



# CIVIC LEAGUE For New Castle County

*Informed Citizens for Sound County Growth*

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**March  
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

CIVIC LEAGUE FOR NEW CASTLE COUNTY  
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## MEETING

**Tuesday, March 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

A "Question & Answer" discussion of legal issues of interest to Civic and Maintenance Associations by Judge James R. Hanby and distinguished panel

## Snow Planning for 2010-11

At this very moment you need to begin thinking about snow removal for 2010-11, for two reasons: (1) Having it done, and (2) Paying for it. Don't delay because you'll forget about the pain you have endured in this year of very heavy snowfall, and you are currently faced with paying for it and now, and for the balance of this season.

**There are only so many good contractors to go around so find one with openings now.**

Problems have surfaced, and are continuing to be noted by both snow plowing contractors and the Civic Associations/Maintenance Corporations being served. Here in no particular order are some being brought to our attention. See if any are relevant to your circumstances!

The State has clearly established the basic rules - how many miles of streets and how many cul-de-sacs will qualify for reimbursement, plus inches of snow as measured by the State at the beginning & end of each snow storm. Have you and your contractor agreed to accept the measurements, and if not, then on what basis is cost to be determined.

Will residents cooperate to get cars off the street - and especially out of cul-de-sacs to facilitate plowing. Will the contractor be plowing curb-to-curb, or just clearing a path for emergency vehicles.



*(continued from front page)*

Is the contractor available before, during and after the storm. When does plowing begin - when specifically authorized and by whom - or is the decision at the discretion of snow contractor. Is allowance made to begin plowing with minimal initial snowfall, especially when icy conditions and hills are involved.

How long after the storm will he complete your neighborhood. Residents should wait till plowing is finished to complete driveway at street to avoid the frustration of being plowed back in. Is the contractor equipped to spread salt & sand when appropriate in selected areas. How is this determined - in advance and/or during a storm - and approved by whom.

Is there a need to "flag" speed-bumps to avoid damage to them or to plowing equipment. Is their existence significant to pricing of snow removal.

Does the contractor have the variety and range of equipment needed to cope with the size of the task - along with seasoned personnel - to operate it. (front end loader)

Where are you in queue to receive service as the contractor may have other customers.

Also important, how is contractor to be reimbursed in the - much to be hoped for - event there is little or no snow during the entire season.

Finally, how can you recoup YOUR costs from each of your benefiting residents. You are invited to share your suggestions & experiences by email to: [Editor@CivicLeagueforNCC.org](mailto:Editor@CivicLeagueforNCC.org).

*(continued on back page)*

## Deed Restrictions Enforced

It's very important for residents who live in a Community that have a Maintenance Corporation to understand the need for one. Everyone wants to at least maintain their property values. Hence, Deed Restrictions must be enforced.

I live in The Village of Becks Pond Community. We have 192 homes in our community and work hard to maintain the community's upkeep.

We have a resident who was the only one that wanted to be different. The garage door and the front door were not conforming to our Deed Restrictions. When I told her she had to replace the doors to comply, she stated "I want to be different". We wrote numerous letters, made phone calls, nothing seem to work. Finally, the Board decided to take measures that would "light a fire under her butt". TAKE HER TO COURT! So, we called our attorney. At first we had to see if Mediation would help settle this. The Mediator asked the Board if we could come to some kind of agreement where the resident could keep the garage door and just change the front door. We told the Mediator that wasn't acceptable because we have to answer to 191 other home owners, and we had to stand our ground on this. So, a court date was set. About week before the court date, our attorney called the resident and told her that The Village of Becks Pond was also going to ask the judge for his fees that he charges appearing in court. Needless to say they agreed to change both doors. Our attorney went to the courts with their decision and requested a Court Order. They had three months to replace both doors, and they did it in two.

It's so important to enforce the rules if you want your neighborhood to keep its value. Most people realize this and abide by the rules.

A few months later we had a resident build a beautiful BBQ Pit in his yard. It cost him \$2,000.00. When the our Board found out, I approached him and explained to him that No building, shed, fence, wall, retaining wall, pond, post, cover, swimming pool or other construction shall be commenced, erected or maintained upon any lot structures that is stationary in our yards. The first thing out of his mouth was "WHAT ABOUT THE GARAGE DOOR?" Well, needless to say the BBQ Pit was dismantled the next day.

I truly believe if the rules are there, they must be enforced. So Step IN and Step UP and keep your community a place where you can be Proud To Live.

Rich Lombardo  
The Village of Becks Pond

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## See Two New Videos

You can now go to our webpage: [WWW.CivicLeagueForNCC.org](http://WWW.CivicLeagueForNCC.org) - press the "**DeIDOT Videos**" button on the home page - and instantly be connected to two of the most fulfilling presentations you've been hoping for, courtesy of Drew A. Boyce, P.E., Assistant Director of Project Development - North.

NEW I-95 high-speed E-Z Pass Toll Booths - see explicit live footage of the wild traffic situation there today; get a glimpse of what is coming, its cost and timetable.

REBUILT I-95/SR-1 Interchange at Christiana Mall - enjoy a birds-eye view of the planned fly-over roadway, study how local & thru traffic will be separated, and then play, and re-play the animated scenes of the new interchange in action. Plus, an incredibly complete array of data and explanations of basis for the design, including the cost & timetable.

## Pilot School Protest Fails

Despite opposition by neighbors, action by County Council has allowed work to proceed toward construction of the Pilot School and dense housing on prime vacant land, declared by the Land Use Department to qualify for a redevelopment project. Originally zoned for 2+ single family homes per acre, the allowance is now for 10 units per acre, including high rise.

As explained by Land Use Department General Manager David Culver, to a Community News reporter, "Nobody has ever envisioned that you had to let a building go derelict, kick in the windows and graffiti it before you can redevelop it", as we interpret the code.

County Executive Chris Coons, in a letter declining to veto the measure, said the Land Use Department will continue reviewing concerns raised by neighbors and propose revisions to the code as may be appropriate.

The net effect is that Land Use is free to continue approving dense and liberally interpreted redevelopments unless revision of the code is achieved.

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## AMENDING STATE LAND USE PLANNING

Included on the agenda for our March 16th Civic League meeting will be a discussion of legislation being proposed by Civic League Board Member Charles Weymouth, A.I.A., as previewed in the following synopsis. The entire proposal is posted on our website. [www.CivicLeagueforNCC.Org](http://www.CivicLeagueforNCC.Org). You are encouraged it read it entirely in advance of our March 16 meeting for the most productive dialogue.

Synopsis of Proposed Legislation:

Subject Legislation returns Land Use overall determination within State Jurisdiction and for residential growth, residential need determined upon prerequisite long term economic growth requiring proximate residential housing. For permitted residential growth, provision is herein made for direct fiscal responsibility for such growth to be upon those immediate user beneficiaries, such to include Owner responsibility for necessary infrastructure, including but not limited to roads, sewers, lighting, and, substantially, capital and maintenance costs of schools, and future ongoing physical maintenance thereof demanded by such development and for existent private housing development, including but not limited to maintenance/upkeep, snow removal, etc.

Be it further provided in subject legislation in denial of additional residential growth, such provision consistent to earlier resolve by the Civic League for New Castle County, that such restriction determined herein to continue forth, diminishing State and local government duty, fiscal outlay and employment until there exists necessary economic basis requiring an additional housing response and with adequate tax base immediate thereto to absorb such costs.

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