

**FRIENDS OF HISTORIC GLASGOW
POSITION PAPER ON LA GRANGE DEVELOPMENT
PRELIMINARY PLAN**

14 March 2007

Friends of Historic Glasgow raises the following objections to the La Grange Communities LLC development preliminary site plan, as filed with New Castle County Land Use on 24 January 2007.

1. The preliminary plan fails to comply with all of the New Castle County Historic Review Board (HRB) stipulations that were promulgated in February 2006, after the HRB reviewed the exploratory plan filing. These stipulations were endorsed by Land Use and reiterated by the HRB, in August 2006, after consideration of the developer's objections to some of the stipulations. The 236-acre La Grange farm portion remains under a New Castle County Historic Zoning Overlay, giving the HRB review authority.
 - a. The plan FAILS to comply with the required 48-acre open space buffer around the historic structures, showing only the 500 ft. minimum around the historic 1815 manor house that the developer has offered to include since the earliest concept plan was first presented, in April 2005. Part of the HRB's specified buffer is to be transferred to the neighboring Friendship Baptist Church for use as a parking lot, which would be built less than 500 ft. from some of the historic outbuildings. The remainder of the buffer is being held for potential sale to the Christina School District, which in 2005 proposed construction of a 1,000-student elementary and middle school complex.
 - b. With the HRB buffer requirement being ignored, no individual buffers are proposed for the unique and historic granary building, nor for any of the other farm buildings, all of which are more than 50 yrs. old, and which together provide a context for the historic farm.
 - c. The plan FAILS to specify the proposed limits of disturbance so that the HRB may adequately assess whether or not the prehistoric archaeological surveys have adequately covered all the areas involved in construction.
 - d. The plan FAILS to note any preservation plan for the manor house and outbuildings. The manor house is believed to be currently unoccupied, having been such since George Barczewski vacated the premises, in August 2006. Without a binding plan, the structures are under threat of demolition by neglect.
 - e. The plan FAILS to provide additional buffer area around the Latrobe Feeder Canal remnant and to prevent disturbance of the Revolutionary War defensive earthworks. Instead, the development team continues to deny the existence of the earthworks and often refers to the canal remnant as a "ditch." It proposes construction within 100ft. of the canal remnant and totally ignores the Revolutionary War earthworks and the portion of the historic road along which they lay.

- f. The plan FAILS to provide a specific record note stating that the La Grange manor house and outbuildings are to be preserved and that the proposed buffer area that contains these structures is not to be further subdivided. Instead, the plan proposes a 1.74-acre subdivision that will be conveyed to the neighboring Friendship Baptist Church for use as a parking lot, in exchange for a sewer easement across existing church property.
 - g. The plan FAILS to integrate remnants of the historic 18th Century road trace into a walking trail as a linear park or greenway. Instead, the applicant continues to deny that any historic roadbed still exists on the property, and contends the location of the old road alignment is not where it is shown on the historic maps. Part of the true historic road trace would be paved over as a church parking lot, and most of the rest would be built upon under the preliminary plan.
 - h. The plan FAILS to recognize that the HRB has ruled that the proposed commercial rezoning is inappropriate for this historic property.
2. Councilman David Tackett's sponsorship of the commercial rezoning request is inappropriate at this time and should be withdrawn.
- a. The HRB has stated its opposition to the rezoning.
 - b. Section 40.31.280 of the County's Unified Development Code states (boldface added):
 - A. No person shall undertake exterior alterations, demolitions, relocation, constructions or reconstruction on any building, structure, **site**, or object **within a historic zoning district** unless a permit is first obtained from the Department [of Land Use].
 - B. The Department shall issue no permit required under subsection A of this Section until the Historic Review Board first reviews and approves the application for the permit.
 - c. The effort to seek commercial rezoning without prior HRB approval is a direct attack on the HRB's authority and an attempt to circumvent the Historic Zoning Overlay on La Grange.
 - d. In 2004, New Castle County Council refused to raise their offering price to purchase the farm for preservation because, in part, they claimed the land could not be readily developed for high value commercial use under the existing historic zoning.
3. The proposal to eventually sell the historic farm buildings and the surrounding 48 acres to the Christina School District is questionable.
- a. The CSD has refused to publicly specify what they intend to do with the historic structures and how they intend to maintain them.
 - b. In April 2005, the CSD proposed construction of a 1000 pupil "mega-school" that filled the entire acreage with structures, parking lots, and playing fields, but the current site plan is blank. Therefore, it is unknown what CSD is presently intending.

- c. Some of the highest soil concentrations of Native American artifacts have been found in the area of the proposed school construction. The existing legal requirement to conduct archeological investigations of these sites prior to construction could vastly increase CSD's costs and cause delays. (A similar situation occurred with the construction of William Keene Elementary School.)
 - d. A large school building and parking lots in close proximity to the historic structures would vastly detract from their contextual setting.
4. The plan will degrade the environment by adversely affecting water quality and sensitive wetlands.
- a. The plans, as filed, specify 131 acres of private open space out of 178 acres of residential development and 241 acres total. This is only 54% guaranteed open space when the entire plan is considered. Furthermore, "private open space" does not equal undisturbed land. Many acres will be disturbed during construction and then later landscaped as "open space."
 - b. As documented in the August 2005 Delaware State Preliminary Land Use Service (PLUS) report:
 - i. Portions or all of the lands associated with this development are within the Livable Delaware Green Infrastructure area established under Governor Minner's Executive Order #61 that represents a network of ecologically important natural resource lands of special state conservation interest.
 - ii. This parcel is bounded by headwater or near headwater riparian wetlands associated with the Muddy Run Creek, which eventually drain to the water quality impaired Christina River subwatershed of the Delaware Bay. Headwater riparian wetlands are important for the protection of water quality and the maintenance/integrity of the ecological functions throughout the length of the stream, including the floodplain system and/or water bodies further downstream.
 - iii. Research has consistently shown that once a watershed exceeds a threshold of 10% imperviousness, water and habitat quality irreversibly decline. The PLUS report estimated the entire development would average over 50% impervious surface area.
 - iv. The proposed school construction area impacts the existing, high quality Glasgow groundwater recharge area, located on southeastern corner of the proposed development.
 - c. Road salt (chloride) and oil runoff from the new roads, driveways, and parking lots would adversely impact both the wetland habitats and groundwater quality. Chloride contamination of the Glasgow groundwater recharge area is a particular concern.
 - d. The plan encroaches on the minimum required 100ft. buffer around the riparian wetlands in some areas, particularly the commercial development area.

- e. Any construction on the site will adversely affect water quality in the Muddy Run, due to runoff and silt deposition.
 - f. The designated “private open space” provides no specific protection for the historical features and environmentally sensitive areas contained within it. It simply transfers the problem of caring for these areas to a private homeowners association.
5. The plan will adversely affect rare or threatened species and mature forest areas.
- a. In the fall of 2005, the developer conducted a level I survey that confirmed the presence of two wetland habitats favorable to the endangered bog turtle (*Glyptemys muhlenbergii*).
 - b. In the spring of 2006, the developer conducted a follow-up level II survey that failed to find any bog turtles in those habitats. However, several errors in how the level II survey was conducted call into question whether the failure to find bog turtles was a valid conclusion. Therefore, the survey should be properly repeated before construction is allowed to proceed.
 - c. The plan calls for the destruction of at least 19 acres of mature forest. This forest provides critically needed habitat for many songbirds and other species. In reality, the amount of forest that will be removed may be higher once this site is built out and homes, driveways, sidewalks, roadways, and stormwater management ponds are constructed. Future landowner activities (construction of playgrounds, sheds, swimming pools, etc.) may also result in further clearing. Forest fragmentation caused by the current site plan greatly diminishes the value of this forest to a host of plant and animal species whether they are rare or not.
6. The plan will adversely affect Delaware’s already declining air quality and the state’s already overburdened solid waste disposal system. According to the PLUS report:
- a. Once complete, vehicle emissions associated with this project are estimated to be at least 17.8 tons (35,609.6 pounds) per year of VOC (volatile organic compounds), 14.7 tons (29,482.3 pounds) per year of NOx (nitrogen oxides), 10.9 tons (21,752.6 pounds) per year of SO2 (sulfur dioxide), 1.0 ton (1,936.4 pounds) per year of fine particulates and 1,489.3 tons (2,978,695.9 pounds) per year of CO2 (carbon dioxide).
 - b. Emissions from area sources associated with this project are estimated to be at least 7.2 tons (14,363.0 pounds) per year of VOC (volatile organic compounds), 0.8 ton (1,580.4 pounds) per year of NOx (nitrogen oxides), 0.7 ton (1,311.5 pounds) per year of SO2 (sulfur dioxide), 0.8 ton (1,692.4 pounds) per year of fine particulates and 29.1 tons (58,224.2 pounds) per year of CO2 (carbon dioxide).
 - c. Each Delaware household generates approximately 3,600 pounds of solid waste per year; 232 new houses will add 418 tons of solid waste to Delaware’s already overflowing landfills. Furthermore, each new house constructed will generate an additional 10,000 pounds of construction waste.

7. The plan will add to traffic congestion.
 - a. The 232 housing units alone would generate an estimated 2,100 additional vehicle trips per day, all entering and exiting U.S. Route 40 via a single intersection. Additional traffic would be caused by the school and commercial construction, which would draw additional vehicles from outside the immediate residential development.
 - b. DELDOT has already indicated that nearby intersections are failing, due to existing traffic, without the further contributions from this development.
8. The plan would contribute to school overcrowding. Although the plan proposes the construction of new school facilities, the need for these new facilities is directly related to unrestrained development, including the 232 new housing units in this development plan.
 - a. The 232 houses on La Grange would generate an average of 78 school students each year, over many years. However, in the early years, the number of new students needing classroom space would likely be greater, with the demand dropping off as the neighborhood matured in 15 to 20 years.
 - b. As currently proposed, the houses would likely be constructed long before the school building. No plans or funding for the proposed school currently exist, while the new housing construction could begin rapidly, if the current site plan is approved.
 - c. To preserve educational quality for existing students, any current school overcrowding likely to be aggravated by this development should force the imposition of a moratorium on the development, until the overcrowding is adequately remedied.