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Newark Post

MARCH 9, 2018

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DEVELOPMENT



Townhouses move forward

Planning commission approves Benny Street plan

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COMMUNITY



Extending a helping hand

11-year-old's donation drive helps ailing girl

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SPORTS



Future bright for Newark wrestler

NHS freshman learns from tournament experience

Pg. 6

CRIME

Man charged in UD robbery

Police seek second suspect in on-campus holdup

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Seeking solutions

FILE PHOTOS

Above: An aerial photo shows the proposed site of a highly controversial townhouse community off West Chestnut Hill Road. Below: Artists' renderings show (from left to right) projects proposed for 92 E. Main St., the Park N Shop and 36 Benny St.



Officials brainstorm a smarter path forward on development

By **JOSH SHANNON**
jshannon@chespub.com

Members of the city council and planning commission met for a rare joint session last week – the first step in a renewed effort to engage in long-range planning for the city's future.

Members of both boards expressed a need to examine how the planned expansion of the University of Delaware's student population will affect development in the city and expressed concern over what they described as their

own tendency to take a hands-off approach to land-use planning.

"It feels like much of what goes on in the city is reactive, not proactive," Councilwoman Jen Wallace said. "We are not doing enough planning. By planning, I mean really long-range planning."

Planning Commissioner Bob Stozek said that approach surprised him when he joined the board.

"I thought we were going to do some actual planning for the city, to say this area of the city we want to set aside for single-family houses, some parkland, to build

neighborhoods, rather than just build one apartment complex after another," Stozek said.

Jeremy Firestone, chair of the planning commission, said there are some areas of the city that may be appropriate for higher density development. However, he continued, that should come as the result of a holistic conversation, not a piecemeal process initiated by developers seeking to have a particular property rezoned.

See **PLANNING**
Page 8

Senior complex planned

139-bed assisted living facility eyes Barksdale Road

By **JOSH SHANNON**
jshannon@chespub.com

If all goes as planned, and city council approves a rezoning request, a Seattle investment firm hopes to have a 139-bed assisted living and memory care facility up and running on Barksdale Road by 2020, a representative of the project said last week.

The plan calls for building a two-story, 100,000-square-foot building

See **COMPLEX**
Page 10

Newark Police car strikes, kills man

By **JOSH SHANNON**
jshannon@chespub.com

A pedestrian died last week after being struck by a Newark Police car in front of the Robscott neighborhood.

The crash happened at 9:38 p.m. March 2 on East Chestnut Hill Road, near the intersection with Argyle Road.

The police car was heading east in the left lane when 40-year-old Robert George, of Newark, "entered into its path of travel," said Master Cpl. Melissa Jaffe, a spokeswoman for Delaware State Police.

The police car hit George, causing him to strike the hood and windshield of the car and then fall onto the roadway. He died at the scene.

"The pedestrian was wearing dark-colored clothing and was not utilizing a

See **CRASH**
Page 10

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The week ahead

Fish fry: Tonight, 5 to 8 p.m., at Christ the Teacher Catholic School at 2451 Frazer Road. Boy Scout Troop 283 is holding its 14th annual fish fry. Eat-in or take-out. Meals \$15 to \$18. Visit fishfryde.org for more details.

Open mic night: Tonight, 7 to 8:30 p.m., at Newark Free Library, 750 Library Ave. Vocalists, acoustic instrumentalists and pianists are invited to perform. A baby grand piano will be available. Performers must register.

Real-life stories: Saturday, 1 p.m., at Newark Free Library, 750 Library Ave. Designed for teens 11-17. Learn to think critically about online safety and digital citizenship issues, such as cyberbullying and sexting. These resources feature stories of teens who have experienced online victimization or digital drama firsthand and teach teens to recognize risky behaviors, evaluate their on-line choices and communicate with trusted adults and friends.

Concert: Saturday, 7 p.m., at First Presbyterian Church of Newark, 292 W. Main St. The monthly Joyful Noise Coffee House series features music by the Raymond Lee Band. Free.

Concert: Saturday, 8 p.m., at the Roselle Center for the Arts, 130 Amstel Ave. The University of Delaware presents Women in Music. \$15 for adults; \$10 for UD faculty/staff/alumni & seniors; \$5 for students. Tickets available at the door. Cash or check only.

Council meeting: Monday, 7 p.m., at city hall, 220 S. Main St. City council will discuss and/or vote on funding for Main Street parklets, a change in the pay scale for management employees, a new vision for the Downtown Newark Partnership and a proposal to install an additional automatic license plate reader.

Concert: Monday, 8 p.m., at the Roselle Center for the Arts, 130 Amstel Ave. A collaborative UD faculty event celebrating the music of women, African American and Latino composers. \$15 for adults; \$10 for UD faculty/staff/alumni & seniors; \$5 for students. Tickets available at the door. Cash or check only.

For more events, visit newarkpostonline.com/calendar. To submit listings, go online or email news@newarkpostonline.com. Information runs in the print edition as space is available.

On the Web: www.newarkpostonline.com

11-year-old's donation drive helps ailing girl

By JOSH SHANNON
jshannon@chespub.com

When 11-year-old Blakely Stawicki heard about a community effort to help a young Newark girl suffering from a rare genetic disorder, she knew she wanted to pitch in.

"I wanted to help her," Blakely said. "I found a kid-friendly way to help."

With assistance from her parents, Blakely set up a shoe collection drive through the company Funds2Orgs. The new and gently-used shoes she collects will be sent to developing countries, where "micro-entrepreneurs" will clean them up and sell them to earn money.

Meanwhile, Blakely will receive 40 cents per pair of shoes to donate to charity. She plans to split the funds between the Save Mickey effort and her school, St. John the Beloved.

Michaela "Mickey" Merrill is a 4-year-old Newark girl who was recently diagnosed with Sanfilippo Syndrome, a fatal genetic disorder. Mickey is in the early stages of the disease but will gradually lose her ability to speak, understand, walk and eat.

Sometimes referred to as "children's Alzheimer's disease," Sanfilippo causes children to gradually lose their abilities and eventually slip into a vegetative state before dying, usually in their teenage years.

With that in mind, Mickey's parents, Donny and Molly, are in a race against time to help find a cure for the rare disorder, which affects only 1 in 70,000 kids. They recently launched a website, www.savemickey.com, and are raising money and awareness for Sanfilippo research. Several events, including a dinner featuring several local chefs, have drawn broad support from the community.



NEWARK POST PHOTO BY JOSH SHANNON

Blakely Stawicki, 11, reaches for a shoe as she sorts through some of the 1,000 pairs of shoes she has collected as part of a fundraiser for a 4-year-old Newark girl who has a rare genetic disorder.

For Blakely's part in the effort, she approached her principal to get the school's assistance promoting the fundraiser and recruited 10 of her friends to assist. They've gone door-to-door in her Middle Run Crossing neighborhood to raise awareness, and several local businesses agreed to host collection boxes.

So far, they've collected 1,000 pairs of shoes, which Blakely and her friends sort and package into bags for shipment. They have mounds of shoes waiting to be picked up by Funds2Orgs.

"My garage smells like feet," Blakely's dad, Sean, quipped.

Blakely's goal is to collect 2,500 pairs of shoes by April 15. That amount

would earn her \$1,000 to donate.

Her mother, Leah, said people in the community have been receptive to Blakely's effort.

"Everybody's excited about a young girl who is willing to do this herself," she said.

She added that the fundraiser not only helps Mickey and the micro-entrepreneurs, but it also keeps old shoes out of the landfill.

"It's a win-win," she said.

"People have to clean out their closets at some point," Blakely added.

The Stawickis will hold a community collection event from noon to 3 p.m. March 18 at St. John the Beloved, 905 Milltown Rd. Donations of new or gently-worn shoes are welcome.

City to spend up to \$15K to survey staff

By JOSH SHANNON
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City council last week approved spending up to \$15,000 to commission a workplace climate survey of employees.

The project came at the request of Councilman Jerry Clifton.

"It's important for us to get a handle on how our employees view their working environment," he said.

The city has seen sizeable turnover among employees in the last two years, especially among top management employees.

The survey will ask em-

ployees a number of questions about their work environment, including their perceptions of city council.

"I think that's equally important," said Clifton, who was one of a few council members who publicly – but unsuccessfully – called for layoffs of management employees late last year.



CLIFTON

The city will contract with a third-party company to develop and administer the survey in an effort to ensure employees that their anonymity will be protected. The results will be sent to council to review.

The survey will include the city's approximately

250 full-time employees, plus part-time workers and former employees from the past three years.

Tom Coleman, acting city manager, said he has not yet selected a company to hire but added that the estimated cost is between \$9,000 and \$15,000.

"I can't emphasize enough the importance of this for the management team going forward, especially with the new city manager coming in here," Clifton said.

Councilman Stu Markham concurred.

"This is a fairly typical action within companies to figure out the feelings of their employees," Markham said.

Council approved the expenditure unanimously.



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Benny Street apartments proposal moves forward

By JOSH SHANNON

jshannon@chespub.com

After some initial consternation, the planning commission unanimously recommended approval of a plan to build 11 townhouses on Benny Street and South Chapel Street.

The plan will now go to city council for final approval.

The project includes two adjoining properties – one at 30 Benny St. and one at 155 S. Chapel St. – which developer Nick Baldini seeks to combine into one 0.85-acre parcel. He would demolish the two student rental houses currently at the site and replace them with 11 townhouse-style apartments, six on Benny Street and five on South Chapel Street.

Each unit would be three stories tall and include six bedrooms. There would be a grassy area between the two clusters of townhouses, which would allow people to walk between them but prevent cars from using it as a cut-through from Benny Street to South Chapel Street.

The plan calls for four parking spaces per unit – two in a garage and two in a parking area outside the townhouses – and the project would be deed-restricted to prohibit tenants from applying for on-street parking permits.

The project is adjacent to



SUBMITTED IMAGE

An artist's rendering shows what a proposed apartment complex would look like from Benny Street. The gray box on the far right represents an unrelated building proposed by a different developer.

a similar project that was approved by city council in December. At 36 Benny St., developer Ben Prettyman is replacing an aging student rental duplex with seven townhouse-style apartments.

Last month, the planning commission approved Baldini's request to amend the comprehensive development plan and rezone the property but delayed a decision on approving the major subdivision and site plan

required for the project to move forward.

On Tuesday, Baldini came back to the planning commission with slight revisions to the plan aimed at addressing the commissioners' concerns.

The basic details of the project remain the same, but the tweaks included improving the look of the back of the building, deed-restricting each unit to one person per bedroom and improving the Leadership in

Energy and Environmental Design (LEED) points.

During the meeting, Baldini also agreed – at the urging of Planning Commission Chair Jeremy Firestone – to install 240-volt outlets in each garage that could be used for charging an electric vehicle.

Firestone said he wants to see developers start planning for the future, noting that he expects electric vehicles to become more popular.

"We really need developers to start taking leadership," Firestone said.

Despite the unanimous approval, several commissioners reiterated their desire to take a more in-depth look at Benny Street and the surrounding area.

The city's comprehensive development plan lists the area as low-density residential, but in recent years, the planning commission and city council have made exceptions for certain properties and allowed high-density apartment complexes. Twenty of the 22 houses on Benny Street operate as student rentals.

Some planning commission members said that, considering the proximity to the University of Delaware campus, high-density residential may be appropriate for Benny Street, but they argued such a decision should be made holistically, not piecemeal.

The Post Stumper

ANSWERS ON PAGE 10

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- 48 Some coll. degrees
- 49 100 percent
- 50 Actress Vardalos
- 51 Petrol

Newark man charged in UD campus robbery

Second suspect sought

By **JOSH SHANNON**
jshannon@chespub.com

University of Delaware Police have arrested a Newark man accused of robbing a student at gunpoint as he walked near his dorm last month.

Meanwhile, police released the identity of a second suspect and asked for the public's help

locating him.

The two men approached the student at 2:40 a.m. Feb. 14 in a parking lot near Thomas McKean Residence Hall, which is located on Laird Campus off New London Road, according to UD police.

As one man pointed a handgun



JOHNSON

at the student, the other tackled him to the ground, police said. The victim's wallet fell out of his pocket, and one of the men stole it. The other man demanded the victim's cell phone, and the victim complied.



ROSS

The men fled in an older-model gold or tan Chrysler sedan.

Police used surveillance footage to locate the suspects' vehicle and identify the men as Kimar T. Johnson, 26, and Markwon D. Ross, 21.

Johnson was arrested Feb. 28 by the Delaware River and Bay Authority Police while driving the vehicle he used during the robbery, police said.

Johnson was charged with

first-degree robbery, second-degree conspiracy, possession of a deadly weapon during the commission of a felony, wearing a disguise during the commission of a felony and third-degree criminal trespass. He was committed to the Howard Young Correctional Institution in lieu of \$56,000 bond.

Anyone with information about Ross' whereabouts should contact UD Police at 302-831-2222.



Police believe this man broke into an apartment at University Courtyard.

Police seek help identifying University Courtyard Apartments burglar

Police are asking for the public's help identifying a man who broke into an apartment in the University Courtyard Apartments complex earlier this year.

The incident happened Jan. 23 in the 500 block of Scholar Drive, but police did not release information about it until this week.

According to Sgt. Gerald Bryda, a spokesman for the Newark Police Department, the 19-year-old resident of the apartment was in his bedroom between 7:40 and 7:50 p.m. when he heard the front door open.

He assumed it was his roommate, but when he came out of his room, he noticed his laptop and backpack – worth a total of \$1,000 – were gone.

Detectives looked at video from nearby surveillance

cameras and found footage of the suspect boarding a bus at the Newark Transit Hub, across the street from the apartment complex. The suspect is described as a white or Hispanic man wearing a tan cargo vest, a dark long-sleeve shirt, a green baseball hat and jeans.

Anyone with information regarding this incident should contact Detective William Anderson at WAnderson@newark.de.us or 302-366-7110 ext. 3469.

Newark man charged with third DUI

A wrong-way driver who nearly caused a head-on crash was charged with his third DUI early Sunday morning, police reported.

An officer spotted Jeffrey J. Bruton, 35, driving west on Christina Parkway

shortly after 12:30 a.m., according to Sgt. Gerald Bryda, a spokesman for the Newark Police Department.

As Bruton continued west across Elkton Road, he drove into the eastbound lane of Suburban Drive and nearly hit another car head-on, Bryda said. He then backed up into the intersec-

tion in order to enter the proper lane.

The officer stopped him and determined he was intoxicated, Bryda said.

Bruton was charged with third-offense DUI, driving with a suspended license, inattentive driving and civil possession of marijuana. He was released on \$750 unsecured bond.

Woman racks up fraudulent charges on stolen debit cards

Police are searching for a woman who stole debit cards from a patron of a Main Street coffee shop and then used the cards to rack up more than \$2,300 in fraudulent charges.

The theft happened at the Starbucks, 141 E. Main St., according to Sgt. Gerald Bryda, a spokesman for the Newark Police Department. The 34-year-old victim told police that someone stole the debit cards from her purse sometime between noon and 2 p.m. Sunday.

The cards were then used at businesses on Main Street and Kirkwood Highway.

Surveillance video obtained from one of the businesses shows the suspect as a white woman with an average build in her late 20s or early 30s.

Anyone with information regarding this incident should contact Cpl. Ryan Martin at RMartin@newark.de.us or 302-366-7110 ext. 3470.



Police believe this woman made purchases using debit cards stolen at a Starbucks in Newark.

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Judge: UD, sorority not liable for death of intoxicated student

By JOSH SHANNON

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A New Castle County Superior Court judge has dismissed a lawsuit filed by the parents of a University of Delaware student who was fatally struck by a vehicle after leaving an off-campus sorority party in 2013.

The parents of Ethan Connolly had sued the University of Delaware and the Alpha Epsilon Phi sorority, as well as the party venue and the caterer, alleging they failed in their duty to

protect Connolly.

However, in a 39-page ruling issued last week, Judge Ferris Wharton ruled the defendants cannot be held responsible.

"The sad and inescapable truth is that Ethan, and only Ethan, was responsible for his own death," Wharton wrote.

Connolly, a 19-year-old sophomore from Massachusetts, died Oct. 18, 2013, after attending a "crush party"

hosted by Alpha Epsilon Phi at the Executive Banquet and Conference Center near Glasgow.



CONNOLLY

According to court documents, Connolly and his date "pre-gamed" by drinking tequila and beer and then boarded a sorority-sponsored bus to the banquet center.

It's unclear how much alcohol Connolly drank while at the party and how he obtained it. Plumbers and Pipefitters Local No. 74, which

runs the venue, claimed in court documents that it only served alcohol to students who were 21 or older, while Connolly's family alleged enforcement was lax.

For unknown reasons, Connolly and two other students left the party and walked the short distance out to Route 896, where they attempted to cross the highway around 12:30 a.m. Entering the road 90 feet from a signaled pedestrian crossing, they were struck by a pickup truck. Connolly died at the scene, while an-

other student suffered non-life-threatening injuries.

Connolly had a blood alcohol content of 0.23 and tested positive for marijuana.

In their lawsuit, Connolly's parents alleged that UD, Alpha Epsilon Phi, Local 74 and Capozzoli Catering breached their duty to prevent Connolly from drinking and failed to ensure he returned from the event safely.

Wharton, however, dismissed those claims, granting the defendants request for summary judgment

— meaning he ruled in the defendants' favor without a trial.

"It is beyond dispute that the reason Ethan stepped in front of the pick-up truck that killed him was his own gross impairment," Wharton wrote. "He was responsible for 'pre-gaming' with beer and tequila before the crush event....He was responsible for leaving the Banquet Center before the party ended. He was responsible for foregoing the safety of transportation back to campus."

Evero Spezia brings new spice to old Sofritos

By JANE BELLMYER

jbellmyer@chespub.com

Evero Spezia has had a few changes since its opening last summer, but what has not changed is the unique menu offerings and the hospitality.

Evero Spezia is located at 1130 Capitol Trail. But don't call it a restaurant.

"It's a relaxed, casual dining experience; a spot in Newark for everyone to enjoy," according to Martin Sevcik, manager.

With a name that means "authentic spice," curiosity alone will get diners in the door to see the custom-made wood tables surrounded by intimate booths. Those booths are all that's left of the previous restaurant — Sofritos — because they were too big to remove, according to Jaspal Singh, part of the management team of the Firestone Group. Firestone Group owns Evero Spezia as well as Firestone Roasting House in Wilmington.

Sevcik describes the menu as "modern American eclectic cuisine."

"There are lots of seafood options, and of course pasta, made in-house," Sevcik said, adding, "We don't have a microwave in the kitchen."

He's also been training the staff on some of the finer points of the customer experience.

"For example, we handle the glasses and silverware with gloves so there's no fingerprints," he said. "In hospitality cleanliness is a priority."

All breads and desserts are also made by a baker on staff.

Singh agreed that the customers do have a say in the menu.

"We want to create a platform and put our best foot forward, but have the customer dictate some," Singh said.

For example, he said customers have suggested he carry a certain wine.

Even the bartenders are encouraged to be creative.

"They are in touch with the people and know what they like to drink," Sevcik said.

He said that creative outlet is allowed throughout.

"We give every single employee the chance to express themselves," he said.

Evero Spezia is open Tuesday through Thursday 11 a.m. to 10 p.m. and 11 a.m. to 11 p.m. Friday and Saturday. Entrees average \$25, with appetizers around \$12 each. Look for daily specials. Happy hour is daily from 3 p.m. to 7 p.m.

Diners with a special occasion in mind are urged to call ahead. Evero Spezia will help make your memories, Sevcik said.

"We can set up by getting flowers, using special table cloths," he said.

Live music offerings can be just as eclectic, running the gamut from Beatles to smooth jazz featuring local musicians.



NEWARK POST PHOTO BY JOSH SHANNON

Evero Spezia opened last fall on Capitol Trail.

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Newark freshman wrestler learns from tournament experience

By JON BUZBY

JonBuzby@hotmail.com

The Delaware Interscholastic Athletic Association State Wrestling Championships are a grueling and often intimidating experience for even the most experienced wrestlers.

For a freshman, it can be downright scary.

Newark freshman Ryan McKelvey approached his first taste of wrestling on the sport's biggest stage with the same attitude he had demonstrated all season — with true grit.

"He fought hard the whole time," head coach Chris Hudson said of his star pupil's 1-2 record at the state meet, held Feb. 23 at Cape Henlopen High School. "We as a coaching staff are so proud of him. He had a lot of heart, and we have a lot of pride."

McKelvey's one win came when he pinned Red Lion's Caleb Sachetti in 1:20.

"Getting the win was cool," McKelvey admitted. "It's pretty cool that I made it to the second day."

The accomplishment made his coach very proud.

"He has done something I was unable to do when wrestling for Newark, and that's going to states as a freshman and winning a match," said Hudson, who, as a senior, placed third in the 2002 state meet.

The experience should pay off down the road.

"I learned that the state tournament itself is a totally different tournament altogether," McKelvey explained. "Everybody is fired up. You can't count anybody out of winning the title."

McKelvey provides the Yellowjackets with a glimmer of hope for the future as another wrestling season at Newark High comes to an end. Looking back at where the long winter season started, Newark experienced the same situation it has the past few years.

The Yellowjackets began the season back in November with 30 wrestlers, but finished with less than half of that number. The depleted roster was due to injuries, grades, discipline issues, and in some cases, kids just deciding the sport wasn't for them.

The result was a roster made up mostly of freshmen, and among them, many student-athletes rolling around on the mats for the first time in their lives.

"Our main problem is not being able to have a feeder program," Hudson explained. "It's something that we are looking to start here in the district."

Instead of spending the early part of the season improving moves and techniques, Hudson and his coaching staff spent all of their time introducing basic wrestling skills.

"We're teaching basic techniques to kids who know nothing about wrestling from the first day of practice," Hudson said. "The kids don't know basics. If we're lucky, they know maybe one move."

Newark won two matches against Brandywine and Glasgow, but weren't able to win a conference match.

"It was like throwing them into a lion's den against powerhouse programs and facing wrestlers who have been wrestling since they were 5 years old," Hudson said.

"We're trying hard to change the mold and get Newark back to the spot where we were when I was there," added Hudson, who went on to wrestle at Lock Haven University. "That's back when we were competing for the conference championships every year."

McKelvey could very well be the young man whose shoulders the future rests on. His strong finish was the culmination of a very successful regular season in dual meets and tournaments. McKelvey wrestled at the 113 weight class all season and finished in the Top 3 at all but one regular-season tournament (fifth at the Yellowjacket Invitational). He placed third in the conference championships.

"For the most part I had a pretty good season," McKelvey said. "However, I'm not completely sat-

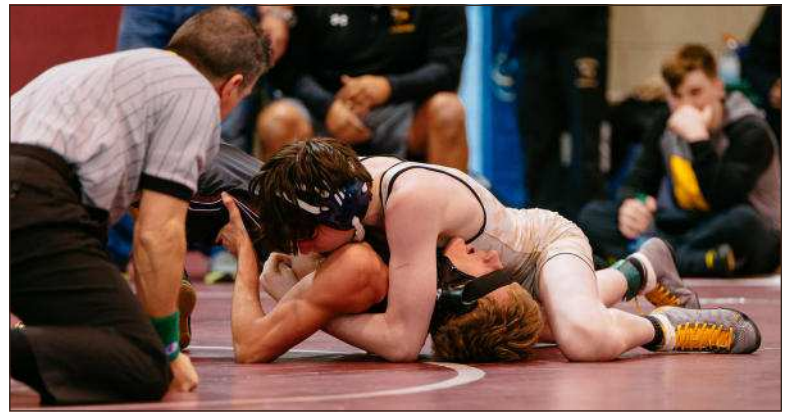


PHOTO COURTESY ART V. BALASHOV

Ryan McKelvey (on top) had a promising freshman season at Newark High.

isfied with myself. I really want to try and work on some things I messed up in my matches during the offseason. And hopefully I make a name for myself during my career."

Hudson is confident McKelvey has the potential to make an impact on the program.

"Ryan is very dedicated and loyal," Hudson said. "He is sticking with our program even though he sees we might not be successful as a team. He saw our coaching staff help Nazr Roberson win a state championship, so he knows we can help him reach his potential. He does extra work outside of practice. All-around, he's a humble kid. Not a showboat. Goes out there and just grinds."

Grinding is what the sport of

wrestling is all about, and it's that type of kid Hudson hopes to attract into Newark's wrestling room at the beginning of each season. The type of kid who will still be there at the end.

"It's a demanding, tough sport," he explained. "Kids think they are tough and it's a reality check and can crush their self-esteem. It's not for everyone."

Clearly, it is a sport for McKelvey. The talented freshman's future is bright, and he's hoping the team's is as well.

"I hope to get better as my high school career goes on," he said. "The future of the team's success is unknown though. Everybody's gonna have to work way harder, including myself, if we are going to be a high-caliber team."

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Convict who ran over man at Peoples Plaza seeks pardon

Victim's family opposes release

By CARL HAMILTON

cahamilton@chespub.com

An inmate wants to be set free after serving about seven and a half years of a 17-year sentence that he received in April 2011 for deliberately running over a North East, Md., man outside of a tavern in Glasgow — leaving him with permanent brain damage for the remaining three years of his life.

The victim, Gregory Walters, took his own life in September 2013 at age 43 because, according to his wife, Lora, and other surviving family members, the debilitating brain injury Walters suffered in that vehicular attack left him deeply depressed, oft-times confused and, in general, a shell of the man he once was.

The inmate, Bryan M. Brochu, 41, made his request for a pardon to the Delaware Board of Parole last week during a commutation hearing inside a meeting room at the James T. Vaughn Correctional Center in Smyrna, where Brochu is incarcerated.

Based on information presented during Tuesday's hearing, the parole board will make a recommendation to the Delaware Board of Pardons sometime in the

next six to eight months. The Board of Pardons can reject Brochu's request, stopping the process, or it can grant and then conduct a hearing similar to the one held last week. If that hearing is granted, then, after that proceeding, the Board of Pardons would send a recommendation to the Delaware governor, who can grant pardons to inmates.

The attack

Brochu, who lived about 2 miles from the Walters family at the time of the incident, plowed into Walters, then 40, at 44 mph in a 2006 Dodge Ram pickup truck about 2 a.m. June 2, 2010, while Walters was standing in the parking lot outside McGlynn's Pub and Restaurant in the Peoples Plaza shopping center.

Prosecutors reported that Brochu's blood-alcohol level was 0.18 — more than double the legal limit — shortly after the vehicular attack and that Brochu made no attempt to stop or avoid Walters, who, in addition to the traumatic brain injury, suffered a broken left femur that required surgery to save his leg.

Walters spent a month in Christiana Hospital, unconscious for the first three weeks. Then he spent the next two months at a cogni-

tive and physical rehabilitation hospital in Bryn Mawr, Pa. He had to relearn how to walk, talk, speak, eat and do other basic things.

The attack followed a dispute inside the restaurant-tavern. Witnesses described Brochu as the instigator of an argument with Walters inside the pub, where Brochu was "definitely belligerent about a union issue," prosecutors reported, noting that Walters and Brochu belonged to the same union.

Walters left the pub after a brief scuffle, but Brochu followed him, prosecutors said. Moments later, prosecutors added, Brochu shouted a threat from the driver's side window, before revving his truck and speeding through the parking lot toward Walters.

"He said, 'I'm going to get you. You're going to pay for this,'" Delaware Deputy Attorney General Matthew Frawley reported during one of Brochu's court hearings.

Convicted and sentenced

In February 2011, Brochu pleaded guilty to first-degree assault and possession of a deadly weapon — his pickup truck — during the commission of a felony, as part

of a plea agreement. Each of those offenses carries maximum 25-year sentence, meaning Brochu faced up to 50 years in prison, and each has a mandatory two-year sentence.

That set the stage for his sentencing on April 29, 2011, when New Castle County Superior Court Judge Jerome O. Herlihy imposed a 20-year sentence on Brochu for first-degree assault and then suspended five years of it. Herlihy also imposed a consecutive two-year sentence on Brochu for possession of a deadly weapon during the commission of felony.

At his sentencing, Brochu apologized while addressing the judge.

"Well, I really can't believe this happened. Words can't describe how remorseful I am. I wish I'd never got into that truck. I'm sorry I destroyed everybody's family," Brochu said.

In addition, despite having pleaded guilty, Brochu maintained it was an accident, commenting, "I hit something. I didn't know what it was, but I realized it probably was a human being."

Brochu's lawyer, Joe Hurlley, also contended his client had no intent.

While acknowledging that Brochu was drunk and was driving "like a jackass," Hurlley said four witnesses told police that Walters stepped in front of the speeding truck.

Walters' wife, Lora Walters, then 47, cried as she read her victim-impact statement to the judge during that April 2011 sentencing.

She reported that her husband was a wise, intelligent, active man who was quick and witty in conversation. A member of Pipefitters Local 74 union in Newark, Walters earned \$130,000 annually as a foreman who supervised as many as 200 workers at times on \$2 million jobs that required him to order cranes and other heavy equipment and supplies, she said.

Brochu robbed her family of that man, Lora Walters asserted.

Her husband's brain injury left him slow in conversation because he couldn't remember words and because he had difficulty staying on point, she said. It diminished his math and reading skills to a fourth grade level, hampered his memory and made him childlike in many ways, she added.

During an interview in April 2011, Walters acknowledged, "I can't think of words fast enough."

Opposing a pardon

On Feb. 27, during the hearing in front of the Delaware parole board, Lora Walters, now 53, read a letter reiterating how her husband, a U.S. Navy veteran, loved hunting, captaining his 42-foot boat, carpentry, garden-

ing, cooking and spending time with his family — before the brain injury he suffered at the hands of Brochu changed him for the worst.

"Greg lost the ability to love, trust, to be intimate, independent and no longer had confidence in himself. He always seemed to be scared and confused," she told the parole board.

Then, according to Lora Walters, she and her family lost Greg Walters again — forever.

"On September 19, 2013, Greg took his own life. I know in my heart Greg would have never left me or our daughter. Greg may have pulled the trigger on that horrible evening, but Bryan Brochu killed my husband on June 2, 2010. Greg lost the will to live and felt he had no purpose," she told the board, adding, "Our daughter lost her father twice within three years."

Her parting words were directly in opposition of a pardon for Brochu.

"I'm asking that Bryan not be granted the privilege to be released from prison early. I'm asking that he continues the sentence that was given to him for the crime he chose to commit and the devastation that he has caused our family. My daughter and I have been given a life sentence: We have to live the rest of our lives without Greg," she said.



BROCHU



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Out of the Past

Editor's note: Volunteers at the Pencader Heritage Museum have been digitizing old Newark City Council meeting minutes. They share excerpts with Newark Post readers in a weekly column.

June-August 1940: A delegation of residents from the New London Avenue area wanted Officer Samuel Tibbitt dismissed, but no

reason was recorded. The request was taken under advisement.

Two town employees were given a stipend for use of their personal cars on town business. No parking would be allowed in front of the A&P Store at Haines and Main streets. Certain streets would be re-surfaced during the summer.

George & Lynch won the contract for building a sanitary sewer on the new Tyre Avenue.

Isaac Vansant, the only resident appealing his property assessment, had his appeal denied. Orville Little wanted compensation because his car was damaged by an open manhole. Jesse Garman, garbage collector,

had his fee raised to \$100 per month. Mr. Whiteside of New Castle wrote complaining of his arrest for a parking violation. No action was taken.

Kenneth Kadow, developer of Nottingham Manor, wanted the area annexed to the town. Mrs. Sylvester wanted the Courtney Street sewer extended to her prop-

erty. The auto-service garage building ordinance was amended to allow Raymond Foraker to build one on South Chapel Street, with the protest by neighbors being tabled. Continental Avenue would be paved and have utilities extended to every property thereon.

Standard Accident Insurance Company was instruct-

ed to honor the claim of town employee William Crow. George Townsend thought property assessment of \$10 per foot on Townsend Road was too high, but council refused to adjust it. Councilman Richards recommended repairing North Chapel Street from Cleveland Avenue to town limits. No vote was recorded.

PLANNING

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"I think we need to step back and start thinking about what areas within the city might be amenable and appropriate to change in the comprehensive plan, rather than having it driven by a single proposal," Firestone said. "Then another developer comes forward and says, 'Well you approved it for that one, you should approve it for me,' and it's sort of a domino effect without an opportunity to engage the public more broadly," Firestone said.

Other concerns raised included a lack of housing for families and seniors, infrastructure that is unable to keep up with development and what happens to older rental properties as students move to the newer, more desirable apartment complexes being built on and around Main Street.

UD's expansion plans loom large

The elephant in the room – as it often is in Newark – was the University of Delaware.

UD recently announced an aggressive plan to expand its student population, adding more than 1,000 undergraduates over five years and doubling the roughly 4,000 graduate students. With the influx of students comes the need to find room to house them.

In 2015, a study commissioned by the city found that Newark needed 50 additional apartment units each year to keep up with an increase in demand, but that study was conducted before UD announced its plan to add students.

Complicating the issue is the fact that the most dramatic growth in Newark over the

Development proposals

The following projects are making their way through the city's development process:

1119 S. College Ave: New hotel, convenience store and gas station to replace the Red Roof Inn

0 Independence Way: 44 townhouses on a vacant lot

30 Benny St.: 11 townhouses to replace existing rental homes

36 Benny St.: Seven townhouses to replace an existing rental home

275 S. Main St.: 12 apartments and additional retail space in the Park N Shop

92 E. Main St.: 15 apartments and first-floor retail space to replace the old Abbott's Shoe Repair building

1365 Marrows Road: A new car rental facility on a vacant lot next to KFC

0 Paper Mill Road: 18 new single-family homes on a vacant lot

67-69 New London Road: Two townhouses to replace existing home

46 Welsh Tract Road: 22 townhouses on a lot that currently contains one home

1501 Casho Mill Road: 60 apartments, plus office and retail space, to replace the current office building

924 Barksdale Road: 112-unit assisted living and memory care facility on a vacant lot

515 Capitol Trail: 10 townhouses to replace one single-family home

next couple decades will happen where the city has the least ability to influence development: UD's STAR Campus.

UD has ambitious plans to turn the sprawling 272-acre former Chrysler plant into an urban-inspired campus centered around a new transportation hub and featuring research and development space surrounded by parks, restaurants, residential units, retail stores and a hotel. The 10-story STAR Tower will open this summer, followed by a biopharmaceutical lab and a research and development headquarters for Chemours in 2020 – and those massive projects are only the tip of the spear.

The zoning of the STAR Campus gives UD broad latitude over what development happens there, and most projects do not require approval from city council as they might in other areas of the city.

Planning Commissioner Alan Silverman said he worries that the STAR Campus will, over time, become the de facto center of Newark.

"My ultimate fear is we're going to see the city of Newark essentially move down onto the STAR Campus," Silverman said.

He noted that without Chrysler or other large employers, education has become Newark's sole industry.

Wallace expressed similar fears.

"One of my concerns is that we will cease to exist and this will become the University of Delaware dorm complex," she said. "I think that's a very real fear all of us should have."

Councilman Chris Hamilton concurred.

"I'd like to focus on making this a better place for the permanent residents," Hamilton said. "There's a reality out there that we're getting out numbered, and that the university is a business. I just hope they're a benevolent business toward Newark."

Mayor Polly Sierer said she is encouraged by the fact the new

UD administration has been more willing to share its plans and work with the city.

"That's a tremendous thing we need to take hold of, and we need to work together on ideas for our community," Sierer said.

Officials brainstorm possible solutions

While problems were easy to identify, effective solutions were harder to come by during last week's joint meeting.

Sierer asked the city's planning and development department to compile the ideas mentioned and bring them back to city council for discussion. She recommended choosing three goals to work on initially.

Councilman Stu Markham said ideas the city has implemented in the past have not worked.

"I need some ideas," Markham said. "I've seen things come and go that we said are the latest and greatest, but they're not giving the city what it wants right now. Maybe the students are getting what they want, but not the city."

Planning Commissioner Will Hurd suggested the city look at developing master plans for certain areas of the city, signaling to developers what the city wants to see there, such as senior housing or housing for year-round residents.

"It essentially sets up a framework where you can say if a project comes to us that meets the intentions of the master plan, it will be easier to approve it because we've already had conversations about the area," Hurd said.

Hamilton said the city desperately needs more places for older residents who want to downsize.

"They spent their lives here and they want to finish out their lives here," he said. "They want to move out of their larger homes into something more affordable and more manageable for an older per-

son. Nobody is listening. They're going to have to move out of Newark."

He added that having a large transient student population – which is gone during the summer and for a month during the winter – makes it difficult for downtown businesses to survive.

"We have set up ourselves a system where Main Street might as well be a resort town," he said. "All our retailers and restaurants have to earn their money in seven-and-a-half months."

Councilman Jerry Clifton said the opening of the Washington House nearly a decade ago was supposed to be the start of bringing more permanent residents to Main Street, but his constituents who live there "feel like they've been abandoned" as all subsequent downtown projects have been geared toward students.

He said the Washington House – where condos sell for up to \$600,000 – proves that it is possible to bring non-student residents downtown.

"I hear from developers, 'Oh, well, we can't build that type of housing on Main Street, we can't build housing that people in their mid-40s into their 60s would want to live there,'" Clifton said. "I think that's being disingenuous."

Planning Commissioner Frank McIntosh said the city needs to bring developers to the table and figure out a way to incentivize them to build projects that fit in with the city's priorities.

"Developers know that if they build housing for students, that students will go to that housing. It's simple," McIntosh said. "So if you want developers to build 55-plus communities or something people with families would want to be in, then that's what the plan has to think of and in the process of thinking about it, you have to incentivize it in some way or another."

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Five file for two seats on Christina school board

By JESSICA IANNETTA
jiannetta@chespub.com

Five people have filed to run for the Christina School District Board of Education, setting up contested races for the two open seats.

Incumbent Fred Polaski will face off against Rich Jester, a data scientist for JPMorgan Chase, and teacher V.J. Leonard in the District C race. In District E, two University of Delaware employees, Christy Mannering and Keeley Powell, will battle for the seat formerly held by Harrie Ellen Minnehan.

Minnehan, a retired Christina educator and former board president, is in her first term on the board. But Minnehan said this week she's decided not to run again and will instead pursue other educational opportunities, though she declined to specify what those are as nothing has been finalized.

While the school board is comprised of one member from each of the seven electoral areas in the school district, anyone who lives in the district can vote in the May 8 election, even if they don't live in the electoral areas with open seats.

Rich Jester

As someone with a background in data science and process improvement, Jester wants to bring that same approach to the school board. That means gathering as much data as he can about the school district, something he intends to do by visiting every school in the district prior to the election.

While that may be a lofty goal, Jester believes it's a nec-

essary step to understand the problems the district is facing and how he can help.

"I'm not looking to come into this to make money or gain fame or any of that," he said. "I'm simply looking to leave the district in a better place than it is now."

Jester found one of his passions in technological education. He's currently a board member for the Delaware chapter of Business Professionals of America, the leading career and technological organization for students in the state.

If elected to the board, Jester said one issue he would tackle is the district's image problem, which he believes can be fixed through a renewed focus on both transparency and participation.

"Bottom line is, the perception needs to change," he said. "I think I'm the type of person who can bring about that sort of change and bring that trust back to the community."

V.J. Leonard

Leonard's decision to run for school board is the end result of a long process of getting increasingly more involved with the district. A Glasgow High School graduate, Leonard bought a house in the district six years ago and began attending school board meetings shortly thereafter.

He eventually served on the district's superintendent search committee and believes he has the passion to take on the five-year commitment of serving on the board.

"I could only do this in Christina," Leonard said. "I couldn't do this anywhere else because I wouldn't have the same passion as I do for my hometown."

Leonard also decided to run with hopes of bringing another teacher perspective to the board. With the retirement of Minnehan, Angela Mitchell is the only board member with any teaching experience. Having worked as a high school teacher for the past 10 years in a neighboring district in Delaware, Leonard believes he can bring that perspective.

But Leonard said beyond providing that perspective, he isn't going into the race with any specific agenda. Leonard said the most important thing when it comes to addressing them is having a variety of different people involved.

"We know there's stuff that needs to be talked about, but I'm not going to be the one that sits here by myself and says, 'I have all the answers.' That's not my philosophy," he said. "My philosophy is more asking other people."

Christy Mannering

After many years of active involvement with the school district, Mannering believes her knowledge of Christina schools and experience running a nonprofit that serves homeless and low-income students will make her a strong asset to the board.

Mannering, who has two students in Christina schools and another entering kindergarten next year, has been involved for years, serving on referendum committees, as well as the Christina, Keene Elementary and Gauger-Cobbs Middle PTAs. She also works as the chief operating officer for Brae's Brown Bags, a nonprofit her 14-year-old son started five years ago to provide healthy snacks to the homeless and others in need.

Mannering said this nonprofit work has put her in close contact with high poverty schools and given her a different perspective on this issue and the role public education can play.

"I support public education. I support my children and all children. They're our future, not to be cliché, but they are," she said. "Well-educated, healthy children are going to make the world a better place."

If elected to the school board, Mannering wants to focus on several issues, including safety and security. For example, on election days, members of the public have to walk through Keene to get to the polls, which could be unsafe for students, she said. She would also push for more trauma-based and trauma-informed care, noting that her son is alarmed by active-shooter drills and she's not sure teachers know how to talk about those things with their students.

Mannering also wants to improve teacher retention by having the district undertake a mindfulness or wellness campaign for teachers.

Mannering works at UD as a communications specialist and is also an advocate against domestic violence, speaking to UD students about this issue.

Fred Polaski

After nearly seven years on the school board, Polaski is running for his second full term with hopes of being able to keep some of the good momentum around the school district going.

As the district embarks on its strategic planning process,

Polaski said he sees this as a chance to come up with a page or two worth of realistic, manageable goals, and then, most importantly, implement them. And it's that implementation process where Polaski thinks he can be the most help.

"We've got educators who do a very good job of knowing how to educate children, but what we've not done well at is how to run an organization," he said. "What I think I bring to [the board] is experience from outside the education area on, how do you manage change? How do you fix problems?"

Polaski, who currently serves as the board's vice president, spent his career working for the Philadelphia Electric Company, PECO Energy, and Exelon Corporation as an engineer and manager at the Peach Bottom Atomic Power Station and corporate offices until his retirement in 2009. His children attended Christina schools and graduated from Newark High School.

During his time on the board, Polaski said some of the biggest accomplishments were the passage of a referendum, the hiring of Superintendent Richard Gregg and working with the state to pass the recent memorandum of understanding on the Wilmington schools. While the MOU isn't perfect, Polaski believes it's a step in the right direction and that the board's relationship with Gov. John Carney is better than it was under previous governors.

"I just have a much better sense of working together," he said. "I think everyone agrees, are we going to get it perfect? No, but I think we're moving

in the right direction."

Keeley Powell

While Powell has long been interested and involved in education, having three children in the school district is what inspired her to take her involvement to another level.

Powell has lived in the district for many years, including before she had kids, but said that with one child at West Park Elementary School and two-year-old twins that will follow in a few years, she feels much more inspired to get involved.

"As someone who works in education and will have three children in the district at the same time, I'm much more invested in doing this," she said.

If elected, Powell said one of the things she's most interested in is understanding the historical and structural factors that cause unequal outcomes for students. With the amount of diversity in the district, Powell wants to make sure Christina is doing everything it can to meet the needs of all its students, regardless of their backgrounds.

In addition, as someone involved in higher education, Powell said she wants to make sure Christina graduates are prepared for the next step after high school, whether that's career training or higher education. Finally, Powell wants to work to improve the district's reputation and image among area families, noting a high percentage of families send their children to schools outside the district.

"While that's their right and there will always be families that choose that, I want to make sure families know what the district has to offer them," she said.

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at 924 Barksdale Road, directly east of Handloff Park and across the street from Newark Day Nursery.

The vacant, 7-acre parcel is owned by the International Literacy Association, which has its headquarters on an adjacent property. Both parcels have been on the market for several years, but the ILA's building would not be affected by the Newark Senior Living project.

The land in question was last used by Newark Charter School from 2001 to 2003. The school started there in modular buildings before building a permanent home off Elkton Road.

Darcy Koenig, a representative of the architecture firm that is designing the project, presented the initial plans for the project during an informal public meeting March 1. She pitched the facility as an option for aging Newarkers who need a higher level of care than is available at home.

"It will offer service to people living in Newark who want to continue living in Newark," Koenig said.

The developer, Columbia Pacific Advisors, has a portfolio of 2,500 senior housing units, 1,200 multi-family units and more than 800,000 square feet of commercial space around the United States. This would be the company's first project in Delaware, but the firm owns a number of complexes in the Philadelphia area.

Columbia Pacific Advisors would outsource the operation of the facility to a yet-to-be-determined management company, Koenig said.

The facility, to be called Newark Senior Living, would contain 90 assisted living suites, including studio, one-bedroom and two-bedroom units. The suites would include private bathrooms, kitchenettes and living rooms, with the largest units measuring approximately 900 square feet. Meanwhile, 22 memory care suites would accommodate patients suffering from dementia.

A common area would feature a café, beauty salon, theater, fitness center, arts and crafts room and other amenities.

While not a full-service nursing home, Newark Senior Living would have medical staff on duty



SUBMITTED GRAPHIC

An artist's rendering shows the 139-bed assisted living and memory care facility proposed for a vacant lot at 924 Barksdale Road.

around the clock, Koenig said. It would employ approximately 50 full-time and part-time staffers.

Approximately a dozen people attended last week's meeting, and a few posed questions regarding concerns about traffic, stormwater management and related issues.

One attendee, who didn't provide his name but said he lives across the street from the site, expressed concern about traffic as well as the scale of the project. "Outside of the former dorms, this would be the largest facility, the largest single building, on all of Barksdale Road," he said. "It definitely, in my opinion, is a little bit out of character with single detached homes as well as townhome developments, which are generally very compact and almost hidden from view."

Jane Bowen, executive director of Newark Day Nursery, noted that the entrance to Newark Senior Living would be directly across from the entrance to her day care.

"I have concerns about traffic and safety," she said.

Koenig said information about the estimated number of cars the project would bring to the area was not immediately available.

In its standard review of the project, the Newark Police De-

partment noted the facility will "significantly increase" traffic, but said Barksdale Road can accommodate the added vehicles.

NPD added that a crosswalk that runs from the property across Barksdale Road to Newark Day Nursery is already the subject of complaints about pedestrians.

"Many of the visitors of this facility will likely be from out of town and unfamiliar with our roadways," the department wrote. "Therefore, a pedestrian signal should be considered at this location to alert drivers to the presence of pedestrians in the area."

In order for the project to move forward, Columbia Pacific Advisors must ask the city to rezone the property, as well as approve a major subdivision and comprehensive development plan amendment.

The land is currently zoned BL (Limited Business), which allows a number of uses, including hospitals, medical clinics and certain types of businesses. The developer is asking for it to be rezoned to AC (Adult Community.)

James Lober, an engineer working on the project, argued that rezoning the property actually lessens the potential impact of development.



NEWARK POST PHOTO BY JOSH SHANNON

A developer is proposing an assisted living and memory care facility at 924 Barksdale Road.

"Theoretically, anybody could come in here tomorrow and develop it by right into something bigger, taller and with more square footage and more traffic," Lober said.

The company submitted a sketch plan in November. The next step is to submit a formal

plan, which will be evaluated by the planning commission and then move on to city council for final approval.

The company plans to make its formal submission within a few months, after it completes soil testing and designs stormwater management facilities.

CRASH

From
Page 1

marked crosswalk, was not carrying an illuminated device, and was not wearing any reflective material," Jaffe said.

The officer was not hurt. He was responding to a non-emergency call and thus did not have his emer-

gency lights and siren on. Speed was not a factor in the crash, Jaffe said.

Sgt. Gerald Bryda, a spokesman for the Newark Police Department, would not provide the officer's name or say if he was placed on leave during the investigation.

"Due to the fact that this is an active state police investigation, we are not making any additional com-

ments pending the conclusion of their investigation," Bryda wrote in an email.

The crash happened during a powerful Nor'easter that brought strong winds, rain and some snow to the area and prompted officials statewide to warn of hazardous driving conditions.

"Please be careful driving as conditions are getting worse," the Newark Police Department wrote

on Facebook a few hours before the crash. The light-hearted social media post also included a Dr. Seuss poem and a meme from the "I Can Has Cheezburger" website.

The crash marks the second time in five months a Newark Police car has struck a pedestrian. In November, an officer driving an unmarked car hit a 2-year-old girl being

pushed on a tricycle in front of the police station on South Main Street. The child escaped with only minor injuries.

After that incident, an NPD spokesman said that under department policy, officers involved in crashes typically return to normal duty. An officer would be put on administrative leave only if criminal actions are suspected.

Post Stumper solved

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General Merchandise

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 Danyell Adia Hackett
 2/28/18
 np 3/9 2770252

LEGAL NOTICE
 RE: DEADLY WEAPON
 I, Gennette Washington, residing at 222 Megan Ct., Newark, DE 19702, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
 Gennette Washington
 3/1/18
 np 3/9 2770467

LEGAL NOTICE
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 I, Laro Washington Sr., residing at 222 Megan Ct., Newark, DE 19702, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
 Laro Washington Sr.
 3/1/18
 np 3/9 2770474

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 I, Michael J Flynn, residing at 581 Thompson Station Road, Newark, DE 19711, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
 Michael J Flynn
 3/5/18
 np 3/9 2770751

LEGAL NOTICE
 RE: DEADLY WEAPON
 I, Joseph William Parkes, residing at 701 Brook Dr., Newark, DE 19713, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
 Joseph William Parkes
 3/2/18
 np 3/9 2770588

LEGAL NOTICE
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 I, Eric Phillips Agra, residing at 405 Nonantum Drive, Newark, DE 19711, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
 Eric Phillips Agra
 3/6/18
 np 3/9 2771002

LEGAL NOTICE
 RE: DEADLY WEAPON
 I, David Earl DiStefano, residing at 802 Archer Place, Bear, DE 19701, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
 David Earl DiStefano
 3/2/18
 np 3/9 2770607

LEGAL NOTICE
 RE: DEADLY WEAPON
 I, Brian Leonard Arcidiacono, residing at 46 Fremont Road, Newark, DE 19711, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
 Brian Leonard Arcidiacono
 3/6/18
 np 3/9 2771077

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
 IN RE: CHANGE OF NAME OF
 VERONICA OBOLRATH NGET
 Petitioner(s)
 TO
 VERONICA OBOLRATHANNA CHOU TEP
 NOTICE IS HEREBY GIVEN that VERONICA OBOLRATH NGET intends to present a Petition to the court of Common Pleas for the State of Delaware in and for New Castle County, to change his/her name to VERONICA OBOLRATHANNA CHOU TEP.
 VERONICA OBOLRATH NGET
 Petitioner
 Dated: 2/16/2018
 2767575
 np 2/23,3/2,9

PUBLIC AUCTION
SENTINEL SELF STORAGE
 1100 Elkton Road
 Newark, DE 19711
 (302) 731-8108
 A Public Auction will be held on Wednesday, 4/11/2018 at 12:00 pm. All sales are cash only. The contents of the following storage units will be auctioned:
Unit #1040 - Charles Shore - sectional sofa, mattress, boxes, shelving, kitchen cabinets, glass top stove, mics household items
Unit #1041 - Patricia Lewis - Boxes, desk, folding chairs, shelving, portable TV, mics household items
Unit #1044 - Fahad A. Alhaqbani - 2005 Honda Accord - misc. household items
Unit #5109 - Vera F. Oliver - Bags, toys, totes misc. items

200 First State Blvd
 Wilmington, DE 19804
 (302) 999-0704
 A Public Auction will be held on Wednesday, April 11, 2018 at 1:00pm. The contents of the following storage units will be auctioned:
Unit #5110 - Denny Donaldson - wooden cabinets, countertop, cooler
Unit #5116 - Jessie F. Giles Jr. - bags, bed frame, box spring, mattress, bicycle, boxes, beach chair, couch, hamper, love seat, end table, totes, vacuum
Unit #9450 - Joshua Ricks - bags, clothing, hampers, backpacks, leather jacket

141 Edgemoor Rd.
 Wilmington, DE 19809
 (302) 762-3626
 A Public Auction will be held on Wednesday, April 11, 2018 at 3:00 PM. Sales are "cash only". The contents of the following storage units will be auctioned:
Unit #134 - Tracie Bland - boxes, computer, desk, floor lamp, table lamp, mirrors, pictures, 2 end tables, totes, trash can, mugs
Unit #1175 - Ellie Schmidt - 20 bags, 20 boxes, fan, lawn equipment, pictures, 15 totes, trunk, space heater, clothes steamer

333 E. Lea Blvd.,
 Wilmington, DE 19802
 (302) 764-6300
Unit #503 - Christina A. Hall - Boxes, kitchen chair, rocking chair, dresser, ironing board, mirrors, rug, stool, suitcases, totes, water cooler, misc. household items.
Unit #237 - James Bond - Bags, clothing, fishing equipment, ice chest, tires, security box, tools.
Unit #103 - La'niaya Q. Phillips - Boxes, totes, fake Christmas tree, tent.
Unit #71 - Marvin D. Bright - Box spring, headboard, mattress, (2) kitchen chairs, (2) dressers, microwave, totes, small refrigerator, guitar.
Unit #227 - Wayne Collins - Baby chair, (2) kitchen chairs, exercise equipment, floor lamp, table lamp, tool box, totes, weight bench, weights, shredder, wii.
Unit #141 - Melvin Peterson - Bags, sofa, totes, drying rack.
Unit #403 - Labrina I. Ringgold - (3) baby cribs, upholstered chair, desk.
Unit #167 - Gretchen L. Montgomery - (5) Bags.
Unit #95 - Tara Patillo - Bags, boxes, clothing, tote, toys.
Unit #94 - Kevin Hynson - Boxes, china cabinet, computer, record/cd player, speakers, sports equipment, coffee table, TV, records, cassettes.

Unit #85 - Andrea M. Burgos - Books, pictures, (4) stools, commercial kitchen equipment, printer, fax machine, dishwasher.
Unit #367 - Nakeena L. Whitfield - Bags, boxes, clothing, lawn equipment, totes, toys, grill.
Unit #207 - Bobby Joe Jackson - Air conditioner, bags, bed frame, books, boxes, couch, dresser, shelving, totes, recliner.
Unit #220 - Kikisha C. Powell-Gleaton - Bags, bed, box spring, boxes, dryer, kitchen table, totes, big screen TV, portable TV, washer.
Unit #132 - Jasmine Jones - Bed frame, mattress, boxes, upholstered chair, couch, love seat, table lamp, stool, totes, toys, vacuum, home décor.
 2769856
 np 3/9,16

The household goods and personal effects of the following person will be sold at public auction on the premises of Delaware Moving and Storage Inc. 214 Bear Christiana Road, Bear, DE 19701 on Wed., March 14, 2018
 Tim Smith
 Pagosa Springs, CO
 np 3/2,9 2769938

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
 IN RE: CHANGE OF NAME OF
 PHYLLIS ANN SMITH
 Petitioner(s)
 TO
 PHYLLIS ANN PETERSON
 NOTICE IS HEREBY GIVEN that PHYLLIS ANN SMITH intends to present a Petition to the court of Common Pleas for the State of Delaware in and for New Castle County, to change his/her name to PHYLLIS ANN PETERSON.
 PHYLLIS ANN SMITH
 Petitioner
 Dated: 2/16/2018
 2767265
 np 2/23,3/2,9

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
 IN RE: CHANGE OF NAME OF
 KIA GRINAGE-REID
 Petitioner(s)
 TO
 KIA GRINAGE
 NOTICE IS HEREBY GIVEN that KIA GRINAGE-REID intends to present a Petition to the court of Common Pleas for the State of Delaware in and for New Castle County, to change his/her name to KIA GRINAGE.
 KIA GRINAGE-REID
 Petitioner
 Dated: 2/19/2018
 2767758
 np 2/23,3/2,9

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
 IN RE: CHANGE OF NAME OF
 CHANZ VAN-BASTEN CLOUTIER-MCINTOSH
 Petitioner(s)
 TO
 CHANZ BLAKE MCINTOSH
 NOTICE IS HEREBY GIVEN that CHANZ VAN-BASTEN CLOUTIER-MCINTOSH intends to present a Petition to the court of Common Pleas for the State of Delaware in and for New Castle County, to change his/her name to CHANZ BLAKE MCINTOSH.
 CHANZ VAN-BASTEN CLOUTIER-MCINTOSH
 Petitioner
 Dated: 2/20/2018
 28743
 np 3/2,9,16

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
 IN RE: CHANGE OF NAME OF
 DANIELLE NICOLE NOVICK
 Petitioner(s)
 TO
 JUNIPER ADA LAKE
 NOTICE IS HEREBY GIVEN that DANIELLE NICOLE NOVICK intends to present a Petition to the court of Common Pleas for the State of Delaware in and for New Castle County, to change his/her name to JUNIPER ADA LAKE.
 DANIELLE NICOLE NOVICK
 Petitioner
 Dated: 2/28/2018
 270408
 np 3/9,16,23

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
 IN RE: CHANGE OF NAME OF
 CLARISSA GRACE BYGRAVE CUNNINGHAM
 Petitioner(s)
 TO
 CLARISSA GRACE BYGRAVE-CUNNINGHAM
 NOTICE IS HEREBY GIVEN that DESIREE BYGRAVE intends to present a Petition to the court of Common Pleas for the State of Delaware in and for New Castle County, to change his/her minor child's name to CLARISSA GRACE BYGRAVE-CUNNINGHAM.
 DESIREE BYGRAVE
 Petitioner
 Dated: 2/14/2018
 27670
 np 2/23,3/2,9

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
 IN RE: CHANGE OF NAME OF
 LORENZO JUAN GIOVANNI ZAYAS
 Petitioner(s)
 TO
 KALEB SEMAJ MURRAY
 NOTICE IS HEREBY GIVEN that BRITTANY MURRAY intends to present a Petition to the court of Common Pleas for the State of Delaware in and for New Castle County, to change his/her minor child's name to KALEB SEMAJ MURRAY.
 BRITTANY MURRAY
 Petitioner
 Dated: 2/23/2018
 28146
 np 3/2,9,16

On February 16, 2018, MCD Christiana LLC d/b/a MidiCi applied to the Delaware Alcohol Beverage Control Commissioner for a restaurant liquor license permitting the applicant to sell alcoholic liquor for on-premises consumption. The restaurant is located at 3256 Fashion Center Boulevard, Newark, DE 19702. MidiCi also seeks permission to serve alcoholic beverages on Sunday. MidiCi has also applied for a patio permit. Finally, MidiCi has applied for a variance to allow dining-level background music to be played on external speakers on the patio. Persons who oppose this application may provide written notice of their objections to the Commissioner. For the Commissioner to be required to hold a hearing to consider additional input from persons against this application, the Commissioner must receive a written protest containing at least ten signatures of residents/ property owners within one mile of the premises or of the incorporated area where the restaurant is located. Protests must be filed with the Alcoholic Beverage Control Commissioner at the 3rd Floor, Carvel State Office Building, 820 North French Street, Wilmington, DE 19801. Protests must be received by the Commissioner's Office on or before March 19, 2018. Failure to file such a protest may result in the Commissioner considering the application without further notice, input or hearing. If you have questions regarding this matter please contact the Commissioner's Office at (302) 577-5222..
np 2/23,3/2,9 2767244

LEGAL NOTICE
ANNUAL ASSESSMENT APPEALS

The Annual Assessment for each parcel in New Castle County for the tax year beginning July 1, 2018 may be inspected in the Office of Property Assessment located at the New Castle County Government Center, 87 Reads Way, Corporate Commons, New Castle, 19720 DE, from 8:00 a.m. to 4:00 p.m., Monday through Friday.

Property owners who believe that their properties have been incorrectly assessed may appeal those assessments to the Board of Assessments Review of New Castle County. Forms to appeal Annual Assessments may be obtained from the Office of Property Assessment at the address aforesaid and must be filed with the Office of Property Assessment no later than 4:00 p.m. on March 14, 2018.

The Board of Assessment Review of New Castle County will sit in the New Castle County Government Center, or some other public place to be announced, to hear appeals. Appeal hearings will be scheduled by the Board. Persons who file appeals by the statutory deadline will, in accordance with 9 Del. C. Sec. 8311 will be notified of the exact date and time at which their appeal will be heard.
np 3/9 271032

**CITY OF NEWARK
DELAWARE
PUBLIC HEARING
NOTICE**

March 26, 2018 – 7:00 P.M.

Pursuant to Chapter 32, Zoning, Sections 32-78 and 32-18(b)(13) Code of the City of Newark, Delaware, notice is hereby given of a public hearing in the Council Chamber, Newark Municipal Building, 220 South Main Street, on Monday, March 26, 2018 at 7:00 P.M. to consider the request of RGW One, LLC for a Special Use Permit for 12 apartments as part of the proposed major subdivision plan known as the Park 'N Shop at the property located at 275 South Main Street, Newark, Delaware.

Zoning Classification: BB (Central Business District)

Renee K. Bensley, CMC
City Secretary

np 3/9 270092

**CITY OF NEWARK
DELAWARE
PUBLIC HEARING
NOTICE**

March 26, 2018 – 7:00 P.M.

Pursuant to Chapter 27-21(b)(2)(e) of the City of Newark Subdivision and Development Regulations, notice is hereby given of a Public Hearing in the Council Chamber, Newark Municipal Building, 220 South Main Street, on Monday, March 26, 2018, at 7:00 p.m., at which time the Council will consider the request of RGW One, LLC for the major subdivision of 4.95 acres located at 275 South Main Street, in order to demolish an existing 2,150 square foot vacant structure and construct a mixed use building with 10,600 square feet of retail space on the first floor and ten four-bedroom and two two-bedroom apartments for a total of twelve apartment units on the second and third floors. In addition, the proposal also includes demolishing 6,400 square feet of the existing Park 'N Shop shopping center in order to provide additional parking.

ZONING CLASSIFICATION – BB (Central Business District) and BC (General Business).

Renee K. Bensley, CMC
City Secretary

np 3/9 270073

**CITY OF NEWARK
DELAWARE
CITY COUNCIL
PUBLIC HEARING
NOTICE**

March 26, 2018 - 7:00 P.M.

Pursuant to Sections 402.2 and 902.3 of the City Charter and Section 32-79 of the Code of the City of Newark, Delaware, notice is hereby given of a public hearing at a regular meeting of the Council in the Council Chamber at the Municipal Building, 220 South Main Street, Newark, Delaware, on Monday, March 26, 2018 at 7:00 p.m., at which time the Council will consider for Second Reading and Final Passage the following proposed Ordinances:

Bill 18-03	An Ordinance Amending the Comprehensive Development Plan by Changing the Designation of Property Located at 275 South Main Street
Bill 18-04	An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from BC (General Business) to BB (Central Business District) 1.09 Acres Located at 275 South Main Street
Bill 18-05	An Ordinance Amending Chapter 32, Zoning, Code of the City of Newark, Delaware, By Amending Regulations for Wireless Facilities in the Right of Way and Updating Regulations for Wireless Facilities Outside the Right of Way to Conform to Federal Regulations

Renee K. Bensley, CMC
City Secretary

np 3/9 270475

Estate of ILO H. RAKICH, Deceased.
Notice is hereby given that Letters Testamentary upon the estate of ILO H. RAKICH who departed this life on the 14th day of November, A.D. 2017, late of 7 ANDERSON LANE, NEWARK, DE 19711, were duly granted unto JOANN MARIE STEVENS, aka JOANN STEVENS, aka JOANN R. STEVENS on February 15, 2018, and all persons indebted to the said deceased are requested to make payments to the Personal Representative without delay, and all persons having demands against the deceased are required to exhibit and present the same duly probated to the said Personal Representative on or before July 14, 2017, or abide by the law in this behalf.

Address HUFF, KELLEY M., ESQ. MURPHY & LANDON 1011 CENTRE ROAD, STE 210, WILMINGTON, DE 19805	Personal Representative JOANN MARIE STEVENS, aka JOANN STEVENS, aka JOANN R. STEVENS
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File #165540
np 13/2,9,16 278810

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

March 12, 2018 – 7:00 P.M. – CC

There may be a vote on each and every agenda item set forth herein.

SILENT MEDITATION & PLEDGE OF ALLEGIANCE

*1. **PUBLIC PRESENTATIONS:** (15 minutes per presentation; public comment [1 minute per speaker])
A. Presentation of Government Finance Officers Association Excellence Award to Finance Department
B. Downtown Newark Partnership Strategic Planning Subcommittee Update – Dr. Daniel Rich
C. Main Street Repaving Project Presentation – DelDOT (See Item 7-A)

2. **ITEMS NOT ON PUBLISHED AGENDA:**
A. Elected Officials who represent City of Newark residents or utility customers
B. University
(1) Administration (5 minutes per speaker)
(2) Student Body Representative(s) (5 minutes per speaker)
C. Lobbyist
D. City Manager
E. Council Members
F. Public (3 minutes per speaker)

3. **APPROVAL OF CONSENT AGENDA:**
A. Approval of Council Minutes – February 26, 2018
B. Approval of Council/Planning Commission Joint Meeting Minutes – February 27, 2018
C. Receipt of Alderman's Report – February 16, 2018
D. Receipt of Planning Commission Minutes – February 6, 2018
E. Receipt of Planning Commission Parking Subcommittee Minutes – January 24, 2018
F. Receipt of Conservation Advisory Commission 2017 Annual Report
G. **First Reading – Bill 18-06** – An Ordinance Amending the Amended Pension Plan for Employees of the City of Newark, Delaware, By Increasing the Contributions of Management Employees to the City of Newark Pension Plan – **Second Reading – March 26, 2018**
H. **First Reading – Bill 18-07** – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, to Permit Police Candidates to Take the Written Assessment Test With Specific Prior Military Service – **Second Reading – March 26, 2018**

4. **ITEMS NOT FINISHED AT PREVIOUS MEETING:** None

*5. **APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS:**
A. Reappointment of John Hornor to an At-Large Position on the Conservation Advisory Commission For a Three-Year Term to Expire March 15, 2021
B. Reappointment of George Irvine to the District 5 Position on the Conservation Advisory Commission For a Three-Year Term to Expire March 15, 2021

*6. **SPECIAL DEPARTMENTAL REPORTS:**
A. Extension of the Due Diligence Period for the Rodney Property Purchase – Mark Dunkle
B. Reforestation Project Recommendation – Conservation Advisory Commission
C. Recommended Change to Investment Policy Statement for Pension and OPEB – Pension Committee/Deputy City Manager
D. 2018 RSA Adjustment – Finance Director
E. 2018-2019 Insurance Policy Renewals – Finance Director

*7. **RECOMMENDATIONS ON CONTRACTS & BIDS:**
A. Main Street Repaving Project Funding Authorization For the City Funded Portion of the Project (See Item 1-C)
B. Recommendation to Waive the Bid Process in Accordance with the Code of the City of Newark on Utilizing State of Delaware Awarded Contracts for the Purchase of Replacement Police Vehicles
C. Recommendation to Waive the Bid Process in Accordance with the Code of the City of Newark for the Purchase of an Additional License Plate Reader System
D. Recommendation to Waive the Bid Process in Accordance with the Code of the City of Newark for the Purchase of Parking Countdown Signs

*8. **FINANCIAL STATEMENT:** (Ending December 31, 2017)

*9. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:**
A. **Bill 18-02** – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, By Changing the Titles of Management Positions, the Salary Assignment Table and the Management Salary Plan

*10. **RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:**
None

*11. **ITEMS SUBMITTED FOR PUBLISHED AGENDA:**
A. **Council Members:**
1. Discussion and Potential Direction to Staff Regarding Meeting Locations for City of Newark Boards and Commissions – Councilwoman Wallace
B. **Others:** None

*OPEN FOR PUBLIC COMMENT

Agenda Posted – March 5, 2018

np 3/9 270975

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Christiana Hospital

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NEWARK POST PHOTO BY JOSH SHANNON

This hotel, slated to open May 1 on Ogletown Road, had to go through the development approval process twice due to a miscalculation in the number of rooms.

Hotel controversy sparks call for floor plan submission requirement

By JOSH SHANNON
jshannon@chespub.com

A proposal to require developers to include floor plans when submitting projects for approval from the city drew concerns from developers and members of the planning commission.

The policy proposal, presented Tuesday by city planner Mike Fortner, would apply to proposals for hotels or multi-family dwellings.

Fortner said it would prevent another situation like what happened last year with the hotel under construction on Ogletown Road.

When approved by the planning commission and city council, the project had 125 rooms, seven of which were two-room suites. However, when the developer submitted more detailed building plans later in the process, the city planning department determined that each suite was actually two adjacent rooms connected by a door that can be locked to allow the rooms to be rented separately. That changed the room count to 132.

Though the square-footage and design remained the same, the amended room count exceeded the amount of rooms approved by council in the special-use permit and changed the amount of required parking. The developer essentially had to go through the development approval process a second time, seeking approval from the board of adjustment, planning commission and city council.

Fortner said his proposal would ensure that any discrepancies in the room count would be caught before the project works its way through the approval process. Currently, developers often present sketches of the exterior of the building but typically do not submit interior floor plans.

Fortner emphasized that the intent is to see the general

layout of rooms, not prevent the developer from making minor revisions later, such as changing the size of a room or relocating a staircase.

"We didn't intend for this to be a burdensome or expensive thing for developers," he said.

However, developers Kevin Mayhew and Chris Locke said it would be just that.

Mayhew said that it costs thousands of dollars to hire an architect to design a floor plan. He said projects often go through changes in response to concerns from the planning commission, council and the public, and creating the floor plans in advance would require them to be re-designed.

Locke, who is general counsel for Lang Development Group, said he worries that minor changes to the floor plan would require a return trip to council.

"This is ripe for that type of issue. Say a bedroom conceptually was 11-by-10 and now it's 11-by-9.5," he said. "Do I now have to go back to council and let them know that?"

The planning commissions also expressed dissatisfaction over the proposal.

"This solves a problem that in my mind was an administrative problem within the city government, the fact that somebody didn't pick this up," Commissioner Alan Silverman said, blaming the hotel issue on city staff. "Why change the code? Change the policy and procedures for review."

The commission voted 5-1 against recommending the policy move forward to council.

Fortner said he will consult with other city staff about whether to revise his proposal or take it to city council. He noted that council, which is not required to agree with the planning commission's recommendation, requested he look at ways to prevent a repeat of the hotel controversy.