



# COUNTY COMMENTS

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

**September  
2012**

**MEETING**  
**Tuesday, September 18, 2012**  
7:00 PM at the Delaware State Police Troop 2 Building  
100 La Grange Ave  
( Route 40 East of Route 896 )  
Bear, DE 19701

**AGENDA**  
General Business Meeting

**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.

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President

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## **OPINION: IT'S NOW OR NEVER**

by Christine Whitehead

Few people think past high school or college history classes about the fact that our government is grounded in a constitution. Fights over constitutional rights will from time to time bring attention to it, but deep thought about the source of the authority of the governments that rule us is rare.

The situation in New Castle County today calls for deep thought about our State Constitution and the rights that are being violated by our County government. The County could not make laws about planning and zoning if it had not been delegated the power to do so by the State Legislature. It was to the Legislature that the Delaware Constitution gave power over planning and zoning. When they re-delegated it to the counties, it was done with standards to guide the county governments. Without those standards, the re-delegation would have been illegal.

When a county government passes laws that violate or ignore those standards, they are exceeding their authority. What they pass that way should be declared null and void, but the catch is that calling their attention to their errors will not stop a government bent on doing what it wants to do. That is why residents have to turn to the courts to check the government officials that boldly exceed their authority. The only other way to control them is to throw out of office the officials who violate our Constitution. People can take back the power. They can and must control petty dictators by electing persons who understand that their role is to act within constitutional limits and according to State standards in the public interest.

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Today, residents of New Castle County are engaged in a struggle to control New Castle County's future--especially as it relates to the size of development projects that threaten to overwhelm our infrastructure.

In 2009, the Department of Land Use proposed legislation to streamline the development process saying that it was necessary to do so to help the economy by helping developers get projects approved faster. That makes sense except for one fact. Studies had shown that what slowed the developers' applications was not anything in the County process, but the need to do Traffic Impact Studies.

Buried in the huge ordinances that the Department of Land Use sent to the Council in 2009 was the elimination of a requirement that a TIS be done prior to a Council vote on rezoning. Now the plans would go through an approval by Council at the Preliminary Plan stage with no information being given to the Council on critical matters of impact on the health, safety, and general welfare of the communities that would be affected by it. The General Manager of the Department assured everyone that the traffic studies would be seen by Council at the Record Plan stage. He failed to tell the public that at the Record Plan stage, the Council acts as a rubber stamp approving whatever the Department has put in front of it.

The 2012 Future Land Use Map in the Comprehensive Plan is now marked "Commercial, Office, Industrial" everywhere you see an office park in the County. Regulations on Transportation Impact Districts (TIDs) are now proposed by DeIDOT. Those TID plans will seal the zoning for each region in concrete for 20 years, so of course everything will be zoned higher just in case it's needed.

It is time for you to be counted in terms of what you want for this County. It's up to you to decide what the future should hold for all of us. Please study the newspapers and you should check online with the Register of Regulations on the General Assembly web page or call DeIDOT's Public Relations Office for copies of the proposed DeIDOT Regulations. It is work to get involved and attend hearings or send comments to the Secretary of Transportation, but this is the kind of civic work that makes a real difference. This is getting to the heart of how government works, and when citizens do not do that, bureaucrats walk all over us.

Other civic activists have been at work in the political process running for office or supporting candidates who will act in the public interest when elected. This election, therefore, is critically important to our future.

In the past, citizens have risen to the task and reformed County government. It takes constant vigilance to keep it focused, however. The Primary will leave us with two clear choices. It's now or never. Please Vote. The quality of life of your children and grandchildren depends on the outcome. We have a lot of serious problems to solve as a state and county, and the first task is to make sure people with the public interest at heart will be in place to lead us to solutions. Stay involved. The Civic League needs people who care about the future and who are willing to work to keep this County a great place to live and work.

by Christine Whitehead

*Don't forget to renew your Civic League Membership for 2012/2013*