

BOARD OF COMMISSIONERS

AGENDA

Monday, September 28, 2015 - 6:30 PM

Pledge of Allegiance

Notice of Executive Session on September 28, 2015

1. Consent Agenda

- a) Disbursement Review and Approval: 2015-09B, 2015-09C
- b) Staff Traffic Meeting Minutes of September 16, 2015
- c) Resolution #2015-82 - Renewing the pension asset financial advisory contract with PFM
- d) Resolution #2015-97 - Acknowledging the receipt and accounting of the 2015 General Municipal Pension System State Aid
- e) Resolution #2015-100 – Radnor Activity Center Basketball Equipment Replacement
- f) Resolution #2015-92 – Authorizing Gannett Fleming, Inc. to evaluate Five Culverts in the Township
- g) Resolution #2015-93 – Authorizing Gannett Fleming, Inc. to Provide Permitting and Design Services for the Mill Road Culvert Replacement
- h) Resolution #2015-101 - Establishing the 2016 Minimum Municipal Obligation (“MMO”), subject to further amendment during the 2016 budget process
- i) Motion approving the 2016 Budget Calendar

2. Proclamation of Country Day School of Sacred Heart 150th Anniversary

3. Recognition of Radnor Memorial Library

4. Public Participation

5. Committee Reports

PERSONNEL & ADMINISTRATION

A. Resolution #2015-98 - Authorization to Extend Employment Agreement for Police Superintendent for a Two Year Period

B. Ordinance #2015-13 (**Introduction**) – Authorize the sale of 2500 square feet of vacant property to Radnor Chester Investment LP

C. Ordinance #2015-17 (**Introduction**) – Authorizing the acquisition of a traffic signal easement from Radnor Chester Investment LP by Eminent Domain

FINANCE & AUDIT

D. 2016 Capital Budget Discussion

E. Park Capital Funding / Draft Parameters Bond Ordinance discussion and direction

PUBLIC WORKS & ENGINEERING

F. Resolution #2015-95 - (**Final**) - 212 & 216 Bloomingdale Avenue

G. Resolution #2015-96 - (**Preliminary/Final**) - 120 & 124 Bloomingdale Avenue

PUBLIC SAFETY

- H. Ordinance #2015-14 – **(Introduction)** - Rescinding Ordinance 2013-16 dated 12 August 12, 2013, Handicapped Parking on Farm Road
- I. Ordinance #2015-15 – **(Introduction)** - New Handicapped Parking space on Callanan Avenue
- J. Ordinance #2015-16 - **(Introduction)** - No Through Traffic on Petrie Avenue

PARKS & RECREATION

LIBRARY

PUBLIC HEALTH

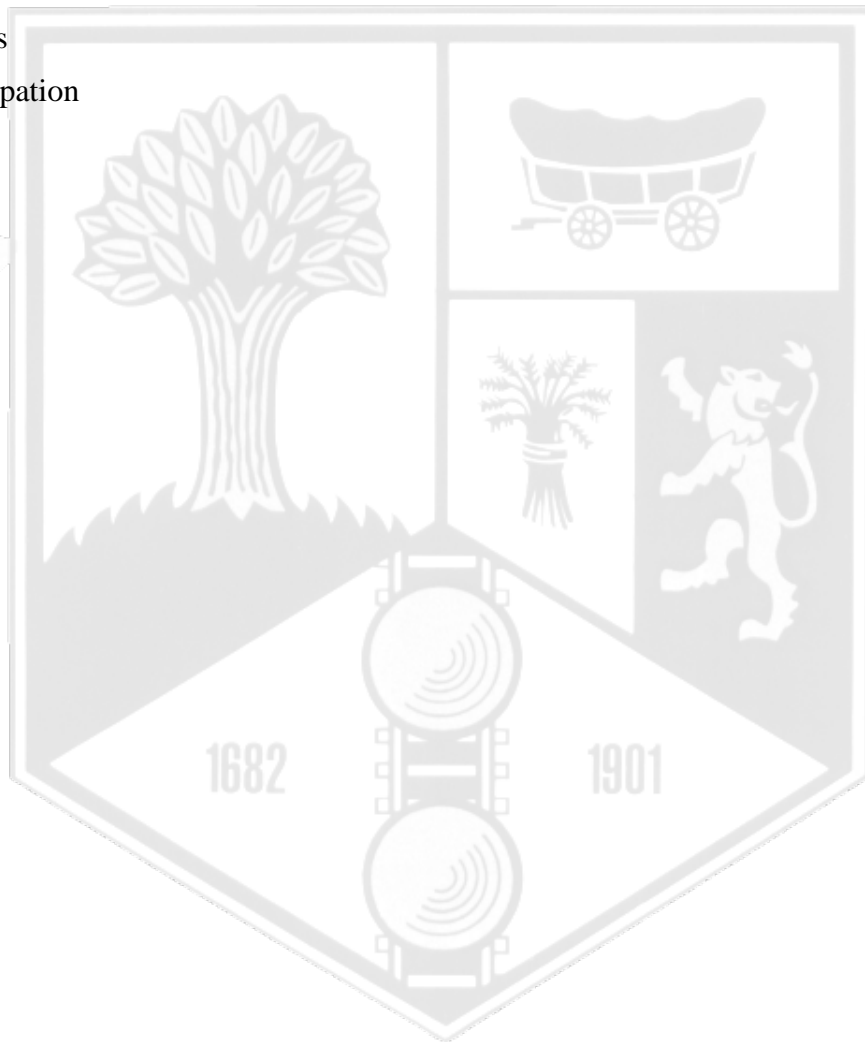
COMMUNITY DEVELOPMENT

Old Business

New Business

Public Participation

Adjournment



RADNOR TOWNSHIP
DISBURSEMENTS SUMMARY
September 28, 2015

The table below summarizes the amount of disbursements made since the last public meeting held on September 22, 2015. As approved by the Board, the Administration is now making weekly accounts payable disbursement batches and publishing those lists on the Township's web site at the following link. Please refer to those files for a detailed listing of the amounts paid by vendor by account code.

Link: <http://www.radnor.com/egov/apps/document/center.egov?path=browse&id=22>

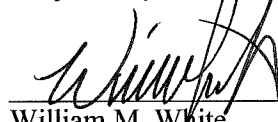
| Fund (Fund Number) | 2015-6B Sep 13, 2015 | 2015-6C June 20, 2015 | Total |
|---|-------------------------|--------------------------|-----------------------|
| General Fund (01) | 491,489.04 | 465,154.38 | \$956,643.42 |
| Sewer Fund (02) | 1,069,999.20 | 17,093.83 | 1,087,093.03 |
| Storm Sewer Management (04) | 1,450.00 | 0.00 | 1,450.00 |
| Capital Improvement Fund (05) | 3,924.00 | 3,265.50 | 7,189.50 |
| Investigation Fund (12) | 159.96 | 0.00 | 159.96 |
| Police K-9 Fund (17) | 0.00 | 3,105.90 | 3,105.90 |
| \$8 Million Settlement Fund (18) | 282,483.00 | 0.00 | 282,483.00 |
| Total Accounts Payable Disbursements | \$1,849,505.20 | 488,619.61 | \$2,338,124.81 |
| <i>Electronic Disbursements</i> | n/a | n/a | 1,142,273.07 |
| Grand Total | \$1,849,505.20 | \$488,619.61 | \$3,480,397.88 |

In addition to the accounts payable checks, the Township also has various electronic payments including payroll, debt service, credit card purchases and fees as well as others from time to time. The attached table reflects all of the electronic payments made since the last public Board meeting as well as those anticipated prior to the next Board meeting.

The Administration has adopted various internal control and processing procedures to insure that amounts obligated are within the budgetary limits established by the Board of Commissioners. Those procedures are monitored on a daily basis by members of the Finance Department and responsible employees of the various departments. The amounts included in the table above have been scrutinized as part of the internal control and processing procedures and have obtained the required approvals prior to disbursement.

If you should have any questions, please contact the Finance Department.

Respectfully Submitted,

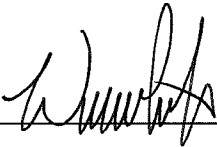


William M. White
 Finance Director

ELECTRONICALLY PAID DISBURSEMENT LISTING
Estimated Through October 12, 2015

| Description | Account No. | Date | Purpose | Amount |
|---|---------------|-----------|---|-----------------------|
| Credit Card Revenue Fees - Estimated | Various Funds | 10/1/2015 | 9/15 Credit Card Revenue Processing Fees | \$3,000.00 * |
| Credit Card Revenue Fees - Actual | 01-Variou | 9/10/2015 | 8/15 Credit Card Revenue Processing Fees | \$3,269.64 |
| Payroll [Pension] Transaction - Estimated | 07-492-4980 | 10/1/2015 | 10/15 Police Pension Payments | \$171,497.64 |
| Payroll [Pension] Transaction - Estimated | 11-495-4980 | 10/1/2015 | 10/15 Civilian Pension Payments | \$133,705.79 |
| Payroll [Bi-Weekly] Transaction - Estimated | 01-various | 9/24/2015 | Salaries and Payroll Taxes - General Fund | \$400,000.00 |
| Payroll [Bi-Weekly] Transaction - Estimated | 02-various | 9/24/2015 | Salaries and Payroll Taxes - Sewer Fund | \$15,000.00 |
| Payroll [Bi-Weekly] Transaction - Estimated | 17-various | 9/24/2015 | Salaries and Payroll Taxes - K-9 Fund | \$400.00 |
| Payroll [Bi-Weekly] Transaction - Estimated | 01-various | 10/9/2015 | Salaries and Payroll Taxes - General Fund | \$400,000.00 |
| Payroll [Bi-Weekly] Transaction - Estimated | 02-various | 10/9/2015 | Salaries and Payroll Taxes - Sewer Fund | \$15,000.00 |
| Payroll [Bi-Weekly] Transaction - Estimated | 17-various | 10/9/2015 | Salaries and Payroll Taxes - K-9 Fund | \$400.00 |
| Period Total | | | | \$1,142,273.07 |

Submitted:



* Credit card fees are charged to the Township's accounts on the first of the month

RADNOR TOWNSHIP POLICE DEPARTMENT

301 Iven Avenue
Wayne, Pennsylvania 19087-5297
(610) 688-0503 ☎ Fax (610) 688-1238

William A. Colarulo
Police Superintendent

TO: A Staff Traffic Committee Meeting was held on September 16, 2015 and was attended by Steve Norcini, Director of Public Works, Lieutenant Christopher Flanagan, Officers Raymond Matus and Alex Janoski, Highway Patrol; William Gallagher, Director of Parking, Lori De Nicola, Administrative Assistant; and Justin Hill, Eric Hill, Megan Hope, Christine Brunelli, Wesley Geary, Keith Geary, Candice Holbert,, Radnor Residents.

RE: STAFF TRAFFIC COMMITTEE MEETING HELD IN THE POLICE ROLL CALL ROOM, WEDNESDAY, SEPTEMBER 16, 2015, 10:00 AM.

NEW BUSINESS:

1. Christine Kondra requests permission to hold the "Turkey Trot Run" on Thanksgiving Day, November 26, 2015.

No one was in attendance for this item.

2. The Saturday Club requests permission to hold a 5K race on Saturday, April 9, 2016 or Saturday, April 30, 2016.

Staff Traffic Committee will review the race after they receive the map of the 5K race. This item will be revisited at the Staff Traffic Committee Meeting on October 21, 2015.

3. Wesley Geary requests that the 2-hour parking restriction on the west side of Gallagher Road be removed.

Wesley Geary will distribute a petition to neighbors on Gallagher Road. This item will be revisited at the Staff Traffic Committee Meeting on October 21, 2015.

4. Barbara Shoemaker requests that the crosswalk on Saw Mill Road at the bridge be looked at for possible sight obstruction.

Steve Norcini will meet with Highway Patrol to perform a sight visit from the base of the bridge in regards to increasing the pedestrian sight distance.

5. Walk in residents, Mr. & Mrs. Hill, from 529 Brookside Avenue, attended the meeting regarding pedestrian safety on Brookside Avenue.

Mr. & Mrs. Hill were advised to send a letter with their concerns regarding pedestrian safety to be placed on the Staff Traffic Committee Meeting Agenda on October 21, 2015.

**RESOLUTION 2015-82
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE
COUNTY, PENNSYLVANIA, TO CONSOLIDATE THE
INVESTMENT ADVISORY SERVICES AGREEMENT AND
RELATED ADDENDUMS WITH PUBLIC FINANCIAL
MANAGEMENT (PFM) FOR THE PENSION AND OPEB
TRUST FUNDS**

WHEREAS, The Township entered into an agreement with Spagnola-Cosack, Inc on October 1, 1993 to provide investment advisory services for the Pension Funds; and

WHEREAS, The Township renewed said agreement on November 1, 1994 with provisions for automatic renewal each year unless expressly terminated by either party; and

WHEREAS, The Township executed an addendum to said agreement on May 29, 1996 to reduce the annual investment advisory fee from .35% to .25%; and

WHEREAS, The Township executed an addendum to said agreement on April 2, 1997 to further reduce the annual investment advisory fee from .25% to .20%; and

WHEREAS, On November 27, 2002 the Township was notified that said agreement with Spagnola-Cosack, Inc would be assigned to PFM pursuant to an purchase agreement whereby Spagnola-Cosack was acquired by PFM and that such assignment would be effective January 1, 2003; and

WHEREAS, The Township executed an addendum to said agreement on February 25, 2011 to further reduce the annual investment advisory fee from .20% to .14%; and

WHEREAS, The Township now desires to consolidate the above agreements and addendums and execute a single agreement with PFM for discretionary investment advisory services for the Pension & OPEB Trust Funds; and

NOW, THEREFORE, it is hereby *RESOLVED* that the Board of Commissioners of Radnor Township hereby authorizes the Township Manager to enter into a consolidated agreement with PFM for discretionary investment advisory services for the Pension and OPEB Trust Funds.

SO RESOLVED, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this 28th day of September, A.D., 2015.

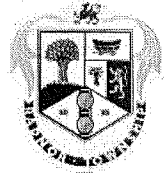
RADNOR TOWNSHIP

By: _____
Name: James C. Higgins
Title: President

ATTEST: _____
Robert A. Zienkowski,
Township Manager / Secretary

Radnor Township

PROPOSED LEGISLATION



DATE: September 28, 2015

TO: Board of Commissioners

FROM: William M. White, Finance Director

A handwritten signature in cursive script, appearing to read "W. White", written over the printed name "William M. White".

LEGISLATION: Resolution to consolidate the Investment Advisory Services Agreement with Public Financial Management (PFM) for the Pension and OPEB Trust Funds.

LEGISLATIVE HISTORY: On October 1, 1993 the Township entered into a contract with Spagnola-Cosack, Inc (later acquired by PFM) to provide investment advisory services for the Uniform & Non-Uniform Pension Trust Funds. Over the years various addendums were adopted and the Township's Pension Investment Committee, comprised of both active and retired civilian and police employees, would meet quarterly to review the performance of the and vote on recommended investment changes as proposed by the advisor.

PURPOSE AND EXPLANATION: Failing attendance at the quarterly Pension Investment Committee meetings have led to the inability to make necessary investment changes resulting in lost opportunity for making timely investment decisions. As a result, the Pension Investment Committee members have agreed that a discretionary relationship with PFM is in the best interest of the Pension Assets. By entering into an agreement that provides for discretionary control, the advisor can react more quickly to fluctuations in the market and make changes as necessary with notification to the Committee. It's important to note that the advisor's actions are limited to the parameters as defined in the investment policy (§44-1 through §44-4) which defines the investment types and diversification ranges by investment class.

FISCAL IMPACT: The investment advisory fee will be .20% of invested assets. While this represents an increase over the current fee of .14%, it is anticipated that the expected investment gains to be realized under a discretionary arrangement will help offset and possibly more than compensate for the increase of .60%. Further, an informal survey of surrounding municipalities confirms that a rate of .20% is within the market range.

RECOMMENDED ACTION: The Administration recommends that the Board adopt this resolution as written at the September 28, 2015 meeting.

RESOLUTION 2015-97

A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, ACKNOWLEDGING THE RECEIPT AND ACCOUNTING OF THE 2015 GENERAL MUNICIPAL PENSION SYSTEM STATE AID

WHEREAS, The Commonwealth of Pennsylvania General Assembly, on December 18, 1984, adopted the Municipal Pension Plan Funding Standards and Recovery Act (Act 205 of 1984), which has been amended in part by Act 189 of 1990, Act 82 of 1988, Act 44 of 2009 and Act 51 of 2009; and

WHEREAS, Act 205 of 1984, as amended, requires the governing body of each Municipality throughout the Commonwealth to deposit the allocation of the General Municipal Pension System State Aid into the appropriate pension plans within thirty days to the date such aid is received; and

WHEREAS, In September 2015, Radnor Township received \$627,332.80 in such state pension aid from the Auditor General of the Commonwealth of Pennsylvania.

NOW, THEREFORE, it is hereby **RESOLVED** by the Radnor Township Board of Commissioners that the following is hereby approved:

1. The 2015 state pension aid shall be distributed to Radnor Township's two employee pension plans' and their respective agency fund accounts, as follows:

| | |
|--|---------------------|
| <i>Civilian Pension Plan</i> (78 units x 1 x \$3,920.83) | \$305,824.74 |
| <i>Police Pension Plan</i> (41 units x 2 x \$3,920.83) | <u>\$321,508.06</u> |
| <i>Total State Pension Aid</i> | \$627,332.80 |

2. Other appropriations from the Township's General Fund and Sewer Fund shall be distributed to the respective plans' agency fund accounts in September 2015, in accordance with the Township's 2015 Minimum Municipal Obligation, as certified by Resolution 2014-114, and included in the Township's Fiscal Year 2015 Budget as follows:

| | |
|---|-----------------------|
| <i>Civilian Pension Plan</i> | \$1,714,526.26 |
| <i>Police Pension Plan</i> | <u>\$1,869,352.94</u> |
| <i>Total Net Township Pension Expense</i> | \$3,583,879.20 |

SO RESOLVED, this 28th day of September, A.D., 2015

RADNOR TOWNSHIP

By: _____

Name: James C. Higgins

Title: President

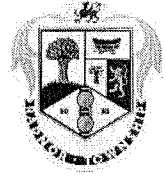
ATTEST: _____

Name: Robert A. Zienkowski

Title: Township Manager / Secretary


Radnor Township

PROPOSED LEGISLATION



DATE: September 22, 2015

TO: Board of Commissioners

FROM: William M. White, Finance Director 

LEGISLATION: Resolution to formally memorialize the deposit of the 2015 General Municipal Pension System State Aid as required by State Law.

LEGISLATIVE HISTORY: On November 24, 2014 the Board of Commissioners adopted the calculations for the 2015 MMO via' Resolution #2014-114. Now, in accordance with State Law, the Board is required to acknowledge the receipt and accounting of their contribution amounts to offset the Township's portion of the 2015 MMO (see Fiscal Impact for more information).

PURPOSE AND EXPLANATION: Act 205 of 1984, as amended, requires the governing body of each municipality to deposit this allocation into the appropriate pension plans within thirty days of receipt and to pass a resolution memorializing said deposit and fund allocations.

FISCAL IMPACT: The 2015 Budget included an estimate of \$622,500 in State Pension Aid and the actual deposit is \$627,332.80. The resulting fiscal impact is a favorable variance of \$4,832.80 in the General Fund. The table below reflects the 2015 pension contribution amounts (both budgeted and now actual):

| | Civilian Plan | Uniform Plan |
|-------------------------|---------------------|---------------------|
| Sources: | Actual | Actual |
| State Aid | 305,825 | 321,508 |
| Township - General Fund | 1,628,084 | 1,869,353 |
| Township - Sewer Fund | 86,442 | - |
| Total Sources | \$ 2,020,351 | \$ 2,190,861 |
| Uses: | | |
| 2015 MMO Requirement | 2,020,351 | 2,190,861 |
| Total Uses | \$ 2,020,351 | \$ 2,190,861 |

RECOMMENDED ACTION: This resolution is a requirement of the State. Therefore, the Administration recommends that the Board adopt it as written at the September 28, 2015 meeting.

**RESOLUTION 2015-100
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, AUTHORIZING THE REPLACEMENT OF BASKETBALL
EQUIPMENT AND INSTALLATION FOR RADNOR ACTIVITY CENTER AT
SULPIZIO GYMNASIUM.**

WHEREAS, Radnor Activity Center at Sulpizio Gymnasium serves a variety of recreational interests for the residents of Radnor Township, primarily the basketball interests for all ages; and

WHEREAS, the recreational pursuits at the facility are delivered by Radnor Township in the safest and most responsible manner; and

WHEREAS, the existing side court basketball backstops and apparatuses are more than 50 years old and are in a deteriorating condition that poses a significant safety exposure for the Township; and

WHEREAS, the proposed project includes the replacement of equipment and installation of the four fold-up, side court basketball backstops including all of the braces, manual wenchers, stanchions, goals, and removal of any applicable equipment along with the replacement of the lift cables on the main court; and

WHEREAS, the cost of the replacement of the equipment and installation in the amount of \$23,242.00 exceeds the \$7,500 threshold stipulated by the Home Rule Charter Chapter 7.11(D) that requires that any contract in excess of \$7,500 be formally approved by the Board of Commissioners; and

WHEREAS, the Board of Commissioners desires to approve the proposed replacement equipment and installation purchase in accordance with the Home Rule Charter of Radnor Township.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Radnor Township does hereby authorize the replacement of basketball equipment and installation for Radnor Activity Center at Sulpizio Gymnasium from R.J. McCarville Associates, LTD. in the amount of \$23,242.00.

SO RESOLVED this 28th day of September, 2015.

TOWNSHIP OF RADNOR

By: _____
James C. Higgins
President

Attest: _____
Robert A. Zienkowski
Township Manager/Secretary

Radnor Township
PROPOSED LEGISLATION



DATE: September 24, 2015

TO: Board of Commissioners

FROM: Tammy Cohen, Recreation & Community Programming Director

②

LEGISLATION: Resolution #2015-100 Authorizing the Replacement of Basketball Equipment and Installation for Radnor Activity Center at Sulpizio Gymnasium.

LEGISLATIVE HISTORY: This is the first legislative action on this topic.

PURPOSE AND EXPLANATION: Request is being made to authorize the approval of a purchase for the replacement of the equipment and installation of the four fold-up, side court basketball backstops at Radnor Activity Center at Sulpizio Gymnasium. This purchase includes the four fold-up, side court basketball backstops, all of the braces, manual wenchers, stanchions, goals, and removal of current applicable equipment along with the replacement of the lift cables on the main court. The existing side court basketball backstops and the corresponding apparatuses for both the side court and main court are more than 50 years old and are in a deteriorating condition that poses a significant safety exposure for the Township. This purchase is vital to preserve the asset and to maintain the high-level of active, recreational play that occurs inside the facility for the residents of Radnor Township who use the facility on a year-round basis.

Because the cost of this project exceeds the threshold stipulated by the Home Rule Charter Chapter 7.11 (D) that requires any contract in excess of \$7,500 be formally approved by the Board of Commissioners, this request is being made.

IMPLEMENTATION SCHEDULE: Approval of the replacement of basketball equipment and installation of the four side court basketball backstops at Radnor Activity Center at Sulpizio Gymnasium will entail the following approximate schedule: Final approval, final documentation exchanged, equipment order and delivery - approximately 4-5 weeks; site preparation and installation - approximately 6-10 days pending any unforeseen circumstances; final completion of the entire project is expected to be by the end of November 2015. Disruption to this schedule would significantly impact the start of the Radnor Youth Basketball Program that serves more than 1,000 youths in our community each winter along with the year-round adult basketball play.

FISCAL IMPACT: The entire cost of the replacement of the equipment and installation of the four side court basketball backstops would be funded through the cash reserves of the Radnor Township Capital Fund - the total cost of the project as proposed by R.J. McCarville Associates, LTD. is \$23,242.00.

RECOMMENDED ACTION: I would like to respectfully request that the Board to approve Resolution #2015-100 authorizing the replacement and of basketball equipment and installation for Radnor Activity Center at Sulpizio Gymnasium from R.J. McCarville Associates, LTD. in the amount of \$23,242.00.



1318 East High St, Pottstown, PA 19464
610-327-8995 (P)
610-327-8592 (F)
sales@rjmccarville.com
www.rjmccarville.com

Quotation

TO: Ms. Tammy Cohen
Radnor Township Parks & Recreation
301 Iven Avenue
Wayne, PA 19087

Quotation #: 15-1249-PBR
Date: September 23, 2015
Customer ID: 1179
Project: Radnor Township Parks & Recreation
Basketball Backstop
REVISION 2

DESCRIPTION:

Furnish all labor and material required to replace (4) existing Porter side court basketball backstops and repair the Porter main court basketball backstops located in the gymnasium of the above referenced project.

LABOR AND MATERIAL TO INCLUDE (SIDE COURT):

1. Replace the existing (4) Porter basketball backstops with Spalding basketball backstops including:
 1. Furnish and install (4) Spalding wall braced fold-up backstops with:
 - a. #411-007 SuperGlass collegiate backboards (42" x 72").
 - b. Manual winches.
 - c. #411-528 Slammer competitor goals.
 - d. 413-410 bolt-on padding (Maroon).
 - e. 313-401 Helix height adjuster (adjusts from 8' to 10').
 - f. 7' extension from wall to face of backboard to match existing dimensions
 - g. Complete installation and freight.
 2. Furnish and install (1) portable electric operator.

LABOR AND MATERIAL TO INCLUDE (MAIN COURT):

1. Replace existing standard goals with Spalding Model #411-528 break-away goals, hardware and nets.
2. Replace existing backboard padding with Spalding Safe Edge #413-410 backboard padding (Maroon).
3. Replace lift cables (both backstops with 1/4" diameter aircraft type steel cable and hardware.
4. Check all bolted connections and tighten as required.
5. Lubricate all slide, pivot and hinged joints.
6. Check, tighten and lubricate both electric winch assemblies.
7. Adjust limit switch controls.
8. Make all necessary adjustments for proper operation.

SCHEDULE OF BIDS:

We hereby propose to furnish all labor and material as specified herein for the sum of: ***** \$23,242.00

Quotation prepared by: Brian R Jacobs
brian@rjmccarville.com

This is a quotation on the goods named, subject to the conditions noted below:
Net amount due 30 days after completion • Past due balances are subject to Finance Charge of 1-1/2% per month
Price based on normal working hours of Monday through Friday 7:30 A.M. to 4:30 P.M
Proposal may be withdrawn if not accepted within 45 days.

To accept this quotation and the terms as set forth herein, please sign below and return:

**Proposal 15-1249-PBR
Basketball Backstops
Revision 2
September 23, 2015**

Page 2

Breakout Pricing

| | |
|--------------------------------|-------------|
| Side Court (New Backstops) | \$21,197.00 |
| Portable electric operator | \$ 350.00 |
| Main Court (Service & Repairs) | \$ 1,695.00 |

NOTES:

1. We will be reusing the existing safe lock assemblies.
2. Price does not include painting of the walls as may be required.
3. We have not included replacement parts other than those specified. Any additional labor and material will be quoted separately.

RESOLUTION NO. 2015-92

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE
COUNTY, PENNSYLVANIA, AUTHORIZING GANNETT
FLEMING, INCORPORATED, TO PROVIDE
PERMITTING AND DESIGN SERVICES FOR THE MILL
ROAD CULVERT REPLACEMENT**

WHEREAS, the forty eight inch corrugated metal pipe in Mill Road is in need of replacement

WHEREAS, the Stormwater Management Advisory Committee has recommended that this project move forward

WHEREAS, Gannett Fleming, Incorporated, the Township's appointed engineering firm has provided a proposal to prepare permitting, design, and bidding document creation services for this project in the amount of \$24,530

NOW, THEREFORE, be it *RESOLVED* by the Board of Commissioners of Radnor Township does hereby Authorize Gannett Fleming, Incorporated, To Provide Permitting and Design Services For The Mill Road Culvert Replacement at the cost of \$24,530

SO RESOLVED this 28th day of September, A.D., 2015

RADNOR TOWNSHIP

By: _____
Name: James C. Higgins
Title: President

ATTEST: _____
Robert A. Zienkowski
Manager/Secretary

Radnor Township
PROPOSED LEGISLATION

DATE: September 23, 2015

TO: Radnor Township Board of Commissioners

FROM: Stephen F. Norcini, P.E., Director of Public Works

CC: Robert A. Zienkowski, Township Manager
William R. White, Finance Director

LEGISLATION: Resolution #2015-92: Authorizing Gannett Fleming, Incorporated, to Provide Permitting and Design Services for the Mill Road Culvert Replacement

LEGISLATIVE HISTORY: This project has not been before the Board of Commissioners previously.

PURPOSE AND EXPLANATION: On Mill Road, east of Bryn Mawr Avenue, there is a 48" corrugated metal pipe, used to convey stormwater runoff. This pipe is in need of replacement. This legislation is to authorize the Township's appointed engineering firm, Gannett Fleming, Incorporated, to provide permitting, design, and bid package creation services for the replacement of this pipe. **The Stormwater Management Advisory Committee has recommended this project proceed, and it is requested in the Five Year Capital Plan.**

IMPLEMENTATION SCHEDULE: If approved by the Board of Commissioners, Gannett Fleming, Incorporated will begin work immediately, so construction may begin in 2016.

FISCAL IMPACT: This design and permitting project, at \$24,530, will be funded solely by the "04" stormwater fund.

RECOMMENDED ACTION: *I respectfully request the Board of Commissioners Authorize Gannett Fleming, Inc. to Provide Permitting and Design Services for the Mill Road Culvert Replacement.*

MOVEMENT OF LEGISLATION: It is being requested the Board of Commissioners approve the attached resolution.

RESOLUTION NO. 2015-93

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE
COUNTY, PENNSYLVANIA, AUTHORIZING GANNETT
FLEMING, INCORPORATED, TO EVALUATE FIVE
CULVERTS IN THE TOWNSHIP**

WHEREAS, the Township is embarking on a plan to systematically evaluate all Township owned culverts over time

WHEREAS, the Stormwater Management Advisory Committee has recommended that this project move forward

WHEREAS, Gannett Fleming, Incorporated, the Township's appointed engineering firm has provided a proposal to a proposal to evaluate the South Devon Avenue, Earle's Lane, Eagle Road, Saw Mill Road, and Chamounix Road (south) culverts for the fee of \$41,500

NOW, THEREFORE, be it *RESOLVED* by the Board of Commissioners of Radnor Township does hereby Authorize Gannett Fleming, Incorporated, to Evaluate Five Culverts in the Township for the fee of \$41,500

SO RESOLVED this 28th day of September, A.D., 2015

RADNOR TOWNSHIP

By: _____
Name: James C. Higgins
Title: President

ATTEST: _____
Robert A. Zienkowski
Manager/Secretary

Radnor Township
PROPOSED LEGISLATION

DATE: September 23, 2015

TO: Radnor Township Board of Commissioners

FROM: Stephen F. Norcini, P.E., Director of Public Works

CC: Robert A. Zienkowski, Township Manager
William R. White, Finance Director

LEGISLATION: Resolution #2015-93: Authorizing Gannett Fleming, Inc. to Evaluate Five Culverts in the Township

LEGISLATIVE HISTORY: The Malin Road Culvert was previously evaluated by Gannett Fleming. This proposed evaluation of five additional culverts is part of the plan to methodically and systematically evaluate all the Township's culverts over time.

PURPOSE AND EXPLANATION: The five culverts proposed for evaluation are: South Devon Avenue, Earles Lane, Eagle Road, Saw Mill Road, and Chamounix Road (not the new culvert, the one just south of it). The evaluation will include inspection, a proposed scope of rehabilitation or replacement, and construction and engineering costs for said rehabilitation or replacement. This will allow us to budget accordingly in the Five Year Plan. **The Stormwater Management Advisory Committee has recommended this project proceed, and it is requested in the Five Year Capital Plan.**

IMPLEMENTATION SCHEDULE: If approved by the Board of Commissioners, Gannett Fleming, Incorporated will begin work immediately.

FISCAL IMPACT: This culvert evaluation project, at \$41,500, is funded solely by the "04" stormwater fund.

RECOMMENDED ACTION: *I respectfully request the Board of Commissioners Authorize Gannett Fleming, Inc. to Evaluate Five Culverts in the Township*

MOVEMENT OF LEGISLATION: It is being requested the Board of Commissioners approve the attached resolution.

**RESOLUTION 2015-101
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE
COUNTY, PENNSYLVANIA, ADOPTING THE 2016
MINIMUM MUNICIPAL OBLIGATION (MMO)**

WHEREAS, The Commonwealth of Pennsylvania General Assembly, on December 18, 1984 adopted the Municipal Pension Plan Funding Standards and Recovery Act (Act 205 of 1984), which has been amended in part by Act 189 of 1990, Act 82 of 1988, and act 44 of 2009; and

WHEREAS, Act 44 of 2009 amended Act 205 of 1984 to implement a new Recovery Plan for distressed pension plans in an attempt to provide funding relief to local governments; and

WHEREAS, The Radnor Township Police and Civilian Pension Plans are both categorized at distressed level 2 and therefore are eligible for the election of a 25% reduction in the actuarially amortization requirement; and

WHEREAS, In so much as the Act 44 of 2009 provides immediate funding relief, it is the position of the Township that fully funding the annual minimum obligation is a better management practice to avoid future funding shortfalls; and

WHEREAS, On August 12, 2013, the Township received the most recent bi-annual Actuarial Valuation as of January 1, 2013 prepared by Mockenhaupt Associates for both the Police and Civilian Pension Plans;

NOW, THEREFORE, it is hereby **RESOLVED** that the Board of Commissioners of Radnor Township hereby elects to not reduce the amortization payment by 25% pursuant to the provisions of Act 44 of 2009 and therefore acknowledges the 2015 minimum municipal obligation for the Radnor Township Pension Plans in the following amounts as calculated on the attached worksheets:

| | |
|-----------------------------|-------------|
| POLICE PENSION PLAN | \$2,212,133 |
| CIVILIAN PENSION PLAN | \$2,048,468 |

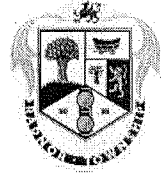
SO RESOLVED, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this 28th day of September, A.D., 2015.

RADNOR TOWNSHIP

By: _____
Name: James C. Higgins
Title: President

ATTEST: _____
Robert A. Zienkowski,
Township Manager / Secretary

Radnor Township
PROPOSED LEGISLATION



DATE: September 21, 2015

TO: Board of Commissioners

FROM: William M. White, Finance Director

A handwritten signature in black ink, appearing to read "William M. White".

LEGISLATION: Resolution 2015-101 Adopting the Township's 2016 Minimum Municipal Obligation (MMO) as required by Act 205.

PURPOSE AND EXPLANATION: In accordance with the provisions of Act 205 the Minimum Municipal Obligation (MMO), which represents the Township's annual pension contribution requirement, must be submitted and approved by the Board of Commissioners no later than September 30 of each year.

This resolution will establish the Township's 2016 MMO to be incorporated into the preliminary 2016 budget estimates. Please note that these MMO estimates can change as a result of the budget review process, which will occur over the next three months.

Major assumptions include:

- Current staffing counts
- CBA Wage adjustments
- Actuarial Assumptions as included in the 1/1/2013 Actuarial Report
(NOTE: The 1/1/2015 Actuarial Report is close to being ready, but has not been published by the date of this resolution. We expect to have the 1/1/2015 report by the end of September. Accordingly, we can review and determine if we would rather use the updated normal cost / amortization from the 1/1/2015 report in the final MMO legislation anticipated for the end of November, to coincide with the adoption of the 2016 budget)

FISCAL IMPACT: The pension obligations included in the legislation total \$4,260,601 which is made up of \$2,212,133 from the Police Pension Plan and \$2,048,468 from the Civilian Pension Plan. This amount represents an increase of \$49,305, or 1.2% over the 2015 MMO totals.

Act 44 of 2009 allows for the consideration of a 25% reduction in the [actuarial] amortization requirement to offer short-term funding relief. The total discount, if taken by the Township, would reduce the 2016 MMO total by \$779,576 bringing the 2016 MMO to \$3,481,025. However, the relief is temporary and does not eliminate the Township from having to fully fund the pension in future years.

Therefore, since the temporary relief only serves to push greater liabilities into the future, it is the Administration's recommendation that the Township pay the full amount of the funding requirement. The legislation has been drafted to reflect the full 2016 obligation. Please see the "2016 Minimum Municipal Obligation" worksheet attached for calculation details and historical comparisons.

RECOMMENDED ACTION: The Administration recommends that Board of Commissioners adopt the 2016 MMO calculations as drafted.

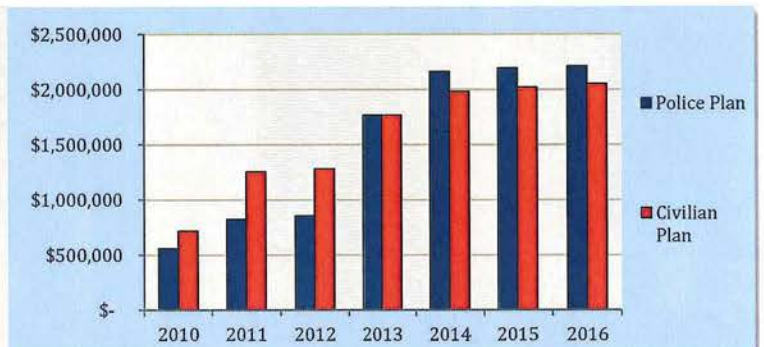
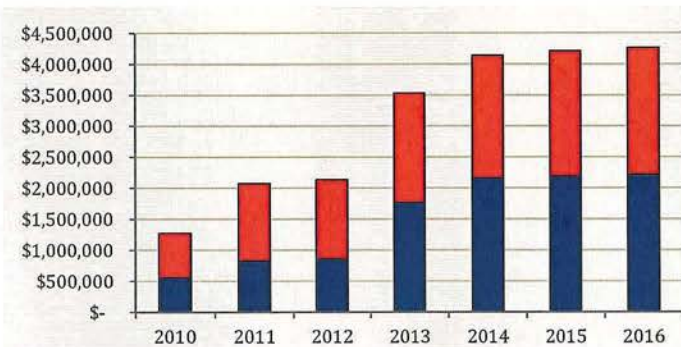
**CERTIFICATION OF
FISCAL YEAR 2016
MINIMUM MUNICIPAL OBLIGATION
POLICE AND CIVILIAN PENSION PLANS**

**RESOLUTION 2015-101
RADNOR TOWNSHIP, PA
SEPTEMBER 28, 2015**

RADNOR TOWNSHIP, PA
2016 MINIMUM MUNICIPAL OBLIGATION
POLICE & CIVILIAN PENSION PLANS AND COMBINED



| ACT 205 FUNDING FORMULA | Police Plan | Civilian Plan | Total Obligation |
|--|---------------------|---------------------|---------------------|
| Financial Requirements: | | | |
| 1. Estimated Payroll | \$ 4,707,000 | \$ 6,263,000 | \$ 10,970,000 |
| 2. Normal Cost of Plan (% of payroll) | 14.833% | 12.382% | 13.434% |
| 3. Total Normal Cost of Plan (1 x 2) | \$ 698,189 | \$ 775,485 | \$ 1,473,674 |
| 4. Plan Amortization Requirement | 1,594,810 | 1,523,495 | 3,118,305 |
| 5. Plan Administrative Expenses (Police:1.9%, Civilian:1.2%) | 84,725 | 62,629 | 147,354 |
| 6. Total Financial Requirements (3 + 4 + 5) | \$ 2,377,724 | \$ 2,361,609 | \$ 4,739,333 |
| Credits to Township Funding Requirements: | | | |
| 7. Estimated Employee Contributions | (165,591) | (313,141) | (478,732) |
| 8. Rounding Adjustment | - | - | - |
| 9. Total Credits to Township Funding Requirements | \$ (165,591) | \$ (313,141) | \$ (478,732) |
| 10. Resulting Gross MMO (6 + 9) | \$ 2,212,133 | \$ 2,048,468 | \$ 4,260,601 |
| 11. Optional Funding Relief per Act 44 of 2009 25% of Plan Amortization Requirement (4 x .25) | (398,703) | (380,874) | (779,576) |
| 12. Financial Obligation to be Budgeted | | | |
| Without Act 44 Relief | 2,212,133 | 2,048,468 | 4,260,601 |
| With Act 44 Relief | 1,813,430 | 1,667,594 | 3,481,025 |
| 13. Recommended MMO | \$ 2,212,133 | \$ 2,048,468 | \$ 4,260,601 |
| 2015 MMO Total | \$ 2,190,903 | \$ 2,020,393 | \$ 4,211,296 |
| 2014 MMO Total | \$ 2,160,223 | \$ 1,979,695 | \$ 4,139,918 |
| 2013 MMO Total | \$ 1,765,384 | \$ 1,767,162 | \$ 3,532,546 |
| 2012 MMO Total | \$ 855,232 | \$ 1,280,125 | \$ 2,135,357 |
| 2011 MMO Total | \$ 822,301 | \$ 1,252,960 | \$ 2,075,261 |
| 2010 MMO Total | \$ 558,404 | \$ 717,342 | \$ 1,275,746 |



| ACT 205 FUNDING FORMULA (A) | UNIFORM PLAN | | | | CIVILIAN PLAN | | | CIVILIAN PLAN TOTAL | TOTAL 2014 OBLIGATION |
|---|-----------------------|------------------------|-------------------|-------------------------|--------------------|---------------------|-------------------|---------------------|-----------------------|
| | Pre 1/1/2013 Officers | Post 1/1/2013 Officers | Retirees | FOP / POLICE PLAN TOTAL | Administrative | Union | Retirees | | |
| FINANCIAL REQUIREMENTS | | | | | | | | | |
| 1. TOTAL ANNUAL PAYROLL (ESTIMATED) | \$ 3,487,882 | \$ 1,219,087 | \$ - | \$ 4,706,969 | \$ 1,891,362 | \$ 4,371,463 | \$ - | \$ 6,262,825 | \$ 10,969,794 |
| 2. NORMAL COST OF PLAN (% OF PAYROLL) | 14.833% | 14.833% | 0.000% | 14.833% | 12.382% | 12.382% | 0.000% | 12.382% | 13.434% |
| 3. TOTAL NORMAL COST OF PLAN (1 x 2) | \$ 517,358 | \$ 180,827 | \$ - | \$ 698,185 | \$ 234,188 | \$ 541,275 | \$ - | \$ 775,463 | \$ 1,473,648 |
| 4. TOTAL AMORTIZATION REQUIREMENT | 708,804 | - | 886,006 | 1,594,810 | 209,757 | 673,429 | 640,309 | 1,523,495 | 3,118,305 |
| 5. TOTAL ADMINISTRATIVE EXPENSES (Police:1.8%, Civilian:1.0%) | 62,782 | 21,944 | - | 84,725 | 18,914 | 43,715 | - | 62,629 | 147,354 |
| 6. TOTAL FINANCIAL REQUIREMENTS (3 + 4 + 5) | \$ 1,288,944 | \$ 202,771 | \$ 886,006 | \$ 2,377,720 | \$ 462,859 | \$ 1,258,419 | \$ 640,309 | \$ 2,361,587 | \$ 4,739,307 |
| CREDITS TO PLAN | | | | | | | | | |
| 7. TOTAL EMPLOYEE CONTRIBUTIONS (ESTIMATED) | (104,636) | (60,954) | - | (165,591) | (94,568) | (218,573) | - | (313,141) | (478,732) |
| 8. ROUNDING | - | - | - | - | - | - | - | - | - |
| 9. TOTAL CREDITS TO PLAN (7 + 8) | \$ (104,636) | \$ (60,954) | \$ - | \$ (165,591) | \$ (94,568) | \$ (218,573) | \$ - | \$ (313,141) | \$ (478,732) |
| 10. MINIMUM MUNICIPAL FINANCIAL OBLIGATIONS FOR FISCAL YEAR 2014 (6 + 9) | \$ 1,184,308 | \$ 141,817 | \$ 886,006 | \$ 2,212,129 | \$ 368,291 | \$ 1,039,846 | \$ 640,309 | \$ 2,048,446 | \$ 4,260,575 |

Radnor Township, PA
 2016 Budget and Five-Year Forecast Implementation Calendar
 v.1 – September 14, 2015



September

| | |
|--------|---|
| 16 | 2016 Budget Kickoff Meeting |
| 17-23 | Departments prepare their 2016 spending requests (by month) Departmental Budgets Include: Overtime, Part-time PR, Operating, 2016-2021 Capital |
| 23 | Departmental spending requests Due (end of day) |
| 28 | BOC Regular Meeting: Adopt Prelim. 2016 MMO Resolution [State Law Requirement] |
| 24, 25 | Administrative: Department Budget Workshop #1 |
| 30 | CARFAC Meeting: Regular meeting |

| September | | | | | | |
|-----------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | | | |

October

| | |
|------|--|
| 1, 2 | Administrative: Individual Department Budget Working Sessions |
| 9 | Administrative: Final Review of Preliminary Manager Recommended Budget |
| 12 | BOC Regular Meeting: Present Prelim. Manager Recom. Budget \$7.03 |
| 14 | CARFAC Meeting: Regular Business |
| 19 | Public Hearing on Preliminary Manager Recommended Budget [6:30pm] |
| 26 | BOC Regular Meeting: Adoption of Preliminary Budget \$7.06[A](2) |

| October | | | | | | |
|---------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| | | | | 1 | 2 | 3 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

November

| | |
|----|--|
| 9 | BOC Regular Meeting: Public Hearing #2 on Preliminary Budget |
| 16 | Public Hearing #3 on 2015 Preliminary Budget |
| 11 | CARFAC Meeting: Regular Business and Budget Review |
| 23 | BOC Regular Meeting: Introduction of Final Budget Ordinances |

| November | | | | | | |
|----------|----|----|----|---------------|---------------|----|
| S | M | T | W | T | F | S |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | | | | | |

December

| | |
|----|---|
| 14 | BOC Regular Meeting: Public Hearing #4 and Final Adoption of Budget Ordinance: <ul style="list-style-type: none"> • 2016 Tax Rates • 2016 Sewer Rent Rates • 2016 Wage and Salary Schedule • 2016 Appropriation Budget • Five Year Capital Program • Five Year Financial Forecast |
|----|---|

| December | | | | | | |
|----------|----|----|----|---------------|---------------|----|
| S | M | T | W | T | F | S |
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

§7.06 Adoption procedure for comprehensive budget: [Amended 1-7-2013 by Ord. No. 2012-22^{1A}]

- A. Time line. The time line for comprehensive budget approval is as follows:
- (1) No later than 105 days before the end of the fiscal year: Submission of the Manager's proposed comprehensive budget.
 - (2) No later than 60 days before the end of the fiscal year: Board Approval of the recommended comprehensive budget.
 - (3) No later than 20 days before the end of the fiscal year: Board Adoption of the final comprehensive budget.

B. Approval of the recommended comprehensive budget. At least 60 days before the end of the fiscal year, the Board shall complete its review of the Manager's proposed comprehensive budget, make such adjustments as the Board deems necessary, and in a publicly noticed Board meeting, approve by resolution a recommended comprehensive budget, copies of which shall be made available promptly thereafter to the public.

C. Public Notice and Public Hearing. No later than 5 days following the approval of the recommended comprehensive budget by the Board, the Board shall provide public notice of the date, time, and place at which the Board shall hold a public hearing on the recommended comprehensive budget. This notice shall include a summary of the recommended comprehensive budget. The public hearing shall take place at any regular or special meeting of the Board at least 7 days after advertisement and at least 20 days prior to the end of the fiscal year.

D. Levy of Taxes. At the time of enacting the final budget, the Board shall, by ordinance, levy sufficient taxes allowed by law which, with other revenues and available receipts and balances, shall provide for a balanced budget.

^{1A} Editor's Note: This ordinance was subject to referendum and was approved by a majority of the qualified voters 5-21-2013

Proclamation of
Country Day School of
Sacred Heart
150th Anniversary

Recognition of
Radnor Memorial Library

Public Participation

**RESOLUTION 2015-98
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA TO AUTHORIZE EXTENSION OF THE EMPLOYMENT
AGREEMENT FOR THE POLICE SUPERINTENDENT FOR A TWO YEAR
PERIOD.**

WHEREAS, Article VI, Section 6.03, of the Home Rule Charter of Radnor Township, authorizes the appointment of department heads and administrative officers for Radnor Township, including the Superintendent of Police ("*Superintendent*"), by a majority vote of the total membership of the Board of Commissioners ("*Board*") upon appointment by the Township Manager; and

WHEREAS, the Board adopted Resolution 2011-11 on February 14, 2011, appointing William Colarulo to the Office of Superintendent of Police and approved and adopted the Employment Agreement between Radnor Township and William Colarulo; and

WHEREAS, the Employment Agreement was for a five year term which will expire on March 13, 2016; and

WHEREAS, the Township and Superintendent William Colarulo now desire to extend the expiration of the Employment Agreement for a period of two years to March 18, 2018 under the same terms and conditions as presently exist.

NOW, THEREFORE, it is hereby *RESOLVED* THAT the Board of Commissioners approves and adopts an extension of the Employment Agreement for Police Superintendent William Colarulo for a two year period to expire on March 18, 2018 under the terms as conditions as they presently exist.

SO RESOLVED, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this 28th day of September, A.D., 2015.

RADNOR TOWNSHIP

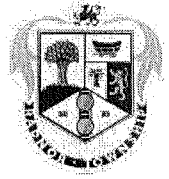
By:

James C. Higgins
President

ATTEST:

Robert A. Zienkowski,
Township Manager / Secretary

Radnor Township
PROPOSED LEGISLATION



DATE: September 28, 2015

TO: Board of Commissioners

FROM: William M. White, Finance Director

A handwritten signature in black ink, appearing to read "William M. White".

LEGISLATION: Resolution 2015-98 extending the Employment Agreement between Radnor Township and Police Superintendent William Colarulo for a period of two years.

LEGISLATIVE HISTORY: The Township adopted and approved the Employment Agreement entered into between Radnor Township and Police Superintendent William Colarulo on February 14, 2011 for a five year period expiring on March 13, 2016.

PURPOSE AND EXPLANATION: The Township and Police Superintendent William Colarulo now desire to extend the terms of the Employment Agreement for a period of two years expiring on March 18, 2018 with the same terms and conditions as presently exist.

FISCAL IMPACT: The Superintendent's salary shall remain frozen at the 2015 rate of \$167,192.10 with benefits as outlined in the original Employment Agreement.

RECOMMENDED ACTION: The Administration respectfully recommends the adoption of Resolution 2015-98 at the September 28, 2015 meeting.

**ORDINANCE NO. 2015-13
RADNOR TOWNSHIP**

**A ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, APPROVING THE AGREEMENT OF SALE BY AND
BETWEEN RADNOR TOWNSHIP AND 240 RADNOR CHESTER ROAD
INVESTMENT, LP FOR A PROPERTY LOCATED AT 240 RADNOR
CHESTER ROAD**

WHEREAS, Radnor Township ("Township") is the owner of certain property located at 240 Radnor Chester Road ("Property"); and

WHEREAS, 240 Radnor Chester Road Investment, LP ("Purchaser") intends to purchase the property from Radnor Township; and

WHEREAS, Purchaser wishes to enter into an Agreement of Sale with Township; and

WHEREAS, the Board of Commissioners now intends to approve the proposed Agreement of Sale, which is attached hereto and incorporated herein by reference as Exhibit "A".

NOW, THEREFORE, it is hereby **RESOLVED** that the Radnor Township Board of Commissioners does hereby approve the attached Agreement of Sale for the Property.

SO RESOLVED, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this day of , 2015.

RADNOR TOWNSHIP

By: _____

Name: James C. Higgins

Title: President

ATTEST: _____

9.21.15

AGREEMENT OF SALE

THIS AGREEMENT OF SALE (the "Agreement") is dated as of the _____ day of _____, 2015 by and between **RADNOR TOWNSHIP, 301 Iven Avenue, Wayne, PA 19087** (the "Seller") and **240 Radnor Chester Road Investment, LP**, with a mailing address of P.O. Box 545 Deerfield Beach, FL 33443 (the "Purchaser").

BACKGROUND

Seller is the owner of certain Premises (as hereinafter defined) located within Radnor Township, Delaware County, Pennsylvania. Seller now desires to sell and Purchaser desires to purchase the Premises, upon the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the covenants and agreements contained in this Agreement and other good and valuable consideration, and intending to be legally bound, Seller and Purchaser agree as follows:

1. **Agreement to Sell and Purchase.** Subject to the terms and conditions of this Agreement, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller all that certain tract or parcel of land consisting of 2,500 square feet described by metes and bounds in *Exhibit "A"* (the "Premises") and all easements, rights of way, licenses, privileges, hereditaments and appurtenances, if any, belonging to or inuring to the benefit of the Premises.

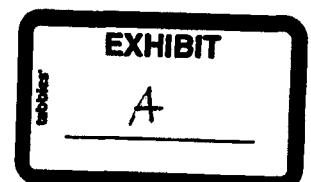
2. **Purchase Price.** The purchase price for the Premises (the "Purchase Price") is Fifty Thousand Dollars (\$50,000.00) pursuant to the appraisal prepared by Coyle, Lynch & Company dated May 23, 2015. The Purchase Price shall be paid as follows:

A. Conveyance to Seller of a traffic signal easement in a form to be approved by the parties pursuant to a plan prepared by Gilmore & Associates, Inc. dated August 4, 2015, a copy of which is attached hereto as *Exhibit "B"*.

B. Payment by Purchaser at closing by wire transfer by bank or title company check in the amount of \$ 15,000.

3. **Closing.** Closing under this Agreement (the "Closing") shall take place within ninety (90) days of this Agreement.

4. **Condition of Title.** Except for the restriction described in Section 4.1 of this Agreement, title to the Premises shall be good and marketable and free and clear of all liens, restrictions, easements, encumbrances, leases, tenancies and other title objections, other than those which are reasonably acceptable to Purchaser. In addition, such title shall be insurable, by any reputable title insurance company at regular rates, under a full coverage owner's title insurance policy (2006 ALTA form, or such other form as replaces or supersedes the 2006 ALTA form) and shall include such endorsements as Purchaser reasonably may require. If title to the Premises cannot be conveyed to Purchaser at the time of Closing in accordance with the requirements of this Agreement, then Purchaser shall have the option of (a) applying all or a portion of the Purchase Price to pay any liens of ascertainable amount against the Premises at the time of Closing, taking such title as Seller can convey and waiving the unfulfilled



conditions, if any, or (b) terminating Purchaser's obligations under this Agreement, in which case this Agreement shall become null and void and of no further force or effect, and neither Purchaser nor Seller shall have any further liability or obligation to the other under this Agreement except for those obligations expressly stated to survive the termination of this Agreement.

4.1. The land shall be subject to a Deed restriction in favor of Seller prohibiting any building or impervious surfaces to be placed upon the Premises and prohibiting any construction by Purchaser within the setback as it currently exists today for the Puchaser's existing property.

5. **Due Diligence Period.** Purchaser shall have no due diligence period; provided, however, that from time to time prior to Closing, Purchaser shall have the right to inspect the physical condition of the Premises and make such engineering, environmental and other studies as Purchaser may elect. For purposes of conducting such inspections and studies, Seller agrees to provide Purchaser, its agents, employees, contractors and consultants full and complete access to the Premises at all reasonable times on business days upon at least twenty-four (24) hours prior written notice to Seller.

6. **Representations and Warranties of Seller.** Seller, to induce Purchaser to enter into this Agreement and to purchase the Premises, represents and warrants to Purchaser as follows:

6.1. Seller has full power, authority and legal right to (a) execute and deliver this Agreement and all documents and instruments relating to this Agreement ("Related Agreements"), (b) comply with the terms of this Agreement and all Related Agreements, and (c) complete the transactions contemplated by this Agreement and all Related Agreements.

6.2. This Agreement and all Related Agreements have been duly authorized, executed and delivered by Seller and constitute the valid and legally binding obligations of Seller, enforceable against Seller in accordance with their respective terms.

6.3. There is no action, suit or proceeding pending or, to the best of Seller's knowledge, threatened, against or affecting the Premises or relating to or arising out of the ownership, management, operation or condition of the Premises in any court or before or by any other Governmental Authority or arbitration, mediation or conciliation tribunal.

6.4. No assessment for public improvements has been served upon Seller with respect to the Premises which remains unpaid, including, but not limited to, those for construction of sewer, water, electric, gas or steam lines and mains, streets, sidewalks and curbing. Seller knows of no public improvements which have been ordered to be made and/or which have not heretofore been completed, assessed and paid for.

6.5. Seller has not received any notice of any condemnation proceeding or other proceeding in the nature of eminent domain with respect to the Premises, and to the best of Seller's knowledge no such proceedings are threatened. Seller has received no written notice of, nor does it have any knowledge of, any pending or threatened action or governmental proceeding relating to (a) zoning changes, (b) rent control, or (c) increase in tax assessment.

6.6. The Premises is in compliance with all Environmental Laws. The term "Environmental Laws" means all Federal, state and local laws, statutes, ordinances, codes, rules, regulations and other requirements respecting the environment, including but not limited to those respecting: (a) the generation, use, handling, processing, storage, treatment, transportation, or disposal of

9.21.15

any solid or hazardous wastes, or any hazardous, toxic or regulated substances or materials; (b) pollution or contamination of land, improvements, air (including indoor air), or water (including groundwater); (c) emissions, spills, releases, or discharges of any substance onto or into the land, improvements, air (including indoor air), or water (including groundwater), or any sewer or septic system; (d) protection of wetlands; (e) aboveground or underground storage tanks; (f) air quality or water quality (including groundwater quality); and (g) protection of endangered species. Without limiting the generality of the foregoing, the term "Environmental Laws" includes the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C., Sec. 9601, et seq.; the Resource Conservation and Recovery Act, as amended, 42 U.S.C., Sec. 6901, et seq., and the Toxic Substance Control Act of 1976, as amended, 15 U.S.C., Sec. 2601, et seq., the Pennsylvania Hazardous Sites Cleanup Act, 35 P.S. § 6020.101 et seq., the Pennsylvania Land Recycling and Environmental Remediation Standards Act, 35 P.S. §6026.101 et seq. ("Act 2"), the Pennsylvania Solid Waste Management, 35 P.S. § 6018.101 et seq., and the Pennsylvania Clean Streams Law, 35 P.S. 691.1 et seq.

6.7. Seller knows of no facts or circumstances which would hinder or prevent the development, use or operation of the Premises following Closing.

7. Conditions to Purchaser's Obligation; Remedies Not Restricted.

7.1. Conditions. The obligation of Purchaser under this Agreement to purchase the Premises from Seller is subject to the satisfaction of all of the following conditions (any or all of which may be waived in whole or in part by Purchaser in writing at any time): (i) All representations and warranties by Seller set forth in this Agreement shall be true and correct at and as of the Closing Date as if such representations and warranties were made at and as of the Closing Date; (ii) Seller shall have performed, observed and complied with all covenants, agreements and conditions required by this Agreement to be performed, observed and complied with prior to or as of the Closing; and (iii) Purchaser's title to the Premises shall be insured by Purchaser's title insurance company at regular rates at Closing free of objections of any kind except the Permitted Exceptions pursuant to a full coverage owner's title insurance policy (2006 ALTA form, or such other form as replaces or supersedes the 2006 ALTA form), including such endorsements as Purchaser may require.

7.2. Remedies Not Restricted. Nothing in this Article is intended to limit or restrict any right or remedy which Purchaser may have under this Agreement or at law or in equity on account of the inaccuracy of any representation or warranty made by Seller or breach by Seller of any other obligation under this Agreement.

7.3. Purchaser's Right to Close Without Affecting Remedies. Except as otherwise provided in this Agreement, if, prior to Closing, Purchaser obtains knowledge of the inaccuracy of any representation or warranty made by Seller or breach by Seller of any other obligation under this Agreement or any Related Agreement, Purchaser nevertheless shall have the right to proceed with Closing, without in any way waiving or otherwise affecting Purchaser's rights or remedies on account of such inaccuracy or breach.

8. Period Prior to Closing. Between the date of this Agreement and the Closing Date, Seller agrees that, without Purchaser's prior written consent, Seller will not: (a) grant, create, assume or permit to be created any mortgage, lien, encumbrance, lease, easement, covenant, condition, right-of-way or restriction upon the Premises or take or permit any action adversely affecting the title to the Premises as it exists on the date of this Agreement; (b) enter into any new service contract; or (c) make any alterations to the Premises.

9. **Provisions with Respect to Closing.** At Closing:

9.1. **Seller's Deliveries.** Seller shall deliver or cause to be delivered to Purchaser the following: (i) a special warranty deed for the Premises, duly executed and acknowledged by Seller, in proper form for recording, subject only to those Permitted Exceptions which are of record and are valid and subsisting, and otherwise in form and substance reasonably acceptable to Purchaser. If the legal description contained in the Survey is different from the legal description attached to this Agreement as **Exhibit "A"**, the legal description contained in the Survey will be used in the deed and in all other documents delivered at Closing; (ii) such certificates, permits or approvals of the Township of Radnor as may be required by applicable law, in connection with the transfer of the Premises; (iii) such other documents as may be reasonably required to consummate the transactions contemplated by this Agreement; and (iv) possession of the Premises shall be delivered by Seller to Purchaser at Closing, free and clear of all tenancies of every kind and of parties in possession.

9.2. **Purchaser's Deliveries.** Purchaser shall deliver or cause to be delivered to Seller the following: (i) the balance of the Purchase Price; and (ii) such other documents as may be reasonably required to consummate the transactions contemplated by this Agreement.

9.3. **Transfer Taxes and Other Closing Costs.** Purchaser shall pay all title insurance premiums charged by Purchaser's title insurance company. Each party shall bear its own counsel fees. Buyer shall be responsible for and pay all of the realty transfer tax. All other recording and closing costs of any nature or description shall be borne or apportioned in accordance with the custom and practice in the jurisdiction in which the Premises is located.

10. **Adjustments.** The following items shall be prorated as of 12:01 a.m. prevailing Eastern Time on the Closing Date, on the basis of a 365-day year, with Purchaser deemed the owner of the Premises on the entire Closing Date: (a) real estate taxes, including refunds with respect thereto, if any; and (b) any other expenses relating to the Premises which are customarily adjusted at settlement.

11. **Fire; Eminent Domain.**

11.1. Seller shall bear the risk of all loss or damage to the Premises from all causes, and the risk of condemnation proceedings or other proceedings in the nature of eminent domain, until Closing. If at any time prior to Closing any portion of the Premises is destroyed or damaged as a result of fire or any other casualty whatsoever, or if Seller is notified of any condemnation proceedings or other proceedings in the nature of eminent domain against any portion of the Premises, Seller shall, within three (3) business days thereafter, give written notice to Purchaser. Purchaser shall have the right, within fifteen (15) days after receipt of such notice, to terminate this Agreement, in which event this Agreement shall become null and void (except for those obligations expressly stated to survive the termination of this Agreement), and neither party shall have any further liabilities or obligations under this Agreement (except for those obligations expressly stated to survive the termination of this Agreement).

11.2. If Purchaser does not terminate this Agreement, then: (a) Purchaser shall have the right, to participate in and approve any adjustment of any insurance claims or the determination of any condemnation or eminent domain award; (b) at the time of Closing, Purchaser shall receive a credit against the Purchase Price in an amount equal to the sum of: (i) the proceeds of any insurance policies or any condemnation or eminent domain award with respect to the Premises paid to Seller between the date of this Agreement and the Closing, and (ii) in the case of casualty, an amount equal to the cost of restoring any loss (or portion thereof) which is not covered by Seller's insurance, including any amount falling within Seller's deductible and the uninsured portion of any loss as to which Seller maintains less

than full replacement cost insurance; and (c) all unpaid claims and rights in connection with losses shall be assigned to Purchaser at Closing without in any manner affecting the Purchase Price.

12. **Brokers.** Seller and Purchaser represent and warrant to each other that no broker or finder was instrumental in arranging or bringing about this transaction and that there are no claims or rights for commissions, finders' fees or other compensation (collectively, "compensation") by any person or entity. If any broker or finder asserts a claim for compensation based upon any actual or alleged contact, dealings or communication with Purchaser or Seller, then the party through whom such broker or finder makes its claim shall indemnify and hold the other party (the "Indemnified Party") harmless from and against any and all claims, damages, judgments, suits, liabilities, losses, costs and expenses (including without limitation, reasonable attorneys' fees and court costs) suffered or incurred by or brought against the Indemnified Party in connection with such claim for compensation. The provisions of this Article shall survive the Closing, or, if Closing does not occur, any termination of this Agreement.

13. **Default.** In the event that Purchaser is obligated to complete Closing under this Agreement but fails to do so, this Agreement shall become null and void, except for those obligations expressly stated to survive the termination of this Agreement, and neither party shall have any further liability or obligation under this Agreement, except for those obligations expressly stated to survive the termination of this Agreement. The foregoing shall not be construed to limit or restrict any rights or remedies of Purchaser under any other provision of this Agreement or otherwise available at law or equity. Upon any default by Seller in the performance of its obligations under this Agreement, Purchaser shall have all rights and remedies available at law or equity, including, without limitation, the right to specific performance of Seller's obligations.

14. **Notices.** Any notices required or permitted to be given under this Agreement shall be given in writing and shall be sent by (a) hand delivery, (b) commercial overnight courier that guarantees next day delivery and provides a receipt, or (c) legible facsimile (followed by hard copy sent concurrently with such facsimile, in accordance with preceding subsections (a) or (b)), and such notices shall be addressed as follows: If to Seller: Radnor Township, 301 Iven Road, Wayne, PA 19087 with a required copy to John Rice, Esquire, Grim, Biehn & Thatcher, 104 S. Sixth Street, P.O. Box 215, Perkasie, PA 18944; If to Purchaser: 240 Radnor Chester Road Investment, LP, P.O. Box 545 Deerfield Beach, FL 33443; or to such other address as either party may from time to time specify in writing to the other party. Notice given by hand delivery shall be effective upon receipt (or refusal by the intended recipient to accept delivery). Notice given by commercial overnight courier shall be effective upon the date of deposit with the courier. Notice given by facsimile shall be effective upon the sending of such facsimile (subject to the requirement that hard copy be sent concurrently in accordance with this Section).

15. **Miscellaneous.**

15.1. Tender Waived. Formal tender of an executed deed and purchase money are hereby waived.

15.2. Governmental Filings. If either party is required to make any filing, submission or report to any Governmental Authority in connection with the transactions contemplated by this Agreement, the party upon which such requirement is imposed shall make such filing, submission or report.

15.3. The headings and captions in this Agreement are inserted for convenience of reference only and in no way define, describe or limit the scope or intent of this Agreement or any of the provisions hereof. Where the context so requires, the use of the singular shall include the plural and vice

9.21.15

versa and the use of the masculine shall include the feminine and the neuter. This Agreement shall be construed reasonably to carry out its intent, without presumption against or in favor of either party.

15.4. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania.

15.5. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument. The transmission of a signed counterpart of this Agreement by facsimile or by portable document file ("PDF") shall have the same force and effect as delivery of an original signed counterpart of this Agreement, and shall constitute valid and effective delivery for all purposes.

15.6. This Agreement shall be binding upon, and inure to the benefit of, the parties to this Agreement and their respective successors and assigns. Purchaser shall have the right to assign its interest in this Agreement without the consent of Seller. No such assignment shall relieve Purchaser of its liabilities or obligations under this Agreement.

15.7. This Agreement and the Exhibits attached to this Agreement contain the final and entire agreement of Purchaser and Seller with respect to the sale and purchase of the Premises and are intended to be an integration of all prior negotiations and understandings. Neither Purchaser nor Seller shall be bound by any covenants, agreements, statements, representations or warranties, oral or written, not contained in this Agreement. No change or modification to this Agreement shall be valid unless the same is in writing and signed by the parties to this Agreement. No waiver of any of the provisions of this Agreement shall be valid unless the same is in writing and is signed by the party against which it is sought to be enforced.

15.8. If any provision of this Agreement, or the application thereof to any person, place or circumstance, shall be held by a court of competent jurisdiction to be invalid, unenforceable or void, the remainder of this Agreement and such provisions as applied to other persons, places and circumstances shall remain in full force and effect.

15.9. In the event that the date for performance of any duty or obligation, exercise of any right or option or giving of any notice shall occur upon a Saturday, Sunday or legal holiday, the due date for such performance, exercise or giving of notice shall be automatically extended to the next succeeding business day.

15.10. Seller agrees that it will, at any time and from time to time after the Closing Date, upon request of Purchaser, do, execute, acknowledge and deliver, or will cause to be done, executed, acknowledged and delivered, all such further acts, deeds, assignments, transfers, conveyances and assurances as may reasonably be required for the assigning, transferring, granting, assuring and confirming to Purchaser, or its successors and assigns, the Premises, provided that the same do not impose any liability on Seller beyond that provided in this Agreement or any Related Agreement.

15.11. The submission of a draft of this Agreement by one party to another is not intended by either party to be an offer to enter into a legally binding contract with respect to the purchase and sale of the Premises. The parties shall be legally bound with respect to the purchase and sale of the Premises pursuant to the terms of this Agreement only if and when Seller and Purchaser have fully executed and delivered to each other a counterpart of this Agreement.

9.21.15

IN WITNESS WHEREOF, intending to be legally bound hereby, Purchaser and Seller have executed this Agreement as of the date first above written.

SELLER:

RADNOR TOWNSHIP

By: _____
Name: Robert Zienkowski
Title: Township Manager

PURCHASER:

240 Radnor Chester Road Investment, LP

By: _____
Name: _____
Title: _____

This Indenture,

Made the 26th day of September in the year of our Lord one thousand nine hundred and fifty-five (1955) BETWEEN THE PENNSYLVANIA COMPANY FOR BANKING AND TRUSTS, BENJAMIN CHEW, JR. and DAVID CHEW STEVENSON, Trustees under Deed of Trust of Mary J. B. Chew and Martha M. Brown, (hereinafter called the Grantors) of the one part,

and
TOWNSHIP OF RADNOR (a municipal corporation located in Delaware County, Pennsylvania), (hereinafter called the Grantee),

of the other part, ~~Witnesseth~~, That the said Grantors,

for and in consideration of the sum of ONE DOLLAR (\$1.00) AND OTHER GOOD AND VARIABLE CONSIDERATION

lawful money of the United States of America, unto—them—well and truly paid by the said Grantee

at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged,— have — granted, bargained, sold, aliened, enfeoffed, released and confirmed and by these presents— do

grant, bargain, sell, alien, enfeoff, release and confirm unto the said Grantee, its Successors

and assigns, ALL THAT CERTAIN lot or piece of ground SITUATE in the Township of Radnor, County of Delaware and State of Pennsylvania, BEGINNING at a point on the Easterly boundary line of a larger tract of ground, of which this is a part, which beginning point is determined by measuring from a point in the middle line of Radnor-Chester Road which is 1460.15 feet Eastwardly from its intersection with Lancaster Avenue the following courses and distances: leaving Radnor-Chester Road on a course bearing North 24 degrees 15 minutes West 174.20 feet to a point; thence along a portion of the Southerly boundary line of other land owned by the Grantor, of which this is a part, North 68 degrees 08 minutes East 100 feet to a point; thence North 52 degrees 52 minutes East 54.40 feet to a point; thence North 26 degrees 40 minutes West 100 feet; thence from said beginning point, the following courses and distances:



North 26 degrees 40 minutes West 50 feet to a point; South 62 degrees 52 minutes West 50 feet to a point; South 26 degrees 40 minutes East 50 feet to a point; North 62 degrees 52 minutes East 50 feet to the first mentioned point and place of beginning.

UNDER AND SUBJECT to covenants, easements, rights and restrictions now of record.

Together with all and singular _____
ways, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantors _____
_____ in law, equity,
or otherwise howsoever, of, in, and to the same and every part thereof. _____

To have and to hold the said lot or piece of ground _____

_____ hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, _____ unto the said Grantee, its successors _____

_____ and assigns to and for the only proper use and behoof of the said Grantee, its successors _____

_____ and assigns forever

UNDER AND SUBJECT AS AFORESAID.

And the said Grantors do hereby _____

covenant, promise and agree, to and with the said Grantee, its successors _____ and assigns, by these presents, that— they— the said Grantors, have _____

not done, committed, or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged or incumbered, in title, charge, estate, or otherwise howsoever.

In witness whereof, the said Grantors have hereunto set their hands and affixed or caused to be affixed their seals the day and year first above written.

THE PENNSYLVANIA COMPANY FOR BANKING AND TRUSTS

By Herbert J. Robinson (SEAL)

Attest C. W. ...

Benjamin Chew, Jr. (SEAL)

David Chew Stephenson (SEAL)

Trustees as aforesaid

SEALED AND DELIVERED
IN THE PRESENCE OF US:

Kathryn L. Freeman

Joseph D. Long

On the 26th day of September Anno Domini 19 55, before me, the subscriber, a Notary Public for the Commonwealth of Pennsylvania, residing in the CITY OF PHILADELPHIA, personally appeared the above-named BENJAMIN CHEW, JR. and DAVID CHEW STEPHENSON, Trustees as aforesaid, _____

_____ and in due form of law acknowledged the above indenture to be their and each of their _____ act and deed, and desired the same might be recorded as such.

In witness my hand and Notary seal the day and year aforesaid.

Joseph D. Long
JOSEPH D. LONG, Notary Public
PHILA. PHIL. CO., PA.
My Commission Expires Jan. 1, 1959

Heretofore, the day of the date of the within or foregoing Indenture, of the within named Grantee the full obligations hereinafter mentioned.

I hereby certify that the consideration of the within indenture is the sum of One Hundred Dollars (\$100.00).
By Herbert O. Frey
Vice President

On the 27th day of September 1952, before me, the subscriber, personally appeared A. W. Snelson of the said

THE PENNSYLVANIA COMPANY FOR BANKING AND TRUSTS, Trustee as aforesaid, who being duly sworn according to law, says that he was personally present at the execution of the above Indenture, and saw the Common or corporate seal of the said Corporation duly affixed thereto; that the seal so affixed thereto is the common or corporate seal of the said Corporation; that the said Indenture was duly sealed and delivered by HERBERT O. FREY Vice President of the said Corporation, as and for the use and deed of the said Corporation, for the uses and purposes therein mentioned.

and that the names of HERBERT O. FREY as VICE PRESIDENT of the said Corporation, subscribed to the above Indenture in attestation of its due execution and delivery, are of their and each of their respective handwritings.

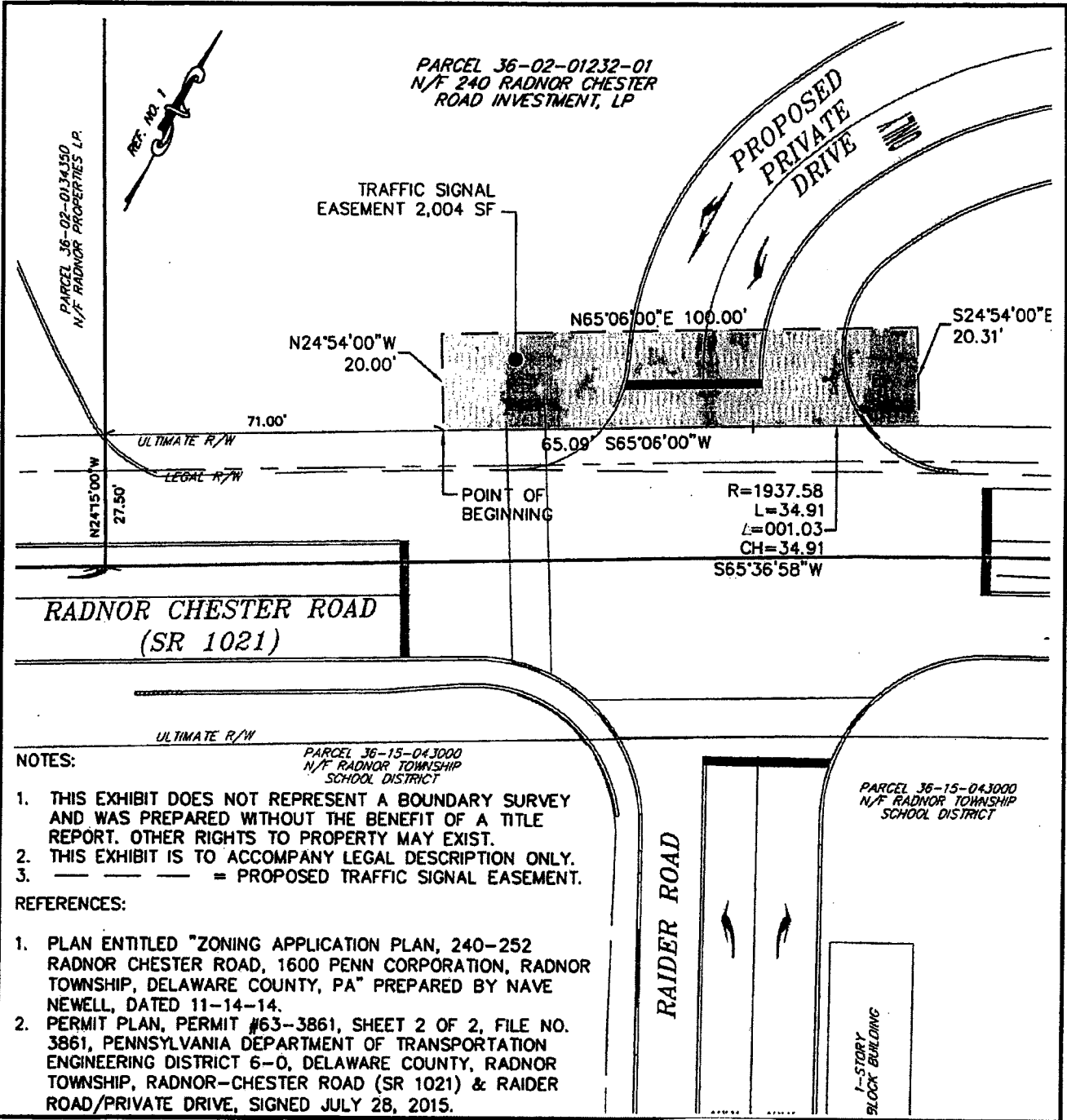
and subscribed before me, the day and year aforesaid. Witness my hand and Notarial seal.

James M. Long
Notary Public for the Commonwealth of Pennsylvania
My Commission Expires Jan. 7, 1952

A. W. Snelson
The address of the within-named Grantee is Wayne, Pennsylvania

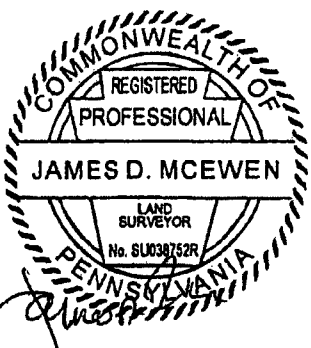
RECORDED

Recorded in the office for the recording of Deeds in and for
in Deed Book No. page of
Witness my hand and seal of Office this
Anno Domini 19
Recorder
Dewey Recorder



- NOTES:**
1. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AND WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. OTHER RIGHTS TO PROPERTY MAY EXIST.
 2. THIS EXHIBIT IS TO ACCOMPANY LEGAL DESCRIPTION ONLY.
 3. _____ = PROPOSED TRAFFIC SIGNAL EASEMENT.
- REFERENCES:**
1. PLAN ENTITLED "ZONING APPLICATION PLAN, 240-252 RADNOR CHESTER ROAD, 1600 PENN CORPORATION, RADNOR TOWNSHIP, DELAWARE COUNTY, PA" PREPARED BY NAVE NEWELL, DATED 11-14-14.
 2. PERMIT PLAN, PERMIT #63-3861, SHEET 2 OF 2, FILE NO. 3861, PENNSYLVANIA DEPARTMENT OF TRANSPORTATION ENGINEERING DISTRICT 6-0, DELAWARE COUNTY, RADNOR TOWNSHIP, RADNOR-CHESTER ROAD (SR 1021) & RAIDER ROAD/PRIVATE DRIVE, SIGNED JULY 28, 2015.

**PROPOSED TRAFFIC SIGNAL EASEMENT
ON LANDS N/F 240 RADNOR CHESTER ROAD INVESTMENT, LP
PARCEL NUMBER 36-02-01232-01
RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA**



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

CORPORATE HEADQUARTERS
65 EAST BUTLER AVENUE, SUITE 100, NEW BRITAIN, PA 18901 • (215) 345-4330 • www.gilmore-assoc.com

| | | |
|--------------------------------|------------------------|---------------|
| JOB NO.: 13-05068-02 | DATE: 8/4/15 | SCALE: |
|--------------------------------|------------------------|---------------|

EXHIBIT

B

ORDINANCE NO. 2015-17

AN ORDINANCE AUTHORIZING THE BOARD OF COMMISSIONERS OF RADNOR TOWNSHIP TO SELECT AND APPROPRIATE BY EMINENT DOMAIN CERTAIN REAL ESTATE IN RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, BY EASEMENT FOR TRAFFIC IMPROVEMENT AND TRAFFIC SIGNAL PURPOSES; AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION THEREOF; PROVIDING FOR THE FURNISHING OF SECURITY FOR THE PAYMENT OF DAMAGES IN ACCORDANCE WITH LAW; AND AUTHORIZING CERTAIN OFFICERS OF RADNOR TOWNSHIP TO ACT FOR IT IN ALL PROCEDURES AND ACTIONS REQUIRED BY THE EMINENT DOMAIN CODE.

WHEREAS, the Radnor Township Board of Commissioners desires to provide for traffic safety within Radnor Township; and

WHEREAS, Section 3.01 D. Of the Radnor Home Rule Charter permits the Township to acquire land for traffic safety purposes; and

WHEREAS, the Board of Commissioners desires to acquire a traffic signal easement upon and across Delaware County Tax Map Parcel No. 36-02-01232-01 in order to install a traffic signal and related appurtenances.

NOW, THEREFORE, IT IS HEREBY ORDAINED:

1. That the Township hereby selects, appropriates and condemns an easement upon and across the property described in a plan and legal description prepared by Gilmore and Associates, Inc. entitled "Proposed Traffic Signal Easement" upon and across Delaware County Tax Map Parcel No.36-02-01232-01 attached hereto as *Exhibit "A"*.
2. That the nature of the title acquired by this condemnation shall be by easement for traffic signal purposes.
3. That the Township Solicitor and the proper officers of the Township are hereby authorized to attempt to acquire said property by amicable agreement, however, if said property cannot be amicably acquired, the Township Solicitor and Township officers are hereby authorized to file a Declaration of Taking and such other action to carry out the purpose of this Ordinance.
4. That the institution of such proceedings, and any other damages, which may be agreed upon or awarded to any party in interest, including the owner or owners of said property, shall be paid out of the General Fund of the Township.

ADOPTED this

day of

, A.D., 2015.

RADNOR TOWNSHIP
BOARD OF COMMISSIONERS

James C. Higgins, President



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

**Metes and Bounds Description
Traffic Signal Easement
On Lands N/F 240 Radnor Chester Road Investment, LP
Parcel Number 36-02-01232-01
Radnor Township, Delaware County, Pennsylvania**

Beginning at a point on the northerly ultimate right-of-way line of Radnor Chester Road (SR 1021) (27.50' from centerline), said point being located the following two (2) courses and distances from the southerly most corner of Parcel Number 36-02-01232-01, lands N/F 240 Radnor Chester Road Investment, LP:

- a) along the southwesterly line of Parcel Number 36-02-01232-01, lands N/F 240 Radnor Chester Road Investment, LP, North 24° 15' 00" West, a distance of 27.50 feet to a point on the ultimate right-of-way line of Radnor Chester Road, thence;
- b) along said northerly ultimate right-of-way line of Radnor Chester Road, North 65° 06' 00" East, a distance of 71.00 feet to the true Point of Beginning, and from said Point of Beginning, thence:

The following three (3) courses and distances through Parcel Number 36-02-01232-01, lands N/F 240 Radnor Chester Road Investment, LP:

- 1. North 24° 54' 00" West, for a distance of 20.00 feet to a point, thence;
- 2. North 65° 06' 00" East, for a distance of 100.00 feet to a point, thence;
- 3. South 24° 54' 00" East, for a distance of 20.31 feet to a point on curve on the ultimate right-of-way line of Radnor Chester Road, thence;

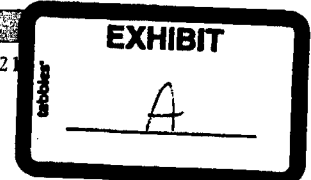
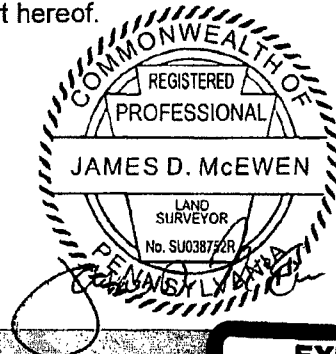
The following two (2) courses and distances along said northerly ultimate right-of-way line of Radnor Chester Road:

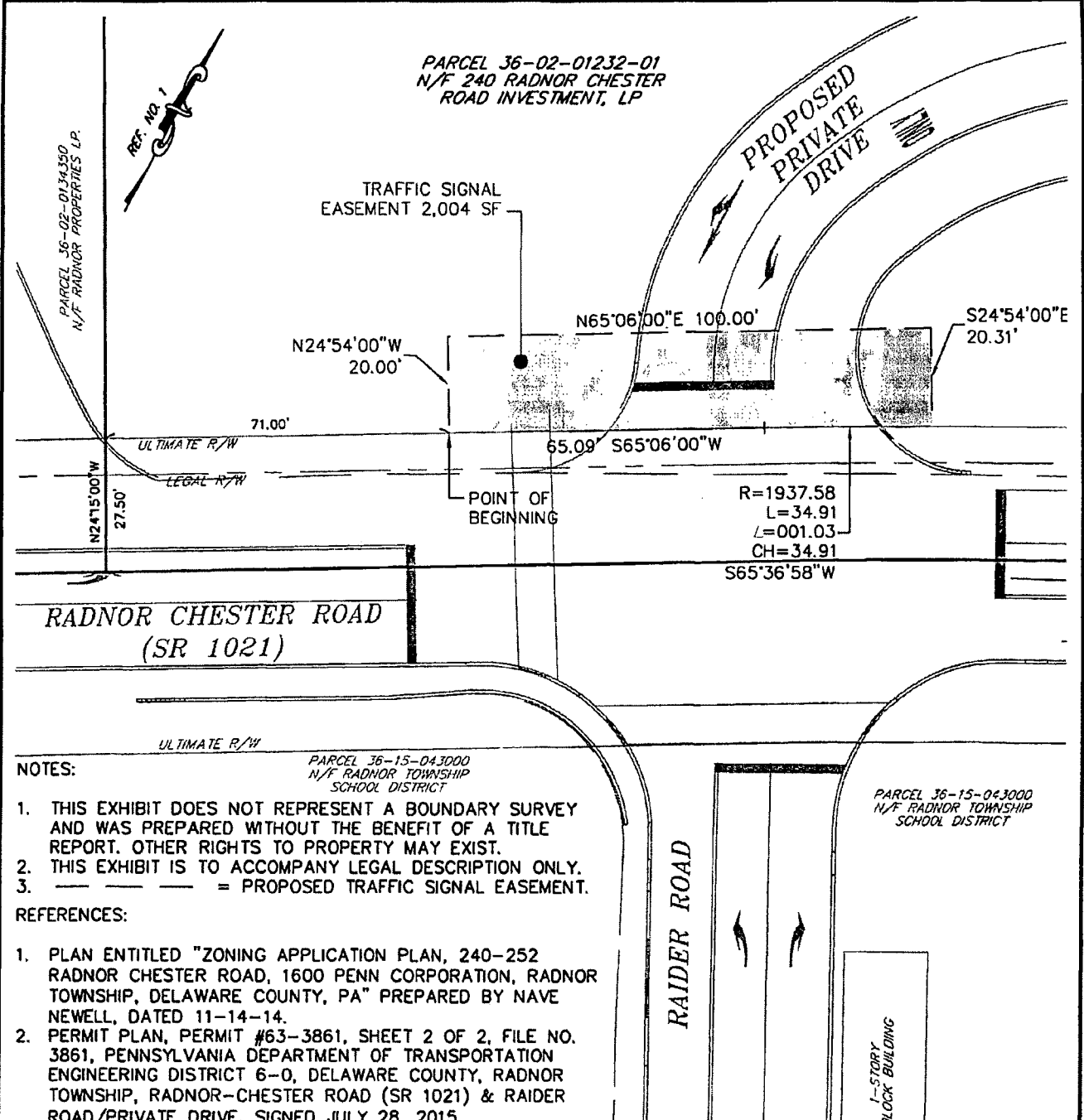
- 4. along a curve to the left having a radius of 1,937.58 feet, an arc length of 34.91 feet and whose chord bears South 65° 36' 58" West, for a distance of 34.91 feet to the end of curve, thence;
- 5. South 65° 06' 00" West, a distance of 65.09 feet to the Point and Place of Beginning.

Containing 2,004 square feet, or 0.460 acres, more or less.

Attached hereto as Exhibit 'A' is a plan entitled "Proposed Traffic Signal Easement, on Lands N/F 240 Radnor Chester Road Investment, LP, Parcel Number 36-02-01232-01, Radnor Township, Delaware County, Pennsylvania", prepared by Gilmore & Associates, Inc., New Britain, Pennsylvania, dated August 4, 2015, and by this reference made a part hereof.

Dated: August 5, 2015
File No. 13-05068-02
Prepared by: James D. McEwen, Professional Land Surveyor
Pennsylvania License No. SU-038752-R
JDM/jm





- NOTES:
1. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY AND WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. OTHER RIGHTS TO PROPERTY MAY EXIST.
 2. THIS EXHIBIT IS TO ACCOMPANY LEGAL DESCRIPTION ONLY.
 3. ——— = PROPOSED TRAFFIC SIGNAL EASEMENT.
- REFERENCES:
1. PLAN ENTITLED "ZONING APPLICATION PLAN, 240-252 RADNOR CHESTER ROAD, 1600 PENN CORPORATION, RADNOR TOWNSHIP, DELAWARE COUNTY, PA" PREPARED BY NAVE NEWELL, DATED 11-14-14.
 2. PERMIT PLAN, PERMIT #63-3861, SHEET 2 OF 2, FILE NO. 3861, PENNSYLVANIA DEPARTMENT OF TRANSPORTATION ENGINEERING DISTRICT 6-0, DELAWARE COUNTY, RADNOR TOWNSHIP, RADNOR-CHESTER ROAD (SR 1021) & RAIDER ROAD/PRIVATE DRIVE, SIGNED JULY 28, 2015.

EXHIBIT 'A'
PROPOSED TRAFFIC SIGNAL EASEMENT
ON LANDS N/F 240 RADNOR CHESTER ROAD INVESTMENT, LP
PARCEL NUMBER 36-02-01232-01
 RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA



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 65 EAST BUTLER AVENUE, SUITE 100, NEW BRITAIN, PA 18901 • (215) 345-4330 • www.gilmore-assoc.com

| | | |
|-------------------------|-----------------|------------------|
| JOB NO.: 13-05068-02 | DATE: 8/4/15 | SCALE: 1"=30' |
|-------------------------|-----------------|------------------|

2016 Capital Budget Discussion

Park Capital Funding /
Draft Parameters
Bond Ordinance
discussion and direction

**RESOLUTION NO. 2015- 95
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, APPROVING THE FINAL LAND DEVELOPMENT PLAN
OF 212 & 216 BLOOMINGDALE AVENUE**

WHEREAS, GLI Investors, LP (“Applicant”) submitted a Final Land Development Plan prepared by Momenee & Associates dated January 8, 2015; and

WHEREAS, the plan has been reviewed by both the Radnor Township Planning Commission and the Delaware County Planning Commission; and

WHEREAS, the Board of Commissioners now intends to approve the Final Plans of 212 & 216 Bloomingdale Avenue subject to certain terms and conditions.

NOW, THEREFORE, it is hereby **RESOLVED** that the Radnor Township Board of Commissioners does hereby approve the Final Plan of land development 212 & 216 Bloomingdale Avenue said plans prepared by Momenee & Associates dated January 8, 2015 and subject to the following conditions:

1. The Applicant shall comply with the August 11, 2015 Gannett Fleming review letter, a copy of which is attached hereto as *Exhibit “A”*.
2. The Applicant shall comply with the Order dated June 13, 2013 approving the April 22, 2013 Settlement Agreement, copies of which are attached hereto as *Exhibit “B”*.
3. The Applicant shall comply with all other applicable ordinances with respect to sewage, stormwater management, zoning building code, and all county, state, federal rules and regulations and statutes.
4. The Applicant shall execute Development and Financial Security Agreements in a form and manner to be approved by the Township Engineer and Township Solicitor.

SO RESOLVED, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this day of , 2015.

RADNOR TOWNSHIP BOARD OF
COMMISSIONERS

By: _____
Name: James C. Higgins
Title: President

ATTEST: _____



Gannett Fleming

100 Years
of Excellence Delivered As Promised

Date: August 11, 2015

To: Radnor Township Board of Commissioners

From: Roger Phillips, PE

cc: Robert Zienkowski – Township Manager
Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
John Rice, Esq – Grim, Biehn, and Thatcher
Amy Kaminski, PE – Gilmore and Assoc.
Steve Gabriel – Rettew

RE: 212 & 216 Bloomingdale Avenue - Final Plan
G11 Investments – Applicant

Date Accepted: July 6, 2015

90 Day Review: October 4, 2015

Gannett Fleming, Inc. has completed a review of the Final Plans of the above referenced project for compliance with the Final Plan Approval September 22, 2008, the Settlement Agreement dated 2013 and Sketch Plan prepared by Momenee & Associates, Inc. dated March 25, 2013. A copy of the 2013 Settlement Agreement is attached for reference. These Plans were reviewed for conformance with Zoning, Subdivision and Land Development, and other applicable codes of the Township of Radnor.

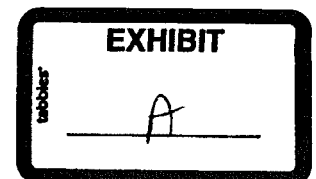
The applicant is proposing to demolish an existing 2 ½ story 3 apartment building at 212 Bloomingdale Ave and construct 3 new single family homes creating 4 lots at the abovementioned location.

The following waivers were granted during the June 2008 final approval of the plans.

- §255-27.I(6) – No common driveways shall be permitted between two (2) or more single family dwellings.
- §255-27.I(7) – No common driveway shall provide access to more than three (3) lots or three (3) single family dwellings.
- §255-47C(sic) – All streets shall be granted to: "Along the existing street on which a subdivision or land development abuts (hereinafter called a "boundary street"), improvements shall be made to the street. The improvements to the boundary street shall be determined by the width of the required cartway and built to the specifications established by the township".

Plans Prepared By: Momenee & Associates, Inc.
Dated: 01/08/2015

Gannett Fleming, Inc.
P.O. Box 80794 • Valley Forge, PA 19484-0794 | 1010 Adams Avenue • Audubon, PA 19403-2402
t: 610 650.8101 • f: 610 650.8190
www.gannettffleming.com



I. Zoning

1. §280-35.A(4)(a) – For each single or two family detached dwelling and its accessory buildings, there shall be two side yards, neither of which shall be less than 10 feet in width. The plan indicates that there will be a deck/patio provided in in the side yard of lot 1. A patio is permitted. However, a deck is attached to the dwelling and is considered part of the dwelling. No principal building or structure shall be located in the side yard setback.
2. §280-35.A(8) – Maximum impervious coverage is 40%. The zoning table on Sheet 2 indicates that each lot will be below 40% impervious coverage. A breakdown of how the impervious was calculated for each lot must be provided as shown on sheet 2 of the sketch plan provided with the Settlement Agreement.
3. §280-103.B(1) – Dwellings shall require two parking spaces per dwelling unit. The plan must indicate where the two spaces are proposed for each unit and the spaces must be dimensioned on the plan.
4. §280-109.A – No fence or wall, except for retaining walls or the walls of a building as permitted under the terms of this chapter, shall exceed a height of six feet, provided further that within R-4 and R-5 Districts, no fence or wall erected within the required front yard setback shall exceed a height of four feet. The height of the existing masonry wall must be shown on the plans.
5. §280-112.C – Areas of steep slopes containing slopes steeper than 14% shall be outlined as following (1) Areas containing slopes steeper than 14% but less than 20% shall be distinguished from the areas containing slopes of 20% or steeper. (2) Areas containing slopes of 20% and steeper shall be separately identified.

II. Subdivision and Land Development

1. §255-21.B(1)(l) – Boundaries in all adjoining properties (with names and addressed of landowners in the case of unplatted land) must be provided on the plans.
2. §255-21.B(1)(m) – Existing streets and alleys on and adjacent to the site with ultimate rights-of-way must be shown on the plans.
3. §255-21.B(1)(n) – A clearly labeled existing features plan must be provided. Existing principal buildings (and their respective uses) and driveways on the adjacent peripheral strip; sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site must be shown on the plans. (This includes properties across streets.)
4. §255-21.B(7) – Planning modules for land development, as required by Chapter 71 of the Pennsylvania Sewage Facilities Act, as amended, must be provided.

5. §255-27.C.(1) – The right-of-way for a local road shall be 60 feet. The applicant has indicated on the plans that the right of way for Bloomingdale Avenue will be 50 feet wide, as provided for in the 2008 plan approval.
6. §255-27.C.(4) – Where a subdivision abuts or contains an existing street or inadequate right-of-way width, the Board of Commissioners may require the reservation or dedication of rights-of-way to conform to the above standards. The center line of the ultimate right-of-way shall be the same center line as the existing right-of-way. No improvements or additional right-of-way was required by the 2008 plan approval.
7. §255-27.I.(6) – No common driveways shall be permitted between two (2) or more single family dwellings. The applicant received a waiver from this requirement during the 2008 plan approval.
8. §255-27.I.(7) – No common driveway shall provide access to more than three (3) lots or three (3) single family dwellings. The applicant received a waiver from this requirement during the 2008 plan approval.
9. §255-29.A.(12)(b) – The width of entrance and exit drives shall be a minimum of 25 feet for two-way use. The applicant has provided a 15 foot entrance and exit driveway that is consistent with the sketch plan provided in the 2013 settlement agreement.
10. §255-35.A – Easements with a minimum width of 20 feet shall be provided as necessary for utilities. A 15 foot easement is being provided for a portion of the stormwater system. This must be revised to 20 feet.
11. §255-38.A – Within any land development or major subdivision, street trees shall be planted along all streets where suitable trees do not exist. The plan indicates that trees will be removed and replaced, but there are no proposed street trees shown on the plans. A landscaping plan must be provided indicating the locations of all trees and must be in conformance with the Township's Shade Tree Ordinance in effect at the time of the September 22, 2008 Final Plan approval.
12. §255-43.1.B(1) – For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit.
13. §255-54 – The water system shall be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specifications of the of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided. Therefore, any and all subdivision and land development plans submitted to this Township shall indicate, according to scale, the closest existing fire hydrants to the proposed subdivision and land development.

Stormwater

1. §245-22.A.2.a - The applicant does not appear to have supplied the supporting calculations/documentation demonstrating that the values provided on the summary table for the volume control has met the groundwater recharge requirements for the net two-year volume approach.
2. §245-23.D - The applicant does not appear to have supplied the supporting calculations/documentation demonstrating that the values provided for the infiltration volume provided has met the water quality volume recharge requirements.
3. The applicant must address the inconsistency regarding the Post-Developed Runoff Rate for the "Controlled Area" only. The values provided in the summary table do not match the values provided in the Hydraflow calculations.
4. The applicant must address the inconsistency regarding the total pipe length provided for SWM #1. The detail shown on Sheet 6 of 7 indicates a total pipe length of 282 LF while the stormwater report indicates a total pipe length of 260 LF.
5. The applicant indicates riser invert elevation to be 399.25 on the plans and 399.40 on the details and in the stormwater report. Please address the inconsistency.
6. Please provide stormwater sewer profiles. Indicate the vertical clearance at any utility crossing.
7. The stormwater sewer profile from the outlet control structure to the proposed doghouse manhole indicates a crossing over an existing 4" gas main that appears to have less than 18" of vertical clearance.
8. Please include a detail for the stormwater manhole and stormwater doghouse manhole.
9. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

Sanitary Sewer

1. The proposed sanitary sewer must have a minimum diameter of 8 inches.
2. The sanitary sewer from MH 2 to service the proposed homes must be an 8" sanitary sewer extension. A manhole must be provided at the end of the sanitary sewer run.
3. The proposed sanitary sewer has less than 10 feet of horizontal clearance with the water line and storm sewer. This must be revised to ensure adequate clearance.

4. All utilities crossing the sanitary sewer must be shown in the profile. An additional sanitary sewer profile must be provided for MH2 to MH 3.
5. Consideration should be given to connecting Lot 1 to the existing sanitary sewer in Bloomingdale Avenue in order to eliminate the need for a grinder pump.

General Comments

1. The waiver list on sheet 2 of 7 has an incorrect section number. The section number for waiver 3 should be 255-47.C, not 255-47.D. as shown on the plans. This must be revised.
2. Section 4.A of the settlement agreement indicates that GL1 will preserve and maintain the 212 buildings for a minimum period of five (5) years from the date of the settlement agreement unless one of the events listed in the agreement occurs. Information must be provided as to if the building can be developed earlier than the five years stipulated in the agreement.
3. The sketch plan submitted with the settlement agreement shows that the driveways for lot 3 and 4 are 18 feet wide. The driveways on the proposed plan are 16 feet. This must be revised to a width of 18 feet.
4. There is a note on Sheet 1 of 7 that indicates that the lot area subsequent to the lot line change for the Formichella lot will be 12,654 S.F. An explanation to this comment must be provided.

We recommend the Board of Commissioners consider recommending approval of this conditioned on requiring the applicant to satisfactorily address the above comments.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.
Senior Project Manager

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BARON GEMMER, et al.
Appellant

: NO. 08-15592

vs.

:

TOWNSHIP OF RADNOR
And
NORCINI BUILDERS, INC.
Appellees

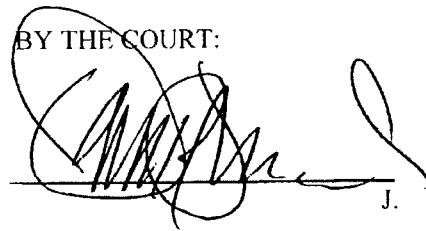
:

:

ORDER

AND NOW, this 13th day of JUNE, 2013 upon agreement of the parties it is hereby ORDERED AND DECREED that the attached Settlement Agreement shall become an Order of this Court and shall act as a full and complete settlement of the Land Use Appeal filed on this matter.

BY THE COURT:



J.

2013 JUN 13 AM 11:48
CLERK OF COURT
DELAWARE COUNTY, PA

EXHIBIT
tabbies
B

27.Mar.2013

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT AND RELEASE ("Agreement") is made and entered into as of the 22nd day of April, 2013, by and between the Appellants, **BARON GEMMER, LYDIA GEMMER, LIZ OTWELL, STEPHEN FALK, LISA WARNER, SHANNON WARNER, and LESLEY BOSNIACK**, (hereinafter collectively referred to as "**Gemmer**"); the Appellee, **NORCINI BUILDERS, INC.**, by and through its successor-in-interest, **GL1 INVESTMENTS, LP** (hereinafter referred to as "**GL1**"), as owner; and the Appellee, **TOWNSHIP OF RADNOR** (hereinafter referred to as "**Radnor**"), with respect to property located at 212-216 Bloomingdale Avenue, Wayne, Radnor Township, Delaware County, Pennsylvania ("**Premises**"), for the purpose of compromising and settling the appeal of Gemmer of the decisions of Radnor with respect to final subdivision plan approval and HARB certificate of appropriateness approval respectively captioned, Baron Gemmer, Lydia Gemmer, Liz Otwell, Stephen Falk, Lisa Warner, Shannon Warner, and Lesley Bosniack v. Township of Radnor and Norcini Builders, Inc., Docket Number 08-15592, and Baron Gemmer v. Township of Radnor and Norcini Builders, Inc., Docket Number 08-9362 (hereinafter collectively referred to as the "**Appeals**").

WHEREAS, the Premises are currently improved with a two and one-half story house and one story frame accessory building located on the northern portion of the Premises known as 212 Bloomingdale Avenue, Wayne, PA (the "**212 Buildings**") and a two and one-half story house and an accessory frame shed on the southern portion of the Premises known as 216 Bloomingdale Avenue, Wayne, PA (the "**216 Buildings**"); and

WHEREAS, these two sets of Buildings contain seven (7) rental units; and

WHEREAS, on May 12, 2008 Radnor approved a Certificate of Appropriateness for the demolition of the 212 Buildings and the 216 Buildings and the subsequent construction of five new single family homes on the Premises, a copy of which is attached hereto and incorporated herein as *Exhibit "A"*; and

WHEREAS, on September 22, 2008 Radnor granted final subdivision plan approval for the demolition of the 212 Buildings and the 216 Buildings, and the subdivision of the property for five (5) single family dwellings, pursuant to Resolution No. 2008-23, a copy of which attached hereto and incorporated herein as *Exhibit "B"*; and

WHEREAS, Gemmer filed the Appeals in the Court of Common Pleas of the aforesaid approvals by Radnor under the aforesaid Docket Numbers; and

WHEREAS, the Parties have agreed to permit the subdivision of the Premises into four (4) lots in accordance with a sketch plan prepared by Momence & Associates, Inc., dated March 25, 2013, attached hereto as *Exhibit "C"* ("**Sketch Plan**"); and

WHEREAS, subsequent to the execution of this Settlement Agreement and approval by the Court of Common Pleas of Delaware County (the "**Court**") and prior to the issuance of any building permits, GL1 shall simultaneously submit to Radnor and Baron Gemmer, in recordable form, a Final Plan (the "**Final Plan**") in substantial conformity with the Sketch Plan to be approved by the Radnor Board of Commissioners; and

WHEREAS, the Parties have agreed to settle and compromise all disputes between and among themselves, and be legally bound by the terms of this Settlement Agreement.

NOW, THEREFORE, with the above recitals incorporated herein by reference as an integral part hereof, the Parties to this Settlement Agreement hereby stipulate and agree to the following terms and conditions as set forth below:

1. GLI, its successors and assigns, shall have the option to develop the Premises in accordance with the Sketch Plan.
2. The Premises shall be developed as follows:
 - A. The Premises shall be subdivided into four (4) separate lots in substantial conformity with the Sketch Plan.
 - B. All Radnor-required public improvements set forth on the subdivision plan previously approved on September 22, 2008, as modified by the Sketch Plan shall be required on the Final Plan and escrowed in a form and manner to be approved by the Radnor Solicitor contemporaneously with the application for a building permit for the construction of the proposed new single family dwellings.
 - C. The 212 Buildings shall only be demolished in conjunction with the issuance of building permits and the immediate construction of all three (3) single family dwellings on Lot 1, Lot 3, and Lot 4, as shown on the Sketch Plan. Lots 3 and 4 may not utilize Owens Lane for vehicular ingress or egress unless approved by Radnor.
 - D. The Final Plan shall comply with all Radnor Codes, Ordinances, Rules and Regulations in effect at the time of Court approval of this Settlement Agreement and with the September 22, 2008 Final Plan approval granted by Radnor, except as modified by the Sketch Plan and this Agreement.
3. Gemmer agrees:
 - A. To withdraw the aforesaid Appeals by filing a Praecipe to Settle, Discontinue and End the Appeals within ten (10) days after approval by the Court of this Settlement Agreement.
 - B. To refrain from, either directly or indirectly, opposing GLI Investments, L.P. from

developing the Premises pursuant to the Final Plan, except that Gemmer shall be permitted to speak during public comment at any and all Radnor meetings regarding any approvals or discussions relating to the Premises or the Final Plan.

4. GLI, its successors and assigns, agree:

- A. To preserve and maintain the 216 Buildings for no less than ten (10) years from the date of Court approval of this Settlement Agreement and relinquish any claims to the demolition permits and corresponding portion of the Certificate of Appropriateness issued by Radnor for the 216 Buildings.
- B. To preserve and maintain the 212 Buildings for a minimum period of five (5) years from the date of Court approval of this Settlement Agreement, except when any of the events, defined below, occur. If any of the events described in Subparagraphs i. through v. of this section occur, proof shall be delivered to Gemmer and Radnor, in which case the minimum preservation period shall be reduced to three (3) years from the date of Court approval of this Settlement Agreement.
 - i. A transfer resulting from the death of Valerie E. Lingo and/or Gregory B. Lingo; or
 - ii. A transfer resulting from a decree of dissolution of marriage or legal separation or from a property settlement agreement incident to such decree for Valerie E. Lingo and Gregory B. Lingo; or
 - iii. A transfer resulting from a mandate from the lending institution holding the mortgage on the Premises for GLI Investments, L.P. requiring the sale of the Premises due to non-performance by the mortgagor; or
 - iv. A transfer necessitated by an extraordinary and unforeseeable financial

emergency experienced by and beyond the control of Valerie E. Lingo and Gregory B. Lingo in excess of \$100,000 that cannot reasonably be relieved through compensation or reimbursement from insurance or other sources, the liquidation or collateralization of other assets, or the use of other resources;
or

- v. A transfer which, in the reasonable judgment of Baron and Lydia Gemmer, constitutes an event consistent with the intentions of the foregoing Sections B(i)-(iv).
- C. To comply with all Radnor Codes, Ordinances, Rules and Regulations in effect at the time of Court approval of this Settlement Agreement and with the September 22, 2008 Final Plan approval granted by Radnor, except as modified by the Sketch Plan and this Agreement.
- D. To obtain approval from the Radnor Board of Commissioners of a Certificate of Appropriateness for the construction of three single family dwellings on Lot 1, Lot 3 and Lot 4 as shown on the Sketch Plan.
- E. Subsequent to the Court approval of this Settlement Agreement and prior to the issuance of any building permits, to submit to Radnor and Baron Gemmer, in recordable form, an engineered Final Plan in substantial conformity with the Sketch Plan.
- F. Simultaneously with the aforementioned submission to Radnor, to submit the Final Plan to the Delaware County Planning Department for its review.
- G. To the amendment and/or voiding of the issued Certificates of Appropriateness and demolition permit by Radnor as set forth in Section 5 below.

- H. Not to expand the existing apartment building on Lot 2 to contain more than three apartments.
5. Radnor agrees:
- A. That since this matter is in settlement of litigation, the Final Plan shall be submitted in recordable form as a Final Plan submission to Radnor with review and approval only by the Board of Commissioners without requiring GL1 to request any waivers for the Final Plan. The Department of Community Development and Township Engineer shall review the Final Plan for consistency with the Township's Shade Tree Ordinance in effect at the time of the September 22, 2008 Final Plan approval.
 - B. That the Sketch Plan shall become vested pursuant to Section 508(4)(ii) of the Pennsylvania Municipalities Planning Code, 53 P.S. 10508(4)(ii), with such protection continuing for ten (10) years from the date of Court approval of this Settlement Agreement.
 - C. To revoke the previously issued demolition permit(s) for the 216 Buildings.
 - D. To void that portion of the previously issued Certificate of Appropriateness for the demolition of the 216 Buildings.
 - E. To void that portion of the previously issued Certificate of Appropriateness that permits the construction of five new single-family dwellings on the Premises.
6. This Settlement Agreement shall be interpreted and construed in accordance with the laws of the Commonwealth of Pennsylvania.
7. This Settlement Agreement represents the full and complete agreement of the Parties and no other understandings exist. No other statements, inducements, or representations, oral or written, have been relied upon by the Parties.

8. This Settlement Agreement may be modified only by writing signed by all of the Parties.
9. The Parties agree that they have carefully read this Settlement Agreement and that they have been represented by counsel.
10. This Settlement Agreement shall be valid if signed in counterparts and may be returned by facsimile or electronic mail.
11. This Settlement Agreement shall be binding on the Parties' heirs, successors, and assigns.
12. The Parties agree to file a Joint Motion for Entry of Agreed Order incorporating the Settlement Agreement as set forth herein within ten (10) days after execution of the Agreement by all Parties.
13. The Parties agree that the Court shall retain jurisdiction for purposes of enforcement of this Settlement Agreement.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the Parties hereto have set our hands and seal the day and year first written above.

GEMMER PARTIES:

Kathleen SWright
WITNESS

Kathleen SWright
WITNESS

Kathleen SWright
WITNESS

Kathleen SWright
WITNESS

Kathleen SWright
WITNESS

Baron Gemmer
BARON GEMMER

Lydia Gemmer
LYDIA GEMMER

Liz Otwell
LIZ OTWELL

Stephen Falk
STEPHEN FALK

Lisa Warner
LISA WARNER

SETTLEMENT AGREEMENT
(Signatures Continued)

Kathleen SWright

WITNESS

Kathleen SWright

WITNESS

Shannon Warner

SHANNON WARNER

Lesley R Bosniack

LESLEY BOSNIACK

TOWNSHIP OF RADNOR:

Attest: _____

By: _____

Name:

Title:

GLI INVESTMENTS, L.P.

Attest: _____

By: _____

Name:

Title:

SETTLEMENT AGREEMENT
(Signatures Continued)

WITNESS

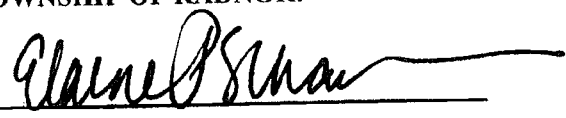
SHANNON WARNER

WITNESS

LESLEY BOSNIACK

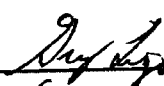
TOWNSHIP OF RADNOR:

Attest: _____

By: 
Name:
Title:

GLI INVESTMENTS, L.P.

Attest: _____

By: 
Name: Greg C. Lips
Title: Manager

CERTIFICATE OF APPROPRIATENESS

Radnor Township Historical and Architectural Review Board
Radnor Township, Pennsylvania



NAME OF OWNER: NORCINI BUILDERS
OWNER ADDRESS: 12 ARLINGTON ROAD, DEVON, PA 19333
ADDRESS OF PROPERTY: 212-216 BLOOMINGDALE AVE, WAYNE PA
APPLICATION NUMBER: HARB 08-01

Subject to the conditions below the above owner, having complied with the Radnor Township Historical and Architectural Review Board (HARB) process, is hereby granted

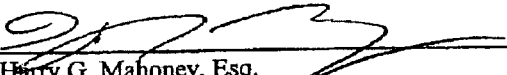
TO DEMOLISH TWO EXISTING HOUSES AND CONSTRUCT FIVE NEW SINGLE FAMILY HOUSES AT 212 - 216 BLOOMINGDALE AVE

at the address specified and may proceed with the building permit process. If not completed within one year of the date hereof, this permit is void and new application must be made. Owner specifically gives the building inspector or designated official the right to inspect the work during progress and at completion.

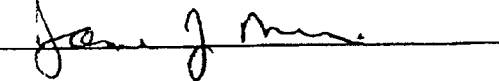
NOTES AND/OR CONDITIONS OF APPROVAL:

ISSUED Monday, May 12, 2008

TOWNSHIP OFFICIAL


Harry G. Mahoney, Esq.

ACCEPTED BY APPLICANT



Resolution 2008-23

WHEREAS, **Norcini Builders, Inc.**, having made application on June 16, 2008 to do a lot line change between properties, raze 2 existing single family dwellings, a garage and shed and construct five (5) new single family dwellings at **212-216 Bloomingdale Ave.**, and

WHEREAS, the application was accompanied by Final Plans prepared by E. B. Walsh & Assoc., dated June 12, 2008, last revised July 17, 2008, the "Final Plans", and

WHEREAS, the Radnor Township Planning Commission at their meeting of Monday, August 4, 2008 reviewed the Final Plans and recommended denial, and the Board Commissioners (the "Board") reviewed the Final Plans and the recommendations of the Planning Commission in Caucus on August 18, 2008 and September 8, 2008; and,

WHEREAS, the Board is authorized to grant certain types of waivers to the Township's zoning and subdivision and land development codes where such a waiver would promote, protect and facilitate or create conditions favorable to the public health, safety and welfare of the community.

WHEREAS, in lieu of further extension granted by the applicant, action on this application is required to be taken by the Board by September 23, 2008,

NOW, THEREFORE, BE IT RESOLVED, that the Subdivision Application Plan # 08-S-09 of Norcini Builders, Inc., being the same is hereby approved subject to the following conditions:

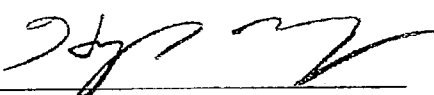
1. The applicant shall be granted the following three waivers requested from the Township's subdivision and land development code:
 - Section 255-27.I (6) "No common driveways shall be permitted between two (2) or more single-family dwellings."
 - Section 255-27.I (7) "No common driveway shall provide access to more than three (3) lots or three (3) single-family dwellings."
 - Section 255-47C (sic) All streets shall be granted to: "Along the existing street on which a subdivision or land development abuts (hereinafter called a "boundary street"), improvements shall be made to the street. The improvements to the boundary street shall be determined by the width of the required cartway and built to the specifications established by the township."
2. The plans shall comply with the Shade Tree Commission's recommendations of August 27, 2008.
3. The lot lines shall be adjusted so that the square footage of each lot is a minimum of 5,445 sq. ft. in accordance with Section 280-35A (1) of the Township Code.

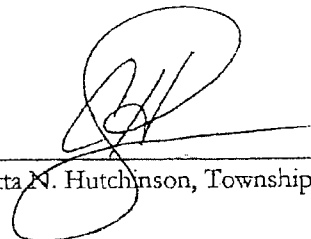


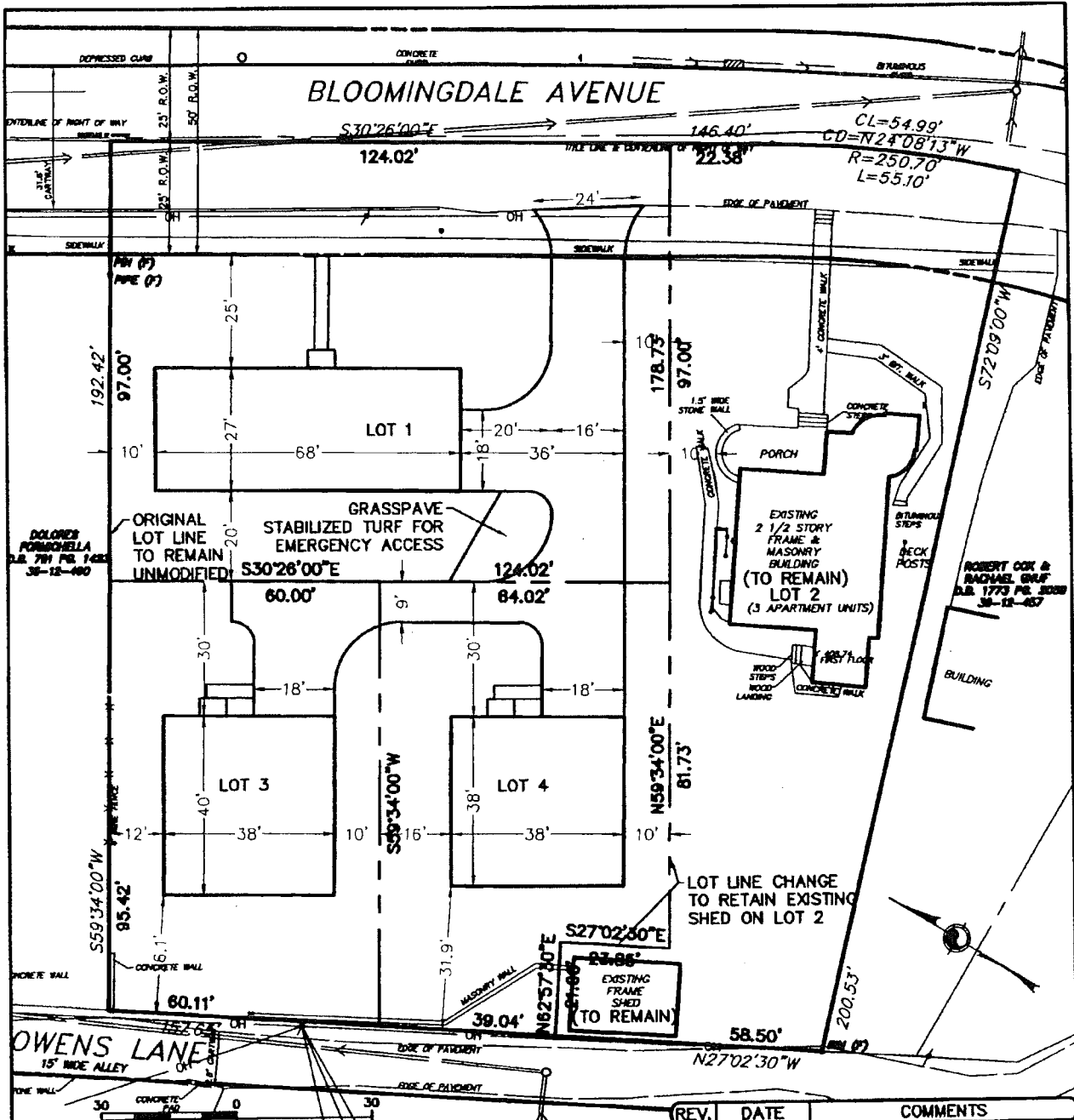
4. The applicant shall meet with the HARB for consultation purposes only to discuss the design of the buildings and the improvements to be constructed by the applicant.

RESOLVED this 22nd day of September 2008

RADNOR TOWNSHIP

By: 
Harry G. Mahoney, Esq., President

Attest: 
Coretta N. Hutchinson, Township Secretary



SKETCH PLAN
212 - 218 BLOOMINGDALE AVENUE

MOMENEE & ASSOCIATES, INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 924 COUNTY LINE ROAD, BRYN MAWR, PA 19010 PHONE: (610) 527-3030 FAX: (610) 527-9008

| REV. | DATE | COMMENTS |
|------|----------------|----------------------|
| | MARCH 25, 2013 | DATE: MARCH 25, 2013 |
| | | SHEET NO. |
| | | 1 |
| | | OF 2 |
| | | SCALE: 1" = 30' |
| | | FILE NO.: 13-060 |

REFERENCE PLAN:
 EXISTING CONDITIONS PLAN FOR NORCINI BUILDING CO.
 PREPARED BY CHESTER VALLEY ENGINEERS, INC. DATED
 FEBRUARY 2, 2006. PROJECT NO. 17553.

ZONING DISTRICT R-5 :(SINGLE FAMILY DETACHED)

LOT AREA 5,500 SF MIN
 WIDTH 55' MIN
 BUILDING AREA 35% MAX
 FRONT YARD 25' MIN
 SIDE YARD 10' MIN
 REAR YARD 20' MIN
 BUILDING HEIGHT 35' MAX
 IMPERVIOUS COVERAGE 40% MAX

ZONING DISTRICT R-5 :(APARTMENT HOUSE)

LOT AREA PER DWELLING UNIT 5,445 SF MIN
 WIDTH 100' MIN
 BUILDING AREA 30% MAX
 FRONT YARD 50' MIN
 SIDE YARD 30' MIN
 REAR YARD 30' MIN
 BUILDING HEIGHT 40' MAX
 ACCESSORY BUILDING 3' MIN
 IMPERVIOUS COVERAGE 36% MAX

FOR MORE DETAILED INFORMATION YOUR ATTENTION
 IS CALLED TO THE ZONING CODE OF RADNOR
 TOWNSHIP, LATEST EDITION.

LOT 1 DATA :

TOTAL AREA 12,030 SF (0.276 ACRES)
 LOT AREA 8,929 SF (0.205 ACRES)
 MAXIMUM BUILDING AREA 3,125 SF (35%)
 MAXIMUM IMPERVIOUS AREA 3,571 SF (40%)

IMPERVIOUS COVERAGE

HOUSE 1,836 SF (20.6%)
 DRIVEWAY 1,605 SF
 WALLS, WALKS, ETC. 125 SF
 TOTAL 3,566 SF (39.9%)

LOT 2 DATA :

TOTAL AREA 11,639 SF (0.267 ACRES)
 LOT AREA 9,770 SF (0.224 ACRES)
 MAXIMUM BUILDING AREA 2,931 SF (30%)
 MAXIMUM IMPERVIOUS AREA 3,517 SF (36%)

IMPERVIOUS COVERAGE

HOUSE 1,519 SF (15.5%)
 GARAGE 377 SF (3.9%)
 PORCH 236 SF (2.4%)
 WALLS, WALKS, ETC. 712 SF
 TOTAL 2,844 SF (29.1%)

LOT 3 DATA :

TOTAL / LOT AREA 5,832 SF (0.134 ACRES)
 MAXIMUM BUILDING AREA 2,041 SF (35%)
 MAXIMUM IMPERVIOUS AREA 2,332 SF (40%)

IMPERVIOUS COVERAGE

HOUSE 1,520 SF (26.1%)
 DRIVEWAY 727 SF
 WALLS, WALKS, ETC. 56 SF
 TOTAL 2,303 SF (39.5%)

LOT 4 DATA :

TOTAL / LOT AREA 5,944 SF (0.136 ACRES)
 MAXIMUM BUILDING AREA 2,080 SF (35%)
 MAXIMUM IMPERVIOUS AREA 2,377 SF (40%)

IMPERVIOUS COVERAGE

HOUSE 1,444 SF (24.3%)
 DRIVEWAY 871 SF
 WALLS, WALKS, ETC. 56 SF
 TOTAL 2,371 SF (39.9%)

| REV. | DATE | COMMENTS |
|------|------|----------|
|------|------|----------|

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| SKETCH PLAN 212 - 218 BLOOMINGDALE AVENUE | | DATE: MARCH 25, 2013 SHEET NO. <div style="text-align: center; font-size: 2em;">2</div> OF 2 |
| MOMENEE & ASSOCIATES, INC. CIVIL ENGINEERS AND LAND SURVEYORS 924 COUNTY LINE ROAD, BRYN MAWR, PA 19010 PHONE: (610) 527-3030 FAX: (610) 527-9008 | | SCALE: = AS NOTED FILE NO.: 13-060 |



Gannett Fleming

100 Years

of Excellence Delivered As Promised

Date: August 11, 2015

To: Radnor Township Board of Commissioners

From: Roger Phillips, PE

cc: Robert Zienkowski – Township Manager
Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
John Rice, Esq – Grim, Biehn, and Thatcher
Amy Kaminski, PE – Gilmore and Assoc.
Steve Gabriel – Rettew

RE: 212 & 216 Bloomingdale Avenue - Final Plan
G11 Investments – Applicant

Date Accepted: July 6, 2015

90 Day Review: October 4, 2015

Gannett Fleming, Inc. has completed a review of the Final Plans of the above referenced project for compliance with the Final Plan Approval September 22, 2008, the Settlement Agreement dated 2013 and Sketch Plan prepared by Momence & Associates, Inc. dated March 25, 2013. A copy of the 2013 Settlement Agreement is attached for reference. These Plans were reviewed for conformance with Zoning, Subdivision and Land Development, and other applicable codes of the Township of Radnor.

The applicant is proposing to demolish an existing 2 ½ story 3 apartment building at 212 Bloomingdale Ave and construct 3 new single family homes creating 4 lots at the abovementioned location.

The following waivers were granted during the June 2008 final approval of the plans.

- §255-27.I(6) – No common driveways shall be permitted between two (2) or more single family dwellings.
- §255-27.I(7) – No common driveway shall provide access to more than three (3) lots or three (3) single family dwellings.
- §255-47C(sic) – All streets shall be granted to: "Along the existing street on which a subdivision or land development abuts (hereinafter called a "boundary street"), improvements shall be made to the street. The improvements to the boundary street shall be determined by the width of the required cartway and built to the specifications established by the township".

Plans Prepared By: Momence & Associates, Inc.

Dated: 01/08/2015

Gannett Fleming, Inc.

P.O. Box 80794 • Valley Forge, PA 19484-0794 | 1010 Adams Avenue • Audubon, PA 19403-2402

t: 610.650.8101 • f: 610.650.8190

www.gannettfleming.com



I. Zoning

1. §280-35.A(4)(a) – For each single or two family detached dwelling and its accessory buildings, there shall be two side yards, neither of which shall be less than 10 feet in width. The plan indicates that there will be a deck/patio provided in in the side yard of lot 1. A patio is permitted. However, a deck is attached to the dwelling and is considered part of the dwelling. No principal building or structure shall be located in the side yard setback.
2. §280-35.A(8) – Maximum impervious coverage is 40%. The zoning table on Sheet 2 indicates that each lot will be below 40% impervious coverage. A breakdown of how the impervious was calculated for each lot must be provided as shown on sheet 2 of the sketch plan provided with the Settlement Agreement.
3. §280-103.B.(1) – Dwellings shall require two parking spaces per dwelling unit. The plan must indicate where the two spaces are proposed for each unit and the spaces must be dimensioned on the plan.
4. §280-109.A – No fence or wall, except for retaining walls or the walls of a building as permitted under the terms of this chapter, shall exceed a height of six feet, provided further that within R-4 and R-5 Districts, no fence or wall erected within the required front yard setback shall exceed a height of four feet. The height of the existing masonry wall must be shown on the plans.
5. §280-112.C. – Areas of steep slopes containing slopes steeper than 14% shall be outlined as following (1) Areas containing slopes steeper than 14% but less than 20% shall be distinguished from the areas containing slopes of 20% or steeper. (2) Areas containing slopes of 20% and steeper shall be separately identified.

II. Subdivision and Land Development

1. §255-21.B(1)(l) – Boundaries in all adjoining properties (with names and addressed of landowners in the case of unplatted land) must be provided on the plans.
2. §255-21.B(1)(m) – Existing streets and alleys on and adjacent to the site with ultimate rights-of-way must be shown on the plans.
3. §255-21.B(1)(n) – A clearly labeled existing features plan must be provided. Existing principal buildings (and their respective uses) and driveways on the adjacent peripheral strip; sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site must be shown on the plans. (This includes properties across streets.)
4. §255-21.B(7) – Planning modules for land development, as required by Chapter 71 of the Pennsylvania Sewage Facilities Act, as amended, must be provided.

5. §255-27.C.(1) – The right-of-way for a local road shall be 60 feet. The applicant has indicated on the plans that the right of way for Bloomingdale Avenue will be 50 feet wide, as provided for in the 2008 plan approval.
6. §255-27.C.(4) – Where a subdivision abuts or contains an existing street or inadequate right-of-way width, the Board of Commissioners may require the reservation or dedication of rights-of-way to conform to the above standards. The center line of the ultimate right-of-way shall be the same center line as the existing right-of-way. No improvements or additional right-of-way was required by the 2008 plan approval.
7. §255-27.I(6) – No common driveways shall be permitted between two (2) or more single family dwellings. The applicant received a waiver from this requirement during the 2008 plan approval.
8. §255-27.I(7) – No common driveway shall provide access to more than three (3) lots or three (3) single family dwellings. The applicant received a waiver from this requirement during the 2008 plan approval.
9. §255-29.A(12)(b) – The width of entrance and exit drives shall be a minimum of 25 feet for two-way use. The applicant has provided a 15 foot entrance and exit driveway that is consistent with the sketch plan provided in the 2013 settlement agreement.
10. §255-35.A – Easements with a minimum width of 20 feet shall be provided as necessary for utilities. A 15 foot easement is being provided for a portion of the stormwater system. This must be revised to 20 feet.
11. §255-38.A – Within any land development or major subdivision, street trees shall be planted along all streets where suitable trees do not exist. The plan indicates that trees will be removed and replaced, but there are no proposed street trees shown on the plans. A landscaping plan must be provided indicating the locations of all trees and must be in conformance with the Township's Shade Tree Ordinance in effect at the time of the September 22, 2008 Final Plan approval.
12. §255-43.1.B(1) – For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit.
13. §255-54 – The water system shall be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specifications of the of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided. Therefore, any and all subdivision and land development plans submitted to this Township shall indicate, according to scale, the closest existing fire hydrants to the proposed subdivision and land development.

Stormwater

1. §245-22.A.2.a - The applicant does not appear to have supplied the supporting calculations/documentation demonstrating that the values provided on the summary table for the volume control has met the groundwater recharge requirements for the net two-year volume approach.
2. §245-23.D - The applicant does not appear to have supplied the supporting calculations/documentation demonstrating that the values provided for the infiltration volume provided has met the water quality volume recharge requirements.
3. The applicant must address the inconsistency regarding the Post-Developed Runoff Rate for the "Controlled Area" only. The values provided in the summary table do not match the values provided in the Hydraflow calculations.
4. The applicant must address the inconsistency regarding the total pipe length provided for SWM #1. The detail shown on Sheet 6 of 7 indicates a total pipe length of 282 LF while the stormwater report indicates a total pipe length of 260 LF.
5. The applicant indicates riser invert elevation to be 399.25 on the plans and 399.40 on the details and in the stormwater report. Please address the inconsistency.
6. Please provide stormwater sewer profiles. Indicate the vertical clearance at any utility crossing.
7. The stormwater sewer profile from the outlet control structure to the proposed doghouse manhole indicates a crossing over an existing 4" gas main that appears to have less than 18" of vertical clearance.
8. Please include a detail for the stormwater manhole and stormwater doghouse manhole.
9. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

Sanitary Sewer

1. The proposed sanitary sewer must have a minimum diameter of 8 inches.
2. The sanitary sewer from MH 2 to service the proposed homes must be an 8" sanitary sewer extension. A manhole must be provided at the end of the sanitary sewer run.
3. The proposed sanitary sewer has less than 10 feet of horizontal clearance with the water line and storm sewer. This must be revised to ensure adequate clearance.

4. All utilities crossing the sanitary sewer must be shown in the profile. An additional sanitary sewer profile must be provided for MH2 to MH 3.
5. Consideration should be given to connecting Lot 1 to the existing sanitary sewer in Bloomingdale Avenue in order to eliminate the need for a grinder pump.

General Comments

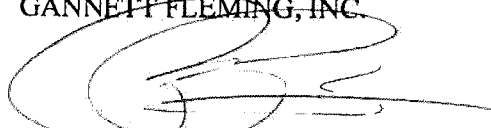
1. The waiver list on sheet 2 of 7 has an incorrect section number. The section number for waiver 3 should be 255-47.C, not 255-47.D. as shown on the plans. This must be revised.
2. Section 4.A of the settlement agreement indicates that GL1 will preserve and maintain the 212 buildings for a minimum period of five (5) years from the date of the settlement agreement unless one of the events listed in the agreement occurs. Information must be provided as to if the building can be developed earlier than the five years stipulated in the agreement.
3. The sketch plan submitted with the settlement agreement shows that the driveways for lot 3 and 4 are 18 feet wide. The driveways on the proposed plan are 16 feet. This must be revised to a width of 18 feet.
4. There is a note on Sheet 1 of 7 that indicates that the lot area subsequent to the lot line change for the Formichella lot will be 12,654 S.F. An explanation to this comment must be provided.

We recommend the Board of Commissioners consider recommending approval of this conditioned on requiring the applicant to satisfactorily address the above comments.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.
Senior Project Manager



SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT AND RELEASE ("Agreement") is made and entered into as of the day of , 2013, by and between the Appellants, **BARON GEMMER, LYDIA GEMMER, LIZ OTWELL, STEPHEN FALK, LISA WARNER, SHANNON WARNER, and LESLEY BOSNIACK**, (hereinafter collectively referred to as "Gemmer"); the Appellee, **NORCINI BUILDERS, INC.**, by and through its successor-in-interest, **GL1 INVESTMENTS, LP** (hereinafter referred to as "GL1"), as owner; and the Appellee, **TOWNSHIP OF RADNOR** (hereinafter referred to as "Radnor"), with respect to property located at 212-216 Bloomingdale Avenue, Wayne, Radnor Township, Delaware County, Pennsylvania ("Premises"), for the purpose of compromising and settling the appeal of Gemmer of the decisions of Radnor with respect to final subdivision plan approval and HARB certificate of appropriateness approval respectively captioned, *Baron Gemmer, Lydia Gemmer, Liz Otwell, Stephen Falk, Lisa Warner, Shannon Warner, and Lesley Bosniack v. Township of Radnor and Norcini Builders, Inc.*, Docket Number 08-15592, and *Baron Gemmer v. Township of Radnor and Norcini Builders, Inc.*, Docket Number 08-9362 (hereinafter collectively referred to as the "Appeals").

WHEREAS, the Premises are currently improved with a two and one-half story house and one story frame accessory building located on the northern portion of the Premises known as 212 Bloomingdale Avenue, Wayne, PA (the "212 Buildings") and a two and one-half story house and an accessory frame shed on the southern portion of the Premises known as 216 Bloomingdale Avenue, Wayne, PA (the "216 Buildings"); and

WHEREAS, these two sets of Buildings contain seven (7) rental units; and

WHEREAS, on May 12, 2008 Radnor approved a Certificate of Appropriateness for the demolition of the 212 Buildings and the 216 Buildings and the subsequent construction of five new single family homes on the Premises, a copy of which is attached hereto and incorporated herein as *Exhibit "A"*; and

WHEREAS, on September 22, 2008 Radnor granted final subdivision plan approval for the demolition of the 212 Buildings and the 216 Buildings, and the subdivision of the property for five (5) single family dwellings, pursuant to Resolution No. 2008-23, a copy of which attached hereto and incorporated herein as *Exhibit "B"*; and

WHEREAS, Gemmer filed the Appeals in the Court of Common Pleas of the aforesaid approvals by Radnor under the aforesaid Docket Numbers; and

WHEREAS, the Parties have agreed to permit the subdivision of the Premises into four (4) lots in accordance with a sketch plan prepared by Momence & Associates, Inc., dated March 25, 2013, attached hereto as *Exhibit "C"* ("**Sketch Plan**"); and

WHEREAS, subsequent to the execution of this Settlement Agreement and approval by the Court of Common Pleas of Delaware County (the "**Court**") and prior to the issuance of any building permits, GLI shall simultaneously submit to Radnor and Baron Gemmer, in recordable form, a Final Plan (the "**Final Plan**") in substantial conformity with the Sketch Plan to be approved by the Radnor Board of Commissioners; and

WHEREAS, the Parties have agreed to settle and compromise all disputes between and among themselves, and be legally bound by the terms of this Settlement Agreement.

NOW, THEREFORE, with the above recitals incorporated herein by reference as an integral part hereof, the Parties to this Settlement Agreement hereby stipulate and agree to the following terms and conditions as set forth below:

1. GLI, its successors and assigns, shall have the option to develop the Premises in accordance with the Sketch Plan.
2. The Premises shall be developed as follows:
 - A. The Premises shall be subdivided into four (4) separate lots in substantial conformity with the Sketch Plan.
 - B. All Radnor-required public improvements set forth on the subdivision plan previously approved on September 22, 2008, as modified by the Sketch Plan shall be required on the Final Plan and escrowed in a form and manner to be approved by the Radnor Solicitor contemporaneously with the application for a building permit for the construction of the proposed new single family dwellings.
 - C. The 212 Buildings shall only be demolished in conjunction with the issuance of building permits and the immediate construction of all three (3) single family dwellings on Lot 1, Lot 3, and Lot 4, as shown on the Sketch Plan. Lots 3 and 4 may not utilize Owens Lane for vehicular ingress or egress unless approved by Radnor.
 - D. The Final Plan shall comply with all Radnor Codes, Ordinances, Rules and Regulations in effect at the time of Court approval of this Settlement Agreement and with the September 22, 2008 Final Plan approval granted by Radnor, except as modified by the Sketch Plan and this Agreement.
3. Gemmer agrees:
 - A. To withdraw the aforesaid Appeals by filing a Praecepte to Settle, Discontinue and End the Appeals within ten (10) days after approval by the Court of this Settlement Agreement.
 - B. To refrain from, either directly or indirectly, opposing GLI Investments, L.P. from

developing the Premises pursuant to the Final Plan, except that Gemmer shall be permitted to speak during public comment at any and all Radnor meetings regarding any approvals or discussions relating to the Premises or the Final Plan.

4. GLI, its successors and assigns, agree:
 - A. To preserve and maintain the 216 Buildings for no less than ten (10) years from the date of Court approval of this Settlement Agreement and relinquish any claims to the demolition permits and corresponding portion of the Certificate of Appropriateness issued by Radnor for the 216 Buildings.
 - B. To preserve and maintain the 212 Buildings for a minimum period of five (5) years from the date of Court approval of this Settlement Agreement, except when any of the events, defined below, occur. If any of the events described in Subparagraphs i. through v. of this section occur, proof shall be delivered to Gemmer and Radnor, in which case the minimum preservation period shall be reduced to three (3) years from the date of Court approval of this Settlement Agreement.
 - i. A transfer resulting from the death of Valerie E. Lingo and/or Gregory B. Lingo; or
 - ii. A transfer resulting from a decree of dissolution of marriage or legal separation or from a property settlement agreement incident to such decree for Valerie E. Lingo and Gregory B. Lingo; or
 - iii. A transfer resulting from a mandate from the lending institution holding the mortgage on the Premises for GLI Investments, L.P. requiring the sale of the Premises due to non-performance by the mortgagor; or
 - iv. A transfer necessitated by an extraordinary and unforeseeable financial

emergency experienced by and beyond the control of Valerie E. Lingo and Gregory B. Lingo in excess of \$100,000 that cannot reasonably be relieved through compensation or reimbursement from insurance or other sources, the liquidation or collateralization of other assets, or the use of other resources;
or

v. A transfer which, in the reasonable judgment of Baron and Lydia Gemmer, constitutes an event consistent with the intentions of the foregoing Sections B(j)-(iv).

- C. To comply with all Radnor Codes, Ordinances, Rules and Regulations in effect at the time of Court approval of this Settlement Agreement and with the September 22, 2008 Final Plan approval granted by Radnor, except as modified by the Sketch Plan and this Agreement.
- D. To obtain approval from the Radnor Board of Commissioners of a Certificate of Appropriateness for the construction of three single family dwellings on Lot 1, Lot 3 and Lot 4 as shown on the Sketch Plan.
- E. Subsequent to the Court approval of this Settlement Agreement and prior to the issuance of any building permits, to submit to Radnor and Baron Gemmer, in recordable form, an engineered Final Plan in substantial conformity with the Sketch Plan.
- F. Simultaneously with the aforementioned submission to Radnor, to submit the Final Plan to the Delaware County Planning Department for its review.
- G. To the amendment and/or voiding of the issued Certificates of Appropriateness and demolition permit by Radnor as set forth in Section 5 below.

H. Not to expand the existing apartment building on Lot 2 to contain more than three apartments.

5. Radnor agrees:

- A. That since this matter is in settlement of litigation, the Final Plan shall be submitted in recordable form as a Final Plan submission to Radnor with review and approval only by the Board of Commissioners without requiring GLI to request any waivers for the Final Plan. The Department of Community Development and Township Engineer shall review the Final Plan for consistency with the Township's Shade Tree Ordinance in effect at the time of the September 22, 2008 Final Plan approval.
 - B. That the Sketch Plan shall become vested pursuant to Section 508(4)(ii) of the Pennsylvania Municipalities Planning Code, 53 P.S. 10508(4)(ii), with such protection continuing for ten (10) years from the date of Court approval of this Settlement Agreement.
 - C. To revoke the previously issued demolition permit(s) for the 216 Buildings.
 - D. To void that portion of the previously issued Certificate of Appropriateness for the demolition of the 216 Buildings.
 - E. To void that portion of the previously issued Certificate of Appropriateness that permits the construction of five new single-family dwellings on the Premises.
6. This Settlement Agreement shall be interpreted and construed in accordance with the laws of the Commonwealth of Pennsylvania.
7. This Settlement Agreement represents the full and complete agreement of the Parties and no other understandings exist. No other statements, inducements, or representations, oral or written, have been relied upon by the Parties.

8. This Settlement Agreement may be modified only by writing signed by all of the Parties.
9. The Parties agree that they have carefully read this Settlement Agreement and that they have been represented by counsel.
10. This Settlement Agreement shall be valid if signed in counterparts and may be returned by facsimile or electronic mail.
11. This Settlement Agreement shall be binding on the Parties' heirs, successors, and assigns.
12. The Parties agree to file a Joint Motion for Entry of Agreed Order incorporating the Settlement Agreement as set forth herein within ten (10) days after execution of the Agreement by all Parties.
13. The Parties agree that the Court shall retain jurisdiction for purposes of enforcement of this Settlement Agreement.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the Parties hereto have set our hands and seal the day and year first written above.

GEMMER PARTIES:

Kathleen Suzygalt
WITNESS

Kathleen Suzygalt
WITNESS

Kathleen Suzygalt
WITNESS

Kathleen Suzygalt
WITNESS

Kathleen Suzygalt
WITNESS

Baron Gemmer
BARON GEMMER

Lydia Gemmer
LYDIA GEMMER

Liz Orwell
LIZ ORWELL

Stephen Falk
STEPHEN FALK

Lisa Warner
LISA WARNER

SETTLEMENT AGREEMENT
(Signatures Continued)

Kathleen Wright
WITNESS
Kathleen Wright
WITNESS

Shannon Warner
SHANNON WARNER
Lesley Bosniack
LESLEY BOSNIACK

TOWNSHIP OF RADNOR:

Attest: _____

By: Alaine P. Shaw
Name:
Title:

GLI INVESTMENTS, L.P.

Attest: Lois Lane

By: Greg Lips
Name: Greg Lips
Title: Manager

CERTIFICATE OF APPROPRIATENESS

Radnor Township Historical and Architectural Review Board
Radnor Township, Pennsylvania



NAME OF OWNER: NORCINI BUILDERS
OWNER ADDRESS: 12 ARLINGTON ROAD, DEVON, PA 19333
ADDRESS OF PROPERTY: 212-216 BLOOMINGDALE AVE, WAYNE PA
APPLICATION NUMBER: HARB 08-01

Subject to the conditions below the above owner, having complied with the Radnor Township Historical and Architectural Review Board (HARB) process, is hereby granted

TO DEMOLISH TWO EXISTING HOUSES AND CONSTRUCT FIVE NEW SINGLE FAMILY HOUSES AT 212 - 216 BLOOMINGDALE AVE

at the address specified and may proceed with the building permit process. If not completed within one year of the date hereof, this permit is void and new application must be made. Owner specifically gives the building inspector or designated official the right to inspect the work during progress and at completion.

NOTES AND/OR CONDITIONS OF APPROVAL:

ISSUED Monday, May 12, 2008

TOWNSHIP OFFICIAL

Harry G. Mahoney, Esq.

ACCEPTED BY APPLICANT



Resolution 2008-23

WHEREAS, Norcini Builders, Inc., having made application on June 16, 2008 to do a lot line change between properties, raze 2 existing single family dwellings, a garage and shed and construct five (5) new single family dwellings at 212-216 Bloomingdale Ave., and

WHEREAS, the application was accompanied by Final Plans prepared by E. B. Walsh & Assoc., dated June 12, 2008, last revised July 17, 2008, the "Final Plans", and

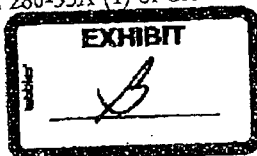
WHEREAS, the Radnor Township Planning Commission at their meeting of Monday, August 4, 2008 reviewed the Final Plans and recommended denial, and the Board Commissioners (the "Board") reviewed the Final Plans and the recommendations of the Planning Commission in Caucus on August 18, 2008 and September 8, 2008; and,

WHEREAS, the Board is authorized to grant certain types of waivers to the Township's zoning and subdivision and land development codes where such a waiver would promote, protect and facilitate or create conditions favorable to the public health, safety and welfare of the community.

WHEREAS, in lieu of further extension granted by the applicant, action on this application is required to be taken by the Board by September 23, 2008,

NOW, THEREFORE, BE IT RESOLVED, that the Subdivision Application Plan # 08-S-09 of Norcini Builders, Inc., being the same is hereby approved subject to the following conditions:

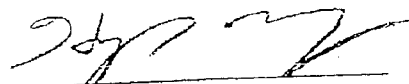
1. The applicant shall be granted the following three waivers requested from the Township's subdivision and land development code:
 - Section 255-27.I (6) "No common driveways shall be permitted between two (2) or more single-family dwellings."
 - Section 255-27.I (7) "No common driveway shall provide access to more than three (3) lots or three (3) single-family dwellings."
 - Section 255-47C (sic) All streets shall be granted to: "Along the existing street on which a subdivision or land development abuts (hereinafter called a "boundary street"), improvements shall be made to the street. The improvements to the boundary street shall be determined by the width of the required cartway and built to the specifications established by the township."
2. The plans shall comply with the Shade Tree Commission's recommendations of August 27, 2008.
3. The lot lines shall be adjusted so that the square footage of each lot is a minimum of 5,445 sq. ft. in accordance with Section 280-35A (1) of the Township Code.

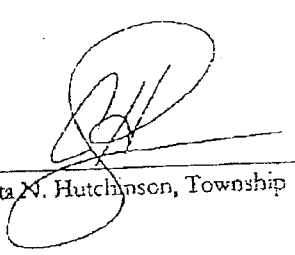


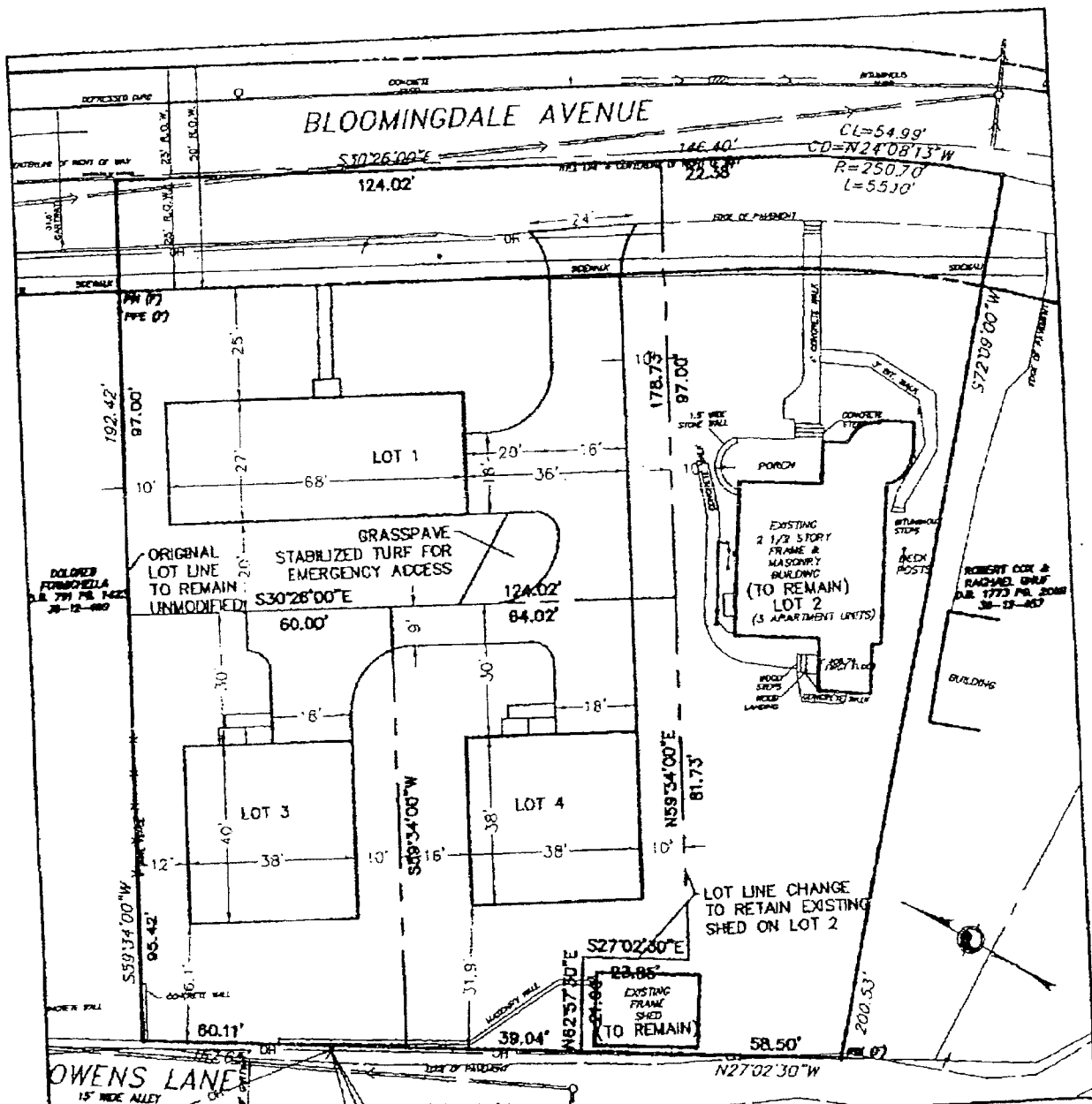
4. The applicant shall meet with the HARB for consultation purposes only to discuss the design of the buildings and the improvements to be constructed by the applicant.

RESOLVED this 22nd day of September 2008

RADNOR TOWNSHIP

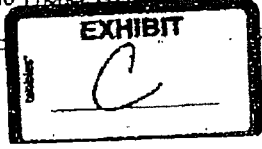
By: 
Harry G. Mahoney, Esq., President

Attest: 
Coretta N. Hutchinson, Township Secretary



| (REV.) | DATE | COMMENTS |
|--------|------|----------------------|
| | | DATE: MARCH 25, 2013 |
| | | SHEET NO. 1 |
| | | OF 2 |
| | | SCALE: 1" = 30' |
| | | FILE NO.: 13-060 |

SKETCH PLAN
212 - 218 BLOOMINGDALE AVENUE
MOMENEE & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
 924 COUNTY LINE ROAD, BRYN MAWR, PA 19010 PHONE: (610) 527-3030 FAX: (610) 527-9008



REFERENCE PLAN:
 EXISTING CONDITIONS PLAN FOR NORCINI BUILDING CO.
 PREPARED BY CHESTER VALLEY ENGINEERS, INC. DATED
 FEBRUARY 2, 2006. PROJECT NO. 17553.

ZONING DISTRICT R-5 :(SINGLE FAMILY DETACHED)
 LOT AREA 5,500 SF MIN
 WIDTH 55' MIN
 BUILDING AREA 35% MAX
 FRONT YARD 25' MIN
 SIDE YARD 10' MIN
 REAR YARD 20' MIN
 BUILDING HEIGHT 35' MAX
 IMPERVIOUS COVERAGE 40% MAX

ZONING DISTRICT R-5 :(APARTMENT HOUSE)
 LOT AREA PER DWELLING UNIT 5,445 SF MIN
 WIDTH 100' MIN
 BUILDING AREA 30% MAX
 FRONT YARD 50' MIN
 SIDE YARD 30' MIN
 REAR YARD 30' MIN
 BUILDING HEIGHT 40' MAX
 ACCESSORY BUILDING 3' MIN
 IMPERVIOUS COVERAGE 36% MAX

FOR MORE DETAILED INFORMATION YOUR ATTENTION
 IS CALLED TO THE ZONING CODE OF RADNOR
 TOWNSHIP, LATEST EDITION.

LOT 1 DATA :
 TOTAL AREA 12,030 SF (0.276 ACRES)
 LOT AREA 8,929 SF (0.205 ACRES)
 MAXIMUM BUILDING AREA 3,125 SF (35%)
 MAXIMUM IMPERVIOUS AREA 3,571 SF (40%)

IMPERVIOUS COVERAGE
 HOUSE 1,836 SF (20.6%)
 DRIVEWAY 1,605 SF
 WALLS, WALKS, ETC. 125 SF
 TOTAL 3,566 SF (39.9%)

LOT 2 DATA :
 TOTAL AREA 11,639 SF (0.267 ACRES)
 LOT AREA 9,770 SF (0.224 ACRES)
 MAXIMUM BUILDING AREA 2,931 SF (30%)
 MAXIMUM IMPERVIOUS AREA 3,517 SF (36%)

IMPERVIOUS COVERAGE
 HOUSE 1,519 SF (15.5%)
 GARAGE 377 SF (3.9%)
 PORCH 236 SF (2.4%)
 WALLS, WALKS, ETC. 712 SF
 TOTAL 2,844 SF (29.1%)

LOT 3 DATA :
 TOTAL / LOT AREA 5,832 SF (0.134 ACRES)
 MAXIMUM BUILDING AREA 2,041 SF (35%)
 MAXIMUM IMPERVIOUS AREA 2,332 SF (40%)

IMPERVIOUS COVERAGE
 HOUSE 1,520 SF (26.1%)
 DRIVEWAY 727 SF
 WALLS, WALKS, ETC. 56 SF
 TOTAL 2,303 SF (39.5%)

LOT 4 DATA :
 TOTAL / LOT AREA 5,944 SF (0.136 ACRES)
 MAXIMUM BUILDING AREA 2,080 SF (35%)
 MAXIMUM IMPERVIOUS AREA 2,377 SF (40%)

IMPERVIOUS COVERAGE
 HOUSE 1,444 SF (24.3%)
 DRIVEWAY 871 SF
 WALLS, WALKS, ETC. 56 SF
 TOTAL 2,371 SF (39.9%)

| REV. | DATE | COMMENTS |
|------|------|----------|
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SKETCH PLAN
 212 - 218 BLOOMINGDALE AVENUE
MOMENEE & ASSOCIATES, INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 924 COUNTY LINE ROAD, BRYN MAWR, PA 19010 PHONE: (610) 527-3030 FAX: (610) 527-9008

DATE: MARCH 25, 2013
 SHEET NO.
 2
 OF 2
 SCALE: = AS NOTED
 FILE NO.: 13-060



DELAWARE COUNTY PLANNING COMMISSION

COURT HOUSE/GOVERNMENT CENTER
201 W. Front St. Media, PA 19063

COUNCIL

MARIO J. CIVERA, JR.
CHAIRMAN
COLLEEN P. MORRONE
VICE CHAIRMAN
JOHN P. McBLAIN
DAVID J. WHITE
MICHAEL F. CULP

Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
Phone: (610) 891-5200 FAX: (610) 891-5203
E-mail: planning_department@co.delaware.pa.us

August 20, 2015

PLANNING COMMISSION

THOMAS J. O'BRIEN, AIA
CHAIRMAN
THOMAS J. JUDGE
VICE CHAIRMAN
KENNETH J. ZITARELLI
SECRETARY
LINDA F. HILL
DIRECTOR

Mr. Robert A. Zienkowski
Radnor Township
301 Iven Avenue
Wayne, PA 19087-5297

RE: Name of Dev't: Bloomingdale Court
DCPD File No.: 34-6608-08-15
Developer: GL1 Investment LP
Location: Southwest corner of Owens Lane and
Bloomingdale Avenue
Recv'd in DCPD: July 10, 2015

Dear Mr. Zienkowski:

In accordance with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code, the above described proposal has been sent to the Delaware County Planning Commission for review. At a meeting held on August 20, 2015, the Commission took action as shown in the recommendation of the attached review.

Please refer to the DCPD file number shown above in any future communications related to this application.

Very truly yours,

Linda F. Hill
Director

LFH/pmg
cc: GL1 Investments, LP
Momenee and Associates, Inc.



DELAWARE COUNTY PLANNING DEPARTMENT

DCPD

Court House/ Government Center , 201 W. Front St., Media, PA 19063
Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
Phone: (610) 891-5200 FAX: (610) 891-5203
E-mail: planning_department@co.delaware.pa.us

Date: August 20, 2015
File No.: 34-6608-08-15

PLAN TITLE: Bloomingdale Court
DATE OF PLAN: May 26, 2015
OWNER OR AGENT: GL1 Investments, LP
LOCATION: Southwest corner of Owens Lane and Bloomingdale Avenue
MUNICIPALITY: Radnor Township
TYPE OF REVIEW: Final Subdivision
ZONING DISTRICT: R-5
SUBDIVISION ORDINANCE: Local
PROPOSAL: Subdivide .8137 acre into 4 lots
UTILITIES: All public
RECOMMENDATIONS: Approval contingent on obtaining the required waivers
STAFF REVIEW BY: Jessica Dunford
REMARKS:

PREVIOUS ACTION

At its July 17, 2008 meeting, the Delaware County Planning Commission reviewed a plan for this site to convey .044 acre to an adjacent landowner, and then to subdivide two lots totaling .857 acre into five new lots for single-family dwellings. The Commission recommended disapproval, due to historical and archaeological concerns.



Date: August 20, 2015
File No.: 34-6608-08-15

REMARKS (continued):

CURRENT PROPOSAL

The developer proposes to subdivide three lots containing a 3-unit apartment building, a 4-unit apartment building, and one single family detached house into four lots. One apartment building and one single family home are to be demolished. The four proposed lots will contain two new single family dwellings, one existing apartment building, and new apartment buildings.

SITE INFORMATION

The site presently contains three dwellings, two apartment buildings and one single family detached building. The 4-unit apartment building and the single family detached house are to be removed.

ZONING INFORMATION

The site is located in the R-5 Residential zoning district of Radnor Township where single-family dwellings and apartment buildings are a permitted use.

REQUESTED WAIVERS

The applicant has requested the following waivers from the Radnor Township subdivision and land development ordinance:

1. Section 255-27.I(6): No common driveways shall be permitted between two or more single family dwellings. The proposed driveway is centrally located within the development, between two of the proposed dwellings.
2. Section 255-27.I(7): No common driveway shall provide access to more than three lots or three single family dwellings. The applicant wishes to construct a shared driveway serving five dwellings.

Date: August 20, 2015
File No.: 34-6608-08-15

REMARKS (continued):

3. Section 255-47.D: Along the street on which a subdivision abuts, improvements shall be made to the existing street. The improvements shall be determined by the width of the required cartway and built to the specifications established by the township.

HISTORIC AND ARCHAEOLOGICAL SIGNIFICANCE

The proposed land development will occur in an area that has a low potential for underground archeological resources. The home at #216 is to be retained, and is a two-and-a-half story, shingle and stone Queen Anne home. It has a Victorian period turret, and complex configuration typical of the Queen Anne style. It appears to date c. 1880's - 1890's. The home at #212 is to be demolished. It also is a Queen Anne styled home, appearing of the same vintage. It is two-and-a-half story, stucco, complex plan home, with various porches. This home was omitted from earlier records of documenting historic resources on the street. However more information has revealed it is of the same vintage as the other early home on the street. It will be a loss to the district. However it is commendable that the developer is siting one of the new homes in such a way as to maintain the streetscape and retain the overall character of the neighborhood. This is reinforced by his siting the two other new homes in the rear of the lot as well.

These two homes are in the South Wayne Local Historic District as well as are National Register listed. This plan went through a HARB review.

STORMWATER MANAGEMENT

The municipal Engineer must verify the adequacy of all proposed stormwater management facilities.

Date: August 20, 2015
File No.: 34-6608-08-15

REMARKS (continued):

SEWAGE FACILITIES

The municipal Engineer and/or Sewage Enforcement Officer should confirm whether the developer has received any required exemptions or planning module approvals prior to issuance of any building permits.

DEEDS

New deeds which reflect this proposal must be recorded at the Delaware County Recorder of Deeds.

RECORDING

In accordance with Section 513(a) of the Pennsylvania Municipalities Planning Code (MPC), final plans must be recorded within ninety (90) days of municipal approval.



RADNOR TOWNSHIP

MEMORANDUM

TO: MR. STEVE NORCINI
FROM: RAY DALY
SUBJECT: 212 & 216 BLOOMINGDALE AVENUE
DATE: JULY 15, 2015
CC: MR. PHILLIPS

Mr. Phillips:

The concern is the entrance driveway scaled at fifteen (15') feet in width. As you know the ladder trucks out riggers are eighteen (18') feet wide when extended so the fifteen foot drive will not be usable. There will be no areal coverage for rescue or fighting fires. As asked in prior discussions the drive should be twenty (20') feet in width. This would also widen the entrance way of the drive allowing better access for any emergency vehicle.

Respectfully,

Raymond Daly

Building Codes Official/Fire Codes Official



DELAWARE COUNTY PLANNING DEPARTMENT

COURT HOUSE/GOVERNMENT CENTER
201 W. Front St. Media, PA 19063

COUNCIL

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E-mail: planning_department@co.delaware.pa.us

LINDA F. HILL
DIRECTOR

July 17, 2015

Mr. Robert A. Zienkowski
Radnor Township
301 Iven Avenue
Wayne, PA 19087-5297

RE: Title: Bloomingdale Court
Applicant(s): GL1 Investment LP
File Number: 34-6608-08-15
Meeting Date: 08/20/2015
Municipality: Radnor Township
Location: Southwest corner of Owens Lane and Bloomingdale Avenue
Received: 07/10/2015

Dear Mr. Zienkowski,

This is to acknowledge receipt of the above referenced application for review and report. The Commission has tentatively scheduled consideration of the application for its public meeting on the date shown above at 4:00 p.m. in the Government Center Building, (Room 100), Court House Complex, Media, PA. Attendance is not required but is welcomed. If you have any questions concerning this matter, please contact Jessica Dunford at (610) 891-5223.

NOTE: In order to avoid processing delays, the DCPD file number shown above MUST be provided in any transactions with the county regarding this or future applications related to this location.

Very truly yours,

Linda F. Hill
Director

LFH/JGD

cc: GL1 Investment LP

Momenee and Associates, Inc.



RADNOR TOWNSHIP
301 IVEN AVE
WAYNE PA 19087
P) 610 688-5600
F) 610 971-0450
WWW.RADNOR.COM

SUBDIVISION ~ LAND DEVELOPMENT

Location of Property 212 & 216 BLOOMINGDALE AVENUE

Zoning District R5

Application No. _____
(Twp. Use)

Fee _____ Ward No. 6 Is property in HARB District _____

Applicant: (Choose one) Owner X Equitable Owner _____

Name GREG LINGO C/O GLI INVESTMENTS, LP

Address 200 LANSDOWNE AVENUE WAYNE, PA 19087

Telephone 302-367-6648 Fax _____ Cell _____

Email greg@cornellventures.com

Designer: (Choose one) Engineer X Surveyor _____

Name KEVIN R. MOMENE, PE C/O MOMENE & ASSOCIATES, INC.

Address 924 COUNTY LINE ROAD, BRYN MAWR, PA 19010

Telephone 610-527-3030 Fax 610-527-9008

Email jmongeluzi@momene.com (CONTACT PERSON)

Area of property 35,444 SF

Area of disturbance 22,082 SF
(INCLUDING 1,057 SF OF OFF-SITE UTILITY CONNECTIONS)
Proposed use of property SINGLE FAMILY

Number of proposed buildings 3

Number of proposed lots 4

Plan Status: Sketch Plan _____ Preliminary _____ Final _____ Revised X
Are there any requirements of Chapter 255 (SALDO) that are not in compliance with?

Are there any requirements of Chapter 255 (SALDO) not being adhered to?
Explain the reason for noncompliance.

SECTION 255-27.1 (6) PREVIOUSLY APPROVED UNDER
SECTION 255-27.1 (7) NONCIN APPLICATION
SECTION 255-47.D

Are there any infringements of Chapter 280 (Zoning), and if so what and why?

N/A

Individual/Corporation/Partnership Name
GLI INVESTMENTS, LP GREG LIMBO

I do hereby certify that I am the owner, equitable owner or authorized representative of the property which is the subject of this application.

Signature _____

Print Name _____

By filing this application, you are hereby granting permission to Township officials to visit the site for review purposes.

NOTE: All requirements of Chapter 255 (Subdivision of Lane) of the Code of the Township of Radnor must be complied with whether or not indicated in this application.

Plans submitted should show the following:

Under 500 square feet of additional coverage:

Check list:

1. Name and address of property owner.
2. Date.
3. Scale (1"=10', 1"=20', 1"=30', 1"=40', 1"=50')
4. Tree protection and detail (if applicable)
5. Silt fence and detail (if applicable)
6. All existing and proposed structures and impervious surfaces with dimensions.
7. Retaining wall height.
8. Retaining wall detail (if over 4')
9. Location of onsite sewage system (if applicable)
- 10.. Diameter and type of trees being preserved and/or removed (if over 6") within 25 feet of construction

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Over 500 square feet of additional coverage:

Check list:

1. Name and address of property owner.
2. North arrow (if over 1,000 square feet)
3. Name, address and seal of PA Engineer or Surveyor (if over 1,000 square feet)
4. Date.
5. Scale.
6. Tree protection and detail (if applicable)
7. Tire scrubber and detail (if applicable)
8. Construction schedule (if required)
9. Silt fence and detail.
10. All property lines with metes and bounds (footage)
11. Existing and proposed two foot contours (2') of all disturbed areas (if required) using Township datum.
12. Retaining wall height.
13. All existing structures and impervious surfaces as shown with dimensions.
14. Retaining wall detail (if over 4')
15. Underground utilities (if affected by proposed construction)
16. Location of onsite sewage system (cesspool, field, tanks) (if applicable)
17. Diameter and type of trees being preserved and removed (if over 6") within 25 feet of construction
18. Size and type of replacement trees.
19. Calculated 100 year flood plain line and delineated wetlands (if required)
20. Storm water management and calculations required if over 1,500 square feet of new or reconstructed impervious coverage.

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SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT AND RELEASE ("Agreement") is made and entered into as of the day of , 2013, by and between the Appellants, **BARON GEMMER, LYDIA GEMMER, LIZ OTWELL, STEPHEN FALK, LISA WARNER, SHANNON WARNER, and LESLEY BOSNIACK**, (hereinafter collectively referred to as "Gemmer"); the Appellee, **NORCINI BUILDERS, INC.**, by and through its successor-in-interest, **GL1 INVESTMENTS, LP** (hereinafter referred to as "GL1"), as owner; and the Appellee, **TOWNSHIP OF RADNOR** (hereinafter referred to as "Radnor"), with respect to property located at 212-216 Bloomingdale Avenue, Wayne, Radnor Township, Delaware County, Pennsylvania ("Premises"), for the purpose of compromising and settling the appeal of Gemmer of the decisions of Radnor with respect to final subdivision plan approval and HARB certificate of appropriateness approval respectively captioned, *Baron Gemmer, Lydia Gemmer, Liz Otwell, Stephen Falk, Lisa Warner, Shannon Warner, and Lesley Bosniack v. Township of Radnor and Norcini Builders, Inc.*, Docket Number 08-15592, and *Baron Gemmer v. Township of Radnor and Norcini Builders, Inc.*, Docket Number 08-9362 (hereinafter collectively referred to as the "Appeals").

WHEREAS, the Premises are currently improved with a two and one-half story house and one story frame accessory building located on the northern portion of the Premises known as 212 Bloomingdale Avenue, Wayne, PA (the "**212 Buildings**") and a two and one-half story house and an accessory frame shed on the southern portion of the Premises known as 216 Bloomingdale Avenue, Wayne, PA (the "**216 Buildings**"); and

WHEREAS, these two sets of Buildings contain seven (7) rental units; and

WHEREAS, on May 12, 2008 Radnor approved a Certificate of Appropriateness for the demolition of the 212 Buildings and the 216 Buildings and the subsequent construction of five new single family homes on the Premises, a copy of which is attached hereto and incorporated herein as *Exhibit "A"*; and

WHEREAS, on September 22, 2008 Radnor granted final subdivision plan approval for the demolition of the 212 Buildings and the 216 Buildings, and the subdivision of the property for five (5) single family dwellings, pursuant to Resolution No. 2008-23, a copy of which attached hereto and incorporated herein as *Exhibit "B"*; and

WHEREAS, Gemmer filed the Appeals in the Court of Common Pleas of the aforesaid approvals by Radnor under the aforesaid Docket Numbers; and

WHEREAS, the Parties have agreed to permit the subdivision of the Premises into four (4) lots in accordance with a sketch plan prepared by Momenee & Associates, Inc., dated March 25, 2013, attached hereto as *Exhibit "C"* ("**Sketch Plan**"); and

WHEREAS, subsequent to the execution of this Settlement Agreement and approval by the Court of Common Pleas of Delaware County (the "**Court**") and prior to the issuance of any building permits, GL1 shall simultaneously submit to Radnor and Baron Gemmer, in recordable form, a Final Plan (the "**Final Plan**") in substantial conformity with the Sketch Plan to be approved by the Radnor Board of Commissioners; and

WHEREAS, the Parties have agreed to settle and compromise all disputes between and among themselves, and be legally bound by the terms of this Settlement Agreement.

NOW, THEREFORE, with the above recitals incorporated herein by reference as an integral part hereof, the Parties to this Settlement Agreement hereby stipulate and agree to the following terms and conditions as set forth below:

1. GLI, its successors and assigns, shall have the option to develop the Premises in accordance with the Sketch Plan.
2. The Premises shall be developed as follows:
 - A. The Premises shall be subdivided into four (4) separate lots in substantial conformity with the Sketch Plan.
 - B. All Radnor-required public improvements set forth on the subdivision plan previously approved on September 22, 2008, as modified by the Sketch Plan shall be required on the Final Plan and escrowed in a form and manner to be approved by the Radnor Solicitor contemporaneously with the application for a building permit for the construction of the proposed new single family dwellings.
 - C. The 212 Buildings shall only be demolished in conjunction with the issuance of building permits and the immediate construction of all three (3) single family dwellings on Lot 1, Lot 3, and Lot 4, as shown on the Sketch Plan. Lots 3 and 4 may not utilize Owens Lane for vehicular ingress or egress unless approved by Radnor.
 - D. The Final Plan shall comply with all Radnor Codes, Ordinances, Rules and Regulations in effect at the time of Court approval of this Settlement Agreement and with the September 22, 2008 Final Plan approval granted by Radnor, except as modified by the Sketch Plan and this Agreement.
3. Gemmer agrees:
 - A. To withdraw the aforesaid Appeals by filing a Praecipe to Settle, Discontinue and End the Appeals within ten (10) days after approval by the Court of this Settlement Agreement.
 - B. To refrain from, either directly or indirectly, opposing GLI Investments, L.P. from

developing the Premises pursuant to the Final Plan, except that Gemmer shall be permitted to speak during public comment at any and all Radnor meetings regarding any approvals or discussions relating to the Premises or the Final Plan.

4. GLI, its successors and assigns, agree:
 - A. To preserve and maintain the 216 Buildings for no less than ten (10) years from the date of Court approval of this Settlement Agreement and relinquish any claims to the demolition permits and corresponding portion of the Certificate of Appropriateness issued by Radnor for the 216 Buildings.
 - B. To preserve and maintain the 212 Buildings for a minimum period of five (5) years from the date of Court approval of this Settlement Agreement, except when any of the events, defined below, occur. If any of the events described in Subparagraphs i. through v. of this section occur, proof shall be delivered to Gemmer and Radnor, in which case the minimum preservation period shall be reduced to three (3) years from the date of Court approval of this Settlement Agreement.
 - i. A transfer resulting from the death of Valerie E. Lingo and/or Gregory B. Lingo; or
 - ii. A transfer resulting from a decree of dissolution of marriage or legal separation or from a property settlement agreement incident to such decree for Valerie E. Lingo and Gregory B. Lingo; or
 - iii. A transfer resulting from a mandate from the lending institution holding the mortgage on the Premises for GLI Investments, L.P. requiring the sale of the Premises due to non-performance by the mortgagor; or
 - iv. A transfer necessitated by an extraordinary and unforeseeable financial

emergency experienced by and beyond the control of Valerie E. Lingo and Gregory B. Lingo in excess of \$100,000 that cannot reasonably be relieved through compensation or reimbursement from insurance or other sources, the liquidation or collateralization of other assets, or the use of other resources;

or

- v. A transfer which, in the reasonable judgment of Baron and Lydia Gemmer, constitutes an event consistent with the intentions of the foregoing Sections B(j)-(iv).
- C. To comply with all Radnor Codes, Ordinances, Rules and Regulations in effect at the time of Court approval of this Settlement Agreement and with the September 22, 2008 Final Plan approval granted by Radnor, except as modified by the Sketch Plan and this Agreement.
 - D. To obtain approval from the Radnor Board of Commissioners of a Certificate of Appropriateness for the construction of three single family dwellings on Lot 1, Lot 3 and Lot 4 as shown on the Sketch Plan.
 - E. Subsequent to the Court approval of this Settlement Agreement and prior to the issuance of any building permits, to submit to Radnor and Baron Gemmer, in recordable form, an engineered Final Plan in substantial conformity with the Sketch Plan.
 - F. Simultaneously with the aforementioned submission to Radnor, to submit the Final Plan to the Delaware County Planning Department for its review.
 - G. To the amendment and/or voiding of the issued Certificates of Appropriateness and demolition permit by Radnor as set forth in Section 5 below.

H. Not to expand the existing apartment building on Lot 2 to contain more than three apartments.

5. Radnor agrees:

- A. That since this matter is in settlement of litigation, the Final Plan shall be submitted in recordable form as a Final Plan submission to Radnor with review and approval only by the Board of Commissioners without requiring GL1 to request any waivers for the Final Plan. The Department of Community Development and Township Engineer shall review the Final Plan for consistency with the Township's Shade Tree Ordinance in effect at the time of the September 22, 2008 Final Plan approval.
 - B. That the Sketch Plan shall become vested pursuant to Section 508(4)(ii) of the Pennsylvania Municipalities Planning Code, 53 P.S. 10508(4)(ii), with such protection continuing for ten (10) years from the date of Court approval of this Settlement Agreement.
 - C. To revoke the previously issued demolition permit(s) for the 216 Buildings.
 - D. To void that portion of the previously issued Certificate of Appropriateness for the demolition of the 216 Buildings.
 - E. To void that portion of the previously issued Certificate of Appropriateness that permits the construction of five new single-family dwellings on the Premises.
6. This Settlement Agreement shall be interpreted and construed in accordance with the laws of the Commonwealth of Pennsylvania.
7. This Settlement Agreement represents the full and complete agreement of the Parties and no other understandings exist. No other statements, inducements, or representations, oral or written, have been relied upon by the Parties.

8. This Settlement Agreement may be modified only by writing signed by all of the Parties.
9. The Parties agree that they have carefully read this Settlement Agreement and that they have been represented by counsel.
10. This Settlement Agreement shall be valid if signed in counterparts and may be returned by facsimile or electronic mail.
11. This Settlement Agreement shall be binding on the Parties' heirs, successors, and assigns.
12. The Parties agree to file a Joint Motion for Entry of Agreed Order incorporating the Settlement Agreement as set forth herein within ten (10) days after execution of the Agreement by all Parties.
13. The Parties agree that the Court shall retain jurisdiction for purposes of enforcement of this Settlement Agreement.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the Parties hereto have set our hands and seal the day and year first written above.

GEMMER PARTIES:

Kathleen Suzygalt
WITNESS

Kathleen Suzygalt
WITNESS

Kathleen Suzygalt
WITNESS

Kathleen Suzygalt
WITNESS

Kathleen Suzygalt
WITNESS

Baron Gemmer
BARON GEMMER

Lydia Gemmer
LYDIA GEMMER

Liz O'Well
LIZ O'WELL

Stephen Falk
STEPHEN FALK

Lisa Warner
LISA WARNER

SETTLEMENT AGREEMENT
(Signatures Continued)

Kathleen Swright
WITNESS
Kathleen Swright
WITNESS

Shannon Warner
SHANNON WARNER
Lesley Bosniack
LESLEY BOSNIACK

TOWNSHIP OF RADNOR:

Attest: _____

By: Alaine Bosniack
Name:
Title:

GLI INVESTMENTS, L.P.

Attest: Lorilane

By: Greg Lipps
Name: Greg Lipps
Title: Manager

CERTIFICATE OF APPROPRIATENESS

Radnor Township Historical and Architectural Review Board
Radnor Township, Pennsylvania



NAME OF OWNER: NORCINI BUILDERS
OWNER ADDRESS: 12 ARLINGTON ROAD, DEVON, PA 19333
ADDRESS OF PROPERTY: 212-216 BLOOMINGDALE AVE, WAYNE PA
APPLICATION NUMBER: HARB 08-01

Subject to the conditions below the above owner, having complied with the Radnor Township Historical and Architectural Review Board (HARB) process, is hereby granted

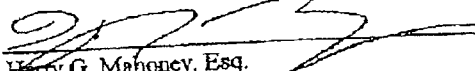
TO DEMOLISH TWO EXISTING HOUSES AND CONSTRUCT FIVE NEW SINGLE FAMILY HOUSES AT 212 - 216 BLOOMINGDALE AVE

at the address specified and may proceed with the building permit process. If not completed within one year of the date hereof, this permit is void and new application must be made. Owner specifically gives the building inspector or designated official the right to inspect the work during progress and at completion.

NOTES AND/OR CONDITIONS OF APPROVAL:

ISSUED Monday, May 12, 2008

TOWNSHIP OFFICIAL


Harry G. Mahoney, Esq.

ACCEPTED BY APPLICANT





Resolution 2008-23

WHEREAS, Norcini Builders, Inc., having made application on June 16, 2008 to do a lot line change between properties, raze 2 existing single family dwellings, a garage and shed and construct five (5) new single family dwellings at 212-216 Bloomingdale Ave., and

WHEREAS, the application was accompanied by Final Plans prepared by E. B. Walsh & Assoc., dated June 12, 2008, last revised July 17, 2008, the "Final Plans", and

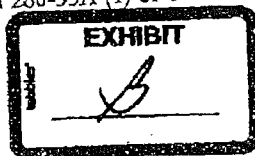
WHEREAS, the Radnor Township Planning Commission at their meeting of Monday, August 4, 2008 reviewed the Final Plans and recommended denial, and the Board Commissioners (the "Board") reviewed the Final Plans and the recommendations of the Planning Commission in Caucus on August 18, 2008 and September 8, 2008; and,

WHEREAS, the Board is authorized to grant certain types of waivers to the Township's zoning and subdivision and land development codes where such a waiver would promote, protect and facilitate or create conditions favorable to the public health, safety and welfare of the community.

WHEREAS, in lieu of further extension granted by the applicant, action on this application is required to be taken by the Board by September 23, 2008,

NOW, THEREFORE, BE IT RESOLVED, that the Subdivision Application Plan # 08-S-09 of Norcini Builders, Inc., being the same is hereby approved subject to the following conditions:

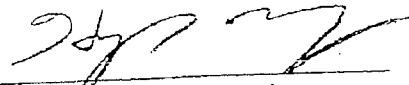
1. The applicant shall be granted the following three waivers requested from the Township's subdivision and land development code:
 - Section 255-27.I (6) "No common driveways shall be permitted between two (2) or more single-family dwellings."
 - Section 255-27.I (7) "No common driveway shall provide access to more than three (3) lots or three (3) single-family dwellings."
 - Section 255-47C (sic) All streets shall be granted to: "Along the existing street on which a subdivision or land development abuts (hereinafter called a "boundary street"), improvements shall be made to the street. The improvements to the boundary street shall be determined by the width of the required cartway and built to the specifications established by the township."
2. The plans shall comply with the Shade Tree Commission's recommendations of August 27, 2008.
3. The lot lines shall be adjusted so that the square footage of each lot is a minimum of 5,445 sq. ft. in accordance with Section 280-35A (1) of the Township Code.

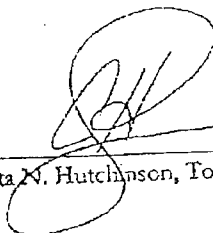


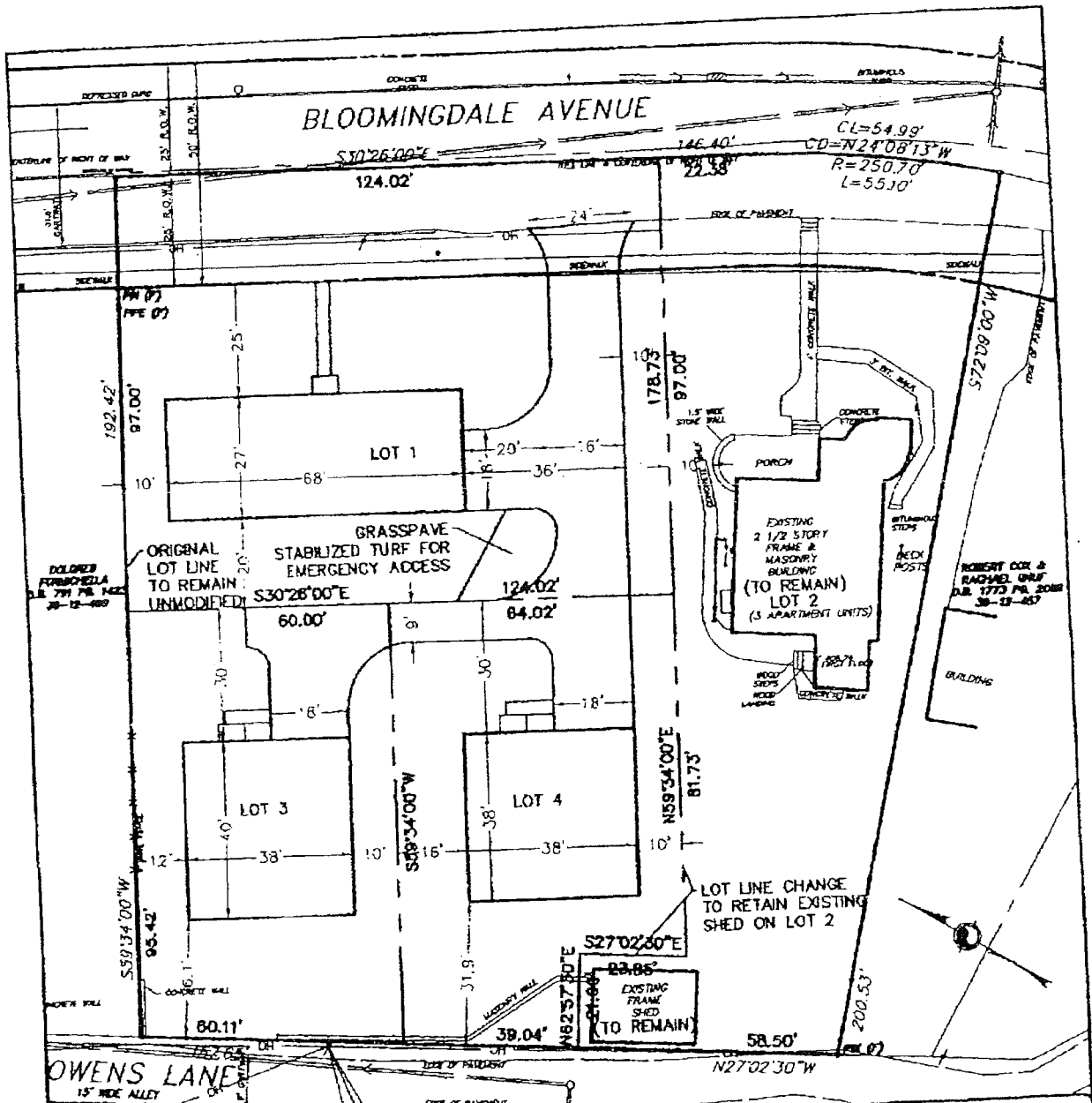
4. The applicant shall meet with the HARB for consultation purposes only to discuss the design of the buildings and the improvements to be constructed by the applicant.

RESOLVED this 22nd day of September 2008

RADNOR TOWNSHIP

By: 
Harry G. Mahoney, Esq., President

Attest: 
Coretta N. Hutchinson, Township Secretary



SKETCH PLAN
212 - 218 BLOOMINGDALE AVENUE

MOMENEE & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
924 COUNTY LINE ROAD, BRYN MAWR, PA 19010 PHONE: (610) 527-3030 FAX: (610) 527-9008

DATE: MARCH 25, 2013
SHEET NO.
1
OF 2
SCALE: 1" = 30'
FILE NO.: 13-060



REFERENCE PLAN:
 EXISTING CONDITIONS PLAN FOR NORCINI BUILDING CO.
 PREPARED BY CHESTER VALLEY ENGINEERS, INC. DATED
 FEBRUARY 2, 2006. PROJECT NO. 17553.

ZONING DISTRICT R-5 :(SINGLE FAMILY DETACHED)
 LOT AREA 5,500 SF MIN
 WIDTH 55' MIN
 BUILDING AREA 35% MAX
 FRONT YARD 25' MIN
 SIDE YARD 10' MIN
 REAR YARD 20' MIN
 BUILDING HEIGHT 35' MAX
 IMPERVIOUS COVERAGE 40% MAX

ZONING DISTRICT R-5 :(APARTMENT HOUSE)
 LOT AREA PER DWELLING UNIT 5,445 SF MIN
 WIDTH 100' MIN
 BUILDING AREA 30% MAX
 FRONT YARD 50' MIN
 SIDE YARD 30' MIN
 REAR YARD 30' MIN
 BUILDING HEIGHT 40' MAX
 ACCESSORY BUILDING 3' MIN
 IMPERVIOUS COVERAGE 36% MAX

FOR MORE DETAILED INFORMATION YOUR ATTENTION
 IS CALLED TO THE ZONING CODE OF RADNOR
 TOWNSHIP, LATEST EDITION.

LOT 1 DATA :
 TOTAL AREA 12,030 SF (0.276 ACRES)
 LOT AREA 8,929 SF (0.205 ACRES)
 MAXIMUM BUILDING AREA 3,125 SF (35%)
 MAXIMUM IMPERVIOUS AREA 3,571 SF (40%)

IMPERVIOUS COVERAGE
 HOUSE 1,836 SF (20.6%)
 DRIVEWAY 1,605 SF
 WALLS, WALKS, ETC. 125 SF
 TOTAL 3,566 SF (39.9%)

LOT 2 DATA :
 TOTAL AREA 11,839 SF (0.267 ACRES)
 LOT AREA 9,770 SF (0.224 ACRES)
 MAXIMUM BUILDING AREA 2,931 SF (30%)
 MAXIMUM IMPERVIOUS AREA 3,517 SF (36%)

IMPERVIOUS COVERAGE
 HOUSE 1,519 SF (15.5%)
 GARAGE 377 SF (3.9%)
 PORCH 236 SF (2.4%)
 WALLS, WALKS, ETC. 712 SF
 TOTAL 2,844 SF (29.1%)

LOT 3 DATA :
 TOTAL / LOT AREA 5,832 SF (0.134 ACRES)
 MAXIMUM BUILDING AREA 2,041 SF (35%)
 MAXIMUM IMPERVIOUS AREA 2,332 SF (40%)

IMPERVIOUS COVERAGE
 HOUSE 1,520 SF (26.1%)
 DRIVEWAY 727 SF
 WALLS, WALKS, ETC. 56 SF
 TOTAL 2,303 SF (39.5%)

LOT 4 DATA :
 TOTAL / LOT AREA 5,944 SF (0.136 ACRES)
 MAXIMUM BUILDING AREA 2,080 SF (35%)
 MAXIMUM IMPERVIOUS AREA 2,377 SF (40%)

IMPERVIOUS COVERAGE
 HOUSE 1,444 SF (24.3%)
 DRIVEWAY 871 SF
 WALLS, WALKS, ETC. 56 SF
 TOTAL 2,371 SF (39.9%)

| REV. | DATE | COMMENTS |
|------|------|----------------------|
| | | DATE: MARCH 25, 2013 |
| | | SHEET NO. |
| | | 2 |
| | | OF 2 |
| | | SCALE: = AS NOTED |
| | | FILE NO.: 13-060 |

SKETCH PLAN
 212 - 218 BLOOMINGDALE AVENUE
MOMENEE & ASSOCIATES, INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 924 COUNTY LINE ROAD, BRYN MAWR, PA 19010 PHONE: (610) 527-3030 FAX: (610) 527-9008

DELAWARE COUNTY PLANNING COMMISSION

APPLICATION FOR ACT 247 REVIEW

Incomplete applications will be returned and will not be considered "received" until all required information is provided.

Please type or print legibly

DEVELOPER/APPLICANT

Name GL1 Investment, LP E-mail greg@corneliventures.com

Address 200 Lansdowne Avenue, Wayne, PA 19087 Phone 302-367-6648

Name of Development Bloomingdale Court - 212 & 216 Bloomingdale Avenue

Municipality Radnor Township

ARCHITECT, ENGINEER, OR SURVEYOR

Name of Firm Momenee and Associates, Inc. Phone 610-527-3030

Address 924 County Line Road, Bryn Mawr, PA 19010

Contact Joseph C. Mongeluzi, Jr., PE E-mail jmongeluzi@momenee.com

| Type of Review | Plan Status | Utilities | | Environmental Characteristics |
|---|---|---|---|---------------------------------------|
| | | Existing | Proposed | |
| <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Sketch | <input checked="" type="checkbox"/> Public Sewerage | <input checked="" type="checkbox"/> Public Sewerage | |
| <input type="checkbox"/> Land Development | <input type="checkbox"/> Preliminary | <input type="checkbox"/> Private Sewerage | <input type="checkbox"/> Private Sewerage | <input type="checkbox"/> Wetlands |
| <input checked="" type="checkbox"/> Subdivision | <input checked="" type="checkbox"/> Final | <input checked="" type="checkbox"/> Public Water | <input checked="" type="checkbox"/> Public Water | <input type="checkbox"/> Floodplain |
| <input type="checkbox"/> PRD | <input type="checkbox"/> Tentative | <input type="checkbox"/> Private Water | <input type="checkbox"/> Private Water | <input type="checkbox"/> Steep Slopes |

Zoning District R-5 (Residence District)

Tax Map # 36 / 12 / 459

Tax Folio # 36 / 06 / 03284 / 00

TAX MAP 36/12/458

TAX FOLIO 36/06/03285/00

212
BLOOMINGDALE AVE.

216
BLOOMINGDALE AVE.

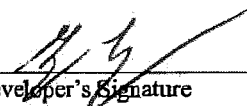
STATEMENT OF INTENT
WRITING "SEE ATTACHED PLAN" IS NOT ACCEPTABLE.

Existing and/or Proposed Use of Site/Buildings:

Demolition of existing 2-1/2 story 3 apartment building at 212 Bloomingdale Avenue. Existing 2-1/2 story 3 apartment building at 216 Bloomingdale Avenue to remain. As a result a 4 four subdivision will be created consisting of 3 new single family houses and the existing 2-1/2 story, 3 apartment building at 216 Bloomingdale Avenue. New utilities are proposed along with stormwater management.

| | | |
|------------------------------------|---------------|-------------|
| Total Site Area | <u>0.8137</u> | Acres |
| Size of All Existing Buildings | <u>4,239</u> | Square Feet |
| Size of All Proposed Buildings | <u>4,452</u> | Square Feet |
| Size of Buildings to be Demolished | <u>2,126</u> | Square Feet |

Greg Lingo, GL Investments, LP
Print Developer's Name



Developer's Signature

MUNICIPAL SECTION
ALL APPLICATIONS AND THEIR CONTENT ARE A MUNICIPAL RESPONSIBILITY.

Local Planning Commission Regular Meeting August 3, 2015
Local Governing Body Regular Meeting _____

Municipal request for DCPD staff comments prior to DCPC meeting, to meet municipal meeting date:

Actual Date Needed _____

IMPORTANT: If previously submitted, show assigned DCPD File # 34-6608-08
Roger A. Phillips, P.E. Township Engineer 610-650-8101
Print Name and Title of Designated Municipal Official Phone Number
 7/8/2015
Official's Signature Date

FOR DCPD USE ONLY

Review Fee: Check # _____ Amount \$ _____ Date Received _____

Applications with original signatures must be submitted to DCPD.

RESOLUTION NO. 2015- 96
RADNOR TOWNSHIP

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, APPROVING THE PRELIMINARY/FINAL LAND
DEVELOPMENT PLAN OF 115 STRAFFORD AVENUE, LLC FOR 120 &
124 BLOOMINGDALE AVENUE**

WHEREAS, 115 Strafford Avenue, LLC (“Applicant”) submitted a Preliminary/Final Land Development Plans prepared by Inland Design dated October 3, 2014, last revised May 19, 2015; and

WHEREAS, the plan has been reviewed by both the Radnor Township Planning Commission and the Delaware County Planning Commission; and

WHEREAS, the Board of Commissioners now intends to approve the Preliminary/Final Land Development Plan for 120 & 124 Bloomingdale Avenue subject to certain terms and conditions.

NOW, THEREFORE, it is hereby **RESOLVED** that the Radnor Township Board of Commissioners does hereby approve the Preliminary/Final Land Development Plans for 120 & 124 Bloomingdale Avenue., LLC, prepared by Inland Design, consisting of fourteen (14) sheets, dated October 3, 2014, last revised May 19, 2015, subject to the following conditions:

1. The Applicant shall comply with the September 9, 2015 Gannett Fleming review letter, a copy of which is attached hereto as *Exhibit “A”*.
2. The Applicant shall comply with the June 23, 2015 Gilmore & Associates review letter, a copy of which is attached hereto as *Exhibit “B”*.
3. The Applicant shall comply with each of the following design conditions, each to be endorsed on the record plan as plan notes:
 - a. The heights of the proposed new buildings shall not exceed the heights as depicted on the building height exhibit attached hereto as *Exhibit “C”*. The finished grades around the base of the proposed new buildings shall be as substantially shown on sheet 6 of the Land Development Plans.
 - b. The landscaping of the area between the common boundary line of the Applicant’s property, the Gemmer Property (128 Bloomingdale), the Seidl Property (203 West Wayne Avenue) and the Ryan Property (205 West Wayne Avenue) shall be as shown on Sheet 10 of the “Preliminary Land Development Plan for 120 & 124 Bloomingdale Avenue” consisting of 14 sheets dated 10-3-2014, revised (No.3) 05/19/2015 and prepared by Inland Design, Civil Engineers & Land Development Consultants, as amended by a marked-up version of sheet 10 and overall site plan consisting of two (2) sheets dated July 8, 2015 attached hereto as *Exhibit “D”*.

c. The landscaping of the area between the common boundary line of the Applicant's property, and the Lane Property (207 West Wayne Avenue) shall be as shown on Exhibit "D".

d. Applicant shall install a six (6) feet high, solid, cedar "dog-ear" style fence (i.e. similar to the existing fence on the Gemmer Property (128 Bloomingdale), along that portion of the common property line of the Property and the Gemmer Property (128 Bloomingdale) and Seidl Property (203 West Wayne Avenue) (with the finished/good side of the fence facing the Gemmer Property and Seidl Property), said fence to begin at the end of the driveway on the Gemmer Property and extend across the rear of the Seidl Property until it reaches the Ryan Property (which already has a fence along the common property line). Applicant shall not remove the portion of the existing hedge running along the common property line of the Property and the Gemmer Property from its beginning point near the edge of Bloomingdale Avenue up to the end of the driveway on the Gemmer Property, while the remaining portions of the hedge beyond this point shall be removed by Applicant.

e. Applicant shall relocate the temporary soil stockpile now shown on sheet 8 of the "Preliminary Land Development Plan for 120 & 124 Bloomingdale Avenue" consisting of 14 sheets dated 10-03-2014, revised (No. 3) 05/19/2015 and prepared by Inland Design, Civil Engineers and Land Development Consultants to the general location shown on Exhibit "D".

f. Applicant shall cause the ten (10) feet wide area along the side property line of 124 Bloomingdale that is adjacent to the Gemmer property (128 Bloomingdale), Seidl Property (203 West Wayne Avenue) and the Ryan Property (205 West Wayne Avenue) that is not part of the required front yard setback from Bloomingdale Avenue to be designed as a buffer area as shown on final Land Development Plans.

g. Applicant shall construct the Project so that (i) the building footprints, shape, size, and location of Buildings 1, 2 and 3 are in substantial conformity with the approved Land Development Plans and (ii) the architectural design of Buildings 1, 2 and 3 (i.e. massing, exterior features, location and approximate size of porches, balconies and decks, and patios) are in substantial conformity with the plans approved as part of the Certificate of Appropriateness for the project.

4. The Applicant shall comply with the Zoning Hearing Board's Decision dated August 25, 2015 in Appeal No. 2947, a copy of which is attached hereto as *Exhibit "E"*.

5. In addition to the foregoing conditions of Preliminary/Final Land Development approval, the Board also approves a modification from Section 280-112. D (8) to approve preliminary and final plan in a single submission.
6. The Applicant shall comply with all other applicable ordinances with respect to sewage, stormwater management, zoning and building, and all county, state, and federal rules, regulations and statutes.
7. The Applicant shall execute Development and Financial Security Agreements in a form and manner to be approved by the Township Engineer and Township Solicitor.

SO RESOLVED, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this 28th day of September, 2015.

RADNOR TOWNSHIP BOARD OF
COMMISSIONERS

By: _____

Name: James C. Higgins
Title: President

ATTEST: _____



Gannett Fleming

Excellence Delivered As Promised

MEMORANDUM

Date: September 9, 2015

To: Radnor Township Board of Commissioners

From: Roger Phillips, PE

cc: Robert Zienkowski – Township Manager
Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
John Rice, Esq – Grim, Biehn, and Thatcher
Amy Kaminski, PE – Gilmore and Assoc.
Steve Gabriel – Rettew

RE: 120 & 124 Bloomingdale Ave
115 Strafford Avenue, LLC – Applicant

Date Accepted: October 6, 2014

90 Day Expiration: January 4, 2015, extended to October 13, 2015

Gannett Fleming, Inc. has completed a review of the 120 & 124 Bloomingdale Avenue Preliminary Land Development Plans for compliance with the Radnor Township Code.

The existing properties are located in the R5 zoning district. The applicant is proposing to remove the lot line between the two existing properties, keep the existing single family home and construct two new single family homes and three attached dwellings.

This Land Development Application is subject to Zoning, Subdivision and Land Development, Stormwater Management, and other applicable codes of the Township of Radnor.

The applicant went before the Zoning Hearing Board (decision attached) and received the following variances:

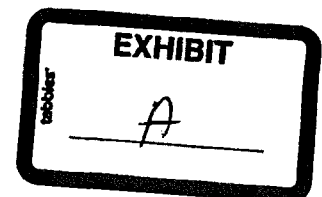
- §280-112.D & E – To allow disturbance and improvements within steep slopes.
- §280-35.B(3)(c) – To permit a rear yard setback of 18 feet instead of the required 30 feet.

Gannett Fleming, Inc

PO Box 80794 • Valley Forge, PA 19484-0794 1010 Adams Avenue • Audubon, PA 19403 2402

• 610 650 8101 • f 610 650 8190

www.gannettfleming.com



The applicant has requested the following waivers:

1. §255-29.A(12) – The width of entrance and exit drives for two-way use must be 25 feet. The applicant has indicated a width of 22 feet of the plans. The applicant has requested a waiver from this requirement.
2. §255-14.A – The applicant is requesting a waiver requiring a submission of a preliminary plan before a final plan is submitted.

Plans Prepared By: Inland Design
Dated: 10/03/2014, revised 05/19/2015

This plan was before the Planning Commission on November 3, 2014, March 2, 2015, June 1, 2015 and August 3, 2015. The planning commission recommended approval of the plans along with the requested waivers at the August 3, 2015 meeting.

I. Zoning

1. §280-35.B(2) – No more than 30% of each lot may be occupied by buildings. The zoning chart on Sheet 1 indicates that 9,731 S.F. is building coverage. A detailed breakdown on how this number was calculated must be provided. This must be similar to the impervious coverage chart shown on Sheet 5.
2. §280-35.B(3)(c) – There shall be a rear yard on each lot that shall not be less than 30 feet in depth. The applicant is proposing decks in the rear yard setback. The applicant received a variance from the Zoning Hearing Board to permit a rear yard setback of 18 feet instead of the required 30 feet.
3. §280-35.B(9) – The maximum impervious coverage allowed is 36%. The applicant indicated that the impervious coverage provided is 35.95% (20,646.8 S.F.) The total listed on the impervious coverage table on sheet 5 lists the total impervious as 20,596.30. These must be revised to be consistent.
4. §280-36.B – Along each side or rear property line which directly abuts a residence area not devoted to apartment use in the district or in an adjoining district or municipality, a buffer planting strip of not less than 10 feet in width shall be provided. The cover sheet indicates apartment use for the Henry property and the plan sheet indicates that single family residential use for the Henry property. This must be revised to be consistent.
5. §280-112 – The plan indicates that there will be buildings, storm sewers, a retaining wall and parking areas located in the steep slope areas. These are not permitted uses in accordance with this section. The applicant has received a variance of this requirement from the Zoning Hearing Board.

6. §280-112.D(8) – There is a proposed retaining wall shown in the steep slope area. Retaining walls are allowed only as a structure customarily associated with the uses outlined in this section. This proposed use does not conform to the intent of this section, and therefore the retaining wall is non-conforming. The applicant has received a variance of this requirement from the Zoning Hearing Board.

II. Subdivision and Land Development

1. §255-21.B(7) – Planning module for land development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act is required. The applicant has indicated that a Planning Module Exemption form has been submitted to the PA DEP. A planning module submission was made to the Township.
2. §255-29.A(12) – The width of entrance and exit drives for two-way use must be 25 feet. The applicant has indicated a width of 22 feet of the plans. The applicant has requested a waiver to this requirement.
3. §255-29.A(20) – Where semi-attached, attached or multiple dwellings are proposed and where private garages or driveways are proposed to be used and meet the off-street parking requirements, one parking spaces per four dwelling units of overflow off-street parking shall be provided. The applicant has provided off-street parking in conformance with this section.
4. §255-37.E – Sidewalks and pedestrian paths shall be adequately lighted, if required by the Board of Commissioners. The applicant has provided two entrance lights and proposed that the lighting provided on each dwelling unit will light the proposed pedestrian path. Details must be provided on how it is intended that the proposed entrance lights be powered.
5. §255-38 – Street trees 2 ½ inches dbh at intervals of not more than 30 feet along both sides of new streets and along one or both sides of an existing street within the proposed subdivision or land development. The applicant has indicated that 9 trees will be required. This must be revised on the landscaping compliance chart on Sheet 10 to indicate the 9 street trees under the total tree planting requirements instead of the 8 shown.
6. §255-42.B(2) – The applicant has shown proposed Class A planting options on Sheet 10. The length of buffer appears to be inadequate for the side and rear property lines. The buffer yard in the table indicates 50 L.F. along Unit 328 and 250 L.F. along Bloomingdale Avenue. This must be revised to remove the Bloomingdale Avenue reference and reference the appropriate lots. Also, the total for the buffer yard requirement would be more than the 300 feet as shown in the table. In addition, the buffer must be extended along the easterly property line to Bloomingdale Avenue. The

number of required trees will increase and the Landscaping Compliance Chart on Sheet 10 must be updated.

7. §255-43.1.B(1) – For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit. The fee in lieu would be \$19,842.
8. §255-54.B – The central water system should be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specification of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided.

III. Stormwater Management

1. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

IV. General Comments

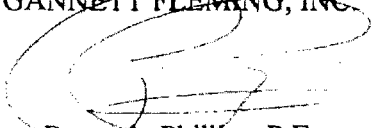
1. The sanitary sewer between MH 2 and MH4 on sheet 6 has less than 10 feet of horizontal clearance with the water line and fire hydrant. This must be revised to ensure adequate clearance.

We recommend the Board of Commissioners consider recommending approval of this conditioned on requiring the applicant to satisfactorily address the above comments.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.
Senior Project Manager



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

MEMORANDUM

Date: June 23, 2015
To: Steve Norcini, P.E.
From: Amy Kaminski, P.E., PTOE
cc: Roger Phillips, P.E., Gannett Fleming, Inc.
Steve Gabriel, P.P, RETTEW
Damon Drummond, P.E., PTOE
Reference: 120 & 124 Bloomingdale Avenue
Revised Preliminary Land Development & Lot Line Change Transportation Review
Radnor Township, Delaware County
G&A 14-08067

Pursuant to your request, Gilmore & Associates, Inc. has completed a transportation review of the revised Preliminary/Final Land Development & Lot Line Change Plan (14 sheets) for 120 & 124 Bloomingdale Avenue, prepared by InLand Design, dated October 3, 2014 and last revised May 19, 2015. The plans were prepared for the applicant, 115 Strafford Avenue. LLC.

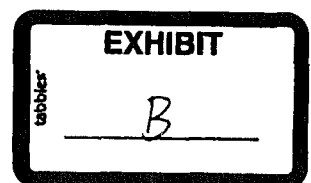
We offer the following comments for Radnor Township consideration:

I. SUBMISSION

1. 120 & 124 Bloomingdale Avenue Revised Preliminary/Final Land Development & Lot Line Change Plan for Bloomingdale Ave., LLC, prepared by InLand Design, consisting of fourteen (14) sheets, dated October 3, 2014 and last revised May 19, 2015.
2. Response letter dated May 26, 2015 prepared by InLand Design.

II. PROJECT DESCRIPTION

The Applicant intends to consolidate two existing parcels (total of 1.318 acres) located at 120 & 124 Bloomingdale Avenue and develop the lot with six total residential dwelling units (1 existing, 5 proposed). There will be three (3) proposed multi-unit dwellings and two (2) proposed single family units located along a common driveway for this multiple-dwelling group development. The development features six (6) additional parking spaces within the development and addition parallel parking along the Bloomingdale Avenue site frontage. The applicant intends to eliminate the existing access to Bloomingdale Avenue and construct a new driveway access on Bloomingdale Avenue north of the existing location.



III. REQUESTED VARIANCE

1. §280-112.D(8): To allow a proposed retaining wall in the steep slope area; this requires a variance from ZHB.

IV. REQUESTED WAIVERS

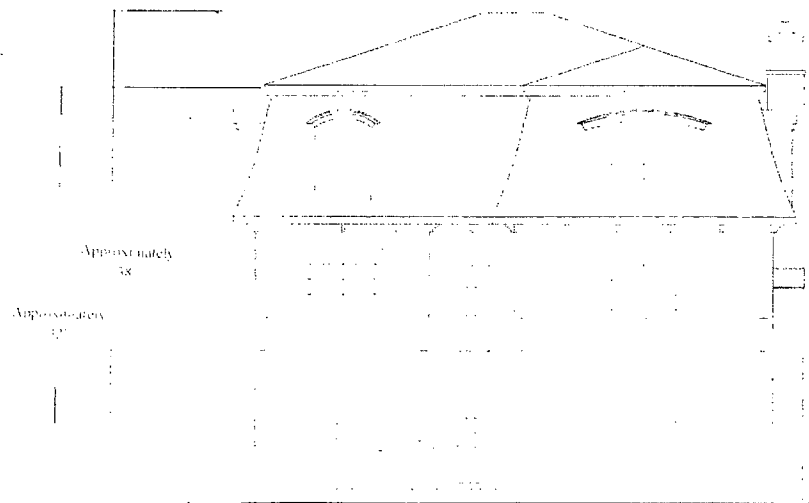
1. §255-29 A(12) To allow 22-foot wide driveway for a two-way entrance and exit drive to an off-street parking facility with a capacity of three or more vehicles.
2. §280-112.D(8): To allow Preliminary/Final approval prior to obtaining formal Preliminary Plan conditional approval.

V. GENERAL COMMENTS

1. To improve sight lines for motorists exiting driveways on Bloomingdale Avenue, on-street parallel parking spaces should be located a minimum of 20' from any existing or proposed driveways (as projected from the edge of the driveway, not the curb radius). The parking space dimensions for the end spaces may be reduced to a 20' length; however, the internal parallel parking spaces should include a minimum of 22' in length to allow for parking maneuvers. It appears that a minor adjustment should be made to all proposed parking stalls on Bloomingdale Avenue. Please contact this office if further clarification is necessary.
2. Sheet 13 of 14: Of minor concern, revise the nomenclature of the "NO PARKING SYMBOL" sign from R7-1 to R8-3.



Original Lot #2 Bloomingdale Ave. Front Elevation
Scale: 1/4" = 1'-0"



Resubmitted Lot #1 Bloomingdale Ave. Front Elevation
Scale: 1/4" = 1'-0"

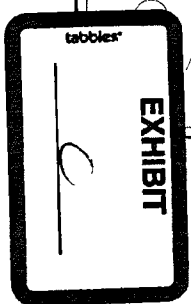
Building Height Comparison

120 & 124 BLOOMINGDALE AVE.
Bloomingdale Ave., LLC.

Building # 1 & 2 - Grade will approximately 365.5
Building # 3 - Grade approximately 366.0

025 PLOT, TYPED BY: [unclear]
04/18/2015 04:30:00
2544-1-02
2544-2-18
L18241

REV 05.21.15



A

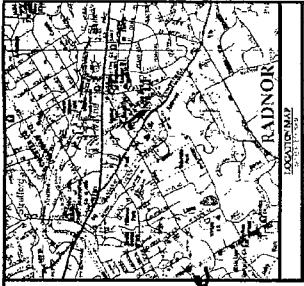
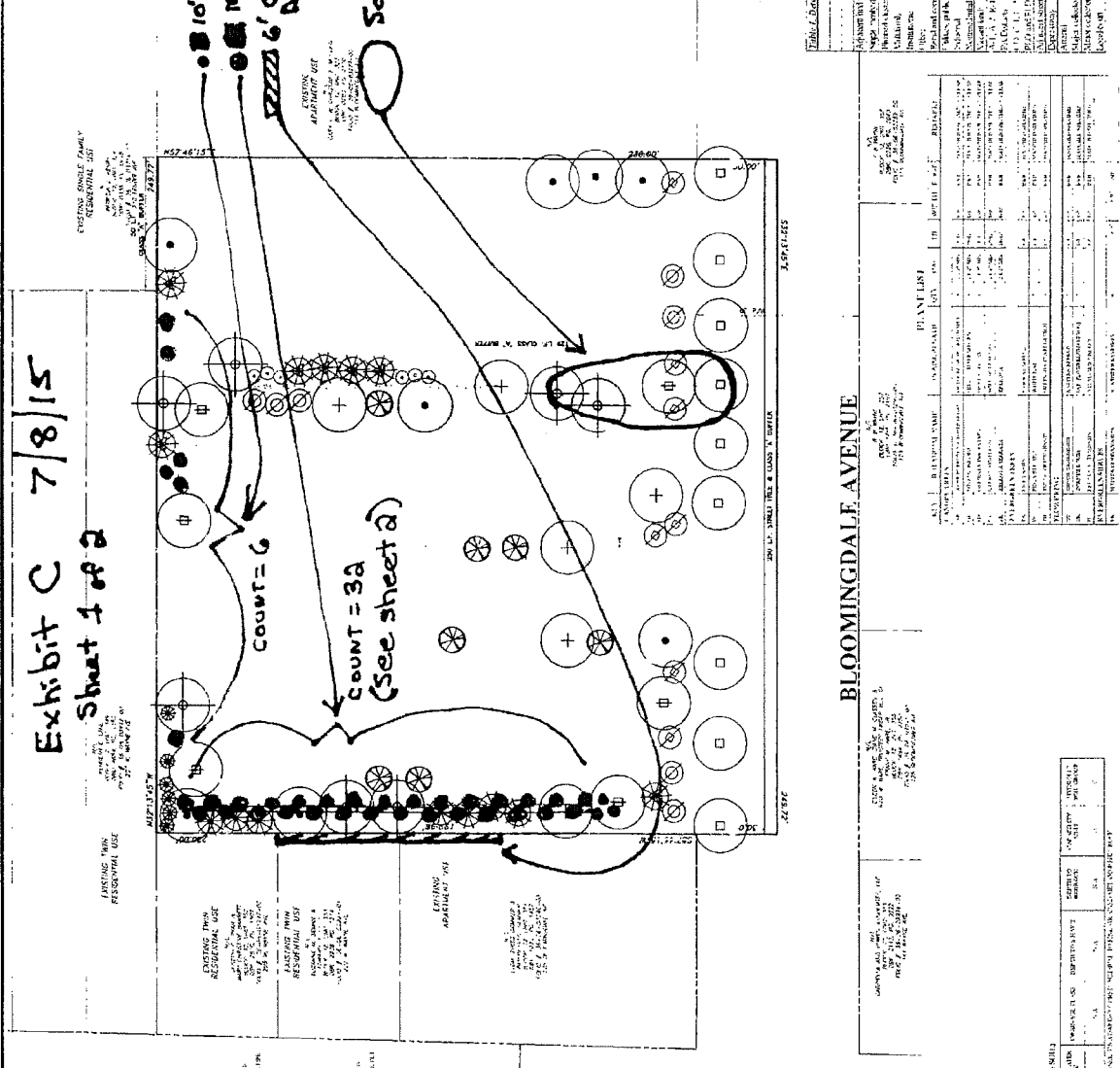


Exhibit C 7/8/15
Sheet 1 of 2



LANDSCAPING COMPLIANCE CHART

| PLANT | MIN. HEIGHT | MIN. SPACING | MIN. WIDTH | MIN. DEPTH |
|----------------|-------------|--------------|------------|------------|
| BEDDING PLANTS | 12" | 2'-0" | 6"-12" | 12"-24" |
| SHRUBS | 3'-0" | 3'-0" | 6"-12" | 12"-24" |
| TREES | 6'-0" | 6'-0" | 6"-12" | 12"-24" |

PLANT LIST

| NO. | PLANT NAME | QUANTITY |
|-----|------------------------|----------|
| 1 | 10'-12' Norway Spruce | 6 |
| 2 | 10'-12' Arborvitae | 32 |
| 3 | 6' Cedar Dog-ear Fence | 1 |
| 4 | Soil Stockpile | 1 |

SOILS DESCRIPTION (GENERAL)

| NO. | SYMBOL | DESCRIPTION |
|-----|--------|---|
| 1 | SC | Shallow Silty Clay |
| 2 | SCS | Shallow Silty Clayey Sand |
| 3 | SCSS | Shallow Silty Clayey Sandey Silty Clay |
| 4 | SCSSC | Shallow Silty Clayey Sandey Silty Clayey Sand |

Table 1: Proposed Land Use

| Plant | Proposed Land Use | Symbol |
|-------|-------------------|--------|
| 1 | Residential | R |
| 2 | Residential | R |
| 3 | Residential | R |
| 4 | Residential | R |

INLAND DESIGN
 PRELIMINARY / FINAL
 LAND DEVELOPMENT LOT LINE CHANGE PLAN
 FOR
LANDSCAPING PLAN
 FOR
BLOOMINGDALE AVE., LLC
 120 & 124 BLOOMINGDALE AVE.
 WAYNE, PA 19187

EXHIBIT
10
 OF 14

FOLIO # 36-06-03991-00
207 W. WAYNE AVE.

2 Rows of Sixteen (16) Western Arborvitae [Total Count = 32]
at 8' and 10' from southern property line (8' = Ⓐ, 10' = Ⓑ)

Exhibit C
Sheet 2 of 2

EXISTING TWIN
RESIDENTIAL USE

N/L
JOSEPH P. RYAN &
MARY CHRISTINE BARRETT
BLOCK: 12, UNIT: 352
DBK: 2816, PG: 1507
FOLIO #: 36-06-03997-02
205 W. WAYNE AVE.

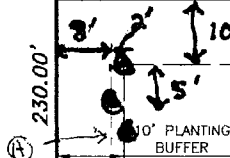
EXISTING TWIN
RESIDENTIAL USE

N/L
SUZANNE M. SEMAN &
EDWARD B. SEIDL
BLOCK: 12, UNIT: 353
DBK: 2238, PG: 1214
FOLIO #: 36-06-03997-01
203 W. WAYNE AVE.

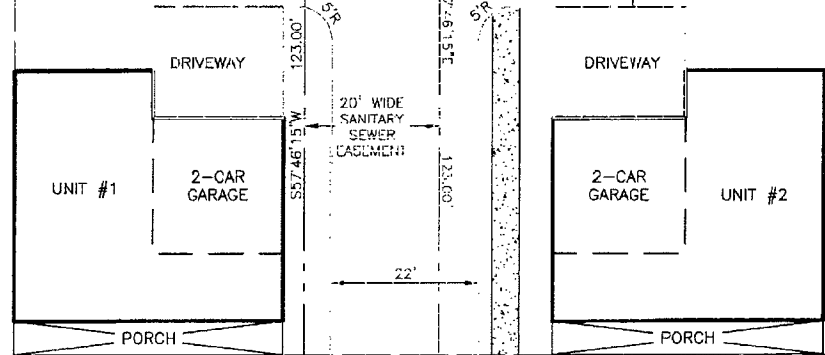
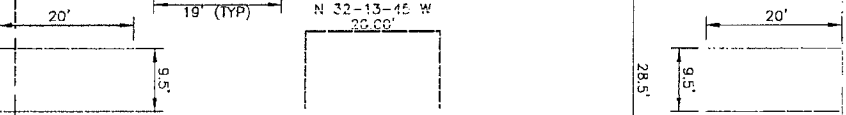
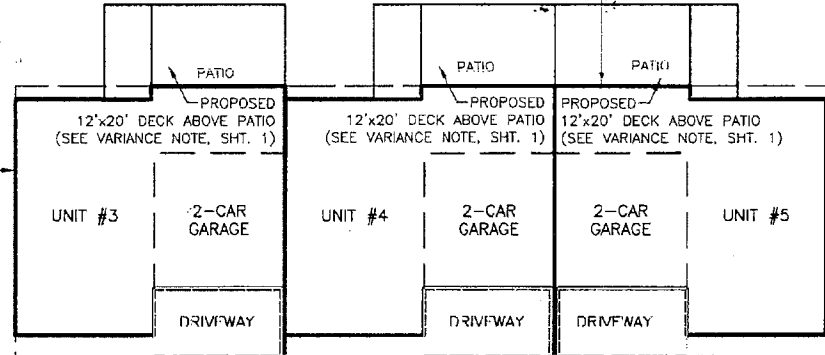
EXISTING
APARTMENT USE

N/L
LYDIA SYKES GEMMER &
BARON GUYE GEMMER
BLOCK: 12, UNIT: 354
DBK: 1070, PG: 1457
FOLIO #: 36-06-03280-00
128 BLOOMINGDALE AVE.

N32°13'45"W



Trees in each row to be planted 10' apart center to center
First tree in Row Ⓐ is 15' from western property line
First tree in Row Ⓑ is 10' from western property line



NO PARKING SIGN
R7-1 (TYP. OF 2)

PROPOSED WALL

RADNOR TOWNSHIP ZONING HEARING BOARD

APPEAL NO. 2947

APPEAL OF 115 STRAFFORD AVENUE, LLC, property located at 120 and 124 Bloomingdale Avenue and zoned R5. Appellant seeks variances from Zoning Code Sections 280-112.D & E for disturbance to steep slopes; a variance from Zoning Code Section 280-35.B(3)(c) to permit a rear yard of 18 feet (+/-) where 30 feet is required; and any other relief necessary to disturb the steep slopes shown on the Plans. Alternatively, Appellant requests interpretation of Zoning Code 280-112.D & E that: (i) disturbance to manmade steep slopes is not prohibited by Code; and/or (ii) interpretation that proposed retaining wall, portions of the proposed driveway, and related grading are permitted under Zoning Code Sections 280-112.D(8) and 280-112.E. Appellant further seeks any other relief deemed necessary for proposed redevelopment project.

DECISION OF THE ZONING HEARING BOARD

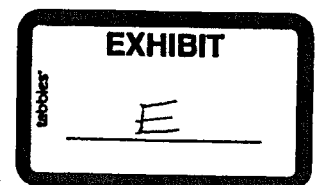
ORDER

Variances under Zoning Code Sections 280-35.B(3)(c), and 280-112(D) and (E) are granted, the Order of the Zoning Officer is reversed, and an appropriate permit is ordered to be issued for the construction of Appellant's proposed residential development and related improvements, in the precise location and manner as shown on Plans (collectively, the "Plans") dated January 30, 2015 and last revised May 19, 2015, as prepared by Inland Design, which Plans have been entered into the record as Appellant's Exhibit "A-1(H)" and otherwise as shown on the plans, exhibits and testimony made part of the record, to the extent consistent with the Plans; provided that: (i) Appellant shall comply with the Landscaping Plan introduced as Appellant's Exhibit A-11, as same may be modified with the consent of the Township during proceedings under the Township's Subdivision and Land Development Ordinance; and (ii) the rear patios and decks on the three units to the rear of the subject premises shall not be enclosed. Relief is granted only under Zoning Code Sections 280-35.B(3)(c), and 280-112(D) and (E), and no relief is granted with respect to any other provision of the Zoning Code.

BY ORDER OF THE ZONING HEARING BOARD

/s/ **BRADLEY DELIZIA, CHAIRMAN**
/s/ **WILLIAM MARTIN, VICE CHAIRMAN**
/s/ **NOAH D. CUTLER**
/s/ **GEORGE NAGLE**
/s/ **JOHN REILLY**

AUGUST 25, 2015: THIS DECISION SHALL EXPIRE IF THE APPLICANT FAILS TO OBTAIN A BUILDING PERMIT WITHIN SIX (6) MONTHS FROM THIS DATE: AUGUST 25, 2015





Gannett Fleming

Excellence Delivered As Promised

MEMORANDUM

Date: September 9, 2015

To: Radnor Township Board of Commissioners

From: Roger Phillips, PE

cc: Robert Zienkowski – Township Manager
Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
John Rice, Esq – Grim, Biehn, and Thatcher
Amy Kaminski, PE – Gilmore and Assoc.
Steve Gabriel – Rettew

RE: 120 & 124 Bloomingdale Ave
115 Strafford Avenue, LLC – Applicant

Date Accepted: October 6, 2014

90 Day Expiration: January 4, 2015, extended to October 13, 2015

Gannett Fleming, Inc. has completed a review of the 120 & 124 Bloomingdale Avenue Preliminary Land Development Plans for compliance with the Radnor Township Code.

The existing properties are located in the R5 zoning district. The applicant is proposing to remove the lot line between the two existing properties, keep the existing single family home and construct two new single family homes and three attached dwellings.

This Land Development Application is subject to Zoning, Subdivision and Land Development, Stormwater Management, and other applicable codes of the Township of Radnor.

The applicant went before the Zoning Hearing Board (decision attached) and received the following variances:

- §280-112.D & E – To allow disturbance and improvements within steep slopes.
- §280-35.B(3)(c) – To permit a rear yard setback of 18 feet instead of the required 30 feet.

Gannett Fleming, Inc.

P.O. Box 80794 • Valley Forge, PA 19484-0794 | 1010 Adams Avenue • Audubon, PA 19403-2402
t: 610.650.8101 • f: 610.650.8190

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The applicant has requested the following waivers:

1. §255-29.A(12) – The width of entrance and exit drives for two-way use must be 25 feet. The applicant has indicated a width of 22 feet of the plans. The applicant has requested a waiver from this requirement.
2. §255-14.A – The applicant is requesting a waiver requiring a submission of a preliminary plan before a final plan is submitted.

Plans Prepared By: Inland Design
Dated: 10/03/2014, revised 05/19/2015

This plan was before the Planning Commission on November 3, 2014, March 2, 2015, June 1, 2015 and August 3, 2015. The planning commission recommended approval of the plans along with the requested waivers at the August 3, 2015 meeting.

I. Zoning

1. §280-35.B(2) – No more than 30% of each lot may be occupied by buildings. The zoning chart on Sheet 1 indicates that 9,731 S.F. is building coverage. A detailed breakdown on how this number was calculated must be provided. This must be similar to the impervious coverage chart shown on Sheet 5.
2. §280-35.B(3)(c) – There shall be a rear yard on each lot that shall not be less than 30 feet in depth. The applicant is proposing decks in the rear yard setback. The applicant received a variance from the Zoning Hearing Board to permit a rear yard setback of 18 feet instead of the required 30 feet.
3. §280-35.B(9) – The maximum impervious coverage allowed is 36%. The applicant indicated that the impervious coverage provided is 35.95% (20,646.8 S.F.) The total listed on the impervious coverage table on sheet 5 lists the total impervious as 20,596.30. These must be revised to be consistent.
4. §280-36.B – Along each side or rear property line which directly abuts a residence area not devoted to apartment use in the district or in an adjoining district or municipality, a buffer planting strip of not less than 10 feet in width shall be provided. The cover sheet indicates apartment use for the Henry property and the plan sheet indicates that single family residential use for the Henry property. This must be revised to be consistent.
5. §280-112 – The plan indicates that there will be buildings, storm sewers, a retaining wall and parking areas located in the steep slope areas. These are not permitted uses in accordance with this section. The applicant has received a variance of this requirement from the Zoning Hearing Board.

6. §280-112.D(8) – There is a proposed retaining wall shown in the steep slope area. Retaining walls are allowed only as a structure customarily associated with the uses outlined in this section. This proposed use does not conform to the intent of this section, and therefore the retaining wall is non-conforming. The applicant has received a variance of this requirement from the Zoning Hearing Board.

II. Subdivision and Land Development

1. §255-21.B(7) – Planning module for land development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act is required. The applicant has indicated that a Planning Module Exemption form has been submitted to the PA DEP. A planning module submission was made to the Township.
2. §255-29.A(12) – The width of entrance and exit drives for two-way use must be 25 feet. The applicant has indicated a width of 22 feet of the plans. The applicant has requested a waiver to this requirement.
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5. §255-38 – Street trees 2 ½ inches dbh at intervals of not more than 30 feet along both sides of new streets and along one or both sides of an existing street within the proposed subdivision or land development. The applicant has indicated that 9 trees will be required. This must be revised on the landscaping compliance chart on Sheet 10 to indicate the 9 street trees under the total tree planting requirements instead of the 8 shown.
6. §255-42.B(2) – The applicant has shown proposed Class A planting options on Sheet 10. The length of buffer appears to be inadequate for the side and rear property lines. The buffer yard in the table indicates 50 L.F. along Unit 328 and 250 L.F. along Bloomingdale Avenue. This must be revised to remove the Bloomingdale Avenue reference and reference the appropriate lots. Also, the total for the buffer yard requirement would be more than the 300 feet as shown in the table. In addition, the buffer must be extended along the easterly property line to Bloomingdale Avenue. The

number of required trees will increase and the Landscaping Compliance Chart on Sheet 10 must be updated.

7. §255-43.1.B(1) – For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit. The fee in lieu would be \$19,842.
8. §255-54.B – The central water system should be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specification of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided.

III. Stormwater Management

1. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

IV. General Comments

1. The sanitary sewer between MH 2 and MH4 on sheet 6 has less than 10 feet of horizontal clearance with the water line and fire hydrant. This must be revised to ensure adequate clearance.

We recommend the Board of Commissioners consider recommending approval of this conditioned on requiring the applicant to satisfactorily address the above comments.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC



Roger A. Phillips, P.E.
Senior Project Manager

RADNOR TOWNSHIP ZONING HEARING BOARD

APPEAL NO. 2947

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DECISION OF THE ZONING HEARING BOARD

ORDER

Variances under Zoning Code Sections 280-35.B(3)(c), and 280-112(D) and (E) are granted, the Order of the Zoning Officer is reversed, and an appropriate permit is ordered to be issued for the construction of Appellant's proposed residential development and related improvements, in the precise location and manner as shown on Plans (collectively, the "Plans") dated January 30, 2015 and last revised May 19, 2015, as prepared by Inland Design, which Plans have been entered into the record as Appellant's Exhibit "A-1(H)" and otherwise as shown on the plans, exhibits and testimony made part of the record, to the extent consistent with the Plans; provided that: (i) Appellant shall comply with the Landscaping Plan introduced as Appellant's Exhibit A-11, as same may be modified with the consent of the Township during proceedings under the Township's Subdivision and Land Development Ordinance; and (ii) the rear patios and decks on the three units to the rear of the subject premises shall not be enclosed. Relief is granted only under Zoning Code Sections 280-35.B(3)(c), and 280-112(D) and (E), and no relief is granted with respect to any other provision of the Zoning Code.

BY ORDER OF THE ZONING HEARING BOARD

/s/ **BRADLEY DELIZIA, CHAIRMAN**

/s/ **WILLIAM MARTIN, VICE CHAIRMAN**

/s/ **NOAH D. CUTLER**

/s/ **GEORGE NAGLE**

/s/ **JOHN REILLY**

AUGUST 25, 2015: THIS DECISION SHALL EXPIRE IF THE APPLICANT FAILS TO OBTAIN A BUILDING PERMIT WITHIN SIX (6) MONTHS FROM THIS DATE: AUGUST 25, 2015

George W. Broseman
Direct Dial: (610) 941-2459
Direct Fax: (610) 684-2005
Email: gbroseman@kaplaw.com
www.kaplaw.com

August 6, 2015

VIA E-MAIL

Roger Phillips, P.E.
Gannett Fleming Engineers and Planners
Valley Forge Corporate Center
P.O. Box 80794
Valley Forge, PA 19482

**RE: 120 & 124 Bloomingdale Avenue ("Property")
Pending Land Development Application;
Our Reference: 10073-15**

Dear Mr. Phillips:

I represent 115 Strafford Avenue, LLC, equitable owner of the properties at 120 & 124 Bloomingdale Avenue in connection with the pending land development application for the Property. I am writing to grant Radnor Township an extension of time through October 13, 2015 in which to render a decision on the pending Application. Please contact us if you have any questions or require any further information.

Sincerely,



George W. Broseman

GWB:kds

cc: 115 Strafford Avenue, LLC
John Rice, Esquire
Stephen Norcini, P.E.
Chuck Dobson, P.E.

GWB 10073/15 4040909v1 08/06/2015 11:38 AM



Gannett Fleming

100 Years

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August 6, 2015

Joel Comada
Project Engineer
Inland Design
16 Hagerty Blvd
West Chester, PA 19382

RE: Sewage Facilities Planning Module
120/124 Bloomingdale Avenue

Dear Joel:

We have reviewed the planning module package submitted and have the following comments:

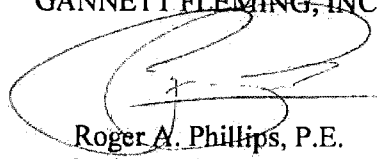
1. Component 3 Section G.1.a, should indicate that there is no Clean Streams Law Permit number for the sanitary sewer system in Radnor Township. The Township has researched and was unable to determine if a number was issued in the past and due to the age of the majority of the original system, it is likely that the sanitary sewers pre-date the Clean Streams Law.
2. Component 3 Section G.1.b – The number of connections indicated in this section is -642t. This incorrect and must be revised.
3. The project name is incorrect in the Component 4A for the Municipal Planning Agency. This must be revised.
4. The narrative provided with the PHMC submission indicates that the project is located in the R-4 Zoning District. This project is located in the R-5 Zoning District.
5. We are completing the capacity certification for the collection system. Once it is completed we will forward to you.

We have attached the executed application for the Delaware County Planning Commission for your submission.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.
Senior Project Manager

Gannett Fleming, Inc.

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DELAWARE COUNTY PLANNING DEPARTMENT

Court House/Government Center, 201 W. Front Street, Media, Pennsylvania 19063
Phone: 610-891-5200 Fax: 610-891-5203 Email: planning_department@co.delaware.pa.us

Application for Act 537 Review

Please type or print legibly

DEVELOPER/APPLICANT

Name 115 Strafford Avenue, LLC Phone 610-721-1495
Address 110 North Phoenixville Pike, Suite 100, Malvern, PA 19355
Name of Development 120 & 124 Bloomingdale Avenue DEP # 1-23013-244-3J
Date of Act 247 Review 11/20/2014 DCPD File # 34-8054-14

PLANNING MODULE PREPARER

Name Joel D. Comanda, P.E. Phone 484-947-2928
Address 16 Hagerty Blvd. West Chester, PA 19382

| Type of Review (check 2 boxes) | Proposed Method of Treatment |
|---|---|
| <input checked="" type="checkbox"/> Initial Submittal | <input type="checkbox"/> Sewer tap-in |
| <input type="checkbox"/> Minor Revision Resubmittal | <input checked="" type="checkbox"/> Sewer extension/new collection system |
| <input type="checkbox"/> Major Revision Resubmittal | <input type="checkbox"/> Individual on-lot or new replacement system |
| <input checked="" type="checkbox"/> Standard Form (Component 1, 2, 3) | <input type="checkbox"/> Multiple on-lot system |
| <input type="checkbox"/> Private Request | <input type="checkbox"/> Community system or new plant |
| <input type="checkbox"/> Municipal Base Plan or Ordinance | |

Water: Private Public
Use: Commercial/Industrial Institutional Residential
EDUs 4 # of Connections 4 new Projected Flow 1050 Acreage 1.318

Statement of Intent Reverse Subdivision of two lots (w/ 2 existing dwellings - 1 to remain) and construction of 5 new dwellings. All dwellings are to be connected to the public sewer through the proposed expansion

Has a copy of this module been forwarded to:
All tributary authorities or SEOs, as required? Yes No
PA Historical and Museum Commission, if required? Yes No N/A

MUNICIPALITY'S SECTION (Application Will Not Be Accepted Without Original Signature)

Municipality Radnor Township
Address 301 Iven Ave. Radnor, PA 19087-5297
Municipal Official Roger Phillips, PE TWP ENG Phone 610-650-8101
Official's Signature [Signature] Date 8-6-2015

FOR DCPD USE ONLY

Date Received _____ Complete Incomplete
Date DCPD Comments Due _____ Staff Initials _____
Review Fee: Amount _____ Check No. _____
Date Received _____ Received By _____



Gannett Fleming

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of Excellence Delivered As Promised

MEMORANDUM

Date: July 27, 2015

To: Radnor Township Planning Commission

From: Roger Phillips, PE

cc: Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
Peter Nelson, Esq. – Grim, Biehn, and Thatcher
Amy B. Kaminski, P.E. – Gilmore & Associates, Inc.
Steve Gabriel – Rettew Associates
Suzan Jones – Radnor Township Engineering Department
William Miller – Radnor Township Codes Official
Ray Daly – Radnor Township Codes Official

RE: 120 & 124 Bloomingdale Ave
115 Strafford Avenue, LLC – Applicant

Date Accepted: October 6, 2014

90 Day Expiration: January 4, 2015, extended to August 31, 2015

Gannett Fleming, Inc. has completed a review of the 120 & 124 Bloomingdale Avenue Preliminary Land Development Plans for compliance with the Radnor Township Code.

The existing properties are located in the R5 zoning district. The applicant is proposing to remove the lot line between the two existing properties, keep the existing single family home and construct two new single family homes and three attached dwellings.

This Land Development Application is subject to Zoning, Subdivision and Land Development, Stormwater Management, and other applicable codes of the Township of Radnor.

The applicant has requested variances from the following:

- §280-112.D & E – To allow disturbance and improvements within steep slopes.
- §280-35.B(3)(c) – To permit a rear yard setback of 18 feet instead of the required 30 feet.

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The applicant has requested the following waivers:

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2. §255-14.A – The applicant is requesting a waiver requiring a submission of a preliminary plan before a final plan is submitted.

Plans Prepared By: Inland Design
Dated: 10/03/2014, revised 05/19/2015

This plan was before the Planning Commission on November 3, 2014, March 2, 2015 and June 1, 2015. The plans have been revised based on Planning Commission and staff comments.

I. Zoning

1. §280-35.B(2) – No more than 30% of each lot may be occupied by buildings. The zoning chart on Sheet 1 indicates that 9,731 S.F. is building coverage. A detailed breakdown on how this number was calculated must be provided. This must be similar to the impervious coverage chart shown on Sheet 5.
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4. §280-36.B – Along each side or rear property line which directly abuts a residence area not devoted to apartment use in the district or in an adjoining district or municipality, a buffer planting strip of not less than 10 feet in width shall be provided. The cover sheet indicates apartment use for the Henry property and the plan sheet indicates that single family residential use for the Henry property. This must be revised to be consistent.
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1. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

IV. General Comments

1. The sanitary sewer between MH 2 and MH4 on sheet 6 has less than 10 feet of horizontal clearance with the water line and fire hydrant. This must be revised to ensure adequate clearance.

We recommend that consideration of approval not be given until such time as the outstanding zoning issues are adequately addressed and the plans are revised to reflect the above comments.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.
Senior Project Manager



MEMORANDUM

Date: June 23, 2015

To: Radnor Township Planning Commission

From: Roger Phillips, PE

cc: Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
Peter Nelson, Esq. – Grim, Biehn, and Thatcher
Amy B. Kaminski, P.E. – Gilmore & Associates, Inc.
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2. §255-29.A(12) – The width of entrance and exit drives for two-way use must be 25 feet. The applicant has indicated a width of 22 feet of the plans. The applicant has requested a waiver to this requirement.
3. §255-29.A(20) – Where semi-attached, attached or multiple dwellings are proposed and where private garages or driveways are proposed to be used and meet the off-street parking requirements, one parking spaces per four dwelling units of overflow off-street parking shall be provided. The applicant has provided off-street parking in conformance with this section.
4. §255-37.E – Sidewalks and pedestrian paths shall be adequately lighted, if required by the Board of Commissioners. The applicant has provided two entrance lights and proposed that the lighting provided on each dwelling unit will light the proposed pedestrian path. Details must be provided on how it is intended that the proposed entrance lights be powered.
5. §255-38 – Street trees 2 ½ inches dbh at intervals of not more than 30 feet along both sides of new streets and along one or both sides of an existing street within the proposed subdivision or land development. The applicant has indicated that 9 trees will be required. This must be revised on the landscaping compliance chart on Sheet 10 to indicate the 9 street trees under the total tree planting requirements instead of the 8 shown.
6. §255-42.B(2) – The applicant has shown proposed Class A planting options on Sheet 10. The length of buffer appears to be inadequate for the side and rear property lines. The buffer yard in the table indicates 50 L.F. along Unit 328 and 250 L.F. along Bloomingdale Avenue. This must be revised to remove the Bloomingdale Avenue reference and reference the appropriate lots. Also, the total for the buffer yard requirement would be more than the 300 feet as shown in the table. In addition, the buffer must be extended along the easterly property line to Bloomingdale Avenue. The number of required trees will increase and the Landscaping Compliance Chart on Sheet 10 must be updated.

7. §255-43.1.B(1) – For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit. The fee in lieu would be \$19,842.
8. §255-54.B – The central water system should be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specification of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided.

III. Stormwater Management

1. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

IV. General Comments

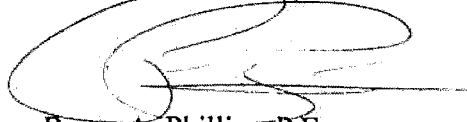
1. The sanitary sewer between MH 2 and MH4 on sheet 6 has less than 10 feet of horizontal clearance with the water line and fire hydrant. This must be revised to ensure adequate clearance.

We recommend that consideration of approval not be given until such time as the outstanding zoning issues are adequately addressed and the plans are revised to reflect the above comments.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.
Senior Project Manager



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

MEMORANDUM

Date: June 23, 2015

To: Steve Norcini, P.E.

From: Amy Kaminski, P.E., PTOE

cc: Roger Phillips, P.E., Gannett Fleming, Inc.
Steve Gabriel, P.P, RETTEW
Damon Drummond, P.E., PTOE

Reference: 120 & 124 Bloomingdale Avenue
Revised Preliminary Land Development & Lot Line Change Transportation Review
Radnor Township, Delaware County
G&A 14-08067

Pursuant to your request, Gilmore & Associates, Inc. has completed a transportation review of the revised Preliminary/Final Land Development & Lot Line Change Plan (14 sheets) for 120 & 124 Bloomingdale Avenue, prepared by InLand Design, dated October 3, 2014 and last revised May 19, 2015. The plans were prepared for the applicant, 115 Strafford Avenue. LLC.

We offer the following comments for Radnor Township consideration:

I. SUBMISSION

1. 120 & 124 Bloomingdale Avenue Revised Preliminary/Final Land Development & Lot Line Change Plan for Bloomingdale Ave., LLC, prepared by InLand Design, consisting of fourteen (14) sheets, dated October 3, 2014 and last revised May 19, 2015.
2. Response letter dated May 26, 2015 prepared by InLand Design.

II. PROJECT DESCRIPTION

The Applicant intends to consolidate two existing parcels (total of 1.318 acres) located at 120 & 124 Bloomingdale Avenue and develop the lot with six total residential dwelling units (1 existing, 5 proposed). There will be three (3) proposed multi-unit dwellings and two (2) proposed single family units located along a common driveway for this multiple-dwelling group development. The development features six (6) additional parking spaces within the development and addition parallel parking along the Bloomingdale Avenue site frontage. The applicant intends to eliminate the existing access to Bloomingdale Avenue and construct a new driveway access on Bloomingdale Avenue north of the existing location.

III. REQUESTED VARIANCE

1. §280-112.D(8): To allow a proposed retaining wall in the steep slope area; this requires a variance from ZHB.

IV. REQUESTED WAIVERS

1. §255-29 A(12) To allow 22-foot wide driveway for a two-way entrance and exit drive to an off-street parking facility with a capacity of three or more vehicles.
2. §280-112.D(8): To allow Preliminary/Final approval prior to obtaining formal Preliminary Plan conditional approval.

V. GENERAL COMMENTS

1. To improve sight lines for motorists exiting driveways on Bloomingdale Avenue, on-street parallel parking spaces should be located a minimum of 20' from any existing or proposed driveways (as projected from the edge of the driveway, not the curb radius). The parking space dimensions for the end spaces may be reduced to a 20' length; however, the internal parallel parking spaces should include a minimum of 22' in length to allow for parking maneuvers. It appears that a minor adjustment should be made to all proposed parking stalls on Bloomingdale Avenue. Please contact this office if further clarification is necessary.
2. Sheet 13 of 14: Of minor concern, revise the nomenclature of the "NO PARKING SYMBOL" sign from R7-1 to R8-3.



Community Development
Department

ZONING HEARING BOARD AGENDA

**Thursday, June 18, 2015
7: 30 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. **APPEAL #2947** The applicant, 115 Strafford Avenue, LLC, property located at 120 and 124 Bloomingdale Avenue and zoned R5, seeks variances from Code Section 280-112.D & E for disturbance to steep slopes; a variance from Code Section 280-35.B(3)(c) to permit a rear yard of 18 feet (+/-) where 30 feet is required; and any other relief necessary to disturb the steep slopes shown on the Plans. Alternatively, Applicant requests interpretation of Code 280-112.D & E that: disturbance to manmade steep slopes is not prohibited by Code; and/or interpretation that proposed retaining wall, portions of the proposed driveway, and related grading are permitted under Sections 280-112.D(8) and 280-112.E.8 and any other relief deemed necessary for proposed redevelopment project.

The next meeting of the ZHB is scheduled for July 16, 2015 at 7:30 p.m. Applications for the July 16, 2015 meeting must be submitted on or before June 16, 2015.

ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

| |
|-------------------------------|
| TOWNSHIP USE ONLY |
| APPEAL # <u>2947</u> |
| FEE: <u>550</u> |
| DATE RECEIVED: <u>5/19/15</u> |

 GENERAL INFORMATION: Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to his application. Ten (10) copies of this application and required attachments must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING

REQUIRED FEE DUE AT FILING: Please refer to the Consolidated Fee Schedule, as amended, on our website at www.radnor.com for a copy of our current fees.

TYPE OR PRINT

Property Address: 120 & 124 Bloomingdale Avenue, Wayne, PA

Name and address of applicant: 115 Strafford Avenue, LLC

Bo Erixson, 110 North Phoenixville Pike, Malvern, PA 19355

Telephone number: 610-721-1495 Email: berixxon@bbhomes.us

Property Owner (if different than above): 120 Bloomingdale Associates, L.P.
Salvador Barbera and Gino Monico Zancanaro

Owner address: 120 Bloomingdale Ave. & 124 Bloomingdale Ave, Radnor, PA 19087

Telephone number: N/A Email: N/A

Attorney's name: George W. Broseman

Address: 910 Harvest Drive, Blue Bell, PA 19422

Telephone number: 610-941-2459 Email: gbroseman@kaplaw.com

Relief requested and/or basis for appearing before the Zoning Hearing Board including specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)

Applicant requests, to the extent required, variances from Code §§ 280-112.D & E for disturbance to and improvements within steep slopes and § 280-35.B(3)(c) to permit a rear yard of eighteen (18) feet (+/-) where thirty (30) feet is required, and any other relief necessary for the Redevelopment Project. Alternatively, Applicant requests interpretations of Code §§ 280-112.D & E that: (i) disturbance to manmade steep slopes is not prohibited by Code; and/or (ii) that a proposed retaining wall, portions of the proposed driveway, stormwater facilities, and related grading and improvements are permitted under Code §§ 280-112.D(8) and 280-112.E as being associated with permitted activities on steep slopes.

Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: (attach additional pages if necessary)

None that we are aware of.

Brief narrative of improvements: *(attach additional pages if necessary)*

See attached Addendum.

ATTACHMENTS: Ten (10) copies of each of the following must be provided:

1. Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:
 - a) lot lines and lot dimensions described in metes and bounds (in feet);
 - b) total lot area;
 - c) location of easements and rights of way, including ultimate rights of way;
 - d) location of all setback lines for existing and proposed structures;
 - e) location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;
 - f) location of existing and proposed improvements;
 - g) table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and
 - h) all other features or matters pertinent to the application.

PLANS SHALL NOT EXCEED 24" X 36", AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 1/2" X 11" AT FILING

2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being discontinued, or being dismissed, at the discretion of the Board*)


SIGNATURE OF APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

George W. Broseman
Direct Dial: (610) 941-2459
Direct Fax: (610) 684-2005
Email: gbroseman@kaplaw.com
www.kaplaw.com

May 26, 2015

VIA HAND DELIVERY

Roger Phillips, Township Engineer
Gannett Fleming Engineers and Planners
Valley Forge Corporate Center
P.O. Box 80794
Valley Forge, PA 19482

**RE: 120 & 124 Bloomingdale Avenue (collectively "Property")
Pending Land Development Application
Our Reference: 10073-15**

Dear Mr. Phillips:

As you know, I represent 115 Strafford Avenue, LLC, equitable owner of the properties at 120 & 124 Bloomingdale Avenue in connection with the pending land development application for the Property. The applicant has also filed an application to the Radnor Township Zoning Hearing Board for certain measures of relief, including relief from the steep slope provisions of the Zoning Ordinance. The Zoning Hearing Board application and current land development plans are to be reviewed by the Radnor Township Planning Commission at its upcoming June 1, 2015 meeting.

Along with this letter we are submitting a revised plan and related materials for the redevelopment of the Property that address the comments in your May 7, 2015 review letter and in the Gilmore & Associates review letter dated April 22, 2015. The revised plans also address comments from the Radnor Township Historical Architectural Review Board and from adjoining landowners. Specifically, please find: (i) 32 copies of the 14-sheet land development plan set prepared by Inland Design, dated 10/03/14, revised (No. 3) 05/19/15; (ii) 2 copies of the stormwater report; (iii) an electronic copy of the plans on a CD ROM, and (iv) 30 copies of a May 19, 2015 letter from the project engineer, Charles A. Dobson, P.E. providing responses to the review letters.

Roger Phillips, Township Engineer
May 26, 2015
Page 2

Please contact us if you have any questions or require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "G. W. Broseman", with a long horizontal flourish extending to the right.

George W. Broseman

GWB:sl

cc: 115 Strafford Avenue, LLC
Charles A. Dobson, P.E.



INLAND DESIGN

Civil Engineers, Surveyors & Land Development Consultants

May 26, 2015

Radnor Township Planning Commission
301 Iven Avenue
Wayne, PA 19087

**Re: 120 & 124 Bloomingdale Avenue
Response to Review Letter from Gannett Fleming, Inc. dated 5-7-2015 and Review
Letter from Gilmore & Associates Dated 4-22-2015**

Dear Planning Commission Members:

We have received the above referenced review letter and offer the following responses as follows:

Gannett Fleming Review Letter dated 5-7-2015

I. Zoning

1. 280-35 - The reference to the habitable floor area has been removed from the plan as requested.
2. 280-35.B (6) – The plans has been revised to show the breakdown of the minimum room sizes as requested. This breakdown will be revised once the architectural details of the units has been finalized.
3. 280-35-B (9) – A detailed breakdown of the impervious area was provided on Sheet 5 of 14. This table has been further modified to reflect the most recent revision.
4. 280-36.B – In accordance with this section the plans show the required planting buffer next to all residential uses not devoted to apartment uses. It is our understanding that the Gemmer property (Block 12, Unit 354) and the McClain property (Block 12, Unit 327) contain apartment uses.
5. 280-103.B (1) – The plans now show the proposed garage area on each unit. The required size of the parking spaces is also noted on the plans.

6. 280-112 – A notes has been added to the plans that details all of the relief requested by the applicant. Specifically Zoning Ordinance Sections 280-112.D and 280-112.E to allow disturbance to and construction of improvements within the steep slope areas. Additionally a second zoning variance from Zoning Ordinance Section 280-35.B(3)(C) to reduce the rear yard setback from 30 feet to 18 feet for the proposed decks protruding into the rear yard setback has been added to the plan.
7. 280-112.D (8) – The variance note shown on Sheet 1 reflects the request for a variance of this section.

II. Subdivision and Land Development Ordinance

1. 255-20.B (1) (n) – The cover sheet has been revised to show an aerial view of the project and all areas within 500 feet.
2. 255-21.B (7) – Will comply.
3. 255-27.I (5) – Sight distance calculations have been added to the plan that details the required site distance based on the posted speed limit of 25 MPH.
4. 255-29.A (12) – We believe that this provision applies to parking lot entrances and exits and not to the proposed private drive. However to the extent required a waiver of this section has been added to the plans. Based on our analysis, the truck turning template shows the 22 feet width is adequate.
5. 255-29.A (20) – No response required.
6. 255-35 – All proposed trees have been moved away from the proposed utility easement.
7. 255-37.E – Two entrance lights have been added to the plan. Additionally lighting provided on each dwelling unit will also provide lighting to the proposed pedestrian path.
8. 255-38 – An additional street tree has been added to Bloomingdale Avenue as requested.
9. 255-42.B (2) – In accordance with Attachment 2 in Chapter 255, a ‘Class A’ buffer is only required when the adjoining property use is a single family detached dwelling. The plan reflects this requirement.

10. 255-43.1.B (1) – Will comply. The required fee-in-lieu will be paid.
11. 255-54.B – Will comply.

III. Stormwater Management

1. The SWM report has been revised to reflect the revisions to the plan referenced herein. A copy of the updated report is attached for reference and review.
2. Will comply.

IV. General Comments

1. The configuration of the sanitary sewer lateral has been revised as requested.
2. The minimum separation has been provided as requested.

It is noted that in addition to the changes outlined above the site grading has been adjusted to lower the finished floor elevation of the all proposed units in order to be more compatible with the existing building located on the adjoining Gemmer property (Block 12, Unit 354). Furthermore, an additional waiver request of Section 255-14.A has been added to the plan set to allow the review and approval of this plan to be completed as a Preliminary/Final Plan.

Gilmore & Associates, Inc. Review Letter dated 4-22-2015

IV. SALDO Comments

1. 255-29.A (12) – See Gannett Fleming Response #4 above.
2. 255-29.A (14) – The internal corner radii have been labeled as requested.
3. 255-37 H – The proposed sidewalk is less than 5%. However a note to this effect has been added to the plan.

V. General Recommendations

1. Will comply.
2. A planting strip between the proposed driveway and sidewalk has been provided as requested.

3. The noted parking spaces have been removed from the plan as requested.
4. The requested sign has been added to the plan.
5. The proposed fence location has been revised as requested.

Based on the revisions outlined herein, we trust that the plan can now be approved. Please feel free to contact us should you have any questions or comments.

Very Truly Yours,



Charles A. Dobson, P.E.
President

/cad

c: 115 Strafford Ave, LLC
George Broseman, Esq.
File



MEMORANDUM

Date: May 7, 2015

To: Radnor Township Planning Commission

From: Roger Phillips, PE

cc: Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
Peter Nelson, Esq. – Grim, Biehn, and Thatcher
Amy B. Kaminski, P.E. – Gilmore & Associates, Inc.
Steve Gabriel – Rettew Associates
Suzan Jones – Radnor Township Engineering Department
William Miller – Radnor Township Codes Official
Ray Daly – Radnor Township Codes Official

RE: 120 & 124 Bloomingdale Ave
115 Strafford Avenue, LLC – Applicant

Date Accepted: October 6, 2014

90 Day Expiration: January 4, 2015, extended to June 30, 2015

Gannett Fleming, Inc. has completed a review of the 120 & 124 Bloomingdale Avenue Preliminary Land Development Plans for compliance with the Radnor Township Code.

The existing properties are located in the R5 zoning district. The applicant is proposing to remove the lot line between the two existing properties, keep the existing single family home and construct two new single family homes and three attached dwellings.

This Land Development Application is subject to Zoning, Subdivision and Land Development, Stormwater Management, and other applicable codes of the Township of Radnor.

The applicant has requested a variance from the following:

- §280-112.D – To allow location of the proposed retaining wall in the steep slope area.

The following variance must also be requested:

- §280-112.D – To allow for buildings, storm sewers and parking areas to be located in the steep slope area.

Gannett Fleming, Inc.

P.O. Box 80794 • Valley Forge, PA 19484-0794 | 1010 Adams Avenue • Audubon, PA 19403-2402

t: 610.650.8101 • f: 610.650.8190

www.gannettfleming.com



Plans Prepared By: Inland Design
Dated: 10/03/2014, revised 04/01/2015

This plan was before the Planning Commission on November 3, 2014 and March 2, 2015. The plans have been revised based on Planning Commission and staff comments.

I. Zoning

1. §280-35– The zoning table provided lists habitable floor area. The minimum habitable floor area is for each apartment unit and not applicable to this project.
2. §280-35.B(6) – The breakdown of minimum room sizes for each dwelling must be shown on the plans in accordance with this section.
3. §280-35.B(9) – The maximum impervious coverage allowed for lot 1 is 36%. The applicant indicated that the impervious coverage provided is 34.7%. A detail breakdown on how this was calculated, by building unit, must be provided.
4. §280-36.B – Along each side or rear property line which directly abuts a residence area not devoted to apartment use in the district or in an adjoining district or municipality, a buffer planting strip of not less than 10 feet in width shall be provided. The length of buffer appears to be inadequate for all side and rear property lines. A buffer must be provided for the northerly border along the neighboring property line of 114 Bloomingdale Avenue.
5. §280-103.B(1) – There are two parking spaces required for each dwelling unit. The applicant has indicated that there will be two parking spaces provided within the garages shown on the plans. There are no garages shown on the plans. In accordance with the definition of parking space in the Zoning Code, the parking space shall measure not less than nine feet six inches by twenty feet, accessible from a street, alley, or driveway and surfaced with a Township-approved durable, dust proof and all-weather surface.
6. §280-112 – The plan indicates that there will be buildings, storm sewers, a retaining wall and parking areas located in the steep slope areas. These are not permitted uses in accordance with this section. A variance must be requested to permit the uses within steep slope areas.
7. §280-112.D(8) – There is a proposed retaining wall shown in the steep slope area. Retaining walls are allowed only as a structure customarily associated with the uses outlined in this section. This proposed use does not conform to the intent of this section, and therefore the retaining wall is non-conforming. The applicant has requested a variance of this requirement.

II. Subdivision and Land Development

1. §255-20(B).1(n) – Existing principal buildings, and their respective uses, and driveways on the adjacent peripheral strip; sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroad and other significant man-made features within 500 feet of and within the site (this includes properties across streets) must be shown on the plans.
2. §255-21.B(7) – Planning module for land development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act is required. The applicant has indicated that a Planning Module Exemption form has been submitted to the PA DEP. Once that is returned with an appropriate code, a planning module submission will be made to the Township.
3. §255-27.I(5) – In general, no private driveway shall take access to an arterial or major collector street. Driveways shall be located and designed as to provide a reasonable sight distance at street intersections. The required site distance provided on the plans (157' West Wayne Ave and 165' Lenoir Ave) must be explained and calculations provided.
4. §255-29.A(12) – The width of entrance and exit drives for two-way use must be 25 feet. The applicant has indicated a width of 22 feet of the plans. This must be revised or a waiver requested.
5. §255-29.A(20) – Where semi-attached, attached or multiple dwellings are proposed and where private garages or driveways are proposed to be used and meet the off-street parking requirements, one parking spaces per four dwelling units of overflow off-street parking shall be provided. The applicant has provided off-street parking in conformance with this section.
6. §255-35 – No structure requiring a building permit or plantings, except for lawn and/or paving shall be set or put in the area of a utility easement. It appears that there is landscaping located in the proposed sanitary sewer easement. This must be revised or a waiver requested.
7. §255-37.E – Sidewalks and pedestrian paths shall be adequately lighted, if required by the Board of Commissioners. All proposed lighting plans must be submitted for review by the Board of Commissioners.
8. §255-38 – Street trees 2 ½ inches dbh at intervals of not more than 30 feet along both sides of new streets and along one or both sides of an existing street within the proposed subdivision or land development. The applicant has indicated that 8 trees will be required. This must be revised to indicate that 9 street trees are required along the 250 L.F. of Bloomingdale Avenue.

9. §255-42.B(2) – The applicant has shown proposed Class A planting options on Sheet 10. The length of buffer appears to be inadequate for the side and rear property lines. A buffer must be provided for the northerly border along the neighboring property line.
10. §255-43.1.B(1) – For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit. The fee in lieu would be \$19,842.
11. §255-54.B – The central water system should be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specification of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided.

III. Stormwater Management

1. Please provide the complete Hydraflow reports for the Recharge Bed Routing. The Hydraflow routing supporting documentation for storm events 2, 25, 50 and 100 years appear to be missing from the stormwater report. (see pages 6-12 to 6-16).
2. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

IV. General Comments

1. The location of the proposed sanitary sewer lateral for lot #2 must be revised to be directly in front on the existing dwelling.
2. A minimum 10-foot horizontal and 18-inch vertical separation must be maintained between the sanitary sewer and the water and storm sewer lines. The storm sewer crosses the sanitary sewer between MH 3 and MH 2 with less than 18-inches of vertical separation.

Gannett Fleming

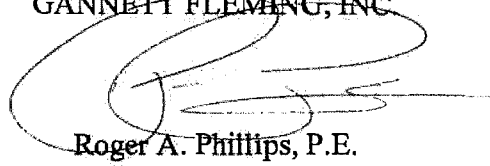
Radnor Township Planning Commission
120 & 124 Bloomingdale Avenue
May 7, 2015

We recommend that consideration of approval not be given until such time as the outstanding zoning issues are adequately addressed and the plans are revised to reflect the above comments.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC



Roger A. Phillips, P.E.
Senior Project Manager



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

MEMORANDUM

Date: April 22, 2015

To: Steve Norcini, P.E.

From: Amy Kaminski, P.E., PTOE

cc: Roger Phillips, P.E., Gannett Fleming, Inc.
Steve Gabriel, P.P, Rettew
Damon Drummond, P.E., PTOE

Reference: 120 & 124 Bloomingdale Avenue - Revised Preliminary Land Development & Lot Line Change Plan Review - Transportation
Radnor Township, Delaware County
G&A 14-08067

Pursuant to your request, Gilmore & Associates, Inc. has completed a transportation review of the revised Preliminary Land Development & Lot Line Change Plan (14 sheets) for 120 & 124 Bloomingdale Avenue, prepared by InLand Design, dated October 3, 2014 and last revised April 1, 2015. The plans were prepared for the applicant 115 Strafford Avenue. LLC.

We offer the following comments for Radnor Township consideration:

I. SUBMISSION

120 & 124 Bloomingdale Avenue Revised Preliminary Land Development & Lot Line Change Plan for Bloomingdale Ave., LLC, prepared by InLand Design, consisting of fourteen (14) sheets, dated October 3, 2014 and last revised April 1, 2015.

II. PROJECT DESCRIPTION

The Applicant intends to consolidate two existing parcels (total of 1.318 acres) located at 120 & 124 Bloomingdale Avenue and develop the lot with six total residential dwelling units (1 existing, 5 proposed). There will be three (3) proposed multi-unit dwellings and two (2) proposed single family units located along a common driveway for this multiple-dwelling group development. The development features six (6) additional parking spaces within the development and addition parallel parking along the Bloomingdale Avenue site frontage. Access to the development is proposed via Bloomingdale Avenue.

III. REQUESTED VARIANCES & WAIVERS

1. §280-112.D(8): To allow a proposed retaining wall in the steep slope area; this requires a variance from ZHB.
2. No waivers have been requested.

IV. SALDO COMMENTS

1. §255-29 A(12) Off-street parking facilities with a capacity of three or more vehicles, the width of the entrance and exit drives shall have a minimum of 25 feet for two-way use. The driveway access is of 22 feet wide. The plan must be revised or a waiver requested.
2. §255-29 A(14) – Label the internal corner radii of the parking facility; a 5' minimum radius is required.
3. §255-37 H – Where sidewalk grades exceed 5%, a non-slip surface shall be used. Include a note and/or detail on the plan indicating this requirement.

V. GENERAL RECOMMENDATIONS

We recommend the following:

1. Submit the plan (including the fire truck turning templates); to the Fire Marshal for review and comment.
2. Include a planting strip between the proposed driveway and sidewalk to separate vehicular and pedestrian traffic.
3. To improve sight lines for exiting motorists, eliminate on-street parking spaces 20 feet on either side of the proposed driveway access to Bloomingdale Avenue.
4. Include signage for a parking prohibition on the driveway access to Bloomingdale Avenue.
5. Revise the location of the proposed 4' high fence so it is not located less than 5' from the ultimate right of way line.

George W. Broseman
Direct Dial: (610) 941-2459
Direct Fax: (610) 684-2005
Email: gbroseman@kaplaw.com
www.kaplaw.com

April 15, 2015

VIA E-MAIL

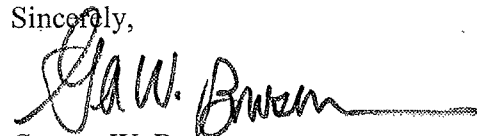
Roger Phillips, P.E.
Gannett Fleming Engineers and Planners
Valley Forge Corporate Center
P.O. Box 80794
Valley Forge, PA 19482

**RE: 120 & 124 Bloomingdale Avenue ("Property")
Pending Land Development Application;
Our Reference: 10073-15**

Dear Mr. Phillips:

I represent 115 Strafford Avenue, LLC, equitable owner of the properties at 120 & 124 Bloomingdale Avenue in connection with the pending land development application for the Property. I am writing to grant Radnor Township an extension of time through June 30, 2015 in which to render a decision on the pending Application. Please contact us if you have any questions or require any further information.

Sincerely,



George W. Broseman

GWB:kds

cc: 115 Strafford Avenue, LLC
John Rice, Esquire
Stephen Norcini, P.E.
Chuck Dobson, P.E.

George W. Broseman
Direct Dial: (610) 941-2459
Direct Fax: (610) 684-2005
Email: gbroseman@kaplaw.com
www.kaplaw.com

April 2, 2015

VIA HAND DELIVERY

Roger Phillips, Township Engineer
Gannett Fleming Engineers and Planners
Valley Forge Corporate Center
P.O. Box 80794
Valley Forge, PA 19482

**RE: 120 & 124 Bloomingdale Avenue (collectively "Property")
Pending Land Development Application
Our Reference: 10073-15**

Dear Mr. Phillips:

As you know, I represent 115 Strafford Avenue, LLC, equitable owner of the properties at 120 & 124 Bloomingdale Avenue in connection with the pending land development application for the Property.

Along with this letter we are submitting a revised plan and related materials for the redevelopment of the property and would like to be placed on the May 4, 2015 Planning Commission Agenda for review, and on subsequent Board of Commissioners meetings. Specifically, please find 30 copies of the 14-sheet land development plan set prepared by Inland Design, dated 10/03/14, revised (No 2) 04/02/15, and two copies of a revised stormwater management report dated 10/03/14, revised 04/02/15 entitled "Project Narrative and Post Construction Stormwater Management Calculations." The submission also includes 15 sets of plans reduced to 11" x 17" and an electronic copy of the plans on a CD ROM.

The revised plan proposes five dwelling units, two (2) singles and one (1) 3-unit building on the property at 124 Bloomingdale Avenue and 120 Bloomingdale Avenue reverts to a single family home. The existing structures at 120 Bloomingdale Avenue would remain. The plans for the Property have been revised based on prior review and comments received at the November 3, 2014 and March 2, 2015 Planning Commission meetings, the March 4, 2015 HARB meeting, and the March 23, 2015 Board of Commissioner meeting.

Plan revisions include:

1. Two single family homes fronting Bloomingdale Avenue are proposed as IIARB requested at the March 4, 2015 meeting;
2. The plan has been redesigned to meet HARB's other comments; and
3. The plans have been modified to eliminate previously proposed porch encroachment into the front yard setback.

Please allow this letter to grant Radnor Township an extension of time through May 29, 2015 in which to render a decision on the pending application.

Please contact us if you have any questions or require any further information.

Sincerely,



George W. Broseman

GWB:sl

cc: 115 Strafford Avenue, LLC
Charles A. Dobson, P.E.



MEMORANDUM

Date: February 23, 2015

To: Radnor Township Planning Commission

From: Roger Phillips, PE

cc: Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
Peter Nelson, Esq. – Grim, Biehn, and Thatcher
Amy B. Kaminski, P.E. – Gilmore & Associates, Inc.
Steve Gabriel – Rettew Associates
Suzan Jones – Radnor Township Engineering Department
William Miller – Radnor Township Codes Official
Ray Daly – Radnor Township Codes Official

RE: 120 & 124 Bloomingdale Ave
115 Strafford Avenue, LLC – Applicant

Date Accepted: October 6, 2014

90 Day Expiration: January 4, 2015, extended to April 30, 2015

Gannett Fleming, Inc. has completed a review of the 120 & 124 Bloomingdale Avenue Preliminary Land Development Plans for compliance with the Radnor Township Code.

The existing properties are located in the R5 zoning district. The applicant is proposing to adjust the lot line of the existing properties, keeping the existing single family home on one lot and construct five single family semidetached townhomes.

This Land Development Application is subject to Zoning, Subdivision and Land Development, Stormwater Management, and other applicable codes of the Township of Radnor.

The applicant has indicated that no waivers will be requested from the Subdivision and Land Development Code.

Plans Prepared By: Inland Design

Dated: 10/03/2014, revised 01/30/2015

This plan was before the Planning Commission on November 3, 2014. The Planning Commission voted to recommend denial of the plan. The plans have been revised based on Planning Commission and staff comments.

Gannett Fleming, Inc.

Valley Forge Corporate Center • 1010 Adams Avenue • Audubon, PA 19403-2402
t: 610.650.8101 • f: 610.650.8190

www.gannettfleming.com

I. Zoning

1. §280-35– The zoning table provided should clearly indicate which lot the area regulations are for.
2. 280-35.A(2) – The zoning table indicates the building area for the lot #2 is 2,272 S.F., but the impervious coverage calculation on sheet 5 shows the building area for lot 2 is 2,799 S.F. This should be revised to be consistent.
3. §280-35.A(4)(a) – For each single or two family detached dwelling and its accessory buildings, there shall be two side yards, neither of which shall be less than 10 feet in width. There is a bilco door located in the side yard of lot #2. This is an existing nonconformity that the applicant intends to continue.
4. §280-35.B(6) – The breakdown of minimum room sizes for each dwelling must be shown on the plans in accordance with this section.
5. §280-35.B(9) – The maximum impervious coverage allowed for lot 1 is 36% and lot 3 is 40%. The applicant has provided a detailed breakdown of how the impervious coverage was calculated on sheet 5.
6. §280-36.B – Along each side or rear property line which directly abuts a residence area not devoted to apartment use in the district or in an adjoining district or municipality, a buffer planting strip of not less than 10 feet in width shall be provided. The length of buffer required on sheet 10 appears to be inadequate for all side and rear property lines. The applicant should revise to include a buffer along lot #1.
7. §280-103.B(1) – There are two parking spaces required for each dwelling unit. The applicant must indicate where the two parking spaces will be for each dwelling unit and the dimensions of those spaces.
8. §280-112.C – The areas of a tract containing slopes steeper than 14% shall be outlined. The applicant has showed this area on the existing feature plan. This area must also be shown on the grading and utility plan
9. §280-112.D(8) – There is a proposed retaining wall shown in the steep slope area. Retaining walls are allowed only as a structure customarily associated with the uses outlined in this section. This proposed use does not conform to the intent of this section, and therefore the retaining wall is non-conforming. A variance must be obtained for the placement of the retaining wall.

II. Subdivision and Land Development

1. §255-20.B.(1)n – The plan should indicate all significant man-made features within 500 feet and within the site. The existing driveway for the Gemmer property must be shown on the plans along Bloomingdale Avenue.
2. §255-21(B).7 – Planning module for land development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act is required. The applicant has indicated that a Planning Module Exemption form has been submitted to the PA DEP. Once that is returned with an appropriate code, a planning module submission will be made to the Township.
3. §255-28.A – The control of grades, curvature and obstructions at intersections is required to ensure adequate site distance for safe and efficient vehicular operation. The applicant must indicate that proper sight distance can be obtained exiting the driveway.
4. §255-29.A – The overflow parking spaces provided must be dimensioned on the plan. The minimum dimension of the parking spaces must be 9 ½' x 22'.
5. §255-29.A(20) – Where semi-attached, attached or multiple dwellings are proposed and where private garages or driveways are proposed to be used and meet the off-street parking requirements, one parking spaces per four dwelling units of overflow off-street parking shall be provided. The applicant has provided off-street parking in conformance with this section.
6. §255-35 – No structure requiring a building permit or plantings, except for lawn and/or paving shall be set or put in the area of a utility easement. It appears that a portion of units 1 and 2 are located in the proposed sanitary sewer easement. This must be revised or a waiver requested.
7. §255-37.E – Sidewalks and pedestrian paths shall be adequately lighted, if required by the Board of Commissioners. All proposed lighting plans must be submitted for review by the Board of Commissioners.
8. §255-56 – It appears that the sanitary sewer shown on sheet 11 is incorrectly labeled. The profile should be labeled MH 1 – MH 2 – MH 4 instead of MH 1 – MH 2 – MH 3.
9. §255-42.B(2) – The applicant has shown proposed Class A planting options on Sheet 10. Additional buffer would be required along Lot 1 and the rear property lines.
10. §255-43.1.B(1) – For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit. The fee in lieu would be \$16,535.

Gannett Fleming

11. §255-54.B – The central water system should be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specification of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided.

III. Stormwater Management

1. The chart, "Compliance with Table 408.1", on page 11 of 67 of the Stormwater Report has not been updated from the previous submission. The values indicated for columns one and two (Pre-Developed Flow and Allowable Post-Developed Flow, respectively) are not consistent with the values reported in the calculations.
2. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at that time.

IV. General Comments

1. Will the existing AC unit for lot #2 be removed? If not it must be shown on the plan in the 10 foot side yard setback.
2. The location of the proposed sanitary sewer lateral for lot #2 must be revised to be located entirely on lot #2 or an easement will be required.
3. The plan indicates that a business sign is to be located in the proposed 10' planting buffer strip and the front yard setback of lot #1. The disposition of this sign should be provided on the plans.

We recommend that consideration of approval not be given until such time as the outstanding zoning issues are adequately addressed.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.



Roger A. Phillips, P.E.
Senior Project Manager



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

MEMORANDUM

Date: February 20, 2015

To: Steve Norcini, P.E.

From: Amy Kaminski, P.E., PTOE

cc: Roger Phillips, P.E., Gannett Fleming, Inc.
Steve Gabriel, P.P, Rettew
Damon Drummond, P.E., PTOE

Reference: 120 & 124 Bloomingdale Avenue
Final Minor Land Development Plan Review - Transportation
Radnor Township, Delaware County
G&A 14-08067

Pursuant to your request, Gilmore & Associates, Inc. has completed a transportation review of the Final Minor Land Development Plan (14 sheets) for 120 & 124 Bloomingdale Avenue prepared by InLand Design, dated October 3, 2014 and last revised January 30, 2015. The plans were prepared for the applicant 115 Strafford Avenue. LLC. We offer the following comments for Radnor Township consideration:

- I. SUBMISSION
120 & 124 Bloomingdale Avenue Final Minor Land Development Plan for Bloomingdale Ave., LLC prepared by InLand Design, consisting of fourteen (14) sheets, dated October 3, 2014 and last revised January 30, 2015.
- II. PROJECT DESCRIPTION
The Applicant proposes to consolidate two existing parcels of total 1.318 acres located at 120 & 124 Bloomingdale Avenue and develop the lot with seven total residential dwelling units (1 existing, 5 proposed). The five (5) proposed units will be multi-unit dwellings located along a common driveway. The driveway features three (3) additional parking spaces as well as a turnaround area at the end of the driveway. Access to the development is proposed via Bloomingdale Avenue.
- III. REQUESTED WAIVERS
No waivers have been requested.
- IV. REVIEW COMMENTS
 - A. The turnaround area provided at the end of the access road must be signed as NO PARKING.
 - B. Sheet 12 of 14: The plans no longer show sanitation truck turning templates and no response to our initial comment was provided. Please contact Radnor Township

Public Works Department for the correct size and template and include in the subsequent submissions.

- C. Curb ramp details as indicated in PennDOT Publication 72M *Roadway Construction Standards*, RC-67M *Curb Ramps and Sidewalks* should be provided for all curb ramps.

George W. Broseman
Direct Dial: (610) 941-2459
Direct Fax: (610) 684-2005
Email: gbroseman@kaplaw.com
www.kaplaw.com

January 30, 2015

VIA HAND DELIVERY

Roger Phillips, Township Engineer
Gannett Fleming Engineers and Planners
Valley Forge Corporate Center
P.O. Box 80794
Valley Forge, PA 19482

**RE: 120 & 124 Bloomingdale Avenue (collectively "Property")
Pending Land Development Application
Our Reference: 10073-15**

Dear Mr. Phillips:

As you know, I represent 115 Strafford Avenue, LLC, equitable owner of the properties at 120 & 124 Bloomingdale Avenue in connection with the pending land development application for the Property.

Along with this letter we are submitting a revised plan and related materials for the redevelopment of the property and would like to be placed on the March 2, 2015 Planning Commission Agenda for review, and on subsequent Board of Commissioners meetings. Specifically, please find 30 copies of the 14-sheet minor land development/lot line change plan set prepared by Inland Design, dated 10/03/14, revised (No. 1) 01/30/15 and two copies of a revised stormwater management report dated 10/03/14, revised 01/30/15 entitled "Project Narrative and Post Construction Stormwater Management Calculations." The submission also includes 15 sets of plans reduced to 11" x 17" and an electronic copy of the plans on a CD ROM.

The revised plans call for five dwelling units within two proposed buildings on the property at 124 Bloomingdale Avenue and a lot line change between 124 and 120 Bloomingdale Avenue. The existing structures at 120 Bloomingdale Avenue would remain. The plans for the Property have been revised based on prior review and comments received at the November 3, 2014 Planning Commission meeting. Plan revisions include:

1. The density has again been decreased - - now from 7 new units to 5 new units.


Roger Phillips, Township Engineer
January 30, 2015
Page 2

2. The plans no longer propose a mix of single-family detached dwellings and buildings containing multiple dwelling units on the same lot.
3. The plans have been modified to eliminate proposed dwelling units on the manmade steep slopes.
4. Improvements to parking and access have been made.

Please allow this letter to grant Radnor Township an extension of time through April 30, 2015 in which to render a decision on the pending application.

Please contact us if you have any questions or require any further information.

Sincerely,



George W. Broseman

GWB:sl

cc: 115 Strafford Avenue, LLC
Charles A. Dobson, P.E.

George W. Broseman
Direct Dial: (610) 941-2459
Direct Fax: (610) 684-2005
Email: gbroseman@kaplaw.com
www.kaplaw.com

January 30, 2015

VIA HAND DELIVERY

Mr. Ray Daly
Radnor Township
301 Iven Avenue
Wayne, PA 19087-5297

RE: 120 & 124 Bloomingdale Avenue
Certificate of Appropriateness Application
Our Reference: 10073-15

Dear Mr. Daly:

I represent 115 Strafford Avenue, LLC ("**Applicant**"), equitable owner of the properties at 120 & 124 Bloomingdale Avenue (collectively, "**Property**") in Wayne. The Property is in the South Wayne Historic District and the redevelopment project referenced below requires further review by the Radnor Township Historical Architectural Review Board ("**HARB**") for a "Certificate of Appropriateness".

On September 3, 2014, we appeared informally before HARB to make an initial presentation of the project. The project was well received by HARB and many of HARB's comments were incorporated into the plans. On October 3, 2014, we filed a preliminary land development application, plans and related materials for the redevelopment of the Property ("**Project**") with Radnor Township. On October 21, 2014, we submitted the application for a Certificate of Appropriateness, together with related materials (e.g. filing fee, photographs, plans, etc.) On November 3, 2014, we appeared before the Radnor Township Planning Commission which recommended denial of the plans as submitted. As a result, we asked that the Project be tabled from the November 5, 2014 HARB meeting. While Applicant does not agree with the Planning Commission's rationale for its recommended denial of the prior iteration of the plans, Applicant has revised the plans to address the issues raised at the Planning Commission meeting. Revised land development plans and related materials for the Project are being submitted to the Township contemporaneously with this letter.

Mr. Ray Daly
January 30, 2015
Page 2

The revised plans preserve the historic structure at 120 Bloomingdale Avenue. The revised plans (as did the prior plans that were previously reviewed by HARB in September) propose demolition of the existing non-contributing structure at 124 Bloomingdale Avenue.

We request that the amended plans and the application for a Certificate of Appropriateness for the Project be placed on the March 4, 2015 HARB agenda for review. To that end, please find:

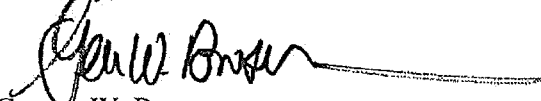
- Seven (7) copies of sheets 1,3,4,5 & 6 of the revised plans dated October 3, 2014, revised (No. 1) January 30, 2015, prepared by InLand Design Consulting Engineers & Land Development Consultants. These sheets depict existing and proposed conditions.

We will be prepared to present architectural concepts for the proposed buildings at the March 4, 2015 HARB meeting.

Please contact us immediately if you require any further information. Also, please provide us with copies of all documentation regarding this matter, including but not limited to, all reviews, related materials, communications and any correspondence as soon as they are generated and/or received.

Thank you for your attention to this matter.

Sincerely,


George W. Broseman

GWB:sl
Enclosures

cc: 115 Strafford Avenue, LLC



DELAWARE COUNTY PLANNING COMMISSION

COURT HOUSE/GOVERNMENT CENTER
201 W. Front St. Media, PA 19063

COUNCIL

THOMAS J. McGARRIGLE
CHAIRMAN
MARIO J. CIVERA, JR.
VICE CHAIRMAN
COLLEEN P. MORRONE
JOHN P. McBLAIN
DAVID J. WHITE

Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
Phone: (610) 891-5200 FAX: (610) 891-5203
E-mail: planning_department@co.delaware.pa.us

PLANNING COMMISSION

THOMAS J. O'BRIEN, AIA
CHAIRMAN
THOMAS J. JUDGE
VICE CHAIRMAN
KENNETH J. ZITARELLI
SECRETARY
LINDA F. HILL
DIRECTOR

November 20, 2014

Mr. Robert A. Zienkowski
Radnor Township
301 Iven Avenue
Wayne, PA 19087-5297


RE: Name of Dev't: 120 & 124 Bloomingdale Avenue
DCPD File No.: 34-8054-14
Developer: 115 Strafford Avenue, LLC
Location: West side of Bloomingdale Avenue, 70'
north of West Wayne Avenue
Recv'd in DCPD: October 17, 2014

Dear Mr. Zienkowski:

In accordance with the provisions of Section 502 of the Pennsylvania Municipalities Planning Code, the above described proposal has been sent to the Delaware County Planning Commission for review. At a meeting held on November 20, 2014, the Commission took action as shown in the recommendation of the attached review.

Please refer to the DCPD file number shown above in any future communications related to this application.

Very truly yours,


Linda F. Hill
Director

LFH/pmg
cc: 115 Strafford Avenue, LLC
Inland Design, LLC



DELAWARE COUNTY PLANNING DEPARTMENT

DCPD

Court House/ Government Center , 201 W. Front St., Media, PA 19063
Office Location: Toal Building, 2nd & Orange Sts., Media, PA 19063
Phone: (610) 891-5200 FAX: (610) 891-5203
E-mail: planning_department@co.delaware.pa.us

Date: November 20, 2014
File No.: 34-8054-14

PLAN TITLE: 120 & 124 Bloomingdale Avenue

DATE OF PLAN: October 3, 2014

OWNER OR AGENT: 115 Strafford Avenue, LLC

LOCATION: West side of Bloomingdale Avenue,
70' north of West Wayne Avenue

MUNICIPALITY: Radnor Township

TYPE OF REVIEW: Preliminary Subdivision
Preliminary Land Development

ZONING DISTRICT: R-5

SUBDIVISION ORDINANCE: Local

PROPOSAL: Incorporate 2 lots totaling 1.82
acres into 1 lot

Develop 1.82 acres with 1 single-
family detached conversion and new
dwellings comprised of two single-
family detached, and 4 single-
family semi-detached

UTILITIES: All Public

RECOMMENDATIONS: Proceed to the preparation of
final plans incorporating the
following remarks

STAFF REVIEW BY: Dennis DeRosa



Date: November 20, 2014
File No.: 34-8054-14

REMARKS:

The plan shows two existing lots to be consolidated into one lot, which is necessary to avoid the creation of nonconformities. Two existing garages are shown as to be removed, along with a nonconforming multi-tenant office building that is also to be removed. A portion of a structure attached to an historic building will be demolished, while the remaining historic resource will be converted into a single-family detached residence.

In addition to the converted single-family detached residence, the plan shows two additional proposed single-family detached dwellings, and four single-family semi-detached dwellings. A primary access, along with an emergency access, is shown emanating from Bloomingdale Avenue.

ZONING

The site is located in the R-5 Residence District which permits single-family detached and semi-detached dwelling units, provided that each has a lot area of 5,445 sq. ft.

The plan notes indicate an area of 8,205 sq. ft. is provided for each dwelling unit.

PARKING

The plan shows 2 parking spaces for each dwelling unit in the form of 20' X 20' garage space, as well as 4 parallel parking spaces within the access drive, which does not appear to impede travel or access. Also shown are 8 parking spaces within the right-of-way of Bloomingdale Avenue.

Date: November 20, 2014
File No.: 34-8054-14

REMARKS (continued):

SEWAGE FACILITIES

It appears that the site is currently served by public sewage facilities. The developer should contact the Pennsylvania Department of Environmental Protection for a determination as to whether or not the proposed development is eligible for an exemption or will require a revision to the municipality's Act 537 Sewage Facilities Plan.

STORMWATER MANAGEMENT FACILITIES

To control stormwater runoff, the plan shows a proposed underground stormwater recharge bed. The Township Engineer should verify the adequacy of all proposed stormwater management facilities.

RECREATIONAL OPEN SPACE

The plan appears to be void of recreational areas for use by the public.

Section 255-43.B.(1) stipulates: "For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit."

"Site(s) should be easily and safely accessible, have good ingress and egress, and have access to a public road, or to a road to be dedicated as a public road, or to a road which the residents of the development in which the site is located can use to reach the park and recreation site."

Date: November 20, 2014
File No.: 34-8054-14

REMARKS (continued):

The Township should ensure compliance with Section 255-43 with regard to providing public recreational lands or payment of a fee-in-lieu of providing recreational open space.

COMPLIANCE

Aside from providing public open space or a fee-in-lieu, the plan appears to comply with the Township zoning ordinance, as well as the Township SALDO.



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTHEAST REGIONAL OFFICE

October 23, 2014

Mr. Charles Dobson
InLand Design
759 East Lincoln Highway
Exton, PA 19341

Re: Application for Planning Modules
Checklist Letter – Component 3
120-124 Bloomingdale Avenue Subdivision
DEP Code No. 1-23013-244-3J
Radnor Township
Delaware County

Dear Mr. Dobson:

In response to your application mailer, this checklist letter outlines what is required to be submitted to the municipality and the Department of Environmental Protection (DEP) as a complete module packet for the proposed development. Your development proposes a 7-lot residential subdivision that will be served by a connection to public sewer.

Sewage Facilities Planning Module forms are available from our eLibrary as MS Word Form Fields files directly from Department of Environmental Protection's (DEP) website address located in the footer below. In the left-hand column, select the Water heading and then select Water Standards and Facility Regulation. In the right-hand column, select Wastewater Management and then select Act 537. Under Act 537, select Sewage Facilities Planning. Under Planning Forms, select the appropriate forms. The link will take you to the eLibrary location for the form.

Please select the following forms for this project and enter the above-referenced DEP Code Number on the first page of each form:

Sewage Facilities Planning Module Transmittal Letter, Form 3800-FM-BPNPSM0355
Sewage Facilities Planning Module Resolution, Form 3800-FM-BPNPSM0356
Sewage Facilities Planning Module Component 3, Form 3800-FM-BPNPSM0353

- Instructions
- Form

Sewage Facilities Planning Module Component 4

- 4A-Municipal Planning Agency Review, Form 3800-FM-BPNPSM0362A
- 4B-County Planning Agency Review, Form 3800-FM-BPNPSM0362B

Please submit the completed planning modules and supporting information to the municipality or municipalities in which the project is located. DEP must receive 1 copy of the completed planning module. Please answer all questions within the planning module. Do not simply answer "N/A" or "Not Applicable." If you feel a question does not apply, explain all reasons to support that answer. For this project, optional Section J must be completed.

Please refer to the Standard Operating Procedures (SOP) that govern Act 537 sewage facilities planning module reviews. The SOPs can be found on the DEP website at http://www.portal.state.pa.us/portal/server.pt/community/Permit_Decision_Guarantee/21215/SOPs/1294992. Consistent with the SOP, DEP may disapprove an administratively incomplete planning module submission. Please use the checklist provided in this letter below to guide both you and the municipality in providing an administratively complete planning module submission to DEP for review.

A copy of this letter should be attached to the planning module when submitted through the municipality to DEP. This letter is to be used by the applicant (or the applicant's authorized representative) as a checklist and guide to completing the planning modules and does not supersede the rules and regulations found in Chapter 71. The municipality must submit a complete module package. (See end of letter for applicant and municipal certification statements.)

In all cases, address the immediate and long range sewage disposal needs of the proposal and comply with 25 Pa. Code, Chapter 71, Subchapter C relating to New Land Development Plan Revisions.

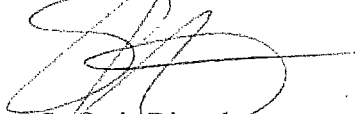
Mr. Charles Dobson

- 3 -

October 23, 2014

If you have any questions concerning the information required, please contact me at 484.250.5186.

Sincerely,



Stefanie Rittenhouse
Sewage Planning Specialist 2
Clean Water

cc: Delaware County Planning Department
Mr. Zienkowski - Radnor Township
115 Strafford Avenue, LLC
RHM
Mr. Fulton - Springfield Township
Upper Darby Township
DCJA
DELCORA
Mr. Ponert - City of Philadelphia Water Department
Planning Section
Re 30 (GJE14CLW)296-4

| Applicant Checklist (✓ or N/A) | Materials Required to be Included in the Planning Package | DEP Completeness Review |
|---|---|-------------------------|
| DEP Checklist Letter | | |
| | DEP checklist letter is attached with items checked off by the applicant (or applicant's authorized representative) as included | |
| | DEP checklist letter certification statement completed and signed | |
| Transmittal Letter (Form 3800-FM-BPNPSM0355) | | |
| | Transmittal Letter is attached, completed and the appropriate boxes in Section (i) are checked. | |
| | Transmittal Letter is signed by the municipal secretary | |
| Resolution of Adoption (Form 3800-FM-BPNPSM0356) | | |
| | Resolution of Adoption is attached and completed | |
| | Resolution of Adoption is signed by the municipal secretary | |
| | Resolution of Adoption has a visible municipal seal | |
| Component 4A - Municipal Planning Agency Review (Form 3800-FM-BPNPSM0362A) | | |
| | Component 4A is attached, completed and signed | |
| | Municipal Responses to Component 4A comments are included | |
| Component 4B - County Planning Agency Review (Form 3800-FM-BPNPSM0362B) | | |
| | Component 4B is attached, completed and signed | |
| | Municipal Responses to Component 4B comments are included | |
| Component 4C - County or Joint Health Department Review (Form 3800-FM-BPNPSM0362C) | | |
| | Component 4C is attached, completed and signed | |
| | Municipal Responses to Component 4C comments are included | |
| Component 3 Sewage Facilities Planning Module (Form 3800-FM-BPNPSM0353) | | |
| <i>Section A: Project Information</i> | | |
| | Section A.1. The Project Name is completed | |
| | Section A.2. The Brief Project Description is completed | |
| <i>Section B: Client Information</i> | | |
| | Client Information is completed | |
| <i>Section C: Site Information</i> | | |
| | Site Information is completed | |
| | A copy of the 7.5 minute USGS Topographic map is attached with the development site outlined, as required by the instructions and the checklist | |
| <i>Section D: Project Consultant Information</i> | | |
| | Project Consultant Information is completed | |

| | | |
|---|--|--|
| <i>Section E: Availability of Drinking Water Supply</i> | | |
| | The appropriate box is checked in Section E | |
| | For existing public water supplies, the name of the company is provided | |
| | For public water supplies, the certification letter from the public water company is attached | |
| <i>Section F: Project Narrative</i> | | |
| | The Project Narrative is attached | |
| | All information required in the module directions has been addressed | |
| <i>Section G: Proposed Wastewater Disposal Facilities</i> | | |
| | Section G.1.a. The collection system boxes are checked | |
| | The Pennsylvania Clean Streams Law (CSL) permit number is provided for existing systems | |
| | Section G.1.b. The questions on the collection system are completed | |
| | Section G.2.a. The appropriate treatment facility box is checked | |
| | For existing treatment facilities, the name is provided | |
| | For existing treatment facilities, the NPDES permit number is provided | |
| | For existing treatment facilities, the CSL permit number is provided | |
| | For new treatment facilities, the discharge location is provided | |
| | Section G.2.b. The certification statement has been completed and signed by the wastewater treatment facility permittee or their representative | |
| | Section G.3. The plot plan is attached and contains all items in the module instructions under Section G.3 | |
| | The plot plan will show the proposed sewer facilities, sewer extension and/or point of connection to the existing sewer line or point of discharge | |
| | Copies of easement(s) or right-of-way(s) are attached | |
| | Section G.4. The boxes are checked regarding Wetland Protection | |
| | Section G.5. The boxes are checked regarding Primary Agricultural Land | |
| | Section G.6. The boxes are checked confirming consistency with the Historic Preservation Act | |
| | The Cultural Resources Notice (CRN) (Form 0120-PM-PY0003) is attached | |
| | A return receipt for its submission to the Pennsylvania Historical and Museum Commission (PHMC) is attached | |

| <i>Section G: Proposed Wastewater Disposal Facilities</i> | | |
|--|--|--|
| | The PHMC review letter is attached | |
| | Section G.7. The boxes are checked regarding Pennsylvania Natural Diversity Inventory (PNDI) | |
| | Pennsylvania Natural Diversity Inventory (PNDI) Project Environmental Review Receipt is attached | |
| | PNDI Review Receipt, if no potential impacts identified, is not older than 2 years | |
| | All supporting resolution documentation from jurisdictional agencies (when necessary) is attached and not older than 2 years | |
| | A completed PNDI Large Project Form (PNDI Form) (Form 8100-FM-FR0161) is attached with all supplemental materials and DEP is requested to complete the search. | |
| <i>Section H: Alternative Sewage Facilities Analysis</i> | | |
| | The Alternative Sewage Facilities Analysis is attached | |
| | All information required in the module directions has been addressed | |
| <i>Section I: Compliance with Water Quality Standards and Effluent Limitations</i> | | |
| | The box is checked regarding Waters Designated for Special Protection | |
| | The Social or Economic Justification is attached | |
| | The box is checked regarding Pennsylvania Waters Designated As Impaired | |
| | The box is checked regarding Interstate and International Waters | |
| | The box is checked regarding Tributaries to the Chesapeake Bay and the required information is provided | |
| | The Name of Permittee Agency, Authority, Municipality and the Initials of Responsible Agent are provided | |
| | If discharge to an intermittent stream, dry swale or manmade ditch is proposed, provide evidence that a certified letter has been sent to each owner of property over which the discharge will flow until perennial conditions are met | |
| <i>Section J: Chapter 94 Consistency Determination</i> | | |
| | A map showing the path of the sewage to the treatment facility and the location of the discharge is provided | |
| | Section J.1. The Project Flows are provided | |
| | Section J.2. The permitted, existing, and projected average and peak flows are provided in the table for collection, conveyance and treatment facilities | |
| | Section J.3.a. The appropriate box is checked indicating capacity in the Collection and Conveyance Facilities | |

| | | |
|--|--|--|
| <i>Section J: Chapter 94 Consistency Determination</i> | | |
| | Section J.3.b. The Collection System information is completed, signed and dated | |
| | Section J.3.b. The Conveyance System information is completed, signed and dated | |
| | Section J.4.a. The appropriate box is checked regarding projected overloads at the Treatment Facility | |
| | Section J.4.b. The Treatment Facility information is completed, signed and dated | |
| | The Permittee of the wastewater treatment facility has submitted a Chapter 94 Wasteload Management Report, which includes the information for the collection and conveyance system to serve this project | |
| | An acceptable Wasteload Management Report Corrective Action Plan (CAP) and schedule has been submitted, as well as a connection management plan | |
| | A letter from the permittee, which grants allocations to the project consistent with the CAP, and a copy of the connection management plan has been submitted | |
| | Letter indicating the treatment plant is an interim regional treatment facility is attached | |
| <i>Section K: Treatment and Disposal Options</i> | | |
| | For proposed treatment facilities, the appropriate box is checked indicating the selected Treatment and Disposal Option | |
| <i>Section L: Permeability Testing</i> | | |
| | The Permeability Testing information is attached | |
| <i>Section M: Preliminary Hydrogeologic Study</i> | | |
| | The Preliminary Hydrogeologic Study is attached | |
| | The Preliminary Hydrogeologic Study is signed and sealed by a Professional Geologist | |
| <i>Section N: Detailed Hydrogeologic Study</i> | | |
| | The Detailed Hydrogeologic Study is attached | |
| | The Detailed Hydrogeologic Study is signed and sealed by a Professional Geologist | |
| <i>Section O: Sewage Management</i> | | |
| | Section O.1. The box is checked indicating municipal or private facilities | |
| | If municipal, the remainder of Section O is not applicable | |
| | If private, the required analysis and evaluation of sewage management options is attached | |
| | Section O.2. The appropriate box is checked regarding the use of nutrient credits or offsets | |

| | | |
|---|---|--|
| <i>Section O: Sewage Management</i> | | |
| | Section O.3. The Project Flows for the private facilities are provided | |
| | Section O.4.a. The appropriate box is checked indicating capacity in the existing private Collection and Conveyance Facilities | |
| | Section O.4.b. The private Collection System information is completed, signed and dated | |
| | Section O.4.c. The private Conveyance System information is completed, signed and dated | |
| | Section O.5.a. The appropriate box is checked regarding projected overloads at the private Treatment Facility | |
| | Section O.5.b. The private Treatment Facility information is completed, signed and dated | |
| | Section O.6. The box is checked indicating the municipality will assure proper operation and maintenance of the proposed private facilities | |
| | The required documentation of sewage management is attached | |
| <i>Section P: Public Notification Requirement</i> | | |
| | All Public Notification boxes in this section are checked | |
| | The public notice is attached, if public notification is necessary | |
| | All comments received as a result of the notice are attached | |
| | The municipal responses to these comments are attached | |
| | The box is checked indicating that no comments were received, if valid | |
| <i>Section Q: False Swearing Statements</i> | | |
| | The planning module preparer's false swearing statement is completed and signed | |
| <i>Section R: Planning Module Review Fee</i> | | |
| | The correct fee has been calculated | |
| | The correct fee has been paid | |
| | The request for fee exemption has been checked | |
| | The deed reference information is provided to support the fee exemption | |
| <i>Completeness Checklist</i> | | |
| | The module completeness checklist is included | |
| | All completeness items have been checked as included by the municipality, as appropriate | |
| | The Municipal Official has signed and dated the checklist | |

CERTIFICATION STATEMENT

I certify that this submittal is complete and includes all requested items. I understand that failure to submit a complete module package may result in a denial of the application.

Signed: _____

Date: _____

Applicant (or Applicant's authorized representative)

Signed: _____

Date: _____

Municipal Secretary





Gannett Fleming

Excellence Delivered As Promised

MEMORANDUM

Date: October 24, 2014

To: Radnor Township Planning Commission

From: Roger Phillips, PE

cc: Stephen Norcini, P.E. – Director of Public Works
Kevin W. Kochanski, RLA, CZO – Director of Community Development
Peter Nelson, Esq. – Grim, Biehn, and Thatcher
Amy B. Kaminski, P.E. – Gilmore & Associates, Inc.
Steve Gabriel – Rettew Associates
Suzan Jones – Radnor Township Engineering Department
William Miller – Radnor Township Codes Official
Ray Daly – Radnor Township Codes Official

RE: 120 & 124 Bloomingdale Ave
115 Strafford Avenue, LLC – Applicant

Date Accepted: ~~October 3, 2014~~ October 6, 2014
90 Day Expiration: January 4, 2015

Gannett Fleming, Inc. has completed a review of the 120 & 124 Bloomingdale Avenue Preliminary Land Development Plans for compliance with the Radnor Township Code.

The existing property is located in the R5 zoning district. The applicant is proposing to consolidate two lots, eliminate the nonconforming commercial use by converting the building back to a single family dwelling and improve the rest of the property with two new single family detached dwelling and four single family semidetached townhomes.

This Land Development Application is subject to Zoning, Subdivision and Land Development, Stormwater Management, and other applicable codes of the Township of Radnor.

The applicant has indicated that no waivers will be requested from the Subdivision and Land Development Code.

Plans Prepared By: Inland Design
Dated: 10/03/2014, No Revisions



I. Zoning

1. §280-35.B(3) – The front yard setback for this use is 50 feet. No structure shall be located within the front yard setback. The disposition of the “porch” for units 2 and 3 must be explained. An attached porch is considered part of the structure and not permitted within the front yard setback. If a porch is desired as shown on the drawings, a variance is required for this condition.
2. §280-35.B(6) – The breakdown of minimum room sizes for each dwelling must be shown on the plans in accordance with this section.
3. §280-35.B(9) – The maximum impervious coverage allowed for this site is 36%. The applicant is proposing 35.4% impervious coverage. A detailed breakdown of how the impervious surfaces on the site were calculated must be provided.
4. §280-105.F – No parking, loading or service area shall be located within front yard setbacks except as permitted in the case of PI, PA and PLO Districts or unless authorized as a special exception by the Zoning Hearing Board in a Commercial or Commercial-Office District provided that the restriction against such use is clearly impracticable. In no case, however shall the distance between the street right-of-way lane and the portion of the lot used for parking be less than 20 feet. The parking area for unit 1 must be revised or a variance is required for this condition.

II. Subdivision and Land Development

1. §255-20.B.(1)n – The plan should indicate all significant man-made features within 500 feet and within the site. The existing driveway for the Gemmer property must be shown on the plans along Bloomingdale Avenue.
2. §255-21(B).7 – Planning module for land development as required by Chapter 71 of the Pennsylvania Sewage Facilities Act is required. The applicant has indicated that a Planning Module Exemption form has been submitted to the PA DEP. Once that is returned with an appropriate code, a planning module submission will be made to the Township.
3. §255-27.B.(3)(d) – Bloomingdale Road is classified as a local street in accordance with this section. Plan note 13 must be revised to indicate that Bloomingdale Road is a local street and not a minor collector.
4. §255-27.I (6) – No common driveway shall be permitted between two or more single family dwellings. We recommend that separate driveways be provided for unit 2 and 3, or a waiver requested.
5. §255-29.A(12)(b) – The width of entrance and exit drives shall be a minimum of 25 feet for a two-way use. The applicant has provided 22 feet. The plans should be revised or a waiver requested

6. §255-29.A(20) – Where semi-attached, attached or multiple dwellings are proposed and where private garages or driveways are proposed to be used and meet the off-street parking requirements, one parking spaces per four dwelling units of overflow off-street parking shall be provided. The applicant has provided off-street parking in conformance with this section.
7. §255-42.B(2) – The applicant has shown proposed Class A planting options on Sheet 10. An additional 10 canopy trees should be provided for the buffer in accordance with our calculations.
8. §255-43.1.B(1) – For all residential subdivisions or land developments of four or more lots/dwelling units, a minimum of 1,440 square feet of suitable park and recreation land shall be provided per dwelling unit within all residential subdivisions or land developments, unless the developer agrees to a fee in lieu of \$3,307 per dwelling unit. The fee in lieu would be \$23,149.
9. §255-54.B – The central water system should be designed with adequate capacity and appropriately spaced fire hydrants for fire-fighting purposes pursuant to the specification of the National Fire Protection Association. Review and approval by the Township Engineer and the Township Fire Marshall shall be required in order to ensure that adequate fire protection is provided.

III. Stormwater Management

1. A general note shall be added to the plans indicating that a grading plan and erosion sediment and control plans will be submitted and approved prior to issuing any building permits. Any revisions to the size or location of the individual structures or other features will be addressed at that time, and a final approval of the stormwater management plan will be required as part of the Grading Permit process.
2. The existing storm sewer in Bloomingdale Avenue that terminates just north of the intersection with West Wayne Avenue must be extended north on Bloomingdale Avenue to the site. Overflow piping from the stormwater management facility must be piped directly into the newly installed inlet.

IV. General Comments

1. The applicant has provided an emergency access area to the proposed development. The emergency drive as provided is inadequate. The proposed drive should be extended and connect to Bloomingdale Avenue along the southerly property line.
2. The existing sewer line that traverses the property shall be removed, and a manhole installed at the southern property line, thereby terminating the existing sanitary sewer at the property line.

Gannett Fleming

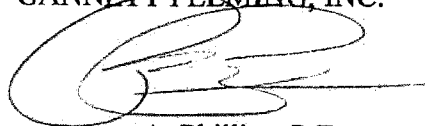
3. The proposed sanitary sewer in Bloomingdale Avenue shall be extended approximately 150' to the northerly property line.
4. Sheet 5 of 14 appears to be incorrectly labeled as grading and utility plan. This must be revised.

We recommend that consideration of approval not be given until such time as the outstanding zoning issues are adequately addressed.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.

A handwritten signature in black ink, appearing to read 'R. Phillips', written over the company name.

Roger A. Phillips, P.E.
Senior Project Manager



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

MEMORANDUM

Date: October 27, 2014
To: Steve Norcini, P.E.
From: Amy Kaminski, P.E., PTOE
cc: Roger Phillips, P.E., Gannett Fleming, Inc.
Steve Gabriel, P.P, Rettew
Damon Drummond, P.E., PTOE
Reference: 120 & 124 Bloomingdale Avenue
Preliminary Land Development Plan Review - Transportation
Radnor Township, Delaware County
G&A 14-08067

Pursuant to your request, Gilmore & Associates, Inc. has completed a transportation review of the Preliminary Land Development Plan (14 sheets) for 120 & 124 Bloomingdale Avenue prepared by InLand Design, dated October 3, 2014. The plans were prepared for the applicant 115 Strafford Avenue, LLC. We offer the following comments for consideration to the Applicant and Radnor Township.

I. SUBMISSION

120 & 124 Bloomingdale Avenue Preliminary Land Development Plan for Bloomingdale Ave., LLC prepared by InLand Design, consisting of fourteen (14) sheets, dated October 3, 2014.

II. PROJECT DESCRIPTION

The Applicant proposes to consolidate two existing parcels of total 1.318 acres located at 120 & 124 Bloomingdale Avenue and develop the lot with seven total residential dwelling units (1 existing, 6 proposed). The three (3) units with frontage along Bloomingdale Avenue will be single family units while the other four (4) units south of the proposed access roadway will be multi-unit dwellings. Access to the development is proposed via Bloomingdale Avenue. An emergency access driveway which will include gates on each end of the access is also proposed to Bloomingdale Avenue to the development.

REQUESTED WAIVERS

A. No waivers have been requested.

III. REVIEW COMMENTS

- A. §255-27.I(1)(7) The access to Bloomingdale Avenue includes three single family dwelling units and two multi-dwelling units; as such, the access would be classified as a street, not a driveway. The plan must be revised to identify the access as either a private or public local street. Should it be determined that the access is classified as a private or public local street the following comments would apply:
1. §255-27.C.1 Local streets require 28-foot cartway width and 60 foot right-of-way for the proposed street and sidewalks. The proposed access roadway is 22-feet for the cartway width, no right-of-way is offered and there are no sidewalks provided.
 2. §255-27.F.2(a) Provide the radius of the horizontal curve along the proposed roadway. The minimum center-line radii for horizontal curve is a 150 feet. If the radius is less than 150 feet, the applicant could consider requesting a waiver.
 3. §255-27.H.6 Label the radius of the curb returns at the intersection of the proposed roadway and Bloomingdale Avenue. The minimum curb radii at an intersection must be 25 feet.
 4. §255-27.I.3 The driveway to DU-1 must be located more than 40 feet from the intersection with Bloomingdale Avenue.
 5. §255-27.I.5 DU-2 and DU-3 are proposed to share a driveway. No common driveway is permitted between two or more single family dwellings.
- B. Should it be determined that the access is classified as a driveway or a waiver is provided from §255-27.I(1)(7), the following comments would apply:
1. §255-27.I.5 DU-2 and DU-3 are proposed to share a driveway. No common driveway is permitted between two or more single family dwellings.
 2. §255-29.A.12.b The driveway must have a minimum width of 25 feet for two way traffic.
- C. Show the existing driveway for the adjacent property located on the southwest corner of West Wayne Avenue and Bloomingdale Avenue.
- D. The turn around area provided at the end of the access road must be signed for no parking.
- E. Sheet 12 of 14: The template for the Garbage Truck does not reflect the type of truck servicing Radnor Township. Contact Radnor Township Public Works Department for the correct size.
- F. Sheet 13 of 14: The applicant provides a sidewalk detail although no sidewalk is currently proposed. If sidewalk is proposed, it is recommended to provide a 5' sidewalk to meet current ADA guideline standards.

- G. Curb ramp details as indicated in PennDOT Publication 72M *Roadway Construction Standards*, RC-67M *Curb Ramps and Sidewalks* should be provided for all curb ramps.

If you have any questions regarding the above, please contact myself or Damon Drummond this office at (215)-345-4330.



RADNOR TOWNSHIP
MEMORANDUM

TO: MR. STEVE NORCINI
FROM: RAY DALY
SUBJECT: 120 & 124 BLOOMINGDALE AVENUE
DATE: OCTOBER 21, 2014
CC: MR. PHILLIPS

Dear Mr. Norcini:

I have reviewed the above plans and have the following comments:

1. An additional Fire Hydrant must be placed on Bloomingdale Avenue to provide water in an emergency. The location can be determined at a later date after speaking with AQUA.
2. The "dead end driveway" should be eliminated. The driveway should continue through and connect back onto Bloomingdale. The road width should remain 22' the same so that emergency equipment can access through the complex. By providing dual entrances and exits multiple pieces of equipment can access the units both front and rear, in case of emergencies.
3. A minimum of 10' is required surrounding the buildings. This fire separation is for access for the side and rear of the building for rescue and emergency service. The retaining wall located in the right rear needs to maintain that distance, a greater distance would be preferred.
4. There is one large tree being placed in between the two rear buildings; this should be removed to maintain the fire separation distance and serviceability between buildings.
5. The sewer detail is incorrect; it must be revised to a cast iron trap and riser.
6. The abandoned sewer located in the front yard must be removed as per the IRC and IPC Code.

Respectfully,

Ray Daly
Building Codes Official/Fire Code Official

DELAWARE COUNTY PLANNING COMMISSION

APPLICATION FOR ACT 247 REVIEW

Incomplete applications will be returned and will not be considered "received" until all required information is provided.

Please type or print legibly

DEVELOPER/APPLICANT

Name 115 Strafford Avenue, LLC E-mail berixxon@bbhomes.us
c/o Bo Erixson

Address 110 N. Phoenixville Pike Phone (610) 721-1495
Malvern, PA 19355

Name of Development 120-124 Bloomingdale Avenue

Municipality Radnor Township

ARCHITECT, ENGINEER, OR SURVEYOR

Name of Firm InLand Design, LLC Phone (484) 872-8260

Address 759 E. Lincoln Highway, Exton, PA 19341

Contact Chuck Dobson, P.E. E-mail chuck@inlanddesign.net

| Type of Review | Plan Status | Utilities | | Environmental Characteristics |
|--|---|---|---|---------------------------------------|
| | | Existing | Proposed | |
| <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Sketch | <input checked="" type="checkbox"/> Public Sewerage | <input checked="" type="checkbox"/> Public Sewerage | |
| <input checked="" type="checkbox"/> Land Development | <input checked="" type="checkbox"/> Preliminary | <input type="checkbox"/> Private Sewerage | <input type="checkbox"/> Private Sewerage | <input type="checkbox"/> Wetlands |
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Final | <input checked="" type="checkbox"/> Public Water | <input checked="" type="checkbox"/> Public Water | <input type="checkbox"/> Floodplain |
| <input type="checkbox"/> PRD | <input type="checkbox"/> Tentative | <input type="checkbox"/> Private Water | <input type="checkbox"/> Private Water | <input type="checkbox"/> Steep Slopes |

Zoning District R-5 Residence District

Tax Map # 36 / 12 / 2C8

Tax Folio # 36 / 06 / 03278 / 00 (120)

#36/12/2C8

#36/06/03279/00 (124)

STATEMENT OF INTENT
WRITING "SEE ATTACHED PLAN" IS NOT ACCEPTABLE.

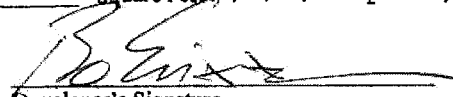
Existing and/or Proposed Use of Site/Buildings:

See Supplement

Total Site Area 1,318 Acres (+/-)
Size of All Existing Buildings 5,444 Square Feet (+/-) (footprint)
Size of All Proposed Buildings 8,638 Square Feet (+/-) (footprint)
Size of Buildings to be Demolished 4,624 Square Feet (+/-) (footprint)

115 Strafford Avenue, LLC

Print Developer's Name


Developer's Signature

By: Bo Erixson

MUNICIPAL SECTION

ALL APPLICATIONS AND THEIR CONTENT ARE A MUNICIPAL RESPONSIBILITY.

Local Planning Commission Regular Meeting


Local Governing Body Regular Meeting

Municipal request for DCPD staff comments prior to DCPC meeting, to meet municipal meeting date:

Actual Date Needed _____

IMPORTANT: If previously submitted, show assigned DCPD File # _____

Roger A. Phillips, P.E. Township Engineer 610-688-5600
Print Name and Title of Designated Municipal Official Phone Number


Official's Signature 10/13/2014
Date

FOR DCPD USE ONLY

Review Fee: Check # _____ Amount \$ _____ Date Received _____

Applications with original signatures must be submitted to DCPD.

Application for Act 247 Review Supplement

Existing and/or Proposed Use of Site/Buildings.

The Property consists of two parcels currently used for nonconforming commercial uses and parking areas in the R-5 Residence District. Applicant proposes to consolidate the two lots and eliminate the nonconforming commercial uses from the residential zoning district by converting the existing historic building at 120 Bloomingdale Avenue back to a single-family detached dwelling, its original use. The existing, nonconforming, multi-tenant office building at 124 Bloomingdale Avenue (a non-contributing resource in South Wayne Historic District) will be demolished. The remainder of the Property is proposed to be improved with two new single-family detached dwellings along Bloomingdale Avenue and four single-family semi-detached units (townhomes) in the rear of the Property.

ELAINE P. SCHAEFER
President

JAMES C. HIGGINS
Vice-President

WILLIAM A. SPINGLER

DONALD E. CURLEY

JOHN FISHER

JOHN NAGLE

RICHARD F. BOOKER



RADNOR TOWNSHIP
301 IVEN AVENUE
WAYNE, PENNSYLVANIA 19087-5297

Phone (610) 688-5600
Fax (610) 971-0450
www.radnor.com

ROBERT A. ZIENKOWSKI
Township Manager
Township Secretary

JOHN B. RICE, ESQ.
Solicitor

JOHN E. OSBORNE
Treasurer

October 13, 2014

115 Strafford Avenue, LLC
Bo Erixxon
110 N. Phoenixville Pike
Malvern, PA 19355

**RE: Land Development Application #2014-D-11 Preliminary Plan Submission
120-124 Bloomingdale Avenue**

Dear Mr. Erixxon

In accordance with Section 255-14 of the Subdivision of Land Code of the Township of Radnor, we have reviewed your preliminary plan application to consolidate two lots and the conversion of an existing nonconforming commercial building back to a single family detached dwelling, construct two new single family detached dwellings and construct four single-family semidetached homes at the abovementioned location, and have found it complete. Therefore, I have accepted the application for preliminary plan for review by the Township Staff, Shade Tree Commission, Planning Commission, and Board of Commissioners.

These plans are available for public viewing in the Engineering Department. These plans will be reviewed by the Planning Commission at their meeting on **Monday, November 3, 2014**. Subsequent to the Planning Commission meeting, your plan will be reviewed by the Board of Commissioners. You or your representative should plan to attend all scheduled meetings.

If the Planning Commission takes action, your plan will then be reviewed by the Board of Commissioners at a future meeting. These dates will be provided to you once it is placed on the agenda.

Sincerely,

Roger Phillips, P.E.
Township Engineer

Cc: Inland Design, LLC

George W. Broseman
Direct Dial: (610) 941-2459
Direct Fax: (610) 684-2005
Email: gbroseman@kaplaw.com
www.kaplaw.com

October 3, 2014

VIA HAND DELIVERY

Mr. Roger Phillips, P.E.
Township Engineer
Radnor Township
301 Iven Avenue
Wayne, PA 19087-5297

RECEIVED
OCT - 3 2014
BY: _____

**RE: 120 & 124 Bloomingdale Avenue
Preliminary Land Development Application
Our Reference: 10073-15**

Dear Mr. Phillips:

I represent 115 Strafford Avenue, LLC (“Applicant”), equitable owner of the properties at 120 & 124 Bloomingdale Avenue (collectively, “Property”) in Wayne. Along with letter, we are filing a preliminary application, plans, and related materials for lot consolidation and development approval for the Property.

I. SUBMISSION

The submission consists of:

1. The Radnor Township subdivision application;
2. Two copies of a redacted Agreement of Sale for 120 Bloomingdale Avenue and an assignment, demonstrating Applicant’s equitable ownership of that property;
3. Two copies of a redacted Agreement of Sale for 124 Bloomingdale Avenue and an assignment demonstrating Applicant’s equitable ownership of that property;
4. Two copies of a title report for 120 Bloomingdale Avenue, together with attachments;
5. Two copies of a title report for 124 Bloomingdale Avenue, together with attachments;

6. The Delaware County Planning Commission review application;
7. Three checks as follows:
 - a. \$3,450.00 payable to Radnor Township; the application fee;
 - b. \$15,000.00 to Radnor Township for the professional review fee escrow account; and
 - c. \$220.00 to Treasurer of Delaware County, the Delaware County Planning Commission review fee.
8. The Preliminary Land Development Plan for the Project consisting of 14 sheets, dated October 3, 2014; prepared by InLand Design Consulting Engineers & Land Development Consultants (“Plans”) and described as follows:

Sheet Number Description

1. Cover Sheet
2. Title Plan
3. Existing Features & Natural Resource Plan
4. Demolition Plan
5. Layout & Geometry Plan
6. Grading & Utility Plan
7. Post-Construction Stormwater Management Plan
8. Sedimentation Erosion Control Plan
9. Sedimentation Control Details & Notes
10. Landscaping Plan
11. Sewer Profiles & Recharge Bed Details
12. Construction Details
13. Construction Details
14. Vehicle Turning Template

Copies of the Plans are included as follows:

- a. 25 full-size sets, folded and stapled (including 8 signed/notarized copies);
- b. 15 11” x 17” sets; and
- c. A computer “thumb drive” containing the Plans.

9. Two copies of a Project Narrative and Post Construction Stormwater Management calculations prepared by InLand Design, Inc., Consulting Engineers and Land Development consultants dated October 3, 2014.

II. PROJECT NARRATIVE

A. Property Description/Zoning

The Property consists of a total area of 1.318 acres (gross) (+/-) and fronts on Bloomingdale Avenue. According to the Radnor Township Code ("**Code**"), the Property is located in the R-5 Residence District ("**R-5 District**"), which allows a multitude of residential uses, including single family detached dwellings and townhomes. *Code § 280-34.A; B & D*. Both properties are currently devoted to nonconforming commercial uses not permitted in the R-5 Residence District. Both properties are also located in the South Wayne Historic District ("**SWHD**").

B. Project

Applicant's plan would preserve the original portion of the existing historic structure at 120 Bloomingdale Avenue and return it to its original use as a single-family detached dwelling. The existing nonconforming, multi-tenant office building at 124 Bloomingdale Avenue, which has been subjected to various alterations and is classified as a "non-contributing resource" in the SWHD would be demolished. Two new single-family dwellings are proposed along the Bloomingdale Avenue frontage. To the rear of the Property, Applicant proposes four carriage home units located in two separate, two-unit buildings.

It is noted that prior to filing this application, Applicant appeared before the Radnor Historical Architectural Review Board ("**HARB**") on September 3, 2014 and the Board of Commissioners on September 8, 2014 to describe an earlier iteration of the concept for redevelopment which had proposed a total of nine dwelling units. The Project was well received by HARB. Applicant has made changes to the plans to address many of the comments from the Board of Commissioners meeting.

III. REVIEW

We would appreciate it if you would place this application on the November agenda of the Radnor Township Planning Commission.

Please provide us with copies of all documentation regarding this matter, including but not limited to all reviews, related materials, and any correspondence as soon as they are generated and/or received.

Mr. Roger Phillips, P.E.

October 3, 2014

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If you have any questions or require any further information, please contact me. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "George W. Broseman". The signature is written in a cursive style and is followed by a horizontal line.

George W. Broseman

GWB:sl

Enclosures

cc: 115 Strafford Avenue, LLC
Charles A. Dobson, P.E.

RADNOR TOWNSHIP
301 IVEN AVE
WAYNE PA 19087
P) 610 688-5600
F) 610 971-0450
WWW.RADNOR.COM

SUBDIVISION -- LAND DEVELOPMENT

Location of Property 120 & 124 Bloomingdale Avenue, Wayne, PA

Zoning District R-5

Application No. _____
(Twp. Use)

Fee \$3,450.00

Ward No. 6

Is property in HARB District yes

Applicant: (Choose one)

Owner _____

Equitable Owner X

Name 115 Strafford Avenue, LLC c/o Bo Erixxon

Address 110 N. Phoenixville Pike, Malvern, PA 19355

Telephone (610) 296-8175 Fax _____ Cell (610) 721-1495

Email berixxon@bbhomes.us

Designer: (Choose one)

Engineer X

Surveyor _____

Name Chuck Dobson, P.E. - Inland Design, LLC

Address 759 E. Lincoln Highway, Exton, PA 19341

Telephone (484) 872-8260 Fax (484) 872-8261

Email chuck@inlanddesign.net

Area of property 1.318 acres (+/-) Area of disturbance 45,209 s.f. (+/-)

Number of proposed buildings 4 Proposed use of property Residential

Number of proposed lots 1 +1 existing

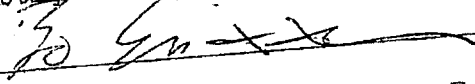
Plan Status: Sketch Plan _____ Preliminary X Final _____ Revised _____
Are there any requirements of Chapter 255 (SALDO) that are not in compliance with?

Are there any requirements of Chapter 255 (SALDO) not being adhered to?
Explain the reason for noncompliance.

Are there any infringements of Chapter 280 (Zoning), and if so what and why?
No

Individual/Corporation/Partnership Name
115 Strafford Avenue, LLC

I do hereby certify that I am the owner, equitable owner or authorized representative of the property which is the subject of this application.

Signature 

Print Name 115 Strafford Avenue, LLC By: Bo Erixson

By filing this application, you are hereby granting permission to Township officials to visit the site for review purposes.

NOTE: All requirements of Chapter 255 (Subdivision of Lane) of the Code of the Township of Radnor must be complied with whether or not indicated in this application.

ORDINANCE NO. 2015-14

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF
RADNOR, CHAPTER 270, SECTION 270-31 SPECIAL PURPOSE
PARKING ZONES.**

The Board of Commissioners of the Township of Radnor does hereby ENACT and ORDAIN the following amendments to Section 270-31 as follows:

Section 1. Section 270-31, Special Purpose Parking Zones, is hereby amended deleting the following handicapped parking zone:

| Name of Street | Side | Location |
|----------------|------|--|
| [Farm Road | East | Commencing 178 feet north from the intersection of Lancaster Avenue and Farm Road on the east side and continuing for 22 feet in front of 7 Farm Road] |

Section 2. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

Section 4. Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

ENACTED and *ORDAINED* this day of , 2015.

RADNOR TOWNSHIP

By:

Name: James C. Higgins
Title: President

ATTEST: _____
Robert A. Zienkowski, Secretary

[] = Delete __ = Add

Radnor Township

PROPOSED LEGISLATION

DATE: 09/21/15

TO: Robert A. Zienkowski, Township Manager

FROM: William A. Colarulo, Police Superintendent

LEGISLATION: Ordinance 2015-14 is rescinding Ordinance No. 2013-16 dated August 12, 2013, authorizing a handicapped parking on the east side of Farm Road.

LEGISLATIVE HISTORY: None.

PURPOSE AND EXPLANATION: The resident has moved and the handicapped parking space in no longer required.

FISCAL IMPACT: None.

RECOMMENDED ACTION: The Police Department respectfully requests the Board to adopt the amendment at the regular Board of Commissioners Meeting on _____, 2015.

ORDINANCE NO. 2015-15

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF
RADNOR, CHAPTER 270, SECTION 270-31 SPECIAL PURPOSE
PARKING ZONES.**

The Board of Commissioners of the Township of Radnor does hereby ENACT and ORDAIN the following amendments to Section 270-31 as follows:

Section 1. Section 270-31, Special Purpose Parking Zones, is hereby amended establishing a new handicapped parking zone as follows:

| Name of Street | Side | Location |
|-----------------|------|---------------------------------|
| Callanan Avenue | East | In Front of 217 Callanan Avenue |

Section 2. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

Section 4. Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

ENACTED and *ORDAINED* this day of , 2015.

RADNOR TOWNSHIP

By: _____
Name: James C. Higgins
Title: President

ATTEST: _____
Robert A. Zienkowski, Secretary

[] = Delete __ = Add

Radnor Township

PROPOSED LEGISLATION

DATE: 09/21/05

TO: Robert A. Zienkowski, Township Manager

FROM: William A. Colarulo, Police Superintendent

LEGISLATION: Ordinance 2015-15 authorizing one (1) new handicapped parking space to be placed in front of 217 Callanan Avenue.

LEGISLATIVE HISTORY: None.

PURPOSE AND EXPLANATION: Radnor Township resident Helen Baker has requested one (1) handicapped parking space to be placed in front of the residence at 217 Callanan Avenue. All requirements for an established handicapped parking space have been fulfilled.

FISCAL IMPACT: None.

RECOMMENDED ACTION: The Police Department respectfully requests the Board to adopt the amendment at the regular Board of Commissioners Meeting on _____, 2015.

ORDINANCE NO. 2015-16

AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF
RADNOR, CHAPTER 270, SECTION 270-20 NO THROUGH TRAFFIC.

The Board of Commissioners of the Township of Radnor does hereby ENACT and ORDAIN the following amendments to Section 270-20 as follows:

Section 1. Section 270-20 A. No through traffic. Local travel only is permitted on any of these streets or part of these streets described below.

| Name of Street | Location |
|----------------|---------------|
| Petrie Avenue | Entire Length |

Section 2. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 3. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

Section 4. Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

ENACTED and *ORDAINED* this day of , 2015.

RADNOR TOWNSHIP

By:

Name: James C. Higgins
Title: President

ATTEST: _____
Robert A. Zienkowski, Secretary

Radnor Township

PROPOSED LEGISLATION

DATE: 09/21/05

TO: Robert A. Zienkowski, Township Manager

FROM: William A. Colarulo, Police Superintendent

LEGISLATION: Ordinance 2015-16 authorizing no through traffic at all times on the entire length of Petrie Avenue.

LEGISLATIVE HISTORY: None.

PURPOSE AND EXPLANATION: The purpose of this sign is to control traffic volume and increase pedestrian safety on Petrie Avenue. A petition was received and the majority of the residents were in favor of a "No Thru Traffic" sign posted on Petrie Avenue as an additional measure to help roadway safety.

FISCAL IMPACT: None.

RECOMMENDED ACTION: The Police Department respectfully requests the Board to adopt the amendment at the regular Board of Commissioners Meeting on _____, 2015.