

Not one inch of the 8000' path currently proposed to parallel Chandler Mill Road as part of the Kennett Greenway can be built without the acquisition or easement of private land. If a single landowner refuses to turn over their land, then the proposed design must be reworked. In a presentation to township supervisors on April 22, the project team indicated that 40% of the necessary ROW coordination had been completed, which would suggest that at least some of these agreements have been reached with the 5 landowners concerned. At the August meeting of the Trails and Sidewalks Committee, Eden refused to confirm whether any of these 5 landowners have agreed to turn over the land needed. As a result, I was compelled to submit a Right to Know request. That request has confirmed that Kennett in fact does not have any signed agreement with any of the 5 landowners.

This fact raises several concerns. First, the details of a "final" design requiring the acquisition or easement of private land was being worked out almost 18 months ago, yet not a single agreement for the acquisition or easement of private land has since been completed. Given how much time has passed, it is likely that at least one landowner will refuse to turn over their land, and we all know of at least one landowner who has made it a mission to protect the family's land. Barring some remarkable, 11th hour reversal, the only way that the current design can be completed is if Kennett moves to take legal actions against landowners, up to and including the seizure of land through eminent domain. This raises serious concerns about the feasibility of the current design. Nonetheless, KTA has sought to lock in commitments by Kennett by moving ahead with tens of thousands of dollars in design and permitting fees, and commitments by Kennett and State funders with an additional \$1.5 million infusion without any formal agreements with any of the landowners in hand.

Second, I think that these events raise serious concerns about what I would characterize as the aggressive - and in this case, misleading - manner in which the Greenway has been marketed to you as supervisors, and to the general public. Those who may be surprised about claims of misleading marketing may be interested to learn that virtually the same scenario has played out once before. Over a 12 to 18 month period in 2018 and 2019, KTA repeatedly insisted on two claims: (1) that an alternative route through protected land was not in violation of the terms of the conservation easement, and (2) that this route was accepted without reservation by the landowner. We knew at the time that the first claim was false, and I have since learned that the second was too. KTA simply refused to listen, wasting thousands of public dollars on this alternative route, and refusing to move ahead with any alternatives for at least 12-18 months.

Finally, I have to anticipate a response commonly offered by KTA when I raise concerns - in this case about what I believe to be aggressive and misleading marketing. They claim that the general public and the Trails and Sidewalks committee has had multiple opportunities to provide input about all possible options, and has been very supportive of the proposed design. The problem here is that this has not been an open public relations campaign to meaningfully engage those with the most at stake, it has been an aggressive marketing campaign to raise as much support as possible from as many people as possible, for the idea of a Greenway. True public engagement requires that the public can weigh all relevant facts and likely outcomes. I can document multiple examples of marketing, when only one side of the story was presented when information that could have raised questions about the feasibility, the cost, the timeline, the environmental impact, or the desirability of other options was buried, spun, withheld, and

sometimes countered with patently false and misleading claims. KTA has marketed a vision for the Greenway, withholding critical information about true costs and likely timelines. I have mapped these out for the western portion on [Openkennett.org](http://Openkennett.org) and project that it will cost \$8.4-\$12M for 2.8 miles, completed between 2030 & 2035, and requiring \$2-\$3M in new local taxes.

The failure to secure a single foot of the additional rights of way needed to complete this design, 15 months after a “final design” was completed, should raise red flags. I urge you to pay attention to them.