Village of Ardentown Established 1922

Ardentown, Del. 19810 Incorporated 1975

A special meeting of the Village of Ardentown was convened at 8:40 pm on Monday, September 10, 2018. Annie Gutsche, Chair, presiding. A quorum was present.

In Attendance:

1. Holly Custer
2. Andrew Hansen
3. Pat Lane
4. Shari Phalan
5. June Kleban
6. Cindy Cohen
7. Terri Hansen
8. Judith A Glenn
9. Joan Fitzgerald
10. Jeana Carey
11. Shelley Robyn
12. Hardy Hoegger
13. Marth Hoegger
14. Barbara A Conway
15. Betty Ann Themal
16. Christiana Dobrzynski
17. Joe Grippe
18. Janey Cosgrove
19. Stefanie Lombard
20. Patricia A Phillips
21. Hetty E Francke
22. Edmond Bischoff
23. Melissa Parsonson
24. Janna Scheflen
25. Katrina Nelson
26. John McCormick III
27. Ann Balogh
28. Dotty Verne
29. Steven Curley
30. Susan A Mearkle
31. Beverly Schilling Gillis
32. Maura Lynch
33. Terry Harvey
34. Sue Cherrin
35. Alison Wakelin
36. Maureen Gordon
37. Zac Stevenson
38. Mary Lou Kime
39. Oliver Gutsche
40. Sharon Kleban
41. J. P. Phalan
42. Brooke Bovard (guest)

***Introduction and Comments from the Town Chair***- All residents were sent background information with the meeting announcement; this was done so that folks had time to read and consider the topic, and are prepared to discuss and vote today. This meeting was requested in accordance with our town by-laws by 25 residents, for the purposes stated in the meeting announcement. The topics discussed tonight are limited to only these items.

Ground rules for discussion-

1. We are a community that values inclusion and diversity; this includes diversity of thought. This meeting should be open, respectful, and residents should listen to opposing views civilly.
2. All members in this town have equal rights and privileges. No person shall speak twice on the same motion while another who has not spoken desires to be heard. (Ardentown By-laws, Rules of Order)

***INTRODUCTION OF THE MOTION***- To oppose New Castle County application 2018-0255- Exploratory Minor Land Development for Ivy Gables and oppose New Castle County application 2018-0355- Board of Adjustment application.

***A CALL FOR STATEMENTS***

***Joe Grippe***- We (the residents signed on the request for meeting) called this meeting to

Oppose this expansion plan and we did this because the Town should have the ability to

provide and record it’s will and he wanted to make sure that this chance was given. The

vote here will not overturn anything the trustees have approved, it is simply a chance to

make a record of the will of the municipality.

A big concern for Joe is the way taxes are handled. In this case it is being handled differently than any other lease. In this case, the leaseholder will bear the increased cost, rather than have it spread across leaseholders as would be done in other leases. This means that the expansion is creating a risk too big for the Trustees to take. And while I understand why they did this (to not place that tax burden onto the Village), I worry that this increased tax burden will affect the rest of the leaseholder in the future. If, through no fault of his own, Mr. Loudon’s business fails, that burden will be placed directly onto the Trust, and on to all of us. The scale of this expansion, combined with the special way the taxes are to be handled makes this a risk to the community and one that deserves discussion.

***Shari Phalan***- My name is Shari Phalan. I grew up in Arden and I speak as a leaseholder in Ardentown for 34 years.

It might be news to some of you, and refresher to others that Ardentown is listed on the National Register of Historic Places. From 1995 and for 7 years Bev Barnett, Amy Pollock, and I worked to get that protective federal designation for Ardentown and Ardencroft; Arden was already on the Registry and adding the town would make the three Ardnes a complete community designation. E applied under Bulletin 38 of the National Park Service as a Traditional Cultural Property and Harry Themal wrote our application. In applying for the designation, we wanted to protect our community as best we could from adverse federal impact such as widening Harvey Road, more airplanes, more degradation of streams and increased railroad traffic while not freezing in time our way of life. We applied to the National Historic Registry as the last surviving utopian community in the USA an were the only ones to apply who were not Native American.

With that in mind and as a Single Tax community, I’m asking you to view Ivy Gables maximizing the leasehold according to these Georgist principles:

* The value of a civilization is based on the value of the land
* The land does not change but remains a constant; what changes is what we do with it
* It is up to the person who holds the lease on the land to decide how to use it and each person can use their leasehold to its fullest value
* Whomever holds the lease has to comply with New Castle County regulations but other than that, it is up to them with the exception of hunting and tree removal.

So, in tying our National Historic Designation to Single Tax, we applied not to control what a leaseholder does on their leasehold, but to insure we could continue to preserve our evolution while using our land to its full rental value. Ivy Gables is a leasehold with no more or less rights than any other leaseholder and should be treated as such.

There are some inaccuracies that were stated in previous meetings I would like to correct:

Screaming and unruly patients- the expansion is not a psych ward; it is a secure dementia ward that houses docile patients

Sirens- They do not blow the sirens when called to Ivy Gables so as not to upset other patients

Fence and building of fences- there are no fences to be built around the property

Storm runoff, water collection, and drain overload- there are stormwater retention area on the plans to address this.

Property values going down- yes, during construction property values may go down but will come back up after construction

I was sad to hear that several people are considering moving because of the expansion. Please don’t you are valued members of Ardentown and vital to our community..

That we are here tonight discussing this topic is an example of our commitment to direct democracy and I appreciate your time and patience in listening to another Ardenite’s view.

**STATEMENTS AND COMMENTS OF THOSE IN FAVOR OF OPPOSING-**

***Hans Francke***- Hetty and I have just celebrated 46 years in the Ardens. When they arrived there was a YWCA on the Ivy Gables property. Since becoming Ivy Gables the property has been repaired and cleaned up and maintained.

When the lease was signed, the Loudons were granted permission for an expansion of a wing, By definition a wing is a subordinate to the original building, which this expansion is not.

The new entryway proposed for Swiss Lane is a large, unnecessary section of new paving. Why does the current parking lot not meet the needs of entrance and emergency vehicle access?

Yes, Mr Loudon should be able to use his leasehold, however this expansion is out of scale and simply too large.

The Board of Adjustments did impose the following limits- No further expansion, no additional parking, 64 residents

***Barbara Conway***- I live on Sconset Road my concern is long term . Mr Loudon said at BOA he has put $2m in the property and he has been approved for $4m, a considerable investment. The Loudons are in their 50s, how much longer are they going to want to operate this, and what will we be left with when they decide to sell?

***Brooke Bovard***- I was raised in Arden and I worked on the Arden historic designation and I speak as an Arden girl and an Ardentown leaseholder and as the founder and first chair of the Geogist Gild

She disagrees with Shari and her interpretation of the Georgist principle. We are bound by NCC Code by choice. We cannot all develop our lease to the fullest potential for our leases, we are bound

The historic designation was about our culture and it is the participation of the community in our governance.

***Melissa Parsonson***- Not directly opposed to an addition, I think this addition is too large. As a nurse I know that dementia patients can be difficult, but she believes the courtyard will keep them in

The entrance on Swiss is problematic, we should invest in speed bumps on Swiss to mitigate speeding traffic.

Is this the last expansion? In his other project in PA, he mentioned his business model involves cottages, can that happen here?

CHRISTIANA- Thank you to Shari, your statement was helpful, and it was a good perspective to have. I do not oppose to any expansion on Ivy Gables, it is the size. CHRISTIANA IS READING FROM A TEXT.

Non profit vs profit and transparency.

We have other businesses and entrepreneurs but they do not operate against the greater good of the community.

I HAVE WRITTEN TO CHRISTIANA FOR REVIEW OF HER STATEMENT

Janet Cosgrove- I am hoping that the vote tonight will help unify us.

3 areas-

Caring about our neighbors whose property value will decline, and remain depressed after construction is over. There may be 8 leaseholders who will experience this devaluing.

Community as a whole, we live here because of the way it looks and this will destroy the visual aspect of the Mall. The entryway off Swiss is another visual destruction. Increased traffic, shift changes, visitors, emergency vehicles all will devalue our way of life.

Process followed in this situation. We have had 24 quarterly meetings and there was never a disclosure by the Trustees to the municipality about the pre approval in the lease. We deserved to be told why this was handled in the way it was handled.

**STATEMENTS AND COMMENTS OF THOSE ABSTAINING-**

***Hardy Hoegger***- My wife and I are probably the only ones here to remember this as a residential property. I am going to vote abstain because I cannot see how this will end. We lived through the YWCA and when it ended. What would happen without a commercial enterprise that brings money to Ardentown? Any alternative plans might lay to rest any long term use and rental gaining activity by Mr Loudon or his successors

**STATEMENTS AND COMMENTS OF THOSE OPPOSED TO THE MOTION-**

Cindy Cohen- I am neutral but I have to say that I watched this go forward. I came in to the conversation late. We have known that they planned to expand since 2012. The County says they can build up to 18,000, the County approved an increase over that. I do think this is too big, but I’m not opposed. What worries her is that she feels that the Trustees did let us down and that dissappoints her. She wants to know why there was a lack of transparency.

Alison Wakelin-

**FOLLOW UP QUESTIONS AND STATEMENTS**

Joe Grippe made a request for an ad hoc committee to interface with Ivy Gables to work on a more reasonable proposal. Opposing now does not mean we are I don’t think it’s right to give someone a lease and then change it six years later, after they’ve invested in their property. We certainly knew that this expansion was in the lease at the time, it was addressed in Town Meetings.

I don’t see why this needs to be a town vote. I feel that I’m being manipulated into supporting something I may not support. I feel it would be better for the people who oppose the Ivy Gables expansion to put their names on the list, but not make it a town issue. I am worried about how this plays out in the future, how is this vote going to be used, especially if it is used to bring a lawsuit which I may not want to be part of but would find myself obliged to pay for (and which we would lose).

I think the Loudons are great people, and I like the trustees (in response to Cindy’s comment). I am voting for the expansion.

opposing an expansion.

John McCormick asked if Ivy Gables buy individual leaseholds and use them for the business? Answer: they could.

Questions for the Trustees-

1. How did the Trustees come to the decision to pre-approve?

Answer: They felt it would be devastating if Ivy Gables moved out, if the building stood empty - essentially the reasons stated in the mailer. Ivy Gables pays extra land rent because they are accessed at a commercial rate.

1. At the Board of Adjustment, Mr Loudon said that last year was the first year he was able to pay his land rent in full, is that the case?

Answer: Mr. Loudon has paid the full amount owed each year (about $30,000/year). Joan interpreted his statement to mean that last year was the first year he was able to pay out of the business revenue.

A clarification was made regarding land rent and non-profits. In Arden there are two large lots that are not assessed taxes because they are non-profits, but they pay land rent.

FINAL VOTE ON MOTION:

In favor of motion to oppose- 24

Opposed to motion to oppose- 18

Abstain- 2

New Business:

Barbara Conway- I request the formation of a new committee to be called “Ardentown Leaseholder Advocates “.

Purpose - to advocate for the Ardentown leaseholders’ best interests in the short and long term on issues and business decided on and carried out by the Ardentown Trustees.

Description- elected positions comprised of at least 3 Ardentown leaseholders.

Term - at least one year per person, with terms for each expiring 12 months apart for continuity.

Duties - must attend every Trustees meeting held to discuss Ardentown business, to include any meetings where any of the Ardentown Trustees are present, either singly or together, where Ardentown business is discussed. They are to be copied on all Ardentown Trustees’ communications relating to Ardentown business to include emails, written correspondence, conference calls, etc. Report to the leaseholders on Trustees’ business at Ardentown quarterly and supplemental meetings.