

April 6, 2026

ERI Project No. 0004-0584

Mr. Matthew Jones, Program Manager
Department of Natural Resources & Environmental Control
Wetlands & Waterways Section
89 Kings Highway
Dover, Delaware 19901-7305

RE: Boat Docking Facility As Built Supplemental Authorization and Addition of Boat Lift and Twin PWC Lift
Tax Map Parcel: 334-13.16-19.00, Subaqueous Lands Permit SP-425/20 (T1)
Lewes & Rehoboth Hundred, Sussex County, Delaware
Applicant/Owner: Lomas Properties LLC. (Attn. Mr. Dale Lomas)

Dear Mr. Jones,

Environmental Resource Insights (ERI) has been retained by Lomas Properties LLC. (Attn. Mr. Dale Lomas) to act as his agent regarding a supplemental approval for Mr. Lomas' current Subaqueous Lands Permit (SP-425/20 (T1)).

Two matters that concern the Wetlands and Waterways Section (WWS) are addressed by this application. The first matter is to resolve the size of the docking facility as constructed because it is somewhat larger than authorized by the current Subaqueous Lands Permit. Secondly, the personal watercraft (PWC) lifts and kayak dock as previously approved cannot be constructed due to insufficient water depth and alternative measures are now proposed.

In conversation with Ms. Rebecca Bobola of your office, I advised the WWS that the docking facility was also inadvertently constructed without the benefit of a Department of the Army Permit and Real Estate License and the explanation of that situation follows.

The property was previously owned by Mr. John Carbone. Mr. Carbone hired Coastal & Estuarine Research Inc. (Dr. Evelyn Mulmeyer) as his agent and expert to assist with the filing of state and federal applications to construct a 100 foot long vinyl sheet pile retaining wall along the easterly shoreline of the Lewes Rehoboth Canal. A short access pier from the retaining wall connecting to a $\pm$ 50 foot long dock in an offset "T" configuration was also proposed. Two personal watercraft (PWC) lifts and a 6 foot wide by 12 foot long floating kayak dock were to be located at the main dock. Land behind the retaining wall was to be backfilled to extend an open grass area with scattered trees to the top of the retaining wall. Dr. Mulmeyer provided me with a copy of the DOA Individual Permit she reportedly filed with the Philadelphia District Regulatory Branch dated August 22, 2020. She also filed a Subaqueous Lands permit application with the Wetlands and Waterways Section (WWS) and a Federal Consistency Determination with the Delaware Coastal Management Program (DCMP) at the same time. Dr. Mulmeyer is now retired and her firm no longer exists. She did tell me that a request for a Corps of Engineers Real Estate License was filed as well. All of these applications were submitted during the time of the Covid epidemic and she believes that as a result, the federal applications were lost or for that reason, never acted on.

The DNREC WWS issued a Subaqueous Lands Permit for the retaining wall and dock to Mr. Carbone on December 17, 2021 (SP-425/20) and the DCMP issued a Federal Consistency Determination on February

23, 2021 (FC 2021.0014).

Mr. Carbone sold the property to Mr. Lomas on January 25, 2024 with the advice that approvals for the retaining wall and dock were in hand. Subsequently, Mr. Lomas took the steps to transfer the DNREC Subaqueous Lands Permit into his name (SP-425/20(T1)) issued December 17, 2024. He later retained an out-of-state marine contractor to install the dock and retaining wall in accordance with the DNREC WWS permit. Mr. Lomas was unaware that a DOA Individual Permit and Real Estate License were required.

Mr. Lomas began construction of a single family home on his property subsequent to the retaining wall and dock construction. He had a plan to remove a damaged red maple tree which was on government property between his lot and the newly installed retaining wall. He was informed by representatives of the Henlopen Acres that any tree removal required coordination with the Corps of Engineers. He then contacted the Philadelphia District Field Office in Dover, Delaware. As a result, the District became aware that the retaining wall and dock construction occurred without federal authorizations being issued. After a discussion with the District's Compliance Section (Mr. Michael Reilly), Mr. Lomas retained ERI to act as his agent responsible for filing for an after-the-fact DOA Individual Permit and Real Estate License in order to properly authorize both completed and proposed work. ERI has recently filed a DOA Individual Permit Application with the Regulatory Branch, Philadelphia District and that application is currently under review.

The existing retaining wall, which measures 100 feet long fronting the Lewes Rehoboth Canal with a 10 foot easterly return at the southern portion of the retaining wall and ties into the existing retaining wall at the northern portion was constructed landward of the mean high water line as delineated by the WWS when Mr. Carbone owned the property, so the existing retaining wall location is consistent with the current permit.

The existing boat docking facility subject to the Corps after-the-fact permit authorization and this WWS supplemental permit request consists of a 4.8 foot wide by 11.5 foot long pier extending channelward from the existing retaining wall and a 6.0 foot wide by 52.3 foot long dock. These structures were constructed using typical marine practices and marine grade pilings, timber and hardware. The applicant also proposes to install an 8 foot wide by 14 foot long "Neptune" side mount boat lift at the north end of the existing dock and a 10 foot wide by 12 foot long "Neptune" twin PWC dock mounted lift platform at the south end of the existing dock. These new structures will not encroach into the 10 foot federal navigational channel buffer.

Upon your review of this supplemental approval request, please let me know if you or your staff need any additional information. On behalf of the applicant, Lomas Properties, LLC., I would like to thank you in advance for your attention regarding this matter.

Sincerely,

ENVIRONMENTAL RESOURCE INSIGHTS

Edward M. Launay
Senior Professional Wetland Scientist No. 875
Corps of Engineers, Certified Wetland Delineator WDCP93MD0510036B

Cc: Lomas Properties, LLC. – Attn. Mr. Dale Lomas

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: Lomas Properties LLC Telephone #: 302-542-0022
 Mailing Address: 107 Martin Lane Fax #: _____
Rehoboth Beach, DE 19971 E-mail: dalelomas@live.com
 Attn: Dale Lomas
2. Consultant's Name: Edward M. Launay Company Name: Envionmental 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):

Authorize an as built dimension of a 4.8' wide by 11.5' long pier and 6' wide by 52.3' long dock in a "T" configuration and install an 8' wide by 14' long "Neptune" side mounted boat lift and 10' wide by 12' long dock mounted "Neptune" twin PWC platform on the west side of the dock. See attached sheet.

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

☒	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: 99 Tidewaters County: ☐ N.C. ☐ Kent ☒ Sussex
Rehoboth Beach, DE 19971 Site owner name (if different from applicant): _____
 Address of site owner: _____

8. Driving Directions: Property is on the west side of Tidewaters, 120 feet north of the intersection with Pine Branch Road in Henlopen Acres.

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

9. Tax Parcel ID Number: 334-13.16-19.00 Subdivision Name: Henlopen Acres

WSLS Use Only:		Permit #s: _____		_____		_____		_____	
Type	SP ☐	SL ☐	SU ☐	WE ☐	WQ ☐	LA ☐	SA ☐	MP ☐	WA ☐
Corps Permit: SPGP 18 ☐ 20 ☐		Nationwide Permit #:		_____		Individual Permit #		_____	
Received Date:		Project Scientist:		_____		_____		_____	
Fee Received? Yes ☐ No ☐		Amt: \$		_____		Receipt #:		_____	
Public Notice #:		Public Notice Dates:		ON _____		OFF _____		_____	

Section 2, Item 5, Project Description

Environmental Resource Insights (ERI) has been retained by Lomas Properties LLC. (Attn. Mr. Dale Lomas) to act as his agent regarding a supplemental approval for Mr. Lomas' current Subaqueous Lands Permit (SP-425/20 (T1)). The project location is Lands of the United States of America to the rear of tax map parcel 334-13.16-19.00, Lewes Rehoboth Hundred, Sussex County, Delaware.

Two matters that concern the Wetlands and Waterways Section (WWS) are addressed by this application. The first matter is to resolve the size of the docking facility as constructed because it is somewhat larger than authorized by the current Subaqueous Lands Permit. Secondly, the personal watercraft (PWC) lifts and kayak dock as previously approved cannot be feasibly constructed due to insufficient water depth and alternative measures to allow for these uses are now proposed.

The property was previously owned by Mr. John Carbone. Mr. Carbone hired Coastal & Estuarine Research Inc. (Dr. Evelyn Mulmeyer) as his agent and expert to assist with the filing of state and federal applications to construct a 100 foot long vinyl sheet pile retaining wall along the easterly shoreline of the Lewes Rehoboth Canal. A short access pier from the retaining wall connecting to a $\pm$ 50 foot long dock in an offset "T" configuration was also proposed. Two personal watercraft (PWC) lifts and a 6 foot wide by 12 foot long floating kayak dock were to be located at the main dock. Land behind the retaining wall was to be backfilled to extend an open grass area with scattered trees to the top of the retaining wall. Dr. Mulmeyer provided me with a copy of the DOA Individual Permit she reportedly filed with the Philadelphia District Regulatory Branch dated August 22, 2020. She also filed a Subaqueous Lands permit application with the Wetlands and Waterways Section (WWS) and a Federal Consistency Determination with the Delaware Coastal Management Program (DCMP) at the same time. Dr. Mulmeyer is now retired and her firm no longer exists. She did tell me that a request for a Corps of Engineers Real Estate License was filed as well. All of these applications were submitted during the time of the Covid epidemic and she believes that as a result, the federal applications were lost or for that reason, never acted on. Therefore, the existing docking facility was constructed without a Corps of Engineers Department of the Army Permit or Real Estate License. Applications for these federal approvals were submitted on April 6, 2026.

The DNREC WWS issued a Subaqueous Lands Permit for the retaining wall and dock to Mr. Carbone on December 17, 2021 (SP-425/20) and the DCMP issued a Federal Consistency Determination on February 23, 2021 (FC 2021.0014).

Mr. Carbone sold the property to Mr. Lomas on January 25, 2024 with the advice that approvals for the retaining wall and dock were in hand. Subsequently, Mr. Lomas took the steps to transfer the DNREC Subaqueous Lands Permit into his name (SP-425/20(T1)) issued December 17, 2024. He later retained an out-of-state marine contractor to install the dock and retaining wall in accordance with the DNREC WWS permit. Mr. Lomas was unaware that a DOA Individual Permit and Real Estate License were required.

Mr. Lomas began construction of a single family home on his property subsequent to the retaining wall and dock construction. He had a plan to remove a damaged red maple tree which

was on government property between his lot and the newly installed retaining wall. He was informed by representatives of the Henlopen Acres that any tree removal required coordination with the Corps of Engineers. He then contacted the Philadelphia District Field Office in Dover, Delaware. As a result, the District became aware that the retaining wall and dock construction occurred without federal authorizations being issued. After a discussion with the District's Compliance Section (Mr. Michael Reilly), Mr. Lomas retained ERI to act as his agent responsible for filing for an after-the-fact DOA Individual Permit and Real Estate License in order to properly authorize both completed and proposed work. ERI has recently filed a DOA Individual Permit Application with the Regulatory Branch, Philadelphia District and that application is currently under review.

The existing retaining wall, which measures 100 feet long fronting the Lewes Rehoboth Canal with a 10 foot easterly return at the southern portion of the retaining wall and ties into the existing retaining wall at the northern portion was constructed landward of the mean high water line as delineated by the WWS when Mr. Carbone owned the property, so the existing retaining wall location is consistent with the current permit.

The existing boat docking facility subject to the Corps after-the-fact permit authorization and this WWS supplemental permit request consists of a 4.8 foot wide by 11.5 foot long pier extending channelward from the existing retaining wall and a 6.0 foot wide by 52.3 foot long dock. These structures were constructed using typical marine practices and marine grade pilings, timber and hardware. The as built dock and pier are somewhat larger than what was approved under SP-425/20 (T1) and this application seeks to retain the current dock and pier as it now exists.

The applicant also proposes to install an 8 foot wide by 14 foot long "Neptune" side mount boat lift at the north end of the existing dock and a 10 foot wide by 12 foot long "Neptune" twin PWC dock mounted lift platform at the south end of the existing dock. These new lift structures will be at least 10 feet landward of the 10 foot federal navigational channel buffer.

Section 3: Project Location (Continued)

10. Name of waterbody at Project Location: Lewes Rehoboth Canal waterbody is a tributary to: Rehoboth Bay

11. Is the waterbody: ☒ Tidal ☐ Non-tidal Waterbody width at mean low or ordinary high water 135'

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:

United States of America (Baltimore District ACOE Real Estate Division)

(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):

United States of America - PO Box 2000 Georgetown, DE 19947

Tidewaters Holdings LLC - 101 Grafton Street Chevy Chase, MD 20815

Carrie E. Lingo & Michael Pudgett - 97 Tidewaters, Rehoboth Beach, DE 19971

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:

Rebecca Bobola - DNREC

Michael Reilly - ACOE

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):

SP-425/20

SP-425/20(T1)

*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: March 2026

Type of Permit: Individual DOA 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, Lomas Properties LLC

(Name of Applicant)

, hereby designate and authorize Environmental Resource Insights - Edward Launay

(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

Mailing Address: 1 Park Ave. Milford, DE 19963

Telephone #: 302-424-1441

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

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.

Dale Lomas
Applicant's Signature

3/23/2026
Date

Dale Lomas

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.)

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.	
Pier	3	4.8	11.5	0	0	Maintain
Dock	14	6.0	52.3	6.0	52.3	Maintain
Boat Lift		8.0	14.0	8.0	14.0	New
Twin PWC Lift		10.0	12.0	10.0	12.0	New
Freestanding Pilings	Number					

Mooring Buoy: How many moorings will be installed? _____

What will be used for the anchor(s)? _____

Anchor/Mooring Block Weight _____

Anchor Line Scope (Length or Ratio) _____

Water Depth at Mooring Location _____

3. Approximately how wide is the waterway at this project site? 135 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 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? 20 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 _____

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.

Real Estate Lease request from Baltimore District ACOE Real Estate Division

14. What is the width of the waterfront property frontage adjacent to subaqueous lands? 100 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.



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

WETLANDS &
WATERWAYS
SECTION

DIVISION OF WATER
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

PHONE
(302) 739-9943

Lomas Properties, LLC
c/o: Dale Lomas
107 Martin Lane
Rehoboth Beach, DE 19971
Tax Parcel No: 3-34-13.16-19.00

Transferred Permit: SP-425/20 (T1)
Authorization Date: *12/17/2024*
Original Permit Issuance: December 17, 2021
Original Construction Expiration Date: December 17, 2024
New Construction Expiration Date: December 17, 2025

AUTHORIZATION OF PERMIT TRANSFER

GRANTED TO:

**Lomas Properties, LLC
107 Martin Lane
Rehoboth Beach, DE 19971**

TO UTILIZE AND MAINTAIN:

**A 4 feet wide by 12 feet long pier,
A 5 feet wide by 50 feet long dock,
Two (2) PWC lifts,
A 6 feet wide by 12 feet long kayak dock,**

ORIGINALLY ISSUED TO:

John Carbone

LOCATED:

**In the Lewes and Rehoboth Canal,
at 99 Tidewater Road,
Town of Henlopen Acres,
Henlopen Acres, Sussex County Delaware**

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 17th day of December A.D. 2024 to transfer the above-referenced permit between the parties listed above.

WHEREAS, the State of Delaware is the owner of ungranted subaqueous lands lying beneath the waters of the Lewes and Rehoboth Canal; and

WHEREAS, on December 17, 2021, the State of Delaware issued a Subaqueous Lands Permit (SP-425/20) to John Carbone; and

WHEREAS, on January 25, 2024, Lomas Properties, LLC purchased the associated riparian property (Parcel 3-34-13.16-19.00).

NOW THEREFORE, based on the above-presented information,

THE above-referenced Subaqueous Lands Permit is hereby transferred to **Lomas Properties, LLC** subject to the conditions herein set forth:

1. This Permit Transfer is transference of the original Subaqueous Lands Permit (SP-425/20) granted to John Carbone. This authorization shall be attached thereto and made part thereof;
2. This Permit Transfer authorizes the construction, continued use, and maintenance of the structures authorized in the original permit (SP-425/20) as identified on Page One. Any deviations from the previously-approved configuration are the responsibility of the current permit holder;
3. All terms and conditions of the original Subaqueous Lands Permit (SP-425/20) remain intact and are conveyed with this Permit Transfer;
4. The Department grants an extension of time to complete the activity authorized by Subaqueous Lands Permit SP-425/20 (T1). The revised Construction Expiration Date is December 17, 2025. All other terms and conditions of your Subaqueous Lands Permit remain unchanged. If the work cannot be accomplished before the above expiration date, please contact the Wetlands and Waterways Section to discuss further permitting requirements.

IN WITNESS WHEREOF, I, Matthew R. Jones, the duly authorized representative of Shawn M. Garvin, Secretary of the Department of Natural Resources and Environmental Control, have hereunto set my hand this 17th day of December, 2024.

Matthew Jones

By Matthew R. Jones, Section Manager
Division of Water, Wetlands and Waterways Section

Julie R. Molina

Julie R. Molina, Environmental Scientist
Wetlands and Waterways Section

SP-425_20(T1)

Final Audit Report

2024-12-18

Created:	2024-12-18
By:	Julie Molina (Julie.Molina@delaware.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAACffhWoZWGuX3UTPB26QRf_31uSVKMOBh

"SP-425_20(T1)" History

-  Document created by Julie Molina (Julie.Molina@delaware.gov)
2024-12-18 - 2:03:14 PM GMT
-  Document emailed to Matthew Jones (Matthew.Jones@delaware.gov) for signature
2024-12-18 - 2:03:50 PM GMT
-  Email viewed by Matthew Jones (Matthew.Jones@delaware.gov)
2024-12-18 - 2:18:11 PM GMT
-  Document e-signed by Matthew Jones (Matthew.Jones@delaware.gov)
Signature Date: 2024-12-18 - 2:18:28 PM GMT - Time Source: server
-  Agreement completed.
2024-12-18 - 2:18:28 PM GMT



Adobe Acrobat Sign

TAX MAP AND PARCEL #:
3-34-13.16-19.00
PREPARED BY & RETURN TO:
Bonnie M. Benson, P. A.
33576 Crossing Avenue
Unit 2
Lewes, DE 19958
File No. 23-2349/CJ

THIS DEED, made this 25th day of January, 2024,

- BETWEEN -

JOHN CARBONE, of 125 Hickman Street, Rehoboth Beach, DE 19971, party of the first part,

- AND -

LOMAS PROPERTIES, L.L.C., a Delaware limited liability company, of 107 Martin Lane, Rehoboth Beach, DE 19971, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **Four Million One Hundred Fifty Thousand and 00/100 Dollars (\$4,150,000.00)**, 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 heirs and assigns, in fee simple, 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, situated in the Town of Henlopen Acres, Sussex County, State of Delaware, lying on the west side of Tidewater Road, being all of Lot 11, Block E as shown on a Plot of "Henlopen Acres", as recorded in the Office of the Recorder of Deeds in Plot Book 31, Page 169, being bounded on the north by Lot 1, on the east by Tidewater Road, on the south by Lot 12, and on the west by the Lewes and Rehoboth Canal, and being more particularly described in accordance with a survey by Richard Vetter, P.E., dated January 30, 2024, as follows, to wit:

BEGINNING at a set nail in a driveway in the west line of Tidewater Road (70 feet wide) at a corner for this lot and Lot 12; thence running from said point of beginning with Lot 12, North 65 degrees 59 minutes West, 165.00 feet to a set spike at a corner for this lot in the line of said Canal; thence turning and running with said Canal and the west line of a 10-foot wide bridle path and utility right of way, North 24 degrees 01 minutes East, 100.00 feet to a found disturbed iron pipe at a corner for this lot and Lot 1; thence turning and running with Lot 1, South 65 degrees 59 minutes East, 165.00 feet to a set nail in a driveway in the west line of Tidewater Road at a corner for this lot pipe); thence turning and running with the west line of Tidewater Road, South 24 degrees 01 minutes West, 100.00 feet to the point and place of beginning, and containing 16,500 square feet of land, be the same more or less.

BEING the same lands conveyed to John Carbone by deed of Thomas Lee Rinker, Trustee of the Thomas Lee Rinker Revocable Trust dated August 19, 2015, as to a fifty percent (50%) interest and Virginia Sue Rinker, Trustee of the Virginia Sue Rinker Revocable Trust dated August 19, 2015, as to a fifty percent (50%) interest, dated November 5, 2019, and recorded in the Office of Recorder of Deeds, in and for Sussex County, Delaware, on November 6, 2019, in Deed Book 5149, Page 41.

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

REST OF PAGE LEFT INTENTIONALLY BLANK

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

Signed, Sealed and Delivered
in the presence of:

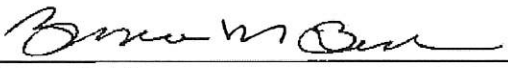
Witness

_____(SEAL)
John Carbone

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on January 25, 2024, personally came before me, the subscriber, John Carbone, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

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

_____
Notary Public

My Commission Expires: n/a

BONNIE M. BENSON
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C § 4323 (A) (3)

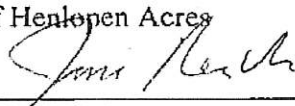
*Town of Henlopen Acres
104 Tidewaters
Henlopen Acres, DE 19971*

RELEASE OF RIGHT OF REFUSAL

KNOW ALL MEN BY THESE PRESENTS, that the Town of Henlopen Acres does hereby waive its right of first refusal pursuant to Article II of the Declaration of Covenants for Henlopen Acres and recorded in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 1195, page 1, et seq., to the sale and conveyance of **99 Tidewaters, Henlopen Acres, DE 19971, Sussex County, Delaware, Tax Parcel # 334-13.16-19.00.**

FROM: John Carbone
TO: Lomas Properties LLC

DATED this 29 day of December, A.D. 2023

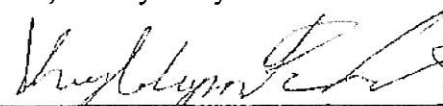
Town of Henlopen Acres
By:  (SEAL)
Joni Reich, Mayor

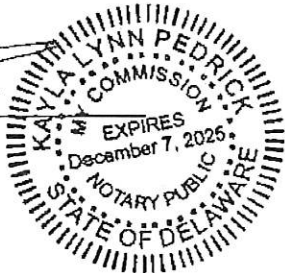
STATE OF DELAWARE)
COUNTY OF SUSSEX) ss:

BE IT REMEMBERED, that on this 29 day of December, A.D. 2023, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid,

Joni Reich, Mayor of the Town of Henlopen Acres, a municipal corporation of the State of Delaware, 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 municipal corporation; that the signature of the Mayor is in his own proper handwriting; that the seal affixed is the common and corporate seal of the said municipal corporation duly affixed by its authority; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by resolution of the Town Board of Commissioners of the said municipal corporation.

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


Kayla Lynn Pedrick
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires December 7, 2025



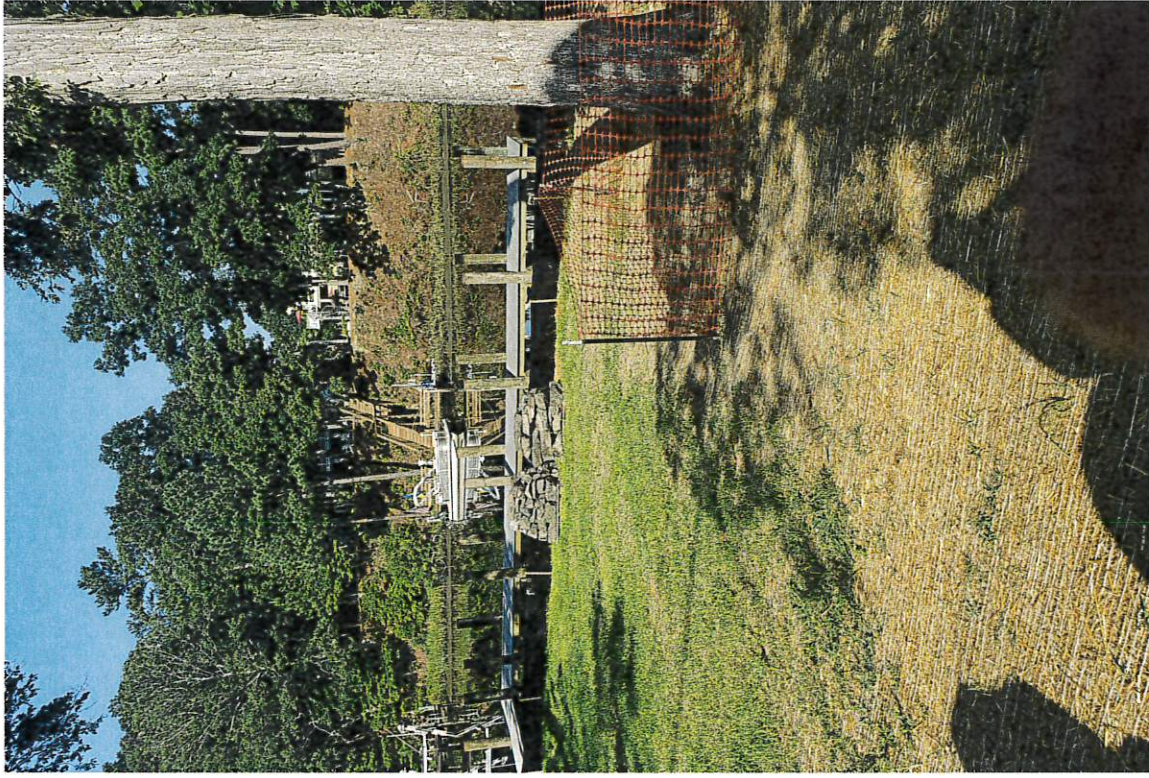


Photo 1 View of as built dock and
access pier July 29, 2025



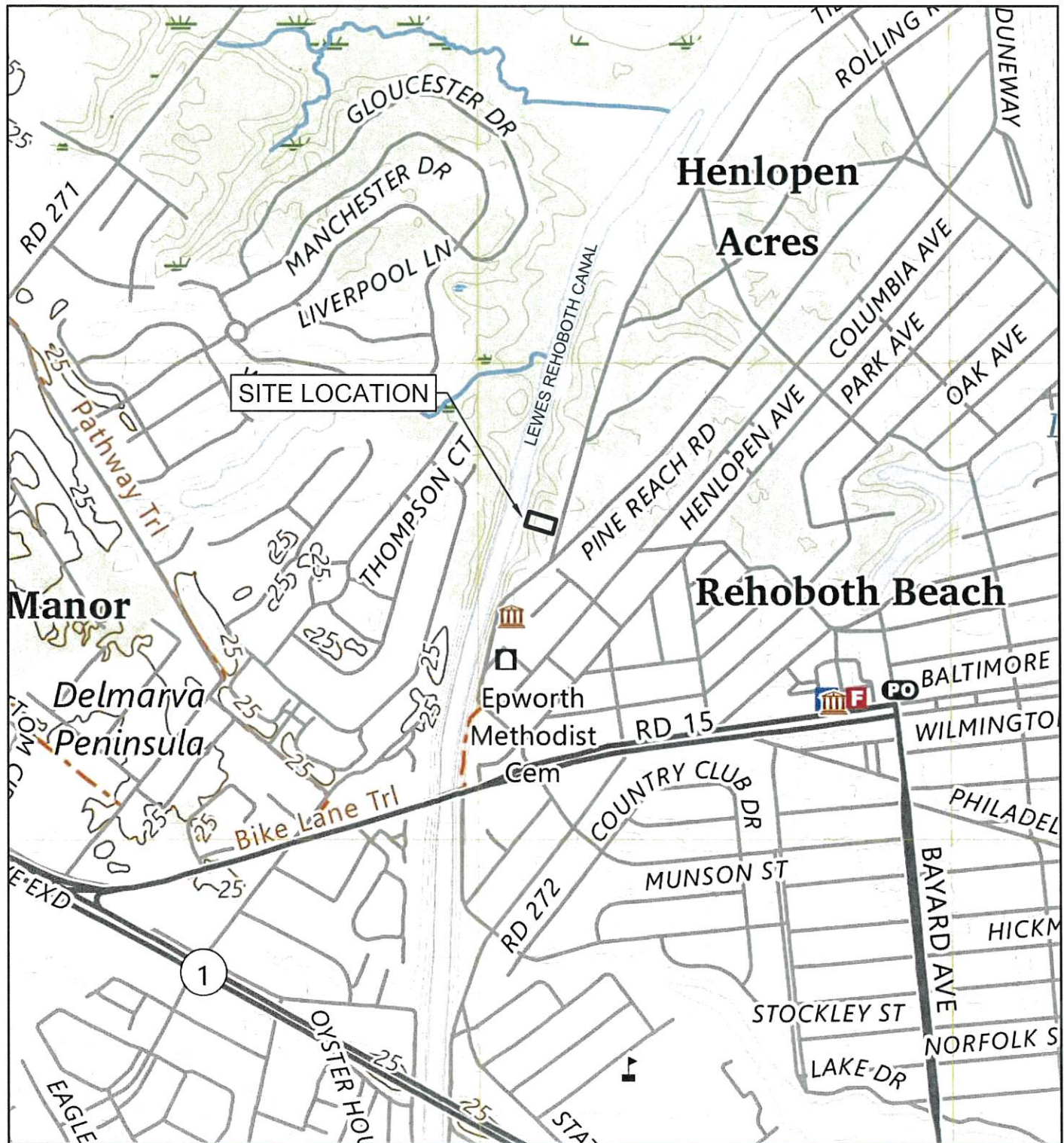
Photo 2 View from dock south end of
retaining wall and lawn area.
(Back filled & Graded.)



Photo 3 - View from north end of dock north along canal shoreline



Photo 4 View from access pier south along shoreline showing southeast corner of installed retaining wall.



REHOBOTH BEACH QUADRANGLE

Date:	APRIL, 2026
Scale:	1" = 1000'
Dwn.By:	KWW
Proj.No.:	ERI: 0004-0584
USGS VICINITY MAP	
Dwg.No.:	SHEET 1

LOMAS PROPERTIES LLC
BOAT DOCKING FACILITY AS BUILT
AUTHORIZATION
 TAX MAP PARCEL: 334-13.16-19.00
 LEWES & REHOBOTH HUNDRED
 SUSSEX COUNTY, DELAWARE

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



A3 Landscape Parcel Details



PIN:	334-13.16-19.00
Owner Name	LOMAS PROPERTIES LLC
Book	6059
Mailing Address	107 MARTIN LN
City	REHOBOTH BEACH
State	DE
Description	
Description 2	
Description 3	
Land Code	

Tax Parcels

911 Address

TaxParcel

Encumbrance

Condo

Streets

County Boundaries

GIOLandRecords.PARCEL.FABRIC.Condo

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

30cm Resolution Metadata

1:

0 0.01 0.03 0.05 mi
0 0.02 0.04 0.08 km

April 6, 2026

SHEET 2

LEWES REHOBOTH CANAL

UPLAND
LAND AREA

FEDERAL
NAVIGATION
CHANNEL
50' WIDE

10' WIDE
CHANNEL
BUFFER

55'

DOCK
6' x
52.3'

PIER
4.8' x 11.5'

10' x 12' PLATFORM
TWIN PWC LIFT

10'

SPACE FOR 8' x 14'
SIDE MOUNT BOAT
LIFT

EL. 4.67

BACKFILL
IN FORMER
NON TIDAL
WETLANDS

EX. GRADE

EXISTING
RETAINING
WALL 100 FT.
LONG

VINYL SHEET
PILE SUPPORTED
BY 10" PILES &
6" x 8" WHIPERS

HIGH TIDE LINE EL. +2.0'

MEAN HIGH WATER EL. +1.0'

ELEV. 0.0'
NAVD88 DATUM

MEAN LOW WATER EL. -1.0'

PIER & DOCK 10" DIAM
PILES & 2" x 10" STRINGERS
& HENDERS & 2" x 6"
CHECKING

EX. BOTTOM

HORIZONTAL SCALE 1" = 10 FEET
VERTICAL SCALE 1" = 2 FEET

CROSS SECTION "A-A"

LOMAS DOCKING FACILITY
TAX MAP PARCEL 334-13.16-19.00
LEWES REHOBOTH HUNDRED
SUSSEX COUNTY DELAWARE
SEPT. 22 2025 SHEET 4

