

**MINUTES OF THE BOARD OF SUPERVISORS  
OF KENNETT TOWNSHIP**

**801 Burrows Run Road**

**July 18, 2011**

Chairman Falcoff called the meeting to order at 7:30 p.m., with Vice-Chairman Elling and Supervisor Hammaker both present.

**Mr. Falcoff moved that the minutes of the May 16, 2011 and June 8, 2011 and July 13, 2011 be approved as distributed. Mr. Hammaker seconded the motion and it carried with all Supervisors in favor.**

<b>ANNOUNCEMENTS AND REPORTS</b>
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1) Mr. Falcoff presented the public safety information data, gave the July 2011 Accident Summary as follows:

**April, 2011 Accidents:**

- During April, 2011, there were 18 accidents vs. 14 last April.
- There were 2 accidents on Kaolin Rd., none at the Chandler Mill Rd. intersections.
- There were 2 accidents at the Rosedale Rd. - McFarlan Rd. intersection.
- There was 1 accident at the Rosedale Rd. – Bayard Rd. intersection and 1 at the Hillendale Rd. – Bayard Rd. intersection.
- There were 4 accidents on US1, accounting for 22% of the monthly total; 2 being at Rt. 52-US1 intersections, including a fatality at Rt. 52 North.

**Accidents (through May, 2011):**

- Year-to-date there has been 89 accidents vs. 77 for the similar period last year for a 16% increase.
- During May, 2011, there were 16 accidents vs. 18 last May.
- There was 1 accident on Kaolin Rd., none at the Chandler Mill Rd. intersections.
- There was 1 accident at the Rosedale Rd. – Bayard Rd. intersection.
- There were 3 accidents on US1, accounting for 17% of the monthly total; 1 being at a Rt. 52-US1 intersections.

**Miscellaneous:**

- Flasher installation at McFarlan and Rosedale did not start when the contractor originally committed. Work actually started July 12.

- The County has sent us a “model” ordinance for alternate energy generation, addressing photovoltaic and wind turbine electric generation. Our Planning Commission is reviewing it for comment.
- We are again submitting grant requests to the State for passing lanes on Rt. 52 at the Hillendale Rd. intersection and for a Michigan-left on Rt. 82 south of Cedarcroft Rd. to permit northbound U-turns for Cedarcroft exiting traffic. Since the State’s application prospectus notes local money committed towards the projects will be considered beneficial towards awarding grants, we are committing \$100,000 of Township money towards each of the projects.

### **Kennett Township Police activity (June, 2011)**

- 66 calls responded to from Chester County Police Radio, as follows:
  - 59 routine assignments.
  - 5 alarm activation calls (representing 8% of overall activity).
  - 2 automobile accidents responded to.
- 2) Mr. Falcoff announced that there will be a Conditional Use Hearing on August 15, 2011 at 6 p.m. for the Whiteside Property.
- 3) Mr. Falcoff announced that the Township is conducting the seven (7) year security agricultural review, as required.
- 4) Mr. Falcoff announced that the proposed Hunting Trespassing Ordinance should be ready to adopt at the August 16<sup>th</sup> public meeting.

## **NEW BUSINESS**

### **Historic Display**

Bob Woodward gave a presentation on behalf of the Historic Commission explaining the historic display “Woodward Farm” in the back of the public meeting room.

### **SALDO & ZO Changes Ordinance No. 194**

Mr. Falcoff presented this Ordinance to clarify definitions and maps in the SALDO and Zoning Ordinance. **Mr. Falcoff moved to adopt Ordinance No. 194. Mr. Elling seconded the motion and it carried with all in favor.**

### **Trilogy Motion**

Mr. Falcoff explained that Trilogy Group has had discussions with the Township and Legal Counsel stating that they are interested in the Chandler Property on McFarlan Road. At the advice of the Township Attorney the Supervisors made the following motion to agree to keep the Conditions on the property as approved in the Conditional Use Hearing: **Mr. Falcoff moved that the Development Agreement for 438-450 McFarlan Road proposed between the Board of Supervisors of Kennett Township and Trilogy Investments LLC bearing document number 689084.2 be approved by the Board of Supervisors of Kennett Township provided however that the Agreement will not be executed by the Board and delivered to Trilogy Investments LLC until the Township Solicitor has confirmed to the Board the right of Trilogy Investments LLC to purchase the property at 438-450 McFarlan Road and that execution and delivery of the agreement will be at closing. Mr. Hammaker seconded the motion and it carried with all in favor.**

### **The proposed RC-2 Retirement Community – Luther Foundation Presentation**

Mr. Falcoff stated that for the last 2 ½ years our Planning Commission, The Luther Foundation and the Kennett Township Board of Supervisors have been in discussion about how a “Luther House” complex, similar to the one now in Jennersville, could be accommodated within Kennett Township. These discussions have resulted in a proposed Zoning Ordinance Amendment, known as Retirement Community-2 (RC-2), that we believe would meet everyone’s needs. This Amendment is proposed, *not enacted*, at this point. The proposed ordinance is available at the Township building for inspection and is posted on our Web site

Lou Wonderly, representing the Luther Foundation, gave a presentation of the House and how it operates. Several members of the audience asked questions about location, income levels, size of buildings and the need for senior housing in the community.

### **ROADWORK**

Mr. Elling stated that the bids were accepted for oil and chip, the paving bid will be rebid due to error in bidding, oil and chip work was done on several Township roads, the Township Building lot was sealed and restriped, J-mar counts are being done on Township roads, stop bars at intersections were repainted along with railroad crossings, new signs were posted on Burrows Run Road and Hillingham Subdivision, the yard waste pile-up at the maintenance garage was ground up and hauled away by Weaver Mulch, drain work on roads and patch repair is underway, line painting for Township Roads will be done the first week in August, road banks were mowed last month and will be done again at the end of July and PECO is trimming trees in the Township.

### **Southern Chester County Co-op Bids**

Mr. Elling presented the Southern Chester County Co-Op Bids for paving in-place. **Mr. Elling moved to accept the bid from Long’s Asphalt for Paving In Place in the amount of \$214,353.00. Mr. Hammaker seconded the motion and it carried with all in favor.**

### **SUBDIVISION/LAND DEVELOPMENT PLANS**

Mr. Hammaker presented the Kennett Business Park Final plan located on Mill Road in the LI Zoning District identified as Tax Parcel No: 62-3-81 containing 5.7 acres. The applicant is proposing to build three (3) office buildings. Two of the buildings will contain 66,700 s.f. each and one building will contain 62,300 s.f. The Preliminary Plans were recommended for approval by the Planning Commission on July 1, 2008 and the final plans were recommended for approval on September 3, 2009. **Mr. Hammaker moved to recommend approval of the Final Plans dated 2/28/2008, last revised 6/9/11 prepared by Advanced GeoServices containing 26 sheets with the following conditions: 1) Approval from Kennett Borough for Final Land Development, 2) Applicant must sign the Rules and Regulations for Site Development, 3) Applicant must establish an escrow account for public improvements and a cash escrow account for engineering inspections, and; 4) The applicant must pay \$309,560.00 (based on 193,485 s.f. = 77.39 units @ \$4000/unit) for the Fee-In-Lieu of land dedication. Lastly, the Board of Supervisors requests a contribution of \$69,651.00 (77.39 units @ \$900 per unit) to the Township’s Facility Development Fund. Mr. Elling seconded the motion and it carried with all in favor.**

### **Extensions**

**Mr. Hammaker moved to approve the following extensions: 1) Shepherd Property until 8/15/11 and the Whiteside Property until 8/16/11. Mr. Falcoff seconded the motion and it carried with all in favor.**

**OTHER BUSINESS**

Mr. Falcoff reaffirmed the payment of bills in June.

**PUBLIC COMMENT**

Elsie Johnson discussed the article in the Chester County Press about a junk yard in the Township and Mr. Falcoff replied that it is actually located in East Marlborough Township. Margot Taylor stated that she is disappointed that the Supervisors weekly work sessions have been changed back to 1 p.m. due to lack of attendance; she said she attended 5 out of 12. She stated that there are minutes missing from the website and minutes are needed in a timely manner. Mr. Falcoff stated that the minutes missing are probably because there was no meeting. He stated that he will have Lisa Moore post something on the website notifying what meetings did not occur. Shirley Campbell stated that the Township should hold the work sessions at night like New Garden Township and Mr. Falcoff explained that New Garden Township only holds one nightly meeting per month; same as Kennett Township. Carol Yetter said that everything is done ahead of time and people need evening meetings. Mr. Elling explained that the work sessions are voluntary from the Board of Supervisors and are not required. John Haedrich addressed Carol Yetter explaining how some projects such as Kennett Business Park and the HUD project have been ongoing for years. Bob Listerman stated that the Planning Commission does most of the work for subdivisions and land developments and ordinances prior to passing on to the Supervisors. He stated that the Supervisors are always available and people need to get involved. Bill Hewton stated that the minutes should be on the website prior to the meeting and that the Planning Commission meeting minutes last posted were March. He discussed the cancelled meeting from June and stated that help is on the way for the website. Bill Hewton asked if the Supervisors would be willing to authorize the road crew to pick up illegal signs and the Supervisors agreed.

**ADJOURNMENT**

Mr. Falcoff acknowledged receipt of the financial statement for the prior month. **Mr. Falcoff moved that the bills be approved for payment, seconded by Mr. Hammaker with all Supervisors in favor.**

The meeting adjourned 8:45 p.m.

Respectfully submitted,

Megan L. Cadreau  
Secretary Pro-Tem

