

FRIENDS OF HISTORIC GLASGOW

FOR IMMEDIATE RELEASE:

Headline - Developer Files New Plan For La Grange After Rebutting HRB Requirements

GLASGOW, DE, September 26, 2006 – Developer Stephen Nichols recently filed a new minor land use exploratory plan for the historic La Grange farm property. The plan calls for the conveyance of approximately 1 3/4 acres on the northeastern edge of the property to the neighboring Friendship Baptist Church. The church had previously expressed an interest in building a parking lot on the land.

In early February 2006, after reviewing the developer's plans, the New Castle County Historic Review Board (HRB) made ten recommendations for the preservation of significant historic resources on La Grange. Additionally, the HRB opposed Nichols' rezoning request for commercial space. The recommendations were endorsed by the Department of Land Use and forwarded to the developer in a letter dated February 15, 2006.

The very first recommendation included a requirement that the open space buffer around the historic manor house and outbuildings to be extended to the northern, eastern, and southern property lines proximal to those structures, and to include the adjacent farm field to the west. A second recommendation included a requirement that all significant archeological sites on the property be completely avoided or be fully mitigated. And a third recommendation was a requirement that the remnants of an historic 18th Century roadbed on the farm be incorporated into a walking trail as a linear greenway.

The land to be conveyed is within the required buffer area. It also contains part of one significant concentration of prehistoric artifacts, identified during a level I archeological survey undertaken in 2005. And according to historic maps, it includes part of the trace of the original 18th Century Old Welsh road between

Head of Elk (the former name of Elkton) and Aiken's Tavern (a former name of Glasgow).

"A plan to convey this land for the purpose of building a parking lot would appear to violate at least three of the ten preservation oriented requirements advanced by the HRB," said Friends of Historic Glasgow member David Arday. "However, the plan does not specify exactly what Friendship Baptist Church intends to do with the land."

Area residents are very concerned about the seemingly unrestrained development along the U.S. Route 40 in the Glasgow area. To date, FOHG has collected over 2000 signatures, on two separate petitions, from people favoring preservation and opposing the development of La Grange.

Perch Creek resident John Medkeff explained, "Many of residents and community leaders I've spoken with in Glasgow and along the Route 40 corridor are concerned with how the overdevelopment planned for La Grange will put further strain on area resources. Even if we were able to ignore the wanton destruction of the rare cultural and ecological elements found on the property, residents would still demand to know how developing La Grange could possibly enhance the quality of life of the thousands of people already residing in the area.

"Will the people of Perch Creek, Parkside Green, Melody Meadows, Marabou Meadows, Frenchtown Woods and our fellow New Castle County residents be saddled with paying for infrastructure improvements while the developer turns a profit and turns tail? These are very basic concerns that have yet to be addressed."

The new plan filing follows both an erroneous temporary withdrawal of the 2005 major land use exploratory plan and a June 21, 2006 letter from Nichols' attorney, Pamela Scott, contesting or minimizing the ten HRB requirements. The letter also argues that the requested zoning change should be supported.

The letter specifically denies the existence of the historic roadbed and the Revolutionary War earthworks, even though these have been previously documented by the DE State Historic Preservation Office. Furthermore, at the

January 2006 HRB public hearing, the development team conceded that historical maps did show the roadbed running parallel and proximal to the northeastern property line, then cutting across La Grange toward the remains of the earthworks. Yet, Scott's letter states, "The Applicant has identified no historic roadbed which crosses La Grange, and there are no remnants of an historic road on La Grange."

"Given the developer's response letter and the filing of the new plan, it appears that the development team is pursuing a divide and conquer strategy," added Arday. "If the minor plan is approved, and a parking lot built, then precedent will have been set that the HRB's recommendations need not be followed, even when further endorsed and required by the Department of Land Use."

Scott is the wife of current County Council President, Paul Clark. She also has been representing a different party, who wants to rezone for redevelopment the historic Columbus Inn property, in Wilmington. And as a member of the pro-development Committee of 100, she chairs its land use sub-committee.

Scott is also a member of the Saul Ewing law firm that is prosecuting a civil SLAPP suit against FOHG members David and Susan Arday on behalf of Nichols. The Ardays have been charged with tortious interference and injurious falsehood for their FOHG activities, and for petitioning New Castle County officials in favor of preservation.

SLAPP stands for *strategic lawsuit against public participation*. SLAPP suits have become a popular means for developers to chill public opposition, by imposing legal costs and restrictions on citizens who attempt to exercise their First Amendment rights, such as petitioning governmental bodies in opposition to development.

Copies of the both HRB letter and the developer's response are posted on the FOHG website, at www.neighborhoodlink.com/org/historicglasgow.

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