



**News from Bob Weiner, your  
County Councilman**  
**“Making County Government Work  
for Us”**

A Publication of the  
Office of New Castle  
County Councilman  
Robert S. Weiner

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## About Bob Weiner, Your County Councilman

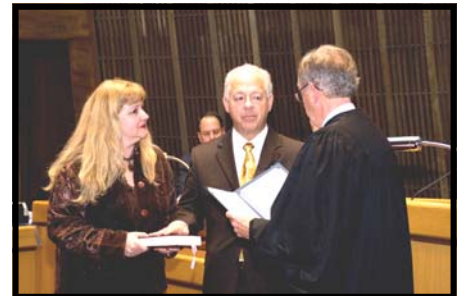
Bob Weiner's commitment to civic involvement led to his decision to seek the office of New Castle County Councilman for the 2nd District in 1996. The district includes western Brandywine Hundred and a portion of Claymont and Greenville. During his tenure, Bob has fought against overdevelopment and for upgrades to our community's infrastructure, including sewer, drainage and transportation systems. Bob accepts no contributions from developers who profit from County Council decisions although such contributions are not illegal.

Bob's has long history of commitment to our community. From 1986-1996, Bob served as Zoning Vice President for the Council of Civic Organizations of Brandywine Hundred, a civic umbrella group representing over 80,000 residents. He developed an expertise in land use law and a reputation for fighting to protect the interests of our community while at the same time supporting responsible development. Since his original election to New Castle County Council and his re-election in 1998, 2002 and 2006, Bob has authored numerous articles concerning land use issues which have appeared in publications nationwide and throughout the State. He is regularly asked to speak on smart growth issues to national, professional, legal and civic groups. Many of Bob's smart growth essays can be seen at [www.bobweiner.com](http://www.bobweiner.com).

He is an attorney by profession engaged in the general practice of law in Wilmington, Delaware. Weiner is a 1972 Phi Beta Kappa graduate of the University of Delaware with a B.A. in political science. He graduated from Temple University School of Law in 1975. He is an associate with the law firm of Fox Rothschild LLP.

His wife, Cindy, is founder and owner of Celebrity Kitchens in Wilmington, Delaware. He has two daughters, Ellen and Rachel.

Bob welcomes the opportunity to speak at your civic association meeting about timely issues of importance and to address your community concerns. You can contact Bob by calling Louis Hinkle, his aide by phone 302-395-8362 or by email [lhinkle@nccde.org](mailto:lhinkle@nccde.org). Visit your New Castle County website: [www.nccde.org](http://www.nccde.org) to learn how our county government works. Visit Councilman Bob Weiner's website: [www.bobweiner.com](http://www.bobweiner.com) to learn what is happening in our community and to contact Bob directly.



# Councilman Weiner's "Citizen Brigades" To Combat Graffiti And Other Illegal Activities

As your County Councilman, please accept my invitation to attend an informational meeting to learn about ***Councilman Bob Weiner's Citizens Brigade to combat graffiti and other acts of vandalism.***

Each "***Citizens Brigade***" will consist of adult residents and responsible young leaders lead by carefully selected and trained Brigade Captains who will work directly with our State and County police to address quality of life problems in our community. The prevalence of graffiti and litter in our community sends a signal to criminals and vandals that no one is on patrol to prevent their criminal conduct. The unabated prevalence of graffiti and litter make criminals and vandals feel welcome in our communities. Our program is designed as a partnership between our state and county police, our schools, our civic associations and interested civic leaders. We will work together to preserve the clean appearance of our communities and, in the process, keep our neighborhoods safe.



Where: **The Brandywine Town Center County Community Center  
4050 Brandywine Parkway  
Concord Pike (Route 202) & Naaman's Road  
Wilmington, Delaware 19803**

When: **Wednesday, November 7, 2007**

Time: **7:00 PM**



Representatives from the New Castle County Police Department, the Delaware State Police, Delaware Department of Transportation, and New Castle County Office of Code Enforcement will be joining us. I have worked hard for you to construct this program but it will only be effective if you actively participate! Please come, listen and learn. I urge you to share this letter with your neighbors and urge them to also attend!

We look forward to seeing you. If you have any questions, please contact my Legislative Aide, Louis J. Hinkle, III at 302-395-8362.



## Councilman Weiner's "Citizen Brigades" To Combat Graffiti And Other Illegal Activities (Con't)

As your County Councilman, I have seen my fair share of problems in our County that affect the quality of life of the citizens of New Castle County...graffiti, trash, abandoned vehicles, problem properties...to name a few. Since my election in 1996 I have regularly patrolled my district almost every weekend to identify and help eliminate graffiti, trash, problem properties, abandoned vehicles, illegal signage, illegal vehicles for sale along our roadways, and other state and county code violations. I am proud to say that due to my continuing efforts, most graffiti, illegal signage and illegal sales of vehicles has been eradicated from our community. However, it became apparent to me that greater involvement of citizens was needed. As we have learned from other sections of the country, crime prevention for more serious criminal activity starts with first controlling these visual clutter crimes. The "broken window" problems, if not addressed, lead to more serious community crime. Cleaning our streets of visual clutter sends a message to would be criminals and vandals that our community is on guard! One of the most difficult aspects of these visual clutter crimes is the permanent eradication of graffiti in the State's right of way which typically appears along our roads on the support stanchions for I 95 and the CSX railroads.



To combat these tough issues, I have asked our State government to respond the best they can...and they have...to clean and remediate the problems. We are very grateful for the assistance that the State has been provided. But there is only so much that government can do given significant budgetary constraints. The cost of combating these types of problems is growing every day and putting a strain on the services that our State can provide for our citizens.

Our County government's function and jurisdiction is quite different than the State. Through the Office of County Code Enforcement, code officials respond to reports of property maintenance code violations brought to its attention by citizens. The Code officials investigate violations and if it is determined that a private property owner is not code compliant, code officials will issue a notice to the property owner providing the owner with a request to address the code violation. Most code violations are voluntarily addressed by citizens upon receiving notice. However, on occasion, the Code officials must take more aggressive action, including prosecution and fines in order to compel code compliance. The County's jurisdiction does not include illegal signage in the state's right-of-way, roadside graffiti or road side illegal car sales in the state owned right-of-way. The County's jurisdiction does include property code violations on property owned by private property owners, such as graffiti on the sides of buildings, illegal signage that is not in the State's right-of-way, high grass, and various property maintenance issues such as broken windows.

I share the community's collective frustration in our inability to combat the more virulent forms of graffiti which has invaded our communities. Therefore, I have developing a plan to help combat these quality of life and public safety issues. Now that safety procedures are established, we are ready to launch the "**Citizens Brigades**" Program to help report and clean up the visual clutter in our community. Each "Brigade" will consist of teams of volunteers in our communities to clean up graffiti, to pick up trash, and to patrol and report violations of state and county...all in an effort to make our portion of New Castle County a better place to live.

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## Councilman Weiner's "Citizen Brigades" To Combat Graffiti And Other Illegal Activities (con't)

I have solicited volunteers from the area civic associations, schools, and student groups to help with the various problems in our communities to form our "brigades".

We have instituted standard safety practices in advance of formally launching the program to ensure that our volunteers are safe when they perform these civic duties such as painting walls covered with graffiti located along our roadways.

The State of Delaware has for many years successfully sponsored the Community Block Watch and Adopt-A-Highway programs. The program has been successful over many years with simple guidelines and minimal government oversight. We have borrowed some of these time tested strategies of the "Community Block Watch" and Adopt-a Highway Program for the "Citizen Brigades" program. The State of Delaware has an important role to play in this program since the graffiti campaign will most often target graffiti on public structures in the State right-of-way.

This is a partnership between our civic associations, our local schools, New Castle County, our State Department of Transportation and local service groups. The eradication of graffiti helps satisfy students' "community service" requirements. Traci Fraley, Brandywine School District Safety and Security Specialist, has been appointed the Brandywine School District's contact point person for this initiative, by Superintendent Jim Scanlon. Other potential resources for the Citizens Brigades are the New Castle County Police Explorer posts, cub scouts, brownies, boy scouts and girl scouts who may be able to earn merit badges for this community service or even satisfy the requirements for an Eagle Scout project by developing a program for you and coordinating one or more projects.

Most of those spray painting buildings are teenagers who will grow out of the habit as they mature. However, it is not wise to confront them directly if citizens catch them in the act, because they could be carrying a weapon. Instead, it is advisable to observe as many details about their physical descriptions to help identify them later. If they are driving, it is advisable to record license plate numbers, and note the model and color of their car. Also, it is very helpful to take pictures using a camera phone or camera to photograph them and document their activity.

Each "Citizen Brigade" will have a Captain who will operate as the area's contact person. Each Citizen Brigade will be comprised of both adult civic leaders partnered with young adults from the community, area schools, Boy Scout troops, County Police Explorer groups and/or other student bodies. The Citizen Brigades must be able to operate ***immediately*** after graffiti appears or re-appears in order to frustrate the graffiti vandals. The successful lesson that New York City's anti-graffiti campaign taught us all is the importance of immediate action. Civic associations will be encouraged to post in their respective newsletters information about the Citizen Brigades and further urge residents to report acts of vandalism. Each Citizen Brigade will be provided with the necessary paint and safety equipment. Ladders should not be needed as paint brushes can be affixed to long extension poles. No one will climb the CSX railroads structures. We have the full support of Commander Patrick Ogden, Delaware State Police Troop 1, New Castle County Chief of Police Rick Gregory, Brandywine School District Superintendent Jim Scanlon, our State Department of Transportation and other essential stakeholders.

This broad public/private partnership is essential if we hope to take back control of our communities from graffiti vandals and other criminal elements. Collectively we can all help reinforce positive behavior and establish a culture of lifetime community service.

## STOLTZ SHOPPING CENTER PLAN FOR CONCORD PIKE OPPOSED BY BUSINESS & CIVIC COMMUNITY

A division of Stoltz Realty Company (Stoltz) has entered into an option contract with Woodlawn Trustees to develop the southwest corner of Route 92 (also known as Beaver Valley Road) and Route 202 (also known as Concord Pike), which parcel is owned by the Woodlawn Trustees. The current proposal seeks to rezone 41 of the 43 acres from residential to commercial use to accommodate a 62,000 square foot Whole Foods Market anchoring the intersection and surrounded by a 200,000 square foot commercial shopping center. (Two acres are already zoned commercial.) Currently, the Stoltz plan proposes that the Whole Foods super-market hug the intersection with the rear loading dock facing Route 202.

At the October 2 Land Use/Planning Board Public Hearing, the business and civic community spoke in unison in opposition to this commercial rezoning. For example, AIG, which employs 1000 people, stated that it would consider leaving Delaware if the commercial rezoning was approved because of its grave concerns about the extra traffic at the intersection. The public is mostly not yet aware that the Stoltz proposal, if approved, would eliminate direct left turning movements at 2 of the 4 movements through the intersection to accommodate the extra traffic. The cost for this reconstruction would be paid for by the developer. However, the extra travel time to get through the 2 proposed new "Jersey-style jug handles" surrounding the intersection would add as much as 10 minutes of travel time at peak rush hour, on weekends and at holiday times. The State Department of Transportation mandated Traffic Impact Study is still underway. There is also an already pre-approved second story of commercial for Concord Mall which could be built as a matter of right at any time.



The preliminary plan that was filed by Stoltz's attorney for the site was deemed not acceptable by the County Land Use Department. It was obvious by Stoltz's attorney's comments, that Stoltz had simply ignored the comments of New Castle County Land Use Department planner Steven Faux. The proposed auto dominated Pre-Exploratory Sketch Plan slices up the parcel with crossing roadways, seas of asphalt, scattered multiple restaurant pads, a bank pad and a strip shopping center.

The existing two 4 story office buildings across the street from the proposed site on the northwest corner of Concord Pike and Beaver Valley Road establish a precedent for the high density residential on this southwest corner parcel. No one would expect single family residential to be built at this intersection.

The Concord Pike Corridor is already inundated with commercial centers and the related traffic congestion. The community would be much better served by, and also more accepting of, a Trauma Center and offices for medical specialists, combined with affordable senior housing at this site. Medical facilities could mandate employees not drive during peak hour travel using the tools available in the Level of Service Monitoring and Mitigation Agreement which I spearheaded a few years ago. Astra Zeneca has shifted almost 40% of its employees out of peak hour single occupancy vehicles utilizing these strategies. In short, it works very well. The aging community in Brandywine Hundred and the surrounding area would strongly support a Trauma Center and affiliated offices for medical specialists. Ever since the Wilmington Medical Center shifted its main hospital from Wilmington to Christiana, the Brandywine Hundred community has perceived itself to be underserved. An ambulance's travel time during peak rush hour to Christiana Hospital from Brandywine Hundred is everyone's worst nightmare.

In Brandywine Hundred, there is a large market for affordable independent living senior housing to meet the unmet needs of thousands of residents who would chose to leave their 4 bedroom empty nester homes if there was an alternative supply of reasonably priced senior housing in our community. A residential village

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## STOLTZ SHOPPING CENTER PLAN FOR CONCORD PIKE OPPOSED BY BUSINESS & CIVIC COMMUNITY (Con't)

would support the existing commercial uses in the Concord Pike Corridor to achieve the desired balance of mix of uses. Woodlawn Trustees should ask Stoltz to release itself from the option contract and instead seek to both partner with Christiana Care to construct medical facilities and to partner with a residential builder to construct an affordable multi-story pedestrian friendly transit oriented senior community at this site. Residents who were in the work force could easily commute to work by walking or by utilizing existing bus service. Seniors would have a healthy life style surrounded by Woodlawn's walking paths on one side and medical facilities, nearby shopping and bus service on the other side. The New Castle County Comprehensive Plan denotes that this parcel is appropriate for high density residential development. This Comprehensive Plan designation does not mean that the development ought to be rezoned for commercial. New Castle County is not duty bound to accept the proposed commercial rezoning.

Twenty years ago, when I was Zoning Vice President of the Council of Civic Organizations of Brandywine Hundred (CCOBH), our civic umbrella group adopted the "Devon Plan" as an alternative to the Brandywine Town Center commercial proposal. The "Devon Plan" was generated by residents in nearby subdivision of Devon and urged a "Mixed Use" of office, commercial and residential, instead of building all commercial at the Brandywine Town Center site. Although the Devon Plan was rejected, the Brandywine Town Center, with the new surrounding residential communities, has actually morphed into the mixed use combination of office, residential and commercial that was rejected at the time of this contentious rezoning. The main point is that it was important for the community *then* (and *now*) to support a viable alternative rather than simply saying "No". No one believes that the southwest corner Routes 202 and 92 will remain corn fields forever and so I urge support for a responsible and viable alternative as our community did 20 years ago when CCOBH adopted the community initiated "Devon Plan".

I am sorry that I chose to use the word "myopic" in the October 5 News Journal article when referring to those residents in PA and DE who would like to shop in DE to purchase their gluten-free foods at a Whole Foods Supermarket. Newspaper articles do not allow sufficient space for the entirety of one's thoughts in order to put one's chosen words in proper context. I have great empathy for folks who need gluten-free foods. However, I also have a great concern for the much larger group of County residents who need affordable senior housing, want no additional traffic congestion, desire to live in a pedestrian friendly community with dependable bus service, and who yearn for a nearby Medical Trauma Center. My position balances all these important concerns.

Should the rezoning fail, Whole Foods will certainly find a location on Concord Pike in PA. Whole Food Store devotees will be able to drive an extra few miles north on Route 202 to shop at a Whole Foods Market.

Additionally, ShopRite Supermarket, which is located a few hundred yards from the proposed DE site for a Whole Foods store, has recently added an extensive line of gluten-free and organic items. Nearby Trader Joe's offers organic items.

Because two of the intersection's left turning movements are in technical failure due to the back up of traffic at the intersection during morning and evening peak rush hour traffic, the proposed commercial shopping center proposal can only be legally approved by removing two of the four left turning movements and replacing the left turns with "Jersey-style" jug handles, which would route the traffic through the center of this new shopping center's parking lot. Commercial shopping centers generate traffic during peak rush hour and there is no proven method to prevent this additional traffic load.



## STOLTZ SHOPPING CENTER PLAN FOR CONCORD PIKE OPPOSED BY BUSINESS & CIVIC COMMUNITY (Con't)

I have proposed an alternative which would not require the removal of the left hand turning movements and would not add additional traffic during peak rush hour. A senior community on the back end of this parcel would add no rush hour traffic because the average age of its residents would be in the late 70's and therefore most of the residents would be retirees. Christiana Care would jump at the opportunity to locate a Trauma Center on the parcel's front end along with additional offices for medical specialists. The medical facility employees can be legally required to refrain from driving to and from work during peak rush hour to avoid adding additional traffic at peak rush hour. To the extent that patients' visits during peak rush hour would add additional traffic load, the controlling Level of Service ordinance can be modified for "medical need" to avoid mandating the "Jersey-style" jug handles proposed by the Stoltz Plan.

Stoltz's attorney told the County Land Use Department and Planning Board that ONLY their commercial proposal would provide Woodlawn with needed funds. This is simply not true. My proposal would more effectively fulfill both stated missions of Woodlawn Trustees: to generate income to preserve open space while also providing additional affordable housing. This alternative would better serve the citizens living in northern Delaware. Woodlawn Trustees granted an option to Stoltz, but instead should have granted an option to Christiana Care and a senior residential builder.

What is really driving this proposal is Stoltz, which purchased an option from Woodlawn Trustees, and intends to build another shopping center to add to its extensive shopping center portfolio. The Board of Woodlawn Trustees is compelled to just "go along for the ride" until or unless Stoltz gives up its option. Woodlawn Trustees' founder William Bancroft, an affordable housing champion and open space preservationist, would certainly have never sanctioned the Stoltz commercial center plan.

## Complete streets' program gives more room for pedestrians, cyclists



Complete streets are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists and transit riders of all ages and abilities must be able to safely move along and across a complete street.

Creating complete streets means transportation agencies must change their orientation toward building primarily for cars. Instituting a complete streets policy ensures that transportation agencies routinely design and operate the entire right of way to enable safe access for all users. Places with complete streets

policies are making sure that their streets and roads work for drivers, transit users, pedestrians, and bicyclists, as well as for older people, children, and people with disabilities.

Many streets where people bicycle or walk are incomplete. Our states, cities, counties and towns have built many miles of streets and roads that are safe and comfortable only for travel by motor

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## Complete streets' program gives more room for pedestrians, cyclists (Con't)

vehicle. These roadways often lack sidewalks or crosswalks, have lanes too narrow to share with bicyclists, and make no room for transit riders and no accommodation for people with disabilities. A recent federal survey found that about one-quarter of walking trips take place on roads without sidewalks or shoulders, and bike lanes are available for only about 5 percent of bicycle trips. Another national survey of pedestrians and bicyclists found that the top complaints were the lack of sidewalks and bikeways – essentially, incomplete streets.

Few laws require states to build roads as complete transportation corridors. In 2000, the US Department of Transportation advised states receiving federal funds that “bicycling and walking facilities” will be incorporated into all transportation projects unless exceptional circumstances exist.” But by their own admission, fewer than half the states follow this federal guidance. Many highway improvements add automobile capacity and increase vehicle speeds, but do nothing to mitigate the negative impact this usually has on bicycling and walking.

Streets without safe places to walk and bicycle put people at risk. While nine percent of all trips are made by foot or bicycle, more than 13 percent of all traffic fatalities are bicyclists or pedestrians. More than 5,000 pedestrians and bicyclists die each year on U.S. roads. The most dangerous places to walk and bicycle are sprawling communities with streets built for driving only.

Roads without safe access for non-drivers become barriers. About one-third of Americans do not drive, so complete streets are essential for children and older Americans, as well as people who use wheelchairs, have vision impairments, or simply cannot afford a car.

## Public Workshop Scheduled For Shipley Road Bicycle & Pedestrian Plan

The Delaware Department of Transportation (DelDOT) is developing a concept plan for a bicycle and pedestrian path on Shipley Road. The first segment of Shipley Road to be studied is from Baynard Boulevard south to the intersection of the Northern Delaware Greenway at Shipley Road. Interested persons are invited to express their views in writing, giving reasons for support, or in opposition to the proposed plan. Comments will be received during the workshop or can be mailed to DelDOT Public Relations, P.O. Box 778, Dover, DE 19903. For further information contact DelDOT at 1800-652-5600 or write to the above address.

Public Workshop  
Shipley Road Bicycle & Pedestrian Plan  
Immaculate Heart of Mary  
1000 Shipley Road, Wilmington  
Thursday November 8, 2007  
4-7 PM



# Brandywine Hundred Curatorship Program Bids To Be Accepted

Three historic homes in Brandywine Hundred which are owned by New Castle County will be open to the public on Tuesday November 6 for inspection. These properties are to be leased to New Castle County's first "Resident Curators". Councilman Bob Weiner spearheaded the concept of the Resident Curatorship Program which is loosely modeled after the successful State of Maryland program. Rather than using public funds to repair and maintain county owned historic structures, "resident curators" will bid for the opportunity to use their own private funds and "sweat equity" repair skills to live in the historic treasures. In exchange, these resident curators will live in the homes.

### The Open House Schedule:

Tuesday November 6 @ 9 AM-Talley Day County Park residence, Foulk Road;  
Tuesday November 6 @ 11 AM, Jester County Park residence, Grubb Road; and,  
Bechtel County Park residence [Ivyside], Tuesday

November 6 @ 1 PM.

*(photos top to bottom: Talley Day Park Residence, Jester County Park Residence and Bechtel County Park Residence)*



# Helping Our Children Grow

The Brandywine High School Band Booster Association, the Mount Pleasant Green Knight Band Organization, the Concord Friends of Music and the Brandywine High School Dance Program all received grants which Councilman Bob Weiner sponsored ranging from \$1000 to \$2500 for a total of \$8500. The purpose of the New Castle County Council grants budget is to strengthen the social, cultural, and business communities within New Castle County. Special emphasis is placed on innovative community-based programs that reach underserved populations. Each request was passed by unanimously by New Castle County Council.



# Councilman Bob Weiner's Calendar of Events

## November 6th, 2007

### Brandywine Hundred Curatorship Open Houses

**Location:** Various Locations

Three historic homes in Brandywine Hundred which are owned by New Castle County will be open to the public on Tuesday November 6 for inspection. These properties are to be leased to New Castle County's first "Resident Curators". Councilman Bob Weiner spearheaded the concept of the Resident Curatorship Program which is loosely modeled after the successful State of Maryland program. Rather than using public funds to repair and maintain county owned historic structures, "resident curators" will bid for the opportunity to use their own private funds and "sweat equity" repair skills to live in the historic treasures. In exchange, these resident curators will live in the homes. The Open House Schedule: Tuesday November 6 @ 9 AM-Talley Day County Park residence, Foulk Road; Tuesday November 6 @ 11 AM, Jester County Park residence, Grubb Road; and, Bechtel County Park residence [Ivyside], Tuesday November 6 @ 1 PM.



## November 8th, 2007

### ShIPLEY Road Pathway Workshop Nov. 8 4-7 PM

**Location:** Immaculate Heart of Mary

Public Workshop Shipley Road Bicycle & Pedestrian Plan Immaculate Heart of Mary 1000 Shipley Road, Wilmington Thursday November 8, 2007 4-7 PM The Delaware Department of Transportation (DelDOT) is developing a concept plan for a bicycle and pedestrian path on Shipley Road. The first segment of Shipley Road to be studied is from Baynard Boulevard south to the intersection of the Northern Delaware Greenway a Shipley Road. Interested persons are invited to express their views in writing, giving reasons for support, or in opposition to the proposed plan. Comments will be received during the workshop or can be mailed to DelDOT Public Relations, P.O. Box 778, Dover, DE 19903. For further information contact DelDOT at 1800-652-5600 or write to the above address.

## November 10th, 2007

### Fall Talley Day Bark Park Event @ 10 am

**Location:** Talley Day Bark Park

Councilman Bob Weiner invites area residents and friends of the Talley Day Bark Park to join him for a bark park clean up day. Residents will spread mulch provided by New Castle County. Rakes, shovels, pitch forks, and wheel barrows will be provided by New Castle County, which will also supervise the voluntary community work day. Volunteers should dress comfortably with outdoor work clothing. We will concentrate our efforts on the entire small dog bark and areas surrounding the benches in the large dog park this time. Where: Talley Day "Bark Park" on Foulk Road, next to the Brandywine Hundred Library When: Saturday, November 10, 2007 at 10am For more information about this event, please contact Louis Hinkle in Councilman Bob Weiner's office at (302) 395-8362.

