

**Sent:** Monday, March 26, 2007 11:02 AM

**Subject:** Hercules/Delaware National Golf Course Development/Toll Brothers

Having been active in my community for over twenty (20) years; and, being interested in the preservation of the Red Clay Valley, I must let you know the facts regarding this issue.

Unfortunately, in September 2001, this parcel's zoning was changed from OR (Office Research) to S (Residential) without consideration by New Castle County's Land Use Department of the contaminants that could be present on this parcel or that could be present on adjoining lands. In the future, will a property's past be considered in all zoning changes?

The property is still owned by CHAPS, LLC. Toll Brothers took DelDOT to Chancery Court last year (2006) citing a loss of approx. \$31,000,000 if not being able to complete this development of 160 houses in the \$700,000.00 range; and was chided for bringing an unripe case forward. What is the good of having DelDOT's expertise in road building and traffic management if we don't use their recommendations before we allow development?

I had made a few attempts to get through to the Division of Public Health for advice after compiling a list of my neighbors who had either succumbed to cancer or were survivors; but, none of the elected officials, or their aides, could tell me the name of a person I could contact. I did get some figures from the American Cancer society which show high cancer and leukemia rates in both 19808 and 19805 zip code areas. Why is it that DPH is not involved in the current controversy with BrightFields/DNREC?

Having no chemical background but paying attention at the many meetings the Hercules Task Force (of which I am a member) has attended I am frightened to think of the ramifications of remediation at this site. Mr. James Werner at the last public meeting, Wednesday, March 21, 2007, stated that he attended a workshop and that this site will be a model for the country on how to remediate such sites. This was interesting to hear since NCC and DNREC seem to be perplexed with the intricacies of this polluted site. Arsenic, mercury, lead, dioxin are only a few of the hundreds of toxins present. It is also a known fact that the Hercules Research Center did testing on Agent Orange and the community was never given an emergency plan.

I do not believe that to appease Toll Brothers we should hurriedly remediate. Maybe it is time for Delawareans to pay their fair share of property taxes so that we are not beholden to the likes of builders to fix our roads for us, for their gain.

Sincerely,

Dorothy A. Zupon, President Brandywine Springs Manor Civic Assoc., Inc.



I will mail copies of this note to:

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