



**CIVIC LEAGUE**  
For New Castle County

*Informed Citizens for Sound County Growth*

P.O. Box 11523 - Wilmington, DE 19850

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**JUNE**  
**2008**

# COUNTY COMMENTS

CIVIC LEAGUE FOR NEW CASTLE COUNTY  
Informed Citizens for Sound County Growth

## MEETING

**Tuesday, June 17, 2008**

7:00 PM at the Paul Sweeney Public Safety Building  
3601 N. duPont Hwy  
(Rte 13 South of DMV, North of Gracelawn Cemetery)

## AGENDA

### Legislative Year End Issues

## We Told You So!

Boston wants to build a multi-million dollar indoor composting facility to recycle yard waste – essentially duplicating what DSWA (Delaware Solid Waste Authority) was doing at its Cherry Island facility – prior to imposition of the Yard Waste Ban.

All we need do now is lift this yard waste ban and begin reaping all the benefits including reduced noise and air pollution while making money for DWSA and saving money and nuisance effort for homeowners. For details, please visit our website [civicleagueforncc.org](http://civicleagueforncc.org), Read “ The Yard Waste Conundrum” in the Comments section and then read the Boston yard waste story at :

[www.npr.org/templates/story/story.php?storyId=88163285&sc=emaf](http://www.npr.org/templates/story/story.php?storyId=88163285&sc=emaf)

The Legislature needs to lift the yard waste ban and let the DSWA get back to again being an industry leader in profitable, responsible yard waste disposal.

### STATEMENT OF PRINCIPLE

- ◆ Monitor and selectively evaluate government actions including laws, regulations and policy.
- ◆ Provide appropriate forums for informing as well as soliciting input from the public.
- ◆ Establish positions based on responsible studies and consistent with the aims and purpose of the organization.
- ◆ Advocate these positions.

Founded in 1962, the Civic League is non-profit volunteer organization, which studies and illuminates County and State government actions concerning comprehensive developments and the quality of life and is a vocal advocate of relevant positions.

County Comments is the official publication of the Civic League for New Castle County.

Dan Bockover,  
President

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This plan is too dense and is entirely wrong for this site. What I have mentioned is what the residents locally see and endure every day. Why make their plight worse?

Regards,  
Chuck Mulholland  
President, Southern New Castle County Alliance

Further site description:  
Traveling south on US 13 through Odessa observe a sloped and wooded section on the west side, opposite the brick professional building (on the left) as the highway split closes. The parcel is bounded by US 13 to the east, US Route 1 to the west, and a (20) unit single family subdivision (Evergreen Farms) to the north. The southern border compresses into a point behind small, narrow lots on US 13 and the Hearth Restaurant.

## A NEW DAY IN NEW CASTLE COUNTY?? TIME OUT! VIGILANCE NEEDED!

Charlie Baker, the head of New Castle County's Department of Land Use is leaving the end of June to take a new position in Vermont. Charlie was the "wagon master" during the mandated 2007 revision of the County's Comprehensive Land Use Plan. The last several years have been full of meetings, discussions, information, and some confusion as to what the "final" outcome is to be for New Castle County. Although County Council has voted on the plan, the real problems will surface when implementation of various proposals proceeds.

What will Smart Growth mean specifically to the undeveloped areas of NCC, especially below the Canal? What exactly will the nine requested revisions to the Zoning Map (Land Use Meeting-June 3rd, 2008) do to the county-wide need for planning and predictability for both long time and new residents? Given the recent mortgage and housing foreclosure numbers, are the projections for growth still valid? The many proposals in the Livable Delaware initiative - preservation of wetlands, buffers, open space, corridors for sewers, transportation improvements, mass transit, transfer of development rights, placement of education, public safety facilities, and more - will require State and County Officials to work TOGETHER - WITH THE CIVIC COMMUNITY, (the taxpayers) to develop a future environment and tax structure that both anticipates future growth with its needs and a publically agreed upon plan to pay for it.

Many folks are making money on the vagaries of the land use process. The resident and taxpayer, in the end, will benefit or not depending on the decisions made by those in the process (State and County). It is an election year!! We will have a new Planning Director. We need a TIME OUT until after the election to have meaningful dialogue as to what is happening in the process, what is going forward and what can wait until the county and state can present to us, (the taxpayers) a revised, affordable, vetted plan forward given the stalled economy, the political debate, and the world-wide crises (environmental, meteorological, political, economic).

This election year, those seeking our vote, need to talk to us, not at us, about specific plans to make things better!! We will need to be VIGILANT to be sure that some controversial item does not fall through the cracks!

Visit our website at:  
[www.CivicLeagueforNCC.Org](http://www.CivicLeagueforNCC.Org)

### CORRECTION:

The May issue of the *County Comments* newsletter contained an article about TAX INCREMENT FINANCING. The attorney for BAYBERRY, Pam Scott, called to request a correction: She stated that the developers for BAYBERRY have NOT been engaged in requesting TIF for the BAYBERRY Project.

## Consequences of Too Dense Housing How land use laws evolve to the detriment of existing communities

Having been a resident of southern New Castle County for thirty years I was recently approached by local residents regarding a development plan that had changed substantially from its' first draft, namely from 122 single family homes from the May 10, 2005 submittal to "242 units / workforce housing townhouse subdivision" (June 2, 2006 submittal) on 101.96 acres, with a street address in the 3100 block South Dupont Highway (Route 13), Odessa. Having traveled these local roads over such a time period I already had concern about any residential egress onto the winding portion of southbound Route 13, let alone 122 units, and now 242 units. And since I have personally heard several unrealized assurances from our traffic officials over the years, my concern heightened. But traffic is not the only concern. Below are comments I submitted for consideration in this plan review.

Comments to the New Castle County Planning Board on the plan known as "Spring Oaks" included the following :

Having been unable to attend the recent meeting I hereby submit the following comments for the record and your consideration :

Traffic is an ever increasing problem and travel in the entrance area for this proposal, for the amount of traffic proposed is disaster waiting to happen. Travel on local roads and US 13 has been an ever aggravating experience. The density in this proposal exacerbates traffic problems.

Community character, although removed from the code, has not been removed from the hearts and minds of local residents. And I have not yet seen any real estate ads commenting on the density proposed in this plan. Nor have I seen ads about the 96% increase in my school taxes since 1996. I realize that the County does not share responsibility for the education area, but its' actions have a direct affect. And given the recent announcement by Appoquinimink for **another 3% tax increase referenda** over the next six years. This proposal will not have any positive effect on my property taxes and, according to every finding by the American Farmland Trust, a negative affect will result. And given the cited rate increase, the past "impact fees" have not had the completely desired result.

And today I read in the New York Times "**Food is Gold, Billions Invested in Farming**", by Diana Henriques ( June 5 , 2008 ). But we don't do that in Delaware, we take the more expensive path for our taxpayers, long term much more expensive. I also note that in some Maryland counties the transfer taxes are used for land preservation and infrastructure. Here at least half is used to *fuel the approval process*, noting March 2008 published comments by William Chandler of Dagoboro, a member of the Chancery Court. I recall his term, "*perverse*" in describing the transfer tax situation in Delaware. I agree. So how much in transfer taxes would Spring Oaks produce for the state and county? How much will my taxes have to increase as a direct result? How about the taxes of the other folks already here?

The enunciated concerns about flooding, traffic, crime, natural devastation are all real concerns that are shared by many, many folks hereabouts. And the traffic is an aggravation that increases daily. And this proposal, as above, exacerbates all these problems.

And another article I read today in the same paper, "**Home foreclosures set record in first quarter**", from the Associated Press (June 5 , 2008). And it's not my imagination when I compile the list of sheriff sales in fairly new communities hereabouts. **The law of supply and demand has not gone away** and there are hundreds and hundreds of existing units already for sale in the area.

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