STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

June 26, 2025

Jon Nichols Jr
624 Bison Road
Dover, DE 19904

RE: PLUS review – 2025-05-01; Nichols Property

Dear Mr. Nichols:

Thank you for meeting with State agency planners on May 28th, 2025, to discuss Nichols Property. According to the information received, you are seeking review of a proposed amendment to the Kent County Comprehensive Plan to change the future land-use designation on the property from Low Density Residential to Highway Commercial, to enable the review of a proposed rezoning from AR (Agricultural Residential) to BG (General Business) for future potential commercial uses.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that Kent County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

The proposed amendment is located in Investment Levels 2 and 3 according to the 2020 Strategies for State Policies and Spending and is inside the Growth Overlay Zone for Kent County.

Based on its location in a Level 2 and Level 3 investment area, this project may be consistent with the 2020 Strategies for State Policies and Spending. Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Investment Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- DelDOT has no comments on the proposed rezoning. DelDOT notes that if the property is developed in the future all applicable reviews and permits will still be required.

DART First State – Contact Jared Kauffman 302-576-6062

- No comment

Department of Natural Resources and Environmental Control – Contact Beth Krumrine 302-735-3480

Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

- DNREC reviewers have no comments or concerns at this time.

Delaware Department of Agriculture – Contact Milton Melendez 302-698-4500

- No Delaware Department of Agriculture code or regulations apply to this PLUS project.

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

- DEMA has no objections to the rezoning of the property.

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- There is a documented two-story frame farmhouse labeled as late 19th, early 20th century on the parcel.
- There is a creek that is potentially currently dry or seasonally dry running very close to the parcel. Soils are mostly poorly drained, with what appears to be a wetland in the middle of the parcel. The northern portion of the property has a low to moderate potential for precontact archaeological resources.
- The southern portion of the property is very close to where the demolished structure appears to have been. The southern portion of the parcel has a moderate to high potential for historic archaeological resources. Therefore, the Delaware State Historic

Preservation Office would request to review this parcel again if there are any intentions to develop on it and to see the plans. If there are any questions, inquiries, or concerns, feel free to contact the Delaware State Historic Preservation Office for assistance at 302-736-7400.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- This Agency has no objection and submits no comments

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,



David L. Edgell, AICP
Director, Office of State Planning Coordination