

GREGORY F. LAVELLE
Minority Leader
STATE REPRESENTATIVE
11th District



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November 14, 2012

New Castle County
Department of Land Use
87 Reads Way
New Castle, DE 19720

RE: Application No. 2012-0555, 1707 Concord Pike

To Whom It May Concern,


I'm sorry that a family obligation will keep me from attending today's hearing. I wanted to formally voice my support for Henry and Mary Lou Black's request for an appeal hearing.

This is been a long, expensive and drawn out process. I am familiar with it and previously met with NCC officials regarding the issue. It seems to me that there were extremely poor communications from NCC since the project commenced. The requirements for parking and related issues should have been made clear to the owners of 1707 Concord Pike by NCC officials at the onset of their proposal. It is also my recollection that some of the work that was done without proper permits and therefore the owners of 1707 Concord Pike have created their own hardship and that hardship has now been extended to Mr. and Mrs. Black in terms of time and expense.

Additionally, from my experience the issues related to parking and other code requirements should have gone to the Board of Adjustment for review and consideration and not have been made internally by an employee of the Land Use department. This would have allowed for genuine citizen input via a well-established process that would include notice etc. I am very familiar with the parcel in question and can't imagine how the proposed business use can operate without the code required parking.

Title 9, Section 1315 of the Delaware Code clearly provides that the LIRB is intended to hear appeals regarding permits. As such, and given the tortured history of this proposal, I encourage the LIRB to grant Mrs. & Mrs. Black's request for an appeal.

Sincerely yours,



Gregory F. Lavelle
Senator, 4th District