

Community Planning Committee (C.P.C.) - Village Of Arden

Minutes of Meeting Held On Wednesday July 16, 2014

Present: Ray Seigfried, Cynthia Dewick, Ron Meick and Dan McNeil

Absent: Larry Strange and Sally Sharp

Guest Appearance: Alex Rudzinski representing Community Garden Club

Meeting called to order by Ray Seigfried as Committee Chairman at 6:58 PM

The minutes for the May and June meetings were reviewed. Ron Meick made a motion to accept the minutes. The motion was seconded and the minutes were approved.

The topics addressed in this meeting include: (1) Community Garden Club; (2) Memorial Gardens; and (3) Vacant Housing Ordinance – 2101 March Road

Community Garden Club

Alex Rudzinski presented a summary outlining the Club's philosophy, eligibility requirements and cost for the seasonal use of a plot located within the former enclosed playground situated adjacent to the Buzz Ware Community Center. Alex's appearance was a follow up to the June 2014 C.P.C. meeting in which Toby Ridings presented Ray with written details on the Group's mission statement, goals, officers, admission requirements and general operating procedures, et al.

As you may recall, the Community Garden Club first made an informal presentation during the C.P.C.'s March 2014 meeting. Ray had requested this information as a first step in promoting its formal recognition by the Village and official designation as a sub-committee of the C.P.C.

The additional information was accepted and Ray agreed to discuss in greater detail with the Advisory Committee before presenting to the Village Assembly.

Alex expressed an interest in having the Community Garden Club officially recognized by the Village at the earliest opportunity. Alex indicated that the Club would like to make several physical alterations within the plot by removing/altering wooden dividers in order to enhance movement and safety. The wooden dividers were initially installed to contain mulch for a children's playground, but which now impede movement. Alex expressed a reluctance to modify the existing improvements within the plot until formal recognition is provided.

Memorial Gardens

The transfer between committees of the Arden Memorial Gardens was approved in January by both the Advisory Committee and Town Assembly. Since that time Memorial Gardens has requested to change back under the direction of CPC. Ray presented this request before the Advisory Committee at their June meeting and reported it before Town Assembly meeting the same month. At the June meeting it was raised that a vote took place in January to make this change official. A few weeks later it was confirmed that a vote did take place. Ray will report this and call for a vote to bring Memorial Gardens back under CPC at the September meeting.

During its brief oversight, the Civic Committee determined that the Arden Clubs' outdoor stage was done without a building permit while encroaching on the lands of the Memorial Garden. It was demanded that this be cured immediately. New Castle County was also notified of this illegal construction and encroachment with an official notification of violation ensuing.

Since the outdoor stage is effectively a permanent fixture, it was initially requested that the two groups arrange a mutually agreeable "land swap". C.P.C. member Ron Meick, as a board member of the Arden Club's, indicated that an agreement was agreed upon by the two parties, however, New Castle County (N.C.C.) would not officially recognize this arrangement due to the original violation, thus deeming this "land swap" as an illegal subdivision.

Ron Meick subsequently opened a dialogue with N.C.C. Land Use for the purpose of curing the existing violation and legally correcting the encroachment. It was determined that an exchange of land between the two parties could

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be accomplished through a reciprocal easement, however, an official variance from N.C.C. must first be obtained through the County Commissioners. The variance was required since the location of the outdoor stage violates the setback requirement within the applicable zoning district.

Ron indicated the approval process has required a public hearing and a detailed survey and engineering study. It is currently in a 30-day waiting period and approval is anticipated, thus ensuring that the outdoor stage can be used for the upcoming Arden Fair on August 30, 2014.

Ray asked that a summary of the costs incurred for this issue be compiled for presentation to the Village Assembly in September 2014.

Village of Arden Vacant Housing Ordinance

The vacant home at 2101 Marsh Road has been in violation of the Village's Vacant Housing Ordinance as well as with multiple New Castle County Ordinances related to appearance and safety. The house has been vacant for years since the death of its long standing owner and an unresolved Estate. Consequently, the property has fallen into a serious state of disrepair and is effectively uninhabitable and presents a safety risk to the surrounding homes. Nonetheless, it is noted that the land rent is current, but the fines accruing from this ordinance are still outstanding.

N.C.C. has indicated its intention over the past year to demolish the home and clean up the property. Numerous calls from Arden residents and C.P.C. members to N.C.C. for an updated status report have gone unanswered. The reason that no action has been taken to date, according to C.P.C. member Cynthia Dewick, is the fact that the prior owner died intestate without a will. As such, N.C.C. has been precluded from any action until the Estate is either legally established and heirs identified, or until that time the leasehold estate encumbering this asset reverts to the State.

The Trustees of Arden are also actively examining this dilemma along with the potential options legally permitted under their leased fee estate for assisting in establishing "clean" ownership of the leasehold estate. Ray will continue the dialogue with the Trustees in the days ahead.

The meeting was adjourned by Ray Seigfried as Committee Chairman at 7:29 PM

Meeting minutes compiled and prepared by Dan McNeil.