expiration: 11/ 02 /2009

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

**Laura M. Herr, Program Manager
Wetlands & Subaqueous Lands Section**

56410



03380 192

WETLANDS & SUBAQUEOUS
LANDS SECTION

Prep by:

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &
ENVIRONMENTAL CONTROL

TELEPHONE (302) 739-9943
FACSIMILE (302) 739-6304

DIVISION OF WATER RESOURCES

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Supplemental Lease Approval No.: SU-287/06

Subaqueous Lands Lease No.: SL-298/05

Date of Issuance: 11/2/06

Tax Parcel: 1-34-20.11-41.01

SUPPLEMENTAL APPROVAL

GRANTED TO DANIEL AND CYNTHIA ANASTASI TO MAINTAIN 75 LINEAR FEET OF ROCK REVETMENT, TO REMOVE AN EXISTING 5 FOOT WIDE BY 25 FOOT LONG DOCK, MAINTAIN A PIER 4 FEET WIDE BY 12 FEET LONG, REMOVE A DOCK 6 FEET WIDE BY 30 FEET LONG, TWO 4 FOOT BY 4 FOOT FINGER PIERS WITH PERSONAL WATER CRAFT LIFTS AND TWO MOORING PILING FOR A BOAT LIFT, AND CONSTRUCT A PIER EXTENSION OF 4 FEET WIDE BY 7 FEET LONG, RELOCATE AND RECONSTRUCT THE 6 FOOT WIDE BY 30 FOOT LONG DOCK WITH 2 FINGER PIERS 4 FEET WIDE BY 4 FEET WIDE AND 2 PERSONAL WATER CRAFT LIFTS AND 2 PILING FOR A BOAT LIFT, IN THE LITTLE ASSAWOMAN BAY AT LOT 26 BALTIMORE AVENUE, BAYVIEW PARK, SOUTH BETHANY BEACH, SUSSEX COUNTY, DELAWARE

Ret to:

Daniel and Cynthia Anastasi
4108 Everett Street
Kennington, MD 20895

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 2nd day of November A. D. 2006, to amend an existing lease to maintain the above-referenced project in accordance with the approved plans for this lease (2 Sheets), as approved on 9/14/06, and received by this Division on 8/22/06.

THE above referenced Subaqueous Lands Lease shall be amended subject to the terms and conditions herein set forth.

1. This Supplemental Approval is an addendum to Subaqueous Lands Lease No. SL-298/05 granted to Daniel and Cynthia Anastasi by the State of Delaware on 1/25/05. This supplemental approval shall be attached thereto and made a part hereof.

Delaware's good nature depends on you!

SU-287/06

2. This approval is in accordance with the plans submitted on 8/22/06 and approved on 9/14/06 by the Department of Natural Resources and Environmental Control, copies of which are attached hereto and made a part hereof.

3. Any structures that may be found to be a navigation or safety hazard could be cause for removal of those structures at the lessee's expense.

4. All other terms and conditions of Subaqueous Lands Lease No. SL-298/05 remain in full force and effect.

IN WITNESS WHEREOF we, Daniel and Cynthia Anastasi, the lessees, have caused this instrument to be executed on this 30th day of OCTOBER, 2006.

By: [Signature]
Daniel Anastasi (Lessee)

By: [Signature]
Cynthia Anastasi (Lessee)

SWORN and subscribed before me on this 30th day on October, 2006.

(SEAL)

[Signature]
Notary Public My Commission Expires
October 3, 2007

IN WITNESS WHEREOF, I, John A. Hughes, Secretary, Department of Natural Resources and Environmental Control, have hereunto set my hand and seal this 2nd day of November, 2006.

[Signature]
John A. Hughes, Secretary of the Department
of Natural Resources and Environmental Control

RECORDER OF DEEDS
JOHN F. BRADY

06 NOV -6 AM 8:30

SUSSEX COUNTY
DOC. SURCHARGE PAID

OFFICIAL RECEIPT
DATE: 11/06/2006

RECEIPT NUMBER: 328730

PAGE 1 OF 1
TIME: 08:41A

Sussex County, DE
OFFICE OF THE Recorder of Deeds

ISSUED TO: DANIEL P ANASTASI

INST_NO	DESCRIPTION	REC FEE BOOK PAGE	TRAN TAX	DOC FEE	MISC FEE	TOTAL
000056410	LEASE ANASTASI	19.00 03380 00192	0.00	6.00	0.00	25.00
		19.00	0.00	6.00	0.00	25.00
	CHARGE :	0.00				
	CHECK (1) :	25.00				
	1 :	25.00				
	CASH :	0.00				
	CHANGE :	0.00				

THANK YOU! John F. Brady
Recorder of Deeds