

Community Planning Committee (C.P.C.) - Village Of Arden  
Minutes Of Meeting Held On Tuesday September 19, 2017  
Present: Ray Seigfried, Ron Meick, Denise Nordheimer, Toby Ridings  
Members Absent: Cynthia Dewick and Mark Wood

Committee Chair Ray Seigfried called the meeting to order at 7:07PM.

Topics discussed at this meeting:

**Membership of committee and nominations for March election-** It was encouraged to find volunteers and nominations for the March election. Mark Wood and Cynthia Dewick are the two members up for re-election and we need 4 people to nominate. Cynthia will not run for reelection.

**Recommendation to replace member of CPC-** it was communicated that Cynthia Dewick had resigned from the committee and that a replacement was needed until a permanent member is elected in March at the town assembly. A new neighbor of Denise Nordheimer was nominated and will be presented at Town meeting to replace Cynthia.

**Transformational Sub-Committee up-date-**The committee has had two meetings which minutes were provided and are scheduled to have two more with dates to be announced at the town meeting. A concluding final report with recommendations will be given to the village at the September 2018 town meeting.

**Modification of Arden land Deed restriction clause-** The Trustees of Arden deeded ownership of all the Greens to the Village of Arden in 1973. In this Deed, the last paragraph defines the restriction governing the greens. The Deed requires that any modification to the Greens must obtain the majority approval of the Village through a referendum. This creates an expensive and onerous task to the Village on minor changes like easements, right-of-way or other similar property changes. After consulting with an attorney, Trustees, and Village Officers an amendment to the deed is being designed that will amend the Deed creating a fair balance incorporating both the original intent of the Trustees and a process to provide small land changes by the Village without the need for a total referendum. The process for approving this change will require the following, first the amendment once designed will be presented before Town Assembly for approval. Once approved it will then go to full referendum for final approval.

**Arden stewardship of the Greens-**it was decided to begin working on a stewardship policy of the greens and come up with a process for any future changes once the Deed restriction clause is modified.

**Policy on decommissioning of an Arden certified ADU-** Community planning has reviewed the request from the Trustees to have certified ADU's decommissioned. Certified ADUs have a 'special privilege' in that they are exempt from current county code and can remain even though they may not be in compliance to code. After much discussion, the CPC made a motion and voted to recommend that all current certified

ADU's are irrevocable rights of the leasehold. That leaseholds with ADUs knowingly purchased with the knowledge of the ADU and many signed the certification for their ADU. Therefore, CPC does not support any decommissioning of certified ADU's or leaseholds rights to have an ADU.

**Request for additional ADUs and motion to approve attached ADU-** Community Planning discussed the interest of leaseholders who want to build an ADU to their household. Referring back to Ordinance #14 Certification Process for Leaseholds with ADUs adopted March 2008 section 1 last sentence it states,

**“Leaseholders who wish to build ADUs after this process is completed will need to obtain approval by the Trustee, the Village and go through the normal process with the county to obtain legal approval.”**

At the time that the Ordinance was designed there was no clear consistence for approval or not of any future ADUs and based on that this clause was entered. Given that there is interest in building additional ADUs CPC voted to move forward with a motion before Town meeting to support additional attached ADUs. That motion is as follows;

**“The Village of Arden and the Trustees approve additional ADUs that are built as an attached ADU on their leasehold as long as the leasehold is in compliance with New Castle County Code.”**

This motion will allow us as a community to build attached ADUs. If this motion is approved CPC will work on a modifying amendment to Ordinance 14 including the authority of this motion.

**Clarification of Community Gardens and Memorial Gardens-** There was a question of whether these should be separate functioning town committees. It was discussed and determined that because of their size(Memorial garden is a committee of one)(Community gardens only operate during the growing season) they should be looked at as sub-committees under the umbrella of the CPC and be required to present annual reports at the January Town meeting.

**Community Gardens update-** Toby Ridings reported that everything is going well and a harvest brunch is being planned.

**Memorial Gardens update –** Grave marker for Steven Threefoot has been placed. Phyllis Connor was interred on Sept. The new *Magnolia virginiana* tree (AKA sweet bay magnolia) has thrived with the mostly cool summer and all the rain we have had. It has some cones on it, so we should have bright red fruit seeds on display later in the fall.

Meeting was adjourned at 8:05 PM

Respectfully submitted  
Ron Meick