



# CIVIC LEAGUE For New Castle County

*Informed Citizens for Sound County Growth*

P.O. Box 11523 - Wilmington, DE 19850

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**OCTOBER  
2009**

### 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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# COUNTY COMMENTS

CIVIC LEAGUE FOR NEW CASTLE COUNTY  
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## MEETING

**Tuesday, October 20, 2009**

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

## AGENDA

Should N.C.C. be in the Sewer Business ?

## "By Right" Program Coming

Now in preparation is an upcoming Civic League program on "By Right" - a term coming more into play in the Land Use arena in New Castle County. It will feature a panel of distinguished presenters.

The basic premise in "By Right" states - one of which is Delaware - is the owner of land is free to do with it as he chooses. Of course this assumes it is in conformance with all current land use laws and regulations. And naturally, there are certain safeguards for both current and future county residents and neighbors.

There are growing indications that many persons now appearing in protest at county board hearings are not fully familiar with "By Right", its meaning or its applicability. This diminishes the effectiveness of their efforts and may even preclude pursuing more productive avenues for achieving their objective.

This will not be a staid training session. We will however, briefly refresh everyone with a quick review of "By Right's" origin, its legal impact on communities, how it can affect community character, and who has the final say in determining "By Right".

The importance of better communicating the information from the panel cannot be overstated. As building activity rebounds, it will be important indeed for all communities to be have accurate answers before the bulldozers arrive and before it is too late for meaningful dialogue.

Here are two things worth doing today - begin watching for announcement of the "By Right" Civic League program at [www.CivicLeagueforNCC.org](http://www.CivicLeagueforNCC.org) and review "By Right" information posted on the county webpage [www.nccde.org/landuse](http://www.nccde.org/landuse), Laws & Codes, UDC40.01.013

## Oct. 20 - Member Directory Deadline

Final compilation & printing of the 2009-10 Civic League Directory begins at the conclusion of the Civic League Meeting on Oct 20. The membership form and \$25 dues may be mailed to reach us by that time:

Ronni Romanelli, membership  
109 Coopers Drive,  
Newark, DE 19702

or can be brought to the meeting:

October 20, 2009 7:00 pm  
Paul Sweeney Public Safety Building  
3601 N. DuPont Hwy

Don't miss this final opportunity to be included in the Directory and to enjoy all of the Civic League's membership benefits during the program year. ( Check the mailing label for your membership term )

Visit [www.CivicLeagueforNCC.Org](http://www.CivicLeagueforNCC.Org) for details including a downloadable form.

## Now Is the Time to Create An Independent Redistricting Commission

The Equal Protection Clause of the 14th Amendment to the U.S. Constitution requires that electoral districts be periodically adjusted or redrawn to account for population shifts among them. Every 10 years, following the release of new census data, legislative districts are adjusted by each State to reflect updated population numbers so that districts remain of relatively equal population. If the redistricting is done by political insiders with no public input, the result is new district boundaries that are meant to protect the interests of incumbents and their political parties rather than the citizens they represent. This attempt to hold on to power creates an obvious conflict of interest. It has led to gerrymandered redistricting maps, collusion among the major political parties to create safe legislative districts and the packing and splitting of concentrations of voters. All of this weakens or strengthens the influence of one party or another or one or more politicians when they gain an unfair partisan advantage. Unfortunately, the public often is not aware of this impact and typically plays a minor role in redistricting.

We strongly believe that redistricting decisions must be removed from the current partisan legislative process to make our votes truly count. In this effort we support Senator Blevins Senate Bill 20. This bill creates a Nonpartisan Independent Redistricting Commission that replaces current partisan, insider, closed to the public process.

The Independent Redistricting Commission will be comprised of 10 appointed members and a non voting Chairman elected by the members. No Commission member shall hold elected office, be a registered lobbyist, be permitted to run for the General Assembly in the year following redistricting, be an elected official or officer of a state political party or have been an elected official within two years of his or her appointment to the commission. A member must be a resident of the State and a qualified voter. All meetings shall be open to the public with 7 days notice and subject to the provisions of the Freedom of Information Act (FIOA) and the Administrative Procedures Act. All work shall be done in public view. Please visit the Legislative web site for more detailed information on Senate Bill 20.

For the sake of our democracy, it is imperative we strive to create legislative districts that are representative of the population and districting plans that result in more competitive legislative elections. So, we hope you will join us and the Delaware League of Women Voters and support our effort in the coming months as we push for an independent commission and other steps necessary to ensure the redistricting process is fair and open.

Visit [www.CivicLeagueforNCC.org](http://www.CivicLeagueforNCC.org) for a link to the "Redistricting Game".

Frank Sims  
C.L. Director

## Watch Those Bright Yellow Signs

Now is a good time to begin reading those bright yellow signs - with too many words to read at a distance - posted around New Castle County. Some of them are a big 4 ft. square, while others are a bit smaller, but they serve the same purpose. They are posted there for your edification, and as required by law.

These signs tell you that the property is the subject of a new development plan or is scheduled for a public hearing. In other words the properties that you have always taken for granted - some occupied, some vacant - are now being considered for change. The basic nature of the proposed change is revealed in all those words on the sign.

The ideal situation is for you to walk up to the signs and read them. If you happen to be driving by and are reluctant to park along busy nearby thruways, you can always retreat to the safety of your den and check them out on your computer. Simply go to [www.nccdelu.org](http://www.nccdelu.org) and with a few clicks, discover everything that is on the signs, and excitingly even more.

Here is the technical part. At the Land Use Department website homepage, select Development & Planning, then Project Look-up. Read the instructions which will guide you to Project Search Page. Enter the requested information and click on Details. There you will find a cornucopia of details about the project, including status of all required approvals and even dates of their activity. True transparency!

Once you have all this helpful, complete information, what will you do with it? This depends on the reason for your being curious in the beginning. If the land has always been vacant and you just assumed it would be that way forever, you may want to prepare for the change now being contemplated. If you approve of the change, good. If you have concerns, remember that Delaware is a Right by Owner state. This means the owner can do as he wishes with his property so long as he observes applicable laws and regulations.

Before you get upset with the coming change and the government employees involved in the approval process, take time think thru the process, and how best to express any concern or objection.

The best approach is to be fully informed. This includes watching those yellow signs for the sudden addition of a hearing notice - in the event such a notice is required. By law, it has to be posted only 10 days in advance. Of course, you can also be alerted by reading the Notices of Board Hearings printed in the Saturday News Journal - and posted on line weekly at [www.nccde.org](http://www.nccde.org). To check out public hearing agendas, once again go to [www.nccde.org](http://www.nccde.org). With your cursor over "Quick Links" in the left-hand column, select "Meetings & Events". Find the meeting in which you are interested and click on "Details".

Right now there are many yellow signs posted for which there is no current activity. Don't be lulled into complacency however, as owners are still getting approvals ready for fast action the minute economic recovery begins.

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*Have a comment or question about articles in County Comments?  
Email us: [Editor@CivicLeagueforNCC.Org](mailto:Editor@CivicLeagueforNCC.Org)*