



**CIVIC LEAGUE**  
**For New Castle County**

*Informed Citizens for Sound County Growth*

P.O. Box 11523 - Wilmington, DE 19850

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**February**  
**2010**

**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

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## MEETING

**Tuesday, February 16, 2010**

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

## AGENDA

Stopping Stoltz  
and Benefitting all of New Castle County

Robert J. Valihura, Jr., Esq., former State Representative;  
Board Member, Citizens for Responsible Growth

## Correcting Redevelopment Criteria

The current spotlight on the Stoltz and Pilot School redevelopments calls attention to the need for a thoughtful review of the recently amended UDC (Uniform Development Code), administered by the New Castle County Land Use Department. One observation is that while intended for application in redeveloping brownfields and rundown or abandoned properties, revised provisions of the ordinance are now being referenced in granting otherwise unwarranted Density Bonuses to redevelopers of healthy, thriving, tax-paying properties.

This troubling situation is neatly capsuled in the following excerpts from a summary by Victor Singer, Chairman of the New Castle County Planning Board

"Numerous UDC Articles authorize density bonuses, in some on a "Not To Exceed X% basis and in other instances are an "All Or Nothing" basis, with no clear reason for the distinction. Further, there appears to be no limit on how much stacking of such bonuses is permissible. Preferably, all the bonuses should be on a "Not To Exceed basis unless a clear reason for the other approach is provided, and a ceiling on bonus stacking should be specified.

"Definitions should be refined to clarify that "redevelopment" (presently defined) and "expansion" (presently undefined) are not synonymous. Nor is "redevelopment" synonymous with "extension" or "enlargement." Expansion, extensions and enlargements are required to be UDC

*(continued from front page)*

compliant. But in some respects and under some circumstances redevelopment may fall short of full UDC compliance, without affecting eligibility for density bonuses and other incentives. Since clear distinctions among those terms are absent, the redevelopment bonuses and incentives have occasionally been sought for simple expansion, extension or enlargements.

"In meeting the infamous 400% cumulative improvement requirement for noncompliant "design elements" of a redevelopment project, the developer sometimes gets as much credit for providing a bicycle storage rack as for a bufferyard expansion, a heroic storm water flow volume and quality improvement, or a substantial contribution to offsite transportation system improvements. An approach is already provided for quantifying the percent improvement for individual design elements. Multipliers should be provided reflecting relative values for the several design elements, along with a minimum proportion of the total number of such noncompliant elements that must be improved under the 400% rule."

*Discussion of this situation will be on the agenda for the Feb. 16 Civic League meeting, and members are encouraged to review this with their individual county council members.*

*(continued on back page)*

## DeIDOT Still Pushing Billion Dollar Bypass

For several years DeIDOT has been championing the construction of a new 17.5 mile 4-lane highway connecting Route 301 in Maryland, skirting Middletown, and connecting with I-95 in Delaware via the Roth bridge at the Christiana Mall interchange. A spur might be included, connecting with the Summit bridge.

Last February, the Civic League adopted Resolution #09-03-01, (see [www.CivicLeagueForNCC.org](http://www.CivicLeagueForNCC.org)) asking that Route 301 be reconfigured along an originally proposed path leading directly from Maryland and connecting via the Summit bridge with I-95 in Delaware. The following letter - Jan. 10, 2010 - relates the latest happening as DeIDOT's effort continues.

"State Senators and Representatives,

"I am Andye Daley, the Chair for the Middletown Corridor Coalition. I am writing to you to urge you to vote NO on an up coming vote to let DeIDOT secure \$125 million in Garvee [Grant Anticipation Revenue Vehicles] Bonds for the Rt. 301 project. We have never ever taken out Garvee bonds in this state and it is a very bad idea to start now.

"If we take the \$125 million out in Garvee bonds (that are backed by the Federal money we get from Washington every year.) We will lose a variety of road projects every year for the next 15 years. The amount of time it will take just to pay back this set of Bonds. (not to mention the projects we will lose once they start construction of this \$1.1 Billion dollar Road.) We received \$130 million this year for road projects. (this is what allows to maintain our roads). once we take out the Bonds immediately subtract \$11-15 million, and that is what we have (less) to spend on what we desperately need to run DeIDOT.

"As you know our Transportation Trust Fund is quickly running dry. And the \$130 million will not be that amount next year or the years to come... It is no longer sustainable for the feds to keep that amount up.

"WILMAPCO [Wilmington Area Planning Council] has deemed this project as a FISCAL LIABILITY to the State of Delaware and still Sec Wicks continues to push the project. Recent Demographics and traffic stats show that we will never be able to even secure the toll revenue bonds to build this road... and that we will not have enough jobs to sustain the amount of traffic needed to use the road to make it one bit worth constructing.

"I urge you to with all that I have to take a good long look at what is at stake here!  
Please Vote No on the Garvee Bonds!"

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*Have a comment or question about articles in County Comments?*

*Email us: [Editor@CivicLeagueforNCC.Org](mailto:Editor@CivicLeagueforNCC.Org)*

## Things to Think About This Year

This compendium, originally published last February while state legislators were on break for budget hearings, is now expanded for your review and action during this year's legislative hiatus.

### Legislative Redistricting

How can gerrymandering be eliminated and will the promised reapportionment cures be enacted, with the process open to the voting public.

### School Consolidation

How can schools be consolidated now to begin enjoying the economies immediately.

### State Government Transparency

State expenditures are already posted by object code for accounting purposes, so why not also post them on line for taxpayer viewing.

### Making Walking Possible

Provide promised sidewalks to nearby schools, shops, workplaces for reduced commuting, lessened carbon emissions, and better home assessment values.

### Unemotional Solid Waste Disposal

How big is the problem and what are some of the good but less costly alternatives in successful use elsewhere.

### Transparency in Fire House Financing

What is the formula for tax support and is there a need for comprehensive disclosure of fixed and variable costs of operating fire stations.

### Consequences of Flat Population Growth

Which government projects need a second look with a projected virtually flat New Castle County population growth from 532,000 today to only 604,000 by 2040.

### Revert to Original 301 Route

Why not return to original plan to connect 301 in MD with I-95 in DE via 896 and Summit Bridge to save funds, and cut traffic in the Christina Mall vicinity

### Roll-back Council Size

Why not save one million dollars a year and improve functioning by reducing County Council to its former size with seven members and seven aides.

### Make County Council Accountable

Return power to County Council to veto recommendations by Land Use Department.

### Tighten Granting of Density Bonuses

Eliminate automatic granting of density bonuses to developers by Land Use Department and make this a County Council responsibility.