

RESOLUTION NO. 2010-06

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
RADNOR TOWNSHIP APPROVING THE INTER-MUNICIPAL
LIQUOR LICENSE TRANSFER APPLICATION OF ANTHONY'S
COAL FIRED PIZZA PURSUANT TO THE CODE OF RADNOR
TOWNSHIP**

WHEREAS, the Board of Commissioners is authorized, pursuant to Act 141 of 2000, to approve the inter-municipal transfer of liquor licenses; and

WHEREAS, Applicant, Anthony's Coal Fired Pizza of Wayne, LLC, has requested that the Board of Commissioners approve the transfer of License R-19593, LID No. 24531, to a location known as 309 East Lancaster Avenue, Store G, Wayne Square, Wayne, Radnor Township, Pennsylvania; and

WHEREAS, a public hearing was held on Applicant's request on December 7, 2009; and

WHEREAS, at the aforesaid public hearing, the Board of Commissioners received comments and recommendations of interested individuals residing within the municipality concerning the Applicant's intent to transfer a license into Radnor Township; and

WHEREAS, after considering all of the testimony and evidence presented at the hearing, the Board has determined that the requested transfer will not adversely affect the welfare, health, or peace of Radnor Township, provided that certain terms and conditions are met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Radnor Township, that the application of Anthony's Coal Fired Pizza of Wayne, LLC is hereby approved, subject to the following conditions:

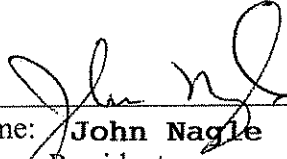
1. That the transfer by Prox G. Matthews and Rose L. Matthews (individually and/or as a Pennsylvania general partnership) t/a Mariner's Gallery Inn, and JAB LLC, to Anthony's Coal Fired Pizza of Wayne, LLC, of License R-19535, LID No. 24531, to a location known as 309 East Lancaster Avenue, Store G, Wayne Square, Wayne, Radnor Township, Pennsylvania is hereby approved.
2. That the intermunicipal transfer of liquor license shall be subject to the following conditions:

- a. That the closing time for the facility shall be 10:30 p.m. Monday through Thursday.
 - b. That the closing time for the facility on Friday, Saturday and Sunday shall be 11:30 p.m.
 - c. That no take-out beer sales shall be permitted by the Applicant.
 - d. That any future conveyances or sales of the facility and/or liquor license by the Applicant to a subsequent purchaser or licensee shall be subject to review by the Township and modification of the enclosed conditions.
 - e. That the property owner shall file with the building permit a plan delineating the dedicated parking spaces for the Applicant's proposed use.
 - f. The Applicant shall comply with any and all Township Department of Health regulations, and County, State and Federal environmental regulations with respect to the proposed coal burning process.
 - g. The Applicant shall reimburse the Township for any and all professional fees and costs in excess of the application fee incurred by Radnor Township as a result of this application.
3. The Applicant shall comply with all terms and conditions of the Pennsylvania Liquor Control Board for the liquor license transfer.

RESOLVED, at a duly convened meeting of the Board of Supervisors conducted on this 4th day of January, A.D., 2010.

RADNOR TOWNSHIP

By:


Name: **John Nagle**
Title: President

ATTEST:


Matthew Baumann, Secretary