



CIVIC LEAGUE For New Castle County

Informed Citizens for Sound County Growth

P.O. Box 11523 - Wilmington, DE 19850

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**September
2011**

COUNTY COMMENTS

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

Postmaster: Please deliver to
Current Resident or

Create Jobs by making Walkable Actionable

Well known are all the reasons it is good to park your car and walk. Seldom mentioned is the lack of places where you can actually walk to school, shopping, church, or even to public transportation and work.

Now is the time to put thousands of contractors - large and small - to work building those missing sidewalks in communities - large and small - all across America.

The simplicity of building sidewalks makes contractors of every size and skill eligible to participate. The standards for quality construction are well established and widely published. The local legal obstacles to construction are also well chronicled, along with thoughtful solutions including contextual design of pathways.

Missing is the political support at all levels of government thanks to presumed apathy of constituents. This along with the inconvenience of raising funds and awarding them in small increments, discourages attention from otherwise occupied officeholders.

Now is the time for meaningful action. Do your part spreading the word in support of converting - *Walkable* - from a mere feel-good slogan into - *Actionable* - with an officially funded program to make walking actually possible.

Dan Bockover,
Walking Advocate



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.

Chuck Mulholland,
President

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CivicLeagueforNCC.Org

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MEETING Tuesday, September 20, 2011

6:30 PM at the Bear Library
101 Governor Place (Route 7 & 40)
Bear, DE 19701

AGENDA General Business Meeting

On August 10th I had occasion to meet with a Cabinet Secretary in Dover on traffic concerns in southern New Castle County. One point I mentioned was that while various government leaders want to stoke the fires for jobs and development, there is a component absent from the conversation. 9 Del Code 2603 contains the wording " *regulations adopted by (New Castle) County Council..shall be..for the purpose of promoting the health, safety, morals, convenience, order, prosperity or welfare of the **present** and future inhabitants...*"

So what is anew with the present inhabitants regarding actions by New Castle County?

In late 2008 Citizens for Responsible Growth organized to protest various aspects of a massive development plan in the northern sector. Not long after another group, Save Our County, also organized. Then CAPPa arose once more to protest a plan in the Possum Park Road area in Newark. The continued traffic and safety objections from the 7&40 Alliance membership in the Bear area adding to the question, "what about the present inhabitants?"

To suggest all is well among various segments of the residents in the county is, at best, a delusion. Not a week passes without requests for input or assistance from the Civic League on land use issues.

In this issue you can read comment from Dave Carter regarding the front page article from August 21st edition of the News Journal titled "*Unfulfilled Dreams*" containing the following quote :

"It's not the developers' fault. It's not the builders' fault. It's not the residents' fault," said George Haggerty, deputy general manager of New Castle County's Land Use Department. "But the people who moved in first are real people who had real expectations who came to find something quite different."

Would it be too much to expect that instead of concentrating on trying to import thousands more residents from the surrounding states, why not finish what is already approved, or the over 10,000 unbuilt lots, before continuing to rubber stamp every dream a developer lays on the desks of the Land Use department? Or are all the concerns and members of the various newly formed groups just figments of our collective imaginations?

Chuck Mulholland

Civic League for New Castle County Resolution Community Bill of Rights

Whereas. Communities and residents often find that the Comprehensive Development Plans and codes seem to ignore existing character and quality of life issues.

Whereas. Interpretations of protective codes are insufficient.

Whereas. Individuals and communities have a reasonable expectation of what can be built or used surrounding them.

Now Therefore be it Resolved by the Civic League for New Castle County that current and future residents are acknowledged to have a bill of rights to the basic services and to a decent quality of life including, but not limited to community character, basic services such as listed below but not necessarily in this order.

- 1) Potable water of quality, quantity, pressure and reliability based on appropriate standards.
- 2) Emergency medical services as appropriate to meet national standards with periodic public report of attainment.
- 3) Police and fire protection services to maintain adequate response time to insure safety, order and preservation of life and property.
- 4) Open space to be a combination of neighborhood, local and regional with facilities sufficient to preserve biodiversity and provide recreation facilities to serve our population.
- 5) Traffic flow to be concurrent with new or redevelopment and other construction. Level of Service (LOS) shall be Level D above the canal and LOS C below the canal with no by right for redevelopment, workforce housing or other uses. Provision shall be made for safe use of mass transit, bicycles, motorcycles, and walking
- 6) Community character so that existing and future residents can feel secure and confident in what will occur next to them.
- 7) Drainage so that flooding will be eliminated on adjacent and downstream properties based on minimum 100 year storm including quality of discharges.
- 8) Sewer capacity shall prevent overflows or backups anywhere in the system and the county shall not grant waivers for development due to infiltration or lack of capacity by using back flow preventers or discharge into waterways.
- 9) Transparency and ability of residents to have ample opportunity to comment in a timely and meaningful way on rezoning and various stages of development plans. Reinstate 3.319 hearings and reduce the number of waivers and interpretations the general manager of land use may grant.
- 10) Preserve quality of life and community fabric as listed above but not limited to specific combinations.
- 11) Air shall be free of dust, dirt, particulates and smog generating materials and enforce the rule that construction dust must be kept on the property.
- 12) Toxic sites shall be isolated to avoid threats to communities, individuals and water supplies.

Therefore be it further resolved: that the above items shall be listed prominently in an opening appropriate agenda/preamble section of the 2012 Comprehensive Development Plan.

Submitted by:
Fritz Griesinger

Unfulfilled Dreams - Homeowners wonder if the developments they were promised will take shape

As additional insight into the gross problem with the excessive amount of land for development in New Castle County that should make anyone knowledgeable on this issue cringe at the idea of any increase of density without a mandatory prerequisite step of down zoning, please read over the Sunday, August 21, 2011 front page News Journal article.

Of particular interest in this story was the artful dodging of responsibility by New Castle County.

"It's not the developers' fault. It's not the builders' fault. It's not the residents' fault," said George Haggerty, Deputy General Manager of New Castle County's Land Use Department.

The county takes no responsibility, despite the fact that they allowed this excessive amount of land development approval despite over a decade of data analysis and urging by those of us in the civic community to be more responsible. Our government agencies are failing due to the failure of so many to accept responsibility for mistakes and learn from them. Rather than consider the input of those most familiar with this issues, they ban civics from the Planning Board and make arguments that the "civics do not represent the public views". This may be true if they can keep a stream of uninformed public available, but typically changes once people learn the actual facts.

In each of the past three comprehensive plan updates, we (civic community) have provided the growth projections and arguments over the impending housing development collapse based on the statistical analysis of the data. We strongly argued that we could not achieve any of the good ideas called "smart growth" without getting a handle on this problem. We started this based on the indisputable finding that the proposed Southern Sewer area was unsustainable as originally planned (which the county later spent 500K of your tax dollars to learn the same thing, and eventually scraped the plan).

Our 2003 letter pointed out how out of sync the county planning was with the real world market conditions for housing, as well as some serious flaws in their data analysis. These were ignored due to pressure from development interest, AND JUSTIFIED BY THE NAIVE ADVOCACY OF "SMART GROWTH" ADVOCATES. These advocates also ignored the housing need numbers and review of what was approved & pending, refused to insist that the conservation side of smart growth be included (down zoning & offsetting development constraints), and provided political cover for very pro-development planning efforts.

Simply put, we have reams of written documents outlining the problem for well over a decade, through three comprehensive plan updates, all of which has been ignored by New Castle County Planning offices, council, and two County executives.

Please take the time to study and understand the issues. I think a thorough understanding would help your see that New Castle County is not doing smart growth, just using it as a shill to push for more lenient development at higher density in a way that is every-bit as unsustainable as Sprawl. Unfortunately, until the balance is required and a serious effort is made to implement it, Sprawl is probably the lesser of the two horrible choices.

I apologize for any strong statements, but feel an urgency for all to understand what is going on. If the current course is not immediately changed, the opportunity for improvement will likely be lost for ever.

Dave Carter
Vice president
Civic League for New Castle County