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May 28, 2009

Constance C. Holland, AICP, Director
Delaware Office of State Planning Coordination
122 William Penn Street # 301
Dover, DE 19901-3636

RE: PLUS REVIEW-PLUS 2007-08-06/OVERBROOK PARK CENTER

Dear Director Holland:

Please allow this letter to serve as Applicant's response to the PLUS comments dated September 17, 2007 concerning PLUS-2007-08-06.

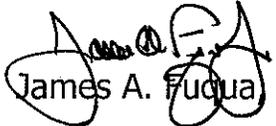
This involves an application in Sussex County to rezone a 4.71 acre parcel located at the southwest intersection of Route 1 and Route 88 from an AR-1 to a B-1 zoning designation. The original rezoning application was filed by BBC Properties Inc., the contract purchaser of the property from Fred Chappell of Overbrook Acres LLC, the land owner. Earlier this year, BBC Properties Inc. terminated its contract and the application is being pursued by the land owner. It is understood that should changes in the proposed site plan occur, those changes will be submitted to your office for further comment.

1. Office of State Planning Coordination – The Applicant notes that the site is located in the State Investment Level 3 and the Sussex County Environmentally Sensitive Developing Area and that the Office of State Planning has no objection to the Application.
2. Division of Historical and Cultural Affairs – The Applicant notes there are no recognized or known archaeological or historical sites on the parcel. Development will comply with the Unmarked Human Remains Act of 1987 if human remains are discovered during development.

3. Department of Transportation – Development will comply with DelDOT's recommendations.
4. DNREC – Applicant note that the site does not fall within any delineated wellhead protection area or an area of excellent ground water recharge potential and that the site is within the public water service area granted to Tidewater Utilities who will be providing water to the development. A storm water and sediment plan will be prepared and submitted to the Sussex Conservation District for review and approval. Drainage design will be in accordance with current regulations.
5. State Fire Marshall's Office – Applicant notes that the State Fire Marshall's Office has no objection to the rezoning request. Plans will be submitted for review and approval.
6. Department of Agriculture – Applicant notes that the Department of Agricultural has no objection to the rezoning request.
7. Public Service Commission – Comments acknowledged.
8. Department of Education – Applicant's notes that the Department of Education has no objection to the rezoning request since there is no apparent impact on educational infrastructure, capacity or demand.

As indicated, no objection was indicated by the State Agencies and recommendations will be incorporated into site plan design. Thank you for your input on this application.

Respectfully,


James A. Fuqua Jr.

JAF/css

cc: Fred Chappell, Overbrook Acres, L.L.C.

Lucius R. Webb, MRA, Realtor, Lingo Realtor

Lawrence Lank, Director Sussex County Planning and Zoning Commission