

Community Planning Committee
Minutes, 16 June 2009

Present: Ron Meick, Danny Schweers, Ray Seigfried, and Sally Sharpe. Also in attendance were two Arden trustees: Mike Curtis and Connee McKinney. Warren Rosencrantz and Tom Wheeler visited briefly.

Ray Seigfried, convener, called the meeting to order at 7:02 p.m. at the Buzz Ware Village Center.

Instant Ticketing

Sally recounted an incident in which a New Castle County Land Use inspector was unreasonably aggressive in questioning a guest at her house about the guest's movements and actions. Turns out the inspector had the wrong address!

Ray suggested, and the committee approved, that we move forward with this issue by involving all three Ardens in public meetings to discuss the various options before us, which range from doing nothing to having the Village filter complaints before they are forwarded to the County to changing the code as it affects the Ardens. We agreed to discuss this issue in more depth at a special meeting, July 1.

Additional Domicile Units, Split Lots

Ray, in an email, proposed several questions to address, and these were revised by Trustee Connee McKinney to the following:

Do we need to clarify our rationale for our recent efforts legalizing existing ADUs?

Are we clear that an existing ADU can be eliminated, but the privilege remains?

Should we permit a leaseholder to move an approved ADU on their leasehold? If yes, what is the process and restrictions if any?

Do we permit new ADUs?

If yes what is the process and who is involved?

What is the effect on Arden?

Do we permit leaseholders the right to split their leasehold?

What is the process and who is involved?

If there is monetary benefit who is rewarded?

If someone backs up to park land can they split their leasehold and give it up as parkland? What is the affect to Arden?

What do we do with vacant houses or those that are safety and or health problems?

Mike Curtis, in an email about item #3, had wrote the following:

One hundred and seventy-four different sized lots offers a wide range of diversity: the smallest (7,100 square feet) to the largest (54,700 square

feet). Some large leaseholders have stated that having more than 30,000 square feet is more of a burden than an asset.

If the residents felt that the village had enough parkland, it would be reasonable to permit the division of those lots which are not appreciated by their lessees and offer them to new leaseholders for additional houses and residents. When land sits unused and not valued by its lessee, it not only wastes the expenditure in building and maintaining the infrastructure, but contributes to the shortage of affordable housing spaces.

However, there is a dilemma for the Arden Trust—how to mesh principles with reality. Who would be the beneficiary of the splitting of the lots? The land is owned by the Trust and rented at the full rental value to the leaseholders. Unfortunately, because the rental value of land has been grossly under-assessed and, by every expectation, will be in the future, the potential unearned income from the land available to the lessee has been capitalized into a selling price of between \$100,000–\$150,000. This selling price that would be given to the leaseholder who is splitting their lot would be money for which the leaseholder has done nothing, has made no investment, and is, therefore, antithetical to the idea that no one would gain from the sale of land.

It has been suggested that where a request is made and the village feels it desirable to split, and therefore, add additional lots, that back land rents could be paid as if the lots were separate all along. The back rents and interest on the unpaid balances could possibly add up to as much as the lots would sell for, therefore, eliminating all monetary gains from the sale of the new lots.

This would be a practical way to eliminate the undeserved income from the sale of land, but it would not be consistent with the concept of charging for the benefits received by the leaseholder on an annual basis only.

Yes, we do live in an imperfect world.

Because this issue covers so many questions, Ray proposed, and the committee approved, discussing the entire issue over the next few months, beginning with the special meeting on July 1.

Inactive Committee Members

Ray will ask our inactive member if they wish to continue on the committee and, if so, to become active.

Memorial Garden Sign

Ron Meick will get bids on making and erecting a wooden sign for the Memorial Garden.

Sherwood Green Parking

Nothing much is happening at the moment in the way of improving parking at the Buzz Ware Village Center and the Arden Club. Sally Sharpe hopes to attend future meetings of the committee looking at this issue.

Next Meeting

We adjourned at 8:25 p.m. A special meeting will be held Wednesday, July 1 at 7:00 p.m. to discuss Instant Ticketing and ADUs. Then we will have a regular meeting on Wednesday, July 15.

Respectively submitted,
Danny Schweers, Committee Secretary