



CIVIC LEAGUE
For New Castle County

Informed Citizens for Sound County Growth

P.O. Box 11523 - Wilmington, DE 19850

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OCTOBER
2008

COUNTY COMMENTS

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

MEETING

Tuesday, October 21, 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

Candidates Forum

- | | |
|---------------|---|
| 7:00 - 7:45pm | Candidates for State Insurance Commissioner
John Brady
Karen Weldin Stewart |
| 8:00 - 9:00pm | Candidates for Lt. Governor
Charles Copeland
Matt Denn (invited) |
| | Candidates for Governor
William S. Lee
Jack Markell (invited) |

The Civic League is sending to the candidates, in advance of this meeting, basic questions covering such topics as:

- * Decreasing Revenue Estimates
- * Performance of Major Departments
(Prisons, Psychiatric Center, Transportation, DNREC)
- * Cost & Feasibility of "New" Programs including Vision 2015
- * Streamlining of State Services

 **Attendance by all voters is encouraged** 

Submission of additional questions in advance is invited by emailing them to:

President@CivicLeagueforNCC.Org

*Visit www.civicleagueforncc.org for any last minute changes.

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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CivicLeagueforNCC.ORG

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Getting DNREC To Respond

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"grandfathered" right. "Expansion" obviously is the increase in lightering volume since 1971, and "Extension" applies to equipment replacements since 1971.

Responding to inquiries about when DNREC will comply with the Court's ruling, DNREC's CZA Staff has only referred the matter to DNREC's counsel.

This situation is discussed at greater length in an essay at the Civic League website, WWW.CivicLeagueforNCC.org (click on "Members Comments")

Submitted by:
Victor Singer

Work Force Housing Consequences

It sure sounded great. Provide affordable housing for workers and at no extra cost to anyone, under a new Work Force Housing (WFH) program.

To accomplish this, the idea was to simply give Developers a “Density Bonus”, allowing them to put some extra units on land they were developing, requiring only that a portion of them be available at a more modest price. After enactment of an enabling ordinance, the County began giving the bonus to builders with the stated objective of providing 300 new affordable units per year.

For details, look up the new Work Force Housing (WFH) Ordinance #007-150 on Website nccde.org. Or simply read on to consider the effect this may be having on your taxes knowing that the housing picture has changed dramatically in recent days.

As of this writing I have calculated that density bonuses have already been awarded in the Appoquinimink School District to allow developers to construct not an already approved 863 WFH units, but now 2,172 units.

DEVELOPMENT	First Approved	Now Allowed
Cook Farm , Denny Road	200	400
High Hook Farm, Vance Neck Road	260	390
Spring Oaks, Odessa area	121	242
Robinson Run , Fieldsboro Rd, Townsend	81	475
Churchtown Manor, Cedar Lane Rd	201	378
Boyd's Corner Farm	-	287

First approved proposals totaled 863 units, now with WFH, 2172 units.

From a real estate contact, we have learned about other WHF-type units for sale today in New Castle County:

# Units	Price Range
322	\$ 50 - 100,000
355	\$100 - 149,000
735	\$150 - 199,900
671	\$200 - 249,000
198 Condo's	\$ 50 - 249,000

In total, between \$50,000 to \$249,000, there are 4175 WHF - type units built and available for sale today. Why is New Castle County government directly forcing competition with the sale of existing units?

Why does County government compete homeowners who want to sell their existing homes? Can't the County's stated yearly need for 300 "affordable units" be met with existing supply?

Another disconcerting factor: Why does the County, via its WHF program, continue to exert pressure on its fastest growing school district – Appoquinimink. How often are the district residents expected to raise their property taxes to keep classroom pace with what New Castle County has legislated?

In 1996 the property tax rate for the Appoquinimink School District was .741 for each \$100 of assessed valuation. The rate is now \$1.50, a substantial increase that witnesses continued upward pressure from ordinances such as the WFH, adopted on February 26, 2008. Through 2015 the district has (8)

more capital projects on their calendar. This was even before they became aware of the density bonuses of the workforce housing law.

What possible economic reason exists to force the construction of new classroom space – not only in Appoquinimink – but elsewhere throughout the county. I believe that this is a now unmasked attempt by county government to provide relief to various developers who have seen the market dramatically change, and are no longer able to deliver, and profit from, that which they first presented to the county and the public. Just read ordinance number 007-150 and see how many goodies have been provided at your expense.

So what happens to the thousands of existing home owners who may want or have to sell their home? They will always have to compete with "why buy old when you can have brand new?" This begets another point: Where is it guaranteed that every new home buyer MUST have a brand new home? Apparently that is the mind set of this county government.

And how are these intended new residents to travel on roads yet to be built, to jobs that are disappearing, along with infrastructure the state can ill afford, continues to beg the sanity of such legislation and bonuses.

The News Journal recently reported on the County's shrinking real estate transfer tax receipts. Is this an attempt to crank up that revenue?

Over reliance on developing everything in sight has seen ill effects throughout various areas of the country, even to the point where there are now defaults in municipal bond payments where governments promised services, such as sewer, but were unable to deliver due to the destruction in the housing market.

Business as usual should be seriously reconsidered.

Prepared by
 Chuck Mulholland
 President, Southern New Castle County Alliance
 Vice president, Civic League of New Castle County
 Past President, Appoquinimink Board of Education 1995-97

Getting DNREC To Respond

Dick Fleming's presentation at CLNCC's 9/08 meeting focused on DNREC's refusal to rule on a five-year-old proposal to deepen the Delaware River. And Vic Singer has focused on DNREC's ignoring of Coastal Zone Act (CZA) provisions and a Superior Court ruling on lightering in Delaware Bay.

Long ago, upstream shipping interests proposed to deepen the river channel to 45 feet. A CZA permit is required for any expansion or extension of activity ongoing when the CZA was adopted. DNREC hasn't said either yea or nay for five years even though the CZA demands a ruling within 90 days. A new applicant is now trying to re-open the old proposal.

Delaware's Superior Court ruled last November that a permit is required for expansion or extension of lightering at Big Stone Anchorage. The company now lightering hasn't ever applied for a permit, and hasn't been granted one. The Court also ruled that because the vessel that a possible competitor had proposed to build to serve Sonoco obviously wasn't operating in 1971, it could not have a

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