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# NCCCL COUNTY COMMENTS

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## Observations On The Transportation Brainstorming Session On May 30

### Personal Opinion by Christine Whitehead

Vic Singer brought together a diverse group to discuss in great detail traffic, transportation, and planning for higher density development. What I took away from the interesting conversation was that DelDOT and WILMAPCO are very focused on acquiring lots of high tech equipment to predict where the current drivers go and how long it takes them to get there. That could potentially lead to coaxing more people into the mass transit vehicles they would then supply or into car pools at least. But meanwhile they are spending money on technology and planners and not buses or pavement and engineers.

Jerry Heisler, who is an articulate spokesman for his industry, represented the developers' position. When I listened to all that DelDOT will know about our roads when they finish installing all the sensors and cameras, I asked if they would eventually eliminate the need for Traffic Impact Studies to know what impact new construction will have on a road. Although I know he hates the expense and time the studies take for a developer, he was the one who said no. He pointed out that without a TIS, DelDOT will not be able to gage the impact at the point of entry and exit of a project. They need to know the future uses of the buildings, the expected number of employees at the site, and how much the turns in and out will delay traffic currently passing by freely. They also have to predict how many vehicles will be attracted to the site temporarily (for shopping, doctors visits, etc.). But he also said that the study will still have to spread beyond that point to accurately measure the ripple effect.

Paul Morrill of the Committee of 100 sat quietly listening. He was present 2013 when Wm. T. "Bill" Brokenbough of DelDOT made a presentation at a workshop on TIDs. (I think that stands for Traffic Investment Districts, but the acronym is used so often I am not positive.) That made me realize where all this was going. Troy Brestel, who is one of the highest ranking DelDOT staffers, chimed in to clarify what Dan Blevins of WILMAPCO was adding to Bill's presentation from time to time. We learned that they are intent on making the study areas smaller at a time when the Civic League sees a need to enlarge their studies to include the regional movements of vehicles that are causing congestion in some hard hit areas. Donnie Shankie pointed that out to them. Vic was trying to get them to focus on tools for protecting neighborhoods if the Level of Service limits used now were to be removed. Nancy Willing made the point that they are in fact waived now if enough jobs will be the result of a Major Development, and TISs are not required for Minor Developments which are designed to be much larger than they were when the UDC was first enacted. John Janowski added his experienced view on several of these points.

Jerry Heisler ran through a quick discussion of how there had been fewer rezonings after the UDC was passed because developers became discouraged with the constant opposition and decided to just build whatever was permitted on the land they owned. I did not have a chance to respond to that then, so I will now. For several years, the big developers started building in surrounding jurisdictions or Sussex County instead of here. But as the time limit for older plans began to expire, they returned to this County to build projects never started. Fights ensued. Traffic had become worse as all the developments in surrounding jurisdictions poured vehicles into this County. Not as many rezonings were needed because the remapping of the County done to match the new names for zones in the UDC also changed the zoning for many, many parcels. Four examples I fought in 1997 were the rezoning of parts of Delaware Park, the DuPont Country Club Golf Course, the Nemours land that later became part of Astra Zeneca, and an area close to Christiana. The Planning Board never knew what was planned and the public did not know what was happening. (I think of these as up zonings, but some call it downzoning. I guess it depends on how you view the desirability of removing land from residential to office, industrial or commercial.) The head of Land Use by then was Shawn Tucker, CAO Freeberry's protégée, but I believed it was a constitutional violation to rezone these large parcels with no public comment on the process. He told us we had to vote to put the entire new zoning map into place or the UDC could not become operative.

In all fairness, Mr. Heisler is correct about the cost of public opposition to a developer. When one has spent considerable amounts of money on purchasing land, having field studies done, hiring architects and engineers, and paying all the fees the Dept. of Land Use requires, it is an awful shock to wind up having a project blocked by a public upset over the congestion they are experiencing and to which they expect the project to add. He lost one project when he was certain the redevelopment would not add to the congestion but reduce the number of vehicles at the primary intersection. At a time when this County needs investment, we do not want that to happen to a responsible builder. There is a solution to this problem. The entire process should start by having a developer, one of the Dept. of Land Use planners, perhaps a DeIDOT or WILMAPCO engineer, and the public that resides in the region meet to discuss a potential project before it gets started. That is what Eileen Fogarty has recommended as part of the redrafting of the UDC, and the Civic League has favored a version of that for a long time. Back in the 1990s, the development approval process worked better because such early meetings were held routinely, but planners did not attend.

The power to block more congestion lies in the LOS and TIS requirements of the UDC which are backed up by State law. What we did not resolve in our discussion, is how the quality of life of residential property owners and the property values of all will be protected if those LOS and TIS protections are wiped out by the rush into Smart Growth as furthered by TIDs. Realtors and planners nationwide are promoting Smart Growth as though it is the answer to our environmental problems. Urbanization, infill, and mass transit are being pushed as though we will find the Promised Land in city living and high density. I can see the potential benefits, but I also see the potential problems and they are great. Look what has happened to Christiana as a Growth Zone has become an Economic Development Zone around Churchman's Crossing or, in effect, a TID. One of our most historic towns is

threatened as its charm is overlooked in favor of commercial expansion. Now another golf course that gave the area green space is at risk. Stay tuned. Perhaps in the next discussion we will deal with the problems of transition in a limited economy and protections for those already invested in a place. Join us. This subject needs all the brains we can apply to it. It's your future. The Civic League's Old Guard is not going to be on the watch forever. create safe walking and biking paths everywhere they are needed. Since the Bike/Walk/Explore Delaware Fund would be used by more than one agency, it would have to be under the control of the Secretary of Finance and apportioned by the General Assembly with the other appropriations. They could enable us to check off whether we would like to contribute \$1, \$10, or \$20 to the Fund. Perhaps some bus funding could come from it too if it proves popular. I have not worked out all the details yet, but it can be done. Many of us can pay for what we want to live well and healthy.

All the national studies show that communities that have recreational trails, safe means of cycling to work and shopping, good bus service, and a walkable, interactive mix of attractive residential and other uses combined are more popular and have higher property values. We have some young mayors working to make their towns like that. We have some State planners laying out visions for several towns and regions. We have grand ideas coming from the efforts of the Gordon Administration. Delaware is alive with a dream of the future that will make our home greater than ever and create jobs. BikeDE is leading the way. Let us get on board and help. Email your legislators!!!! Make this happen for yourselves and your children!!!!

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# CLNCC Meeting

6/16/15

7-9 PM

3601 N. DuPont Highway New Castle, DE 19720 .

## Guest

**Jennifer Cohan**

Delaware Secretary of Transportation

7-9 PM Tuesday 16 June 2015

Civic League For New Castle County Meeting

**Paul J. Sweeney Public Safety Building**  
3601 N. DuPont Highway New Castle, DE 19720

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