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## Special Board of Supervisors Minutes

March 25, 2021 | 7:03 | Remote Meeting Via Zoom

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**Present:** Dr. Richard L. Leff, Chairman; Whitney S. Hoffman, Vice Chair; Scudder G. Stevens, Supervisor; Eden R. Ratliff, Township Manager; Dave Sander, Solicitor

### 1. Call to Order

Chair Richard Leff called the meeting to order at 7:03 p.m. and explained how this virtual Board of Supervisors Special Meeting would be conducted.

### 2. Old Business

- a. Preliminary Engineering Discussion for W South St & the Kennett Greenway along Chandler Mill Rd**  
(West South Street Layout: [www.kennett.pa.us/DocumentCenter/View/4611](http://www.kennett.pa.us/DocumentCenter/View/4611))  
(Chandler Mill Road Preliminary Engineering Report: [www.kennett.pa.us/DocumentCenter/View/4612](http://www.kennett.pa.us/DocumentCenter/View/4612))  
(Greenway Presentation: [www.kennett.pa.us/DocumentCenter/View/4665](http://www.kennett.pa.us/DocumentCenter/View/4665))

Ratliff introduced this special meeting and explained that while there is no proposed action to be taken tonight, this is the first opportunity for the Board to publicly discuss the preliminary engineering of both the West South Street Connector and the Kennett Greenway along Chandler Mill Road with each other, the consultants, and the community and to request additional information if desired to help inform next steps. He then began the presentation available from the link above that reviewed the preliminary plans and answered the following common questions collected thus far:

- 1) Can CMR be left “as is” and meet the goals of the Greenway?
  - Solicitor Sander said no and explained the liability reasons why.
  - Stevens asked if it would be possible to move Chandler Mill Road over (away from the creek) to allow for more a wider path. After explaining the technical aspects that would involve, Steve Giampaolo from McMahon Associates said that would not be a good option.
  - Michael Guttman (14 Nine Gates Rd) asked Solicitor Sander what the problem would be if Chandler Mill Road were left alone. Sander explained that if the Township calls the road The Kennett Greenway without changing it, they are inviting people to use it as a greenway increasing liability. It needs to be made safer and currently, people are walking and biking at their own risk. Guttman said he wanted to know if Chandler Mill Road could be left alone and not be called The Kennett Greenway. Sander said sure, but as he understood it, the plan is for the Township to establish The Kennett Greenway along Chandler Mill Road. Guttman then stated it was unclear what the plans were and what would be connecting to the other side of Chandler Mill Road. Leff asked if Guttman could hold his questions to the public comment section and Guttman agreed. Giampaolo reiterated what Sander said and added that currently, with people walking along the non-ADA-compliant road, the Township is liable regardless of what you call the road. Guttman thanked Giampaolo and said that answered his question.
- 2) Why is the advisory shoulders alternative not a feasible option on CMR?
  - Ratliff summarized this option, also known as edged lane roads, and explained why this is not an option for Chandler Mill Road.
  - Solicitor Sander said from the legal perspective, that because these are experimental, they would not be able to be funded by the grant money and said it is imperative to follow design and engineering guidelines.

- Giampaolo laid out, from the engineering perspective, two main reasons this option is not feasible: lack of necessary sight distance and that this option would not be ADA-compliant.
- 3) Two-Way / One-Lane Segments – safety, length, option for boardwalk? Can you show an example elsewhere?
    - Giampaolo explained the northern segment was proposed to be ~300 feet and the southern segment to be ~225 feet in length and both segments were designed with a safe and acceptable stopping distance. He said a boardwalk could create future maintenance issues with the known flooding of that area and would add cost to the project. Due to the wetlands and other factors, there may be small sections of boardwalk considered, but 500+ feet would be expensive.
    - Leff asked about the possibility of shortening the lengths of the two-way, one-lane segments as design evolves. Giampaolo said that he recommended running an experiment along Chandler Mill Road so that everyone could see and understand how these will work. He said this could start with the proposed 300 feet and then move to shorter distances if people are not comfortable. He stated that due to the straight stretch of road and the sight distances, he is not concerned about the length and referenced this traffic design on South Concord Road. He feels Chandler Mill Road will work even better than that one as they are shorter, are flat, and have better sight distances. There was then discussion about how bikes would use those lanes and Giampaolo said the path is designed to be wider for them to jump on the path in those sections while traveling southbound. Ultimately, this will be looked at in detail during the final design.
  - 4) How will the trail tie into TLC’s existing path? Can you provide further thoughts on this and the proposed drive narrowing? Is it needed?
    - Giampaolo explained the layout and said it would make sense to combine them. He feels that currently, that section of road functions as a driveway so that is why they have designed it as such with a 14’ wide cartway plus the 6’ wide pathway. This will also help communicate that this is a driveway to those drivers who still think this is an actual through-road.
  - 5) Do you have examples where a road like CMR has been modified to enable a pedestrian path, with or without one-way segments?
    - Giampaolo said yes and talked about the Park Road Trail in Upper Uwchlan Township and Dowlin Forge Road and Shelmire Road in Uwchlan Township.
  - 6) Do people actually use paths after they have been implemented? Or will they still use the road?
    - Giampaolo said that after these are designed and implemented, they are highly utilized. He said he is unaware of any facilities in the general Philadelphia area that are not used once they have been completed.
  - 7) What can be piloted on this project as initial next steps? How does that play into future design phase?
    - Giampaolo again mentioned the experiment that could be done on Chandler Mill Road for the two-lane one-way segments.
    - Ratliff asked if this could be part of a future task order should the Board elect to pursue this experiment in the future and Giampaolo said yes.
  - 8) How will residents’ needs be managed during construction?
    - Giampaolo explained the traffic control plans that would be drawn up to include how to manage vehicular and pedestrian traffic with detours, etc. This plan and specification is informed by the Township including the Public Works Department, the emergency service providers, and the residents adjacent to the construction. This plan is developed during final design and implemented by the contractors.
  - 9) Can you discuss viewsheds and screening along the path?
    - Claire Agre with Unknown Studios explained their concept to have four to six areas along the path for benches or “step-offs” as the Greenway is intended to be more than just a path. Regarding screenings, she said the intention is not to create walls of vegetation between the road and trail as they do not want to block view lines for safety. The feel is to be surrounded by the upper tree canopy of Chandler Mill Road.
  - 10) Can you discuss paving considerations?
    - She explained in length why they are not recommending a loose material for the path as it will wash into the creek. She said as storm water is well maintained, asphalt will work best and it is easy to maintain. Michelle Adams with Meliora, discussed porous pavement and said they will look at where it is appropriate, stating that it is not always appropriate given certain conditions.
    - Peter Doehring (5 Nine Gates Rd) added a comment that when TLC was installing their porous pavement parking lot, they ran into a lot of unforeseen challenges with weather. He could see similar challenges if this is pursued for the Chandler Mill Road path.

- Agre added that this decision will be made in final design and will factor in budgetary considerations, site-suitability considerations, and maintenance considerations.
- 11) Can you discuss long-term maintenance considerations for the path – who and what? Can the planted buffer handle plowing, etc.? When will we know the cost for maintenance?
- Ratliff said that this will be a Township priority and responsibility and will not be asking the neighbors to do anything to maintain it. Public Works will be responsible for that.
  - Regarding the buffer, Agre said that it is not intended to be a garden but rather a sturdy native roadside adaptive planting pallet which she elaborated on. This would not be negatively impacted by plowing. She said there are a few places they are considering adding understory trees, but this will also be addressed in the final design and in conjunction with sight distances and Public Works. The cost to maintain it would come from the Township.
- 12) Parking – where do people park?
- Agre answered people would park at Pennock Park and TLC or their own homes as the objective is to create connections for folks to access. She said if we start to get into scenarios where people are parking where they should not, that can be designed for with striping and signage.
  - Hoffman likened designing this path to designing a well laid-out house.
- 13) Can you discuss permitting process and impacts to be addressed?
- Adams stated the permitting on South Street is straight forward as it is designed to PennDOT’s standards for safety and grant purposes. She said they are planning on applying for grant funding to assist with the stream restoration that could also benefit the Township’s MS4 requirements. For Chandler Mill Road, she explained that the path goes in and out of both the floodplain and the floodway so there will be meetings with the PADEP and the Core of Engineers to address their concerns about erosion of the streambank and how to protect the buffer and vegetation. Storm water requirements will have to be met from the County and State levels. Permitting will be done through the PADEP, the Core of Engineers, and the PA Conservation District.
  - Jennifer Dowdell of Biohabitats spoke about the wetlands delineation of Chandler Mill Road and while the impacts to the wetlands are currently minimal, they will have to be considered as part of the permitting process. If changes are made in the next phase of design, there is the option that these impacts will increase. But, she said, they are trying their hardest to balance all of the design elements to have as little impact as possible to support the long-term ecological system.
- 14) Can you discuss the design considerations for minimizing tree impact? Future design process? Cost/benefit being weighed?
- Ratliff and Dowdell both commented on the importance and love of trees and said the results from the vegetative study, that examined the health of each tree affected by the proposed path, are almost fully analyzed. The study will reveal how many of the trees are invasive, how many are dead or dying, and how many are ash trees. There were discussions about the emerald ash borer and ash tree blanding by woodpeckers. Dowdell said they are working to understand the balance between maintaining the wooded canopy experience of Chandler Mill Road while integrating this trail. As design phases progress, there will be strong considerations as to how avoid the loss of some of the most significant healthy, older trees. She offered that the path could potentially be designed around them, or they could serve as an intentional stopping point for a lookout. Dowdell discussed dead or dying trees and how they could impact safety and power outages in the future and even discussed options for saving or repurposing those trees into reclaimed furnishings or using the snags as the important habitat they are for bugs, beetles, or a nurse log for mushrooms. She said this, coupled with a robust native plant palette and variety of native trees, can help expand and enhance the ecological function of this stream corridor. Dowdell said that while this project will enhance the experience of its human users, the experience of wildlife will also be enhanced, and they are planning their design and planting choices to support that long-term ecological function. Lastly, she said that design challenges are not considered a negative. Rather, she and the team of consultants are excited to find a more creative way to solve them in response to the ecosystem in the next phase of design.

#### Discussion

- There were discussions about the options that have been presented since December for both Chandler Mill Road and West South Street with summary slides available in the presentation link above.
- Hoffman offered her comments and said she could see the Chandler Mill Road path becoming the place where all the kids in the Township learn how to ride their bikes.

- Stevens remarked that he was unsure how his opinion was not yet known, given the recent frequency and repetitiveness of meetings on this subject in the past six weeks. Then he said that he still does not understand why the roadway cannot be shifted in some areas to maximize the width of the path. He is also concerned about how the trail and the road interact from a safety perspective. The width of the path was discussed with several hypotheticals shared by Stevens, including what happens if a car loses control and comes onto the path. He also wanted to know why the money could not be used on South Street but said regardless of that, he feels they need to move forward with the Greenway as it has been discussed as early as 2007/2008. He said that the Greenway would not only be a valuable asset to the community, but a valuable asset to the entire region and spoke about the positive economic impact potential. He said he agrees with what Ratliff said earlier, that the Greenway would be one of the crown jewels that would make Kennett Township a most desirable place to live, work, and resort. He commented on the use of macadam and said he feels there are certain sections where crushed stone would work. He said he is concerned about the trees and wishes to take a walk along the proposed path to see the trees in question once the tree report is finalized. He feels having reasonable people with the right commitment to ecology and the biodiversity of the area can address the trees in an effective way.
- Ratliff thanked Stevens for his comments and invited the consultants to respond. Agre explained the two different renderings shown during the presentation and the widths of the paths of the two – during the two-way, one-lane sections, the path will be 8 feet wide, everywhere else it will be 6 feet wide. Agre also confirmed that currently the buffer between the road and path is not raised in elevation due to cost and the potential for that to help manage storm water. Stevens again expressed concerns about cars potentially crossing the buffer. Agre stated that there are some areas where they are planning on installing posts for safety reasons. Giampaolo commented on the current road conditions, which lack roadway barriers. He explained the need for barriers is based off the concept called clear zone, and he detailed the specifics of that.
- Stevens commented that he did not question the professionalism or insights of Giampaolo’s planning but thinks that the reality is that this option is not any safer than the current conditions. Hoffman stated that she thinks this is safer with the visible separation between the cars and pedestrians. Giampaolo confirmed that it is safer and elaborated on the reasons why. Ratliff asked if a fence could be added to the buffer and Giampaolo said a fence is not going to stop a car. He said that federal highway regulations require a physical barrier if the facility is designed to be a shared-use path (10 feet or wider) and if the buffer is not at least 5 feet in width. He stated again that he does not want to over-build this path and that in his opinion, the proposed path and buffer is sufficient per the land use and proposed number of users.
- Leff commented that he liked this discussion as it is no longer about where the path will go, rather it is about how to best install the Greenway next to Chandler Mill Road. He said these conversations would continue as only the first part of design has been completed.
- Giampaolo discussed the South Street urbanized design and what was proposed was typical given that location.
- Ratliff asked for more details about the actual barriers that were planned and Agre and Giampaolo went into detail about those. Giampaolo said they are proposing for the curved sections wooden posts with reflectors that are similar to the white posts you see along many Chester County roads. There will also be some areas between the path and the creek that will offer an additional foot of flat surface and a safety fence.
- Ratliff referred to Stevens comments about the trail surface and talked about flooding in August in which a BMW was floating down the creek, which turned into a river. While Ratliff agreed with Stevens that whatever is used should be easily maintained and that as much as possible, natural materials should be considered, he said that these kinds of decisions will not be made until final design and we are only about 25% of the way into the design process. Stevens responded to Ratliff’s comments that he wanted to discuss this so that the path could be refined so that it would perhaps not be 100% macadam. He also asked if the police would be riding their mountain bikes to monitor this path, and if it needs to be paved for that purpose. Ratliff said his comments were well taken and he looks forward to future discussions about trail surfaces.
- Hoffman shared her comments, listing a few Township assets this Greenway will connect people to. She said she likes the way it has been deigned and feels it will be safer and will lead to an increased use. While she appreciates the data collected so far, she hopes metrics will be taken once completed. She is also concerned about the trees and wants to be careful about that solution. Hoffman agreed with Stevens that this will attract others from out of town. She is looking forward to hearing what the residents have to say as she hopes this becomes something everyone is proud of. This has been in the works for a long time and while she hopes for additional grant funding to help defray the cost, she would like to see this section completed.

- Leff said he is strongly supportive of putting in the Chandler Mill trail and feels this plan preserves the current function of the road while enhancing the experience of those walking/bicycling along the road in as safe a manner as possible within the physical and financial constraints of this project. Leff says he sees this as the first of many jewels of Kennett Township as this would be the first stretch, the real start, of The Kennett Greenway. He said for that reason, it is important to be discussing what is preferred and talking about the compromises that will have to be made so that it is accessible to as many people as possible.
- Michael Guttman (14 Nine Gates Rd) was given the opportunity to return to his earlier questions but said all his questions were answered and that he was happy with the presentation.
- Josie March (122 Chandler Mill Rd) commented via Zoom chat, “Will there be anything to help a bicyclist know whether they should use the path or the road? For those going 20+ mph, it is obvious they would use the road. For leisurely riders, they would obviously use the path. But for those in the middle range of 5-10mph, how will they know which to use (so that they aren't making the path unsafe for walkers)?” Giampaolo said that he feels bikers going 10-15 mph will use the roadway, but nothing will prohibit them from using the path. He also spoke to the “sharrows” that will be visible on the road, mainly to remind vehicles of the shared right-of-way with bicyclists. Additionally, in the two-way one-lane sections, there will be signage letting southbound bicyclists know they can utilize the widened path there. He said all of these details will be worked out in final design.
- Marsh also commented via Zoom chat, “Also, regarding Scudder's questioning of flooding, we see it every time it happens. The section of the road shown [in the presentation on the screen] goes underwater with every significant flood.”
- Peter Doehring (5 Nine Gates Rd) thanked everyone for the presentation and said in light of Stevens’s concerns, that reducing the speed as suggested will help increase safety and comfort of those on the path and he talked about the results of the speed studied for this project. He said he is curious to see how much the one-way choker sections could reduce the speed and if they are successful, they could potentially be used elsewhere as a traffic calming measure. He was in favor of testing the choker in advance as Giampaolo talked about earlier.
- Peter Gray (542 Chandler Mill Rd) commented that he is pretty much in favor of the plan and loves the renderings shared of what it could look like. He added that he was one of the people who wondered why the road could not be left the way it was, but he understands why now. He asked where the Greenway goes once it gets to the Chandler Mill Bridge. He also commented that he would love to see the speed reduced to 25 mph relatively quickly and perhaps add signage at Hillendale that states the road is closed. He is still surprised that this project would cost \$4.3 million dollars and added there are a couple of big trees between Oriole Dr and Tom Brokaw’s driveway that he would hate to see removed.
- Christina Norland explained to the north, the goal is to connect to the Borough and detailed those potential future trail segments. To the south, she spoke of the natural preserves owned or eased by TLC and said the goal is to eventually connect into Auburn Valley State Park in Delaware and back up to Stateline Woods. She said that conversations are ongoing for these connections.
- Ratliff commented on reducing the speed, saying that we have the McMahan traffic study data, there are internal conversations for pursuing this now. Laws need to be followed and ordinances need to be passed by the Board to make this change, as it is not as simple as changing a sign on the road. He also said that if the Board decides to move forward with design at the April 7<sup>th</sup> Board meeting, a task order will detail next steps including potentially the two-way, one-lane choker experiment.
- Diane McGovern (345 E Hillendale Rd) commented that she is looking forward to using this proposed path but said it does come with a steep price tag. She asked how many years it would take to complete the entire 1.5-mile path, what percentage of the \$4.3 million could be paid for by grants versus coming out of the Kennett Township budget, would this mean the South Mill project would not get completed, and what would be coming out of the Open Space fund for this. Ratliff said that if the Board votes to move forward, Finance Director Amy Heinrich will present the financial options for how to pay for this to the Board and public. Giampaolo said if Chandler Mill Road needed to be phased, it will most likely take two construction cycles. He recommends to not break the project into phases which would allow the project to liket get done within one year. There was discussion between Leff, Stevens, and Ratliff about where the Board would want to focus their energy (South Street or Chandler Mill) and the timing of the current grant. Ultimately, Giampaolo and Dowdell said the recommendation of the trails consultants is to do both simultaneously, maximizing different funding sources for each segment as every year a project is delayed, the costs go up. In depth discussions about the different grants ensued with Norland sharing current grants that are being pursued and mentioned new funding available from the recent stimulus. She said as a representative of the Kennett Trails Alliance,

the Chandler Mill Road option should receive priority to establish The Kennett Greenway as spending the initial available funds on this section can help drive further progress for applying for more money.

- Hoffman agreed that there is an emphasis to accomplish a good section of the Greenway as she understands that the more successful we were with one [grant], the greater chance we will have for openings to fund the rest. Stevens commented about the work needing to be completed by the June 30, 2022 deadline and Norland said grant consultants, whose services were donated by Square Roots, are in constant communication with her to ensure the Township is able to meet the grant requirements and to spend this grant money as wisely as possible.
- John Wilkens (138 Round Hill Rd) commented that he hopes the tree report will be available as soon as possible and asked how Kennett Township plans to keep the road clean once people will be directed to walk on the path. Hoffman said the trash was a good question and theorized there would be trash receptacles along the path. Ratliff said the Public Works team will be incredibly involved in maintaining this path, which includes trash collection. Ratliff added that if volunteers still want to walk to the road to pick up trash (or for any other reason), nothing will prevent them from doing even though a new safer option for walking would be available. Stevens commented on Wilken's request for the tree survey that he would like to join him in touring the trees in the report once it is available.
- Fran DeMillion (713 Arbor La) commented via Zoom chat, "Thank you good plans looking forward to riding my bike on these safe byways."
- Hunt Bartine (21 Southridge Dr) commented via Zoom chat, "Pedestrian trails elsewhere in the county such as Struble, Chester Valley and the Brandywine trail are all good examples of very well used trails that significant numbers of people take advantage of as examples of how this could expand opportunities for area residents."
- John Wilkens (138 Round Hill Rd) suggested that the Township alert all the GPS systems that the Chandler Mill Bridge is closed. Stevens answered that the Safety Committee about four years ago conducted a survey in that area and sent information to the GPS providers on Township stationary alerting them of this, but it had no effect. He said the problem is not at the Township end, the problem is that the GPS providers are not updating their maps.
- Leff thanked everyone for coming and said this pathway has a lot of viability and even though there are still specifics to figure out, he is excited to begin to create The Kennett Greenway.
- Ratliff said this discussion will continue at the next Board of Supervisors meeting on April 7<sup>th</sup> where a vote will appear for direction on how the Board wants to proceed.

### 3. New Business

There was no new business.

### 4. Public Comment

Discussion was completed earlier in the meeting.

### 5. Adjournment

**Motion presented by Hoffman to adjourn. Stevens seconded. Motion passed 3-0.**

Ratliff thanked the consultants for all their work to get us to this point and thanked Christina Norland, the Trails and Sidewalks Committee, the Board of Supervisors, and the community, saying we would not be here without them making this process possible. Hoffman and Leff added their thanks.

The meeting adjourned at 9:32 p.m.

Respectfully submitted,  
Eden R. Ratliff  
Township Secretary