



LANDSCAPE REPORT

The Landscaping Committee continues to be busy with many projects throughout the year with summer and spring being the most active times. Since the last publishing of the KPA newsletter, the Landscape Committee has planted, on one of the islands, three new Armstrong Maples at the intersection of routes 100 and 141, this past fall. The three new trees were funded by Dewson Construction. Continued maintenance occurs and currently mulch is being put down on many of the planted islands.

Thanks to our supporters, extensive landscaping and maintenance can be provided by the Kennett Pike Association – without their generosity, it would not be possible to keep our community beautiful. The majority of our landscaping funds come from member dues and contributions. We are also very grateful to the following corporate sponsors who make this landscaping work possible:

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THE KENNETT PIKE ASSOCIATION
PO BOX 3592, GREENVILLE, DE 19807

BSA+A
The Greenville Wine and Spirit Company
Mc Bride, Shopa and Company
Tom Gehrt, Morgan Stanley – Greenville
Stoltz Management of Greenville
WSFS
Setting Properties
Dewson Construction Company
KPA also thanks Stonegates for maintaining the island near their entrance.
We still have one island that needs a sponsor.
Please contact KPA if interested!



If You Wish To Help
Tax deductible contributions to
Evergreen Plan, Inc. go directly to keep
Kennett Pike green.

SPRING 2009

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STOLTZ DEVELOPMENT PROJECTS
MOVING FORWARD

In March of 2008 Stoltz Real Estate Partners, a Bryn Mawr, PA company, proposed 4 major development plans in northern New Castle County for:

- Barley Mill Plaza along Route 141: a 2.9 million square foot "mixed use" plan that is the largest development proposal ever filed in Delaware. Its total size would be three times the size of the Christiana Mall, and exceed the combined space of the King of Prussia malls.

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METHODIST COUNTRY HOUSE
UPDATE

The Country House Estates project, initially consisting of 10 independent living cottages and a common facility located on the former "Charis" property adjacent to the existing Methodist Country House is moving forward after incorporating some minor changes to the lay-out of the cottages and common facility to accommodate the barn foundation ruins in the site design. The existing main house and garage will be removed after completion of architectural scaled drawings and photographs to document the interiors and exteriors. The tenant and spring house structures located closest to Kennett Pike,

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STOLTZ DEVELOPMENT PROJECTS MOVING FORWARD (cont. from page 1)

- Greenville Center at Kennett Pike and Buck Road: an expansion of commercial space including a new 12-story condominium and a 7-story parking garage.
- Columbia Gas property on Montchanin Road at Kennett Pike: the construction of a new 3-story office building prohibited by existing deed restrictions.
- Concord Pike at Beaver Valley Road: a “mixed use” development about half the size of the Concord Mall where traffic is already a significant problem.

The Barley Mill Plaza and Greenville Center proposals are being advanced as “by-right” plans, meaning that a vote by County Council is not necessary, and that development may proceed as a matter of right if the plans comply with all applicable land use codes and requirements. The combined effects of these 4 projects would be profound, and various concerned citizen groups, civic organizations, public officials and people who value and treasure the unique beauty and heritage of the areas surrounding the Lower Brandywine, have come together and galvanized to ensure that these projects will not destroy what we all hold so dear.

Community input, public exchanges, meetings and thoughtful dialog have all helped to create an atmosphere of openness and flexibility. With support from The Kennett Pike Association (KPA), former Trustee Patty Hobbs created Citizens For Responsible Growth in New Castle County (CRGNCC), which has forged an alliance with KPA, Council of Civic Organizations of Brandywine Hundred (CCOBH), the Civic League Council of Civic Organizations of Brandywine Hundred (CCOBH), the Civic League of New Castle County (Civic League), the Hagley Foundation, Delaware Greenways, Greater Hockessin Area

Development Associations (GHADA), and other dedicated organizations representing the interests of thousands of area citizens, to work with the Stoltz organization and with public officials at the county and state levels to develop these sites in ways that would, to the extent possible, preserve the beauty and heritage of these areas.

Protecting our community from the effects of major development projects is only possible with adequate financial resources. Recognizing that at least \$300,000 will be needed to pay for an experienced traffic engineer, a skilled land use planner, legal representation and other professional services, Patty Hobbs took a leave of absence from KPA to help raise funds, with the KPA’s assistance, through Citizens For Responsible Growth In New Castle County. Her efforts to date have made possible CRGNCC’s engagement of the renowned traffic engineering firm of Orth Rogers, and the nationally acclaimed land design and architectural firm of Torti Gallas.

Orth Rogers has already proven its value by insisting that the Tyler McConnell Road be included in the Stoltz traffic impact studies, and that traffic counts taken in August be properly adjusted. Torti Gallas recently participated in a day long seminar sponsored by CRGNCC and the New Castle County Land Use Department to educate the community on the best principals of mixed use development, which the Stoltz plans should emulate and embody. To allow these professional engagements to continue and expand, and fund retainer of a land use litigating attorney if necessary, please consider pledging a donation to CRG of \$100 this year and for the next two years to help us move these projects in the right direction.

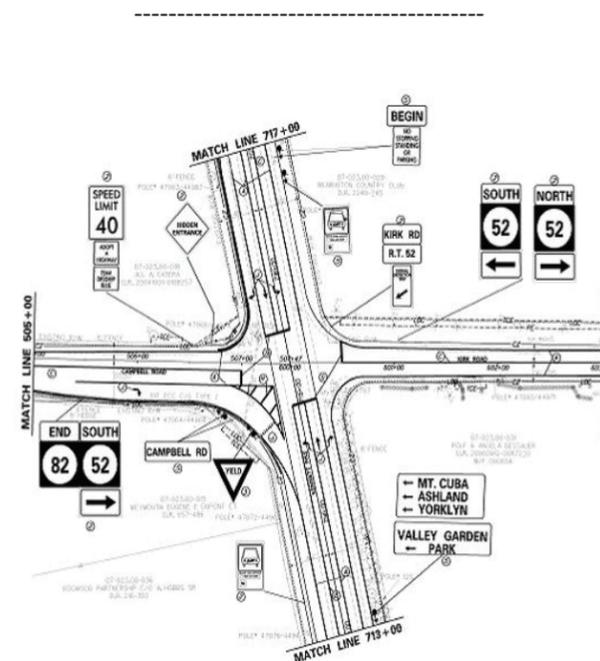
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RT. 52 / RT. 82 INTERSECTION TO BE EXPANDED

Due to a high rate of accidents compared to other sites throughout the state of Delaware, the intersection at Rt. 52 (Kennett Pike) and Rt. 82 (Campbell Road and Kirk Road) has been placed in the Highway Safety Improvement Program (HSIP). Over a four-and-a half-year study period from January 2004 to September 2008 a total of 73 accidents were reported at this site.

Preliminary plans call for alterations to include a left turn lane, a through lane, and a right turn lane both northbound and southbound on Route 52, as well as some additional paving and drainage work at the intersection.

Assuming funds can be made available, construction is anticipated late in 2010. The Kennett Pike Association will follow this development closely and give input and comments as appropriate.



PENNSBURY VILLAGE, PA LAWSUIT TO BE LANDMARK CASE

A Chester County, PA resident who was sued by a real estate developer, Pennsbury Village Associates, for prodding the county to enforce its open space preservation rules is entitled to immunity under the state law passed to protect citizens from so-called SLAPP suits, a panel of the Commonwealth Court ruled. A SLAPP suit, or Strategic Lawsuit Against Public Participation, is a lawsuit that is intended to intimidate and silence critics by burdening them with the cost of a legal defense. The court found 6-1 that a deed restriction on land purchased with county grant money and used as a township park, is an environmental regulation under the Participation in Environmental Law or Regulation Act --- or the Immunity Act. “The ruling is a significant step toward protecting those involved in their communities from SLAPP lawsuits” said Larry Silver, of Langsam, Stevens and Silver who represented the defendant. “I think it is significant. It changes the balance somewhat in the developer’s desire to get approvals from the townships, and the citizens’ desire to have input.” Pennsbury Village Associates appealed the decision to the Pennsylvania Supreme Court who will hear the case and make what is expected to be a landmark decision.



We Need Your Help Now More Than Ever

To continue our work, the KPA needs the benefit of your ideas, your suggestions and your support. Please renew your membership in KPA if you are already a member. If you are not, we invite you to become a member. The annual dues schedule for KPA is:

Individual / Family Membership.....\$50

Civic Association / Business.....\$125

Corporate Sponsor.....\$250

Additional contributions are welcome

Note: Dues to KPA are not tax deductible as KPA must occasionally take political action and lobby for or against legislation.

Renew or become a member of the KPA!

I / We would like to renew our membership

I / We would like to become a new member

Name(s) _____

Address _____

Phone _____ Check Attached for \$ _____

Signed _____ Date _____

Please return to: The Kennett Pike Association, Inc.

PO Box 3592, Greenville, DE 19807

STOLTZ DEVELOPMENT PROJECTS

(cont. from page 2)

While much work still needs to be done, the Stoltz organization has expressed willingness to listen and be flexible, thanks to the good work of many people, organizations and public officials, and the financial donations made by community citizens thus far. If that results in meaningful plan revisions, we are hopeful that some of our more significant concerns will be addressed. The KPA and other organizations allied with CRG are presently studying each of the four Stoltz plans under the guidance of Torti Gallas to formulate specific, workable requests for plan modifications that we think Stoltz should find acceptable and feasible, including reductions in project size, height and traffic.

One of the main unknowns at this time is the effect these 4 projects will have on our transportation system on a combined basis. In the belief that a regional traffic study is essential to understand the full combined traffic effects, we participated with CRGNCC and other allied organizations, supported by several Councilmen and various State Representatives, in calling upon DelDOT and the Wilmington Area Planning Council (WILMAPCO) to perform such a study. We are pleased and grateful that, under the new administration, DelDOT has agreed to create a regional traffic model, and is working with CRGNCC's traffic expert, Orth Rogers, in pursuing this objective.

Although the Stoltz organization has expressed interest in scaling back the Barley Mill Plaza project to 1.5 million square feet instead of the 2.9 million square feet originally proposed, and replacing the 12 story condominium tower proposed in Greenville Center with two 6 story buildings, these steps are dependent upon community support, which is still being forged. In the meantime, time requirements under the County Code have impelled Stoltz to proceed

COME TO NEXT PLANNING BOARD HEARING

7:00 P.M. MARCH 3, 2009

with the next public hearing on Wednesday, March 3, 2009, at which Stoltz will seek official preliminary approval for its plans as filed – meaning, 2.9 million square feet at Barley Mill Plaza, and the 12 story condominium in Greenville Center. It is essential that a large number of area residents attend this public hearing, which will start at 7 p.m. in the Multi-Purpose Room of the Gilliam Building at 77 Reads Way in Corporate Commons, New Castle, to express our continued opposition and urge that Stoltz file plans showing reduced sizes and heights.

Real progress will not be achieved unless and until Stoltz refiles its present plans to show 1.5 million square feet at Barley Mill and no building higher than 6 stories (and preferably even lower) at Greenville Center. As Mark Chura, Executive Director of Delaware Greenways and chair of the CRG Steering Committee has said about refiling the Barley Mill Plaza plans, "(That) would be another positive step towards a solution to the redevelopment of Barley Mill Plaza that is responsive to community concerns while still maintaining the overall design and mix of uses proposed by Stoltz."

It is important to realize, however, that the Stoltz organization has a legal right under New Castle County law to seek the much greater sizes and heights shown on its plans as presently filed. As Dick Beck, Acting President of KPA said recently, "We recognize the property owners have property rights and certainly New Castle County is set up to permit additional development. So our objective is to find a way that is acceptable to the community and also beneficial to Stoltz. We're looking for the proverbial win-win situation."

**DID YOU KNOW?
THE DELAWARE “HUNDREDS”**

327 years ago ---- in 1682 ---- William Penn directed that Delaware be divided into “hundreds” for purposes of taxation. A “hundred” is an old English land division, smaller than a county or shire, but larger than a tithing. At the time, it comprised 10 tithings of 10 freeholder families each, or 100 families. The “hundreds” of Delaware originally served as legislative districts used as a basis for representation in the Delaware General Assembly, but today remain as only a geographical point of reference.

Originally there were 5 “hundreds” in New Castle County, 5 in Kent County, and 2 in Sussex County -- - a total of 12. As the population grew, “hundreds” were divided and by 1875 there were 33 including 11 in New Castle County. No new “hundreds” have been created since 1875.

The northern boundary of the state of Delaware is defined by an arc extending 12-miles from the cupola of the courthouse in New Castle, known as the Twelve-Mile-Circle --- the only such state boundary in the United States. Along this arc are 3 “hundreds” ---- Brandywine Hundred which starts at the eastern shore of the Delaware River, continues south to the Wilmington City limits, and extends west to Brandywine Creek. Christiana Hundred begins at the Brandywine Creek and extends west to the Red Clay Creek, and south to the Christiana River and White Clay Creek. To the west of Christiana Hundred and Red Clay Creek is Mill Creek Hundred which continues south to White Clay Creek.

The Twelve-Mile-Circle created an anomaly in the boundary between Delaware and Maryland. A
(cont. page 5)

**YOUR KENNETT PIKE ASSOCIATION
TRUSTEES**

KPA Trustees are elected by its members to a four-year term, or appointed by the Board to complete an unfinished term. Following are the present KPA Trustees.

- Mr. Glenn Barnhill
- Mr. Glenn Barnhill, Jr.
- Mr. Richard Beck (Acting President)
- Mr. Robert Crandell
- Ms. Joanne Bahr Cushman (Vice President)
- Mr. John Danzeisen
- Dr. Mark Fortunato (Treasurer)
- Mr. Morgan Hendry
- Mr. George Hobbs
- Ms. Patricia Hobbs *
- Ms. Christine Homer
- Ms. Ellie Maroney (Secretary)
- Mr. Doug McCoy
- Mr. Tom Scott
- Ms. Wendie Stabler **
- Mr. Maynard Turk

*Ms. Hobbs has taken a leave of absence to devote more time to Citizens For Responsible Growth in New Castle County (CRGNCC)
 **Ms. Stabler has taken a leave of absence to avoid any conflict of interest due to her law firm’s involvement in a project on which KPA may wish to comment

The KPA is always looking for people who would be willing to contribute their ideas and talents to its mission. Please let us know if you can help! Contact John Danzeisen at jrdanz@comcast.net or phone 302-652-3033.

Thank You!



DID YOU KNOW? THE DELAWARE “HUNDREDS”
(cont. from page 4)

A portion of the arc extends past the easternmost edge of Maryland. The wedge of land ---- about 1 square mile ----between the northwest part of the arc and the Maryland border was claimed by both Delaware and Maryland until 1921, when Delaware’s claim of The Wedge was confirmed.

THE KPA: 51 YEARS OF SERVICE

Your Kennett Pike Association has been serving the residents and businesses of northern New Castle County for 51 years. KPA was formed in 1957 to assure the orderly development, preservation of values and beauty indigenous to northern Christiana Hundred and areas adjacent to Kennett Pike south of Route 1 near Longwood, Pennsylvania.

Governed by a volunteer Board of Trustees, the association represents the views of members who have homes and businesses in the area northwest of the city of Wilmington between the Red Clay and Brandywine Creeks, and in neighboring townships in Pennsylvania. KPA maintains close liaison with elected officials, area civic associations, and various agencies in New Castle County, DE and in Kennett and Pennsbury Townships in PA.

KPA monitors zoning changes, variance requests, Board of Adjustment applications, land use changes, highway improvement plans, and proposed legislation in an effort to protect its constituents’ interests.

Please join us!

To continue its work, the KPA needs your ideas, suggestions and support.

METHODIST COUNTRY HOUSE UPDATE
(cont. from page 1)

will remain, and the view shed along Kennett Pike will be preserved by a 500' setback. In cooperation with the KPA and neighbors, additional native trees and shrubs will be added in this area to enhance the view shed, along with the addition of a walking path and other landscape features including buffering of the backs of the cottages facing Kennett Pike and the common property line with the existing Country House. Primary access will be via the existing drive into the Methodist Country House. The cottages consist of approximately 3000 square feet of living space in 1 1/2 story structure, and are expected to incorporate high quality design and materials of the surrounding areas, including stone facades. For further information, please contact John Oppenheimer at (302) 235-6855.



**CENTREVILLE TRAFFIC CALMING PLAN
PRESENTED BY DELDOT**

In early February, residents of Centreville met at Centreville School to hear the latest plans to calm traffic in the village. Phase 1, estimated to cost \$4.5 million, and not yet funded, includes sidewalks from Centre Meeting Road to Snuff Mill Road, permanent bulb-outs to replace the concrete planters, curbs, narrowing the shoulders to 8-feet, and drains. The bulb-outs would contain trees with branches above the line-of-sight for drivers. Future Phases would address the intersections at Centre Meeting Road and Snuff Mill Road. Maria Andaya, a project planner at DelDOT, would appreciate any and all written input. For more information, call (800) 652-5600.