

**TOWNSHIP OF RADNOR**  
**Minutes of Public Meeting of January 27, 2014**

*The Radnor Township Board of Commissioners met at approximately 6:30 PM in the Radnorshire Room in the Radnor Township Municipal Building, 301 Iven Avenue, Wayne, PA 19087*

**Commissioners Present**

*Elaine Schaefer, President  
John Fisher  
John Nagle  
William Spingler*

*James C. Higgins, Vice President  
Richard F. Booker  
Donald Curley*

**Also Present:** *Robert A. Zienkowski, Township Manager; John Rice, Township Solicitor; William White, Finance Director; William Colarulo, Superintendent of Police; Steve Norcini, Director of Public Works; Tammy Cohen, Director of Recreation & Community Programming; Kevin Kochanski, Director of Community Development; Roger Phillips, P.E., Township Engineer; Amy Kaminski, Traffic Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.*

Mr. Zienkowski made a public statement apologizing to Brandywine Realty Trust in regards to statements that he had made in the past. Mr. Rice also made a statement regarding Brandywine and its representatives.

Public Participation

Tom Riley, Belrose Lane – Is concerned with the amount of traffic on King of Prussia Road and is concerned with the proposed development at the BioMed site will have an effect on the quality of life in the Township.

Linda Saul, Vice President, League of Women Voters – Please see comments attached.

Grace Wadell, Midland Avenue – She commented as an advocate for children with disabilities. If the BioMed development is approved to move forward it will make it difficult for these children to cross King of Prussia Road to get to the train station.

Notice of Executive Session preceding the Board of Commissioners meeting of January 27, 2014

All commissioners were in attendance, where matters of personnel were discussed.

Consent Agenda

Commissioner J. Higgins requested for item g to be removed from the consent agenda.

- a. *Approval of Minutes for the Board of Commissioners meetings of January 6, 2014*
- b. *Department Monthly Reports*
- c. *Staff Traffic Committee Meeting Minutes - November 20, 2013 & December 18, 2013*
- d. *Disbursement Acceptance and Approval: 2013-12D, 2014-A, 2014-B*
- e. *Motion for Authorization to Receive sealed Bids for Tree Removal & Stump Grinding*
- f. *Resolution #2014-06 - Sale of Township Equipment, Street Sweeper*
- g. ~~*Resolution #2014-09 Approving the purchase of the seven (7) 2014 vehicles for use by the Radnor Township Police Department (as set forth in the approved 2014 capital budget)*~~

Commissioner Spingler moved to approve, seconded by Commissioner Fisher. Motion passed 7-0.

*Appointments to various Boards, Commissions and Committees*

Commissioner Fisher made a motion to appoint the following, seconded by Commissioner Spingler.

Claire Girton and Mary Coe – Parks and Recreation Board

Augustine Feudale and Jen McGowan– Shade Tree Commission

Lane Vines – Ethics Board

Bob Thomason – Citizens Communication Council

Commissioner Schaefer called the vote, motion passed 7-0.

Commissioner Fisher announced that there is a vacancy on CARFAC and the Board of Health. Interested residents please submit your letter of interest and resume to Robert Zienkowski, Township Manager, 301 Iven Avenue, Wayne PA 19087.

***PERSONNEL & ADMINISTRATION***

*Swearing in of Radnor Township Police Officers*

Superintendent Colarulo called for the presentation of the colors. Superintendent of Police, William Colarulo named into record the following names to be sworn in as Radnor Police Officers: Nicholas Laffredo and James Gallagher, Jr.

The Honorable Ann Osborne swore in the new officers to the Radnor Police Department by them reciting the oath of office. Superintendent Colarulo presented each Officer with their Police Badge to have pinned by a family member.

Superintendent Colarulo called for the retiring of the colors.

***FINANCE & AUDIT***

*Resolution #2014-11 - Authorizing the Township Manager to bind workers compensation coverage for 2014 for \$433,031*

Commissioner Fisher made a motion to approve, seconded by Commissioner Spingler. Commissioner Schaefer called the vote, motion passed 7-0.

***PUBLIC WORKS & ENGINEERING***

*Resolution #2014-10 – (Final Plan Approval) Approving The Revised Final Land Development Plan of Enrico Partners, LP (771-797 East Lancaster Avenue)*

Dave Falcone attorney for the applicant discussed briefly the proposed plan.

There was a brief discussion amongst Commissioners, Staff and the applicant in regards to stormwater calculations, installation of a traffic adaption system and sewage facilities planning.

Mr. Falcone responded in regards to the installation of the traffic adaption system that his client is willing to pay for the traffic adaption installation at their shopping center and 1/3 of the cost for the signal at Rt. 320 with a not to exceed \$15,000. These monies would be placed in escrow until the project is ready for completion fully.

Commissioner Spingler made a motion to approve, seconded by Commissioner Curley. Commissioner Schaefer called the vote, motion passed 5-2 with Commissioner Booker and Fisher opposed.

*Caucus - Preliminary Approval - 115 Strafford Avenue LLC*

George Broseman, attorney for the applicant and Bo Erixson & John Benson, Applicants were present. Mr. Benson discussed the process that has occurred of the project over the past 12 months. Mr. Broseman discussed the recommendation from the Township Engineer for the roadway to be 25 ft. in width.

There was a brief discussion amongst Commissioners and the applicant in regards to buffers, massing concerns, stormwater system, the egress of the driveway, the HOA agreement will require no parking on the access driveway and “No Parking/Fire Lane” signs posted on the access driveway. The applicant agreed to the posting of the signs and the HOA agreement to document no parking on the access driveway.

Public Comment

Jim Greenfield, representative for Strafford Office Buildings (adjacent property) – He discussed his clients site that is adjacent to 115 Strafford Avenue. They are concerned that the proposed plan is too dense and would like to see more buffers in the ROW.

Mr. Fuchs, adjacent property owner – He would like to see more buffer between the applicants property and his adjacent property. He also discussed the stormwater retention system that the Township installed in part of his parking lot. The current Township Staff is not aware of the system that he references.

*Caucus - Minor/Final Approval 344 King of Prussia Road - Lombardi State Realty, LLC*

Nick Caniglia, attorney for the applicant briefly explained the project that Lombardi State Realty is seeking approval for. There was a discussion amongst the Commissioners, Staff and the Applicant in regards to sidewalks in front of the property. Also, Mr. Zienkowski requested that the construction trailer that is parked on the property be removed at the end of the day and on weekends. The applicant agreed to remove the trailer as requested.

Public Comment

Peter Ryan, Glenmary Road – Commented how the project is moving forward now when two years ago it was withdrawn. He also discussed stormwater management on the site, as stormwater is a large problem in this area.

***PUBLIC SAFETY***

*Presentation for the Boards Consideration of the purchase of forty (40) Kiosks, spare equipment and mounting of the new Kiosks, retrofit of four (4) existing kiosks to match the new units and all software and training from DEVO and Assoc., LLC for use in the management of Parking under the Parking Enforcement Unit of the Radnor Township Police Department*

Lieutenant Flanagan made a brief presentation in regards to the addition of 40 Parking Kiosks throughout the Township to replace Parking Meters. The presentation is available on the Township website for review. Representatives from DEVO were present to answer questions.

Resolution #2014-09 - Approving the purchase of the seven (7) 2014 vehicles for use by the Radnor Township Police Department (as set forth in the approved 2014 capital budget)

Commissioner Spingler made a motion to appoint the following, seconded by Commissioner Nagle.

Commissioner J. Higgins inquired if purchasing of these vehicles follows the “green” policy. Superintendent Colarulo and Lieutenant Flanagan commented that “Green” vehicles will not accommodate the power required. Lieutenant also stated that he and Mr. Norcini have been on several phone calls with the Green Team in regards to this.

Commissioner Schaefer called the vote, motion passed 7-0.

Resolution #2014-08 - Revising the 2014 Consolidated Fee Schedule

Commissioner Spingler made a motion to approve, seconded by Commissioner Fisher.

Superintendent Colarulo commented that this will lower the parking permit fee for any resident 65 years of age and older and was a recommendation from Sara Pilling.

Commissioner Booker made a motion to lower the fees for everyone, the motion failed for the lack of a second.

Commissioner Schaefer called the vote on the original motion, motion passed 7-0.

Resolution #2014-05 - Approving the purchase of two (2) Complete Police Car Emergency Light Packages and two (2) K-9 Cages from J-Tech Emergency Lighting to be used by the Radnor Police Department K-9 Program

Commissioner Spingler made a motion to approve, seconded by Commissioner Fisher.

Lieutenant Flanagan explained that this is to up-fit two (2) vehicles with emergency lighting and cages. He also presented a spreadsheet in regards to the K-9 Fundraising efforts to date.

Commissioner Schaefer called the vote, motion passed 6-1 with Commissioner Booker opposed.

Resolution #2014-12 approving the purchase of two (2) K-9 German Shepherds from Orchard Knoll Kennels

Commissioner Spingler made a motion to approve, seconded by Commissioner Fisher.

Public Comment

Matt Marshall, Walnut Avenue – He inquired if there is any liability to having these dogs and also commented on the donation of the Land Rovers.

Superintendent Colarulo reminded everyone that this is a two year pilot program.

Commissioner Schaefer called the vote, motion passed 6-1 with Commissioner Booker opposed.

Resolution #2014-13 – approving the purchase of up to two (2) 2014 Land Rover LR-4 K-9 vehicles from Main Line Land Rover

Commissioner Spingler made a motion to appoint the following, seconded by Commissioner Fisher.

Commissioner Schaefer called the vote, motion passed 6-1 with Commissioner Booker opposed.

**COMMUNITY DEVELOPMENT**

Ordinance # 2013-20 - (Adoption) Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by establishing regulations for a new Mixed-Use Special Transportation Development Use within the PLO – Planned Laboratory–Office District

There was an in depth discussion in regards to the process of the above ordinance and the below amendments included in a memo from the Township Solicitor in regards to the recommendations by the Township Planning Commission.

Commissioner Nagle made a motion to exclude all right-of-way, seconded by Commissioner Booker.

*Under Section D – Definitions, the Planning Commission initially recommended that the definition of total site area specifically not include those areas located within the right-of-way at their January 7, 2014 meeting. At the January 14, 2014 meeting, however, the Planning Commission revisited this issue and was split on whether or not the definition of the total site area should include areas of a parcel located within a right-of-way. The real concern is whether or not excluding areas within the right of-way from the definition of Total Site Area is in conformance with the rest of the Zoning Ordinance. The Planning Commission wanted this regulation to be consistent with the rest of the Zoning Ordinance. A decision to exclude areas of the ROW from the definition of Total Site Area would have a profound impact upon BioMed since BioMed’s property contains about 8 acres that is located in the right-of-way of the Blue Route (I-476).*

There was an in depth discussion among Commissioners, Attorney for the Applicant and Staff in regards to the above recommendation. Commissioner Nagle revised his motion to revise the definition of total site area to exclude the Route 476 right-of-way calculations, seconded by Commissioner Fisher.

**Public Comment**

Al Murphy, Glenmary Road – He is against the scale and density on the proposed property.

John Williams, Glenbrook Ave – He is also against including the ROW in the plan.

Steven Oblack, Radnor Street Road – He inquired for clarification purposes if one change is made to the ordinance will final approval move forward for approval. Commissioner Schaefer responded that if changes are made to the ordinance, it will begin the process again.

Diane Edbril, Spruce Tree – She commented that if the already approved plan for the developer made sense they would have already began and not propose these changes.

Marc Kaplin, Attorney for Brandywine Realty Trust – The ordinance that is before the Board also affects Brandywines property. He distributed a binder to all Commissioners. He and his client are opposed to the project for many reasons.

Jim Schneller – He inquired if land across the tracks if a public park would be in the future.

John Scott, Woodstone – He is concerned about the train tunnel on King of Prussia Road and the safety travelling through it.

Leslie Morgan, Farm Road – She commented on the assessed value on the property if the acreage is incorrect. She also is against counting the ROW.

Commissioner called the vote, motion passed 4-3 with Commissioner Booker, Spingler and J. Higgins opposed.

Commissioner Schaefer made a motion to make any necessary editorial change that need to be made as a result of the above change, seconded by Commissioner Fisher. Motion passes 6-1 with Commissioner Spingler opposed.

*The Planning Commission recommended removing out-patient surgical center from the list of subordinate uses that are allowed under the MUST (Subsection E(2)(a)[2]). BioMed specifically argued that this particular subordinate use should remain and would be an important part of their proposal. BioMed also argued that they believed this use would not have significant traffic impact upon the Township.*

Commissioner Curley made a motion to keep the out-patient surgical center, seconded by Commissioner J. Higgins. Motion passes 6-1 with Commissioner Booker opposed.

#### Public Comment

Jim Schneller – Commented that the traffic is distributed across daytime hours.

*Regarding height requirements under Subsection E(2)(h)[1] and Subsection F(4)(c), the Planning Commission recommend limiting the absolute maximum height of any building in the MUST to 105 feet, based on the belief that the tallest building in Radnor is approximately 105 feet. The Planning Commission also recommended specifying in this paragraph that the building height should be measured from the existing grade and not improved grade or finishing grade. I believe this is shorter than BioMed proposed buildings.*

Commissioner Curley made a motion to accept the Planning Commission's recommendation on height, seconded by Commissioner Fisher.

Commissioner Booker made a motion to amend the height to 91 feet, seconded by Commissioner Fisher.

#### Public Comment

Chuck Barber – He is in agreement of changing the height to 91 feet.

Bob Pietrobono, Biddulph Road – He would like to see ways to restrict the footprint.

Diane Edbril – She commented that this ordinance will affect a number of properties.

Doug McCone – If buildings are built this tall it will encourage others to build that high.

Commissioner Schaefer called the vote on Commissioner Booker amended motion, motion failed 3-4 with Commissioner Spingler, Schaefer, J. Higgins and Nagle opposed.

Commissioner Schaefer called the vote on the original motion to accept the Planning Commission's recommendation in regards to height, motion passes 4-3 with Commissioner J. Higgins, Spingler and Schaefer opposed.

Commissioner Curley made a motion that building height should be measured from existing grade not finished grade, seconded by Commissioner Fisher. Motion passes 6-1 with Commissioner Spingler opposed.

*The Planning Commission specifically stated that they were fine with the required percentages of one bedroom dwellings within the multi-family dwelling use. (See Subsection E(4)(b)).*

Commissioner Curley made a motion to modify Subsection E(4)(b) to include market rate housing, seconded by Commissioner J. Higgins.

#### Public Comment

Chuck Barber – He commented on the increase in traffic with residential units being built on the proposed property.

Jim Schneller – The more students the better.

Commissioner Schaefer called the vote, motion fails 3-4 with Commissioner Booker, Spingler, Schaefer and Nagle opposed.

*Concerning the required number of parking spaces, the Planning Commission recommended that the required number of parking spaces for residential uses be restricted to no more than 105% of the minimum number required and the required number of parking spaces for nonresidential uses be restricted to no more than 95% of what is currently required under the Amendment. In other words, if the Amendment currently requires 1000 parking spaces for nonresidential uses, the Planning Commission recommended that the maximum number of parking spaces that could be built upon the site for nonresidential uses be reduced to 950. (See Subsection E(5)).*

*In Subsection E(5)(e), the Planning Commission recommended that the following sentence be amended as shown: "The applicant shall provide at least the three (3) **cars and** spaces and cannot be required to provide more than fifteen (15) **cars and** spaces." The Planning Commission recommended adding the highlighted words to that sentence.*

Commissioner Curley made a motion to accept the PC's recommendation on parking – max of 75% of the minimum number required and the required number of parking spaces for nonresidential uses be restricted to no more than 75%, seconded by Commissioner Fisher.

Commissioner Booker made a motion to amend the above motion to max of 50% of the minimum number required and the required number of parking spaces for nonresidential uses be restricted to no more than 50%.

#### Public Comment

Chuck Barber – The reason for adding the apartments is to utilize the transportation that is there.

Mark Margolis, Atterbury – This makes no sense, if you try to take an office park below 3/1 you are rendering the project uneconomical.

George Broseman, Attorney for Brandywine Realty Trust – the maximum is very important, a good compromise would be that any reduction that they are taking in their trip generation make that the amount the parking goes down.

Bob Pietrobono, Biddulph Road – This will be a challenge to travel King of Prussia Road.

Commissioner Schaefer called the vote on Commissioner Curley's motion, motion fails 3-4 with Commissioner Spingler, Schaefer, J. Higgins and Nagle opposed.

Commissioner Curley made a motion to accept the Planning Commission's recommendation, seconded by Commissioner Fisher. Motion passes 4-3 with Commissioner Spingler, Schaefer and J. Higgins opposed.

Commissioner Curley made a motion to accept the PC's recommendation on the car share provisions – Three (3) cars and spaces...fifteen (15) cars and spaces. Adding the words "cars" in front of spaces. Motion seconded by Commissioner J. Higgins. Motion passes 6-1 with Commissioner Booker opposed.

*Concerning signs, the Planning Commission recommended deleting the entire subsection E(6) from the Ordinance and that **MUST** applicants would have to meet the Township's current sign regulations. In addition, the Planning Commission recommended that regulations be added to the amendment prohibiting any signs from being seen from the Blue Route (I-476), and that all signs can only face King of Prussia Road.*

Commissioner Fisher made a motion to accept the recommendation of Planning Commission and keep sign regulations as currently written, seconded by Commissioner Booker.

#### Public Comment

Chuck Barber – The Planning Commission puts a lot of time in and their recommendations should be accepted.

Matt Marshall – Signage for Class A office space is important. He asked the board to slow the process down.

Doug McCone – He stated that the Planning Commission did not want signs to lure people off the highway. Commissioner Schaefer called the vote, motion fails 3-4 Commissioner Spingler, Schaefer, Nagle and J. Higgins opposed.

*Regarding the various alternatives that must be met in order to obtain a density bonus, the Planning Commission recommended that alternative No. 1 and No. 4 under Category II be combined into one single alternative. (See Subsection F(3)(b)).*

Commissioner Nagle made a motion to accept the above recommendation from the Planning Commission, seconded by Commissioner Fisher. Motion passes 7-0.

*Concerning the two density bonuses which would allow for an increase in the floor area ratio upon a site, there was much discussion by the Planning Commission regarding whether or not the two steps allowing a density bonus to increase the base density from 50% to 70% and from 70% to 80% were too high. The Planning Commission was split on whether or not those density bonuses should be lessened to 50% to 60% and 60% to 70% or kept as currently written. At the January 14, 2014 meeting, the Planning Commission voted 4 to 2 to keep them as they are currently written. (See Subsections F(4)(a) & (b)).*

Commissioner Curley made a motion to accept the split Planning Commission's recommendation of the density bonuses should be lessened to 50% to 60% and 60% to 70%, seconded by Commissioner Booker.

#### Public Comment

Chuck Barber – Asked for Staff to clearly table the details of the ordinance in a chart. He also asked for notification to residents within a certain distance the same as zoning.

George Broseman, Representing Brandywine Realty Trust – He urged the Commissioners to continue discussions at the next meeting. He is in disagreement with traffic counts, density, etc. and believes there is a lot of thought that is needed into this.

Commissioner Schaefer called the vote, motion failed 3-4 with Commissioner Spingler, Schaefer, J. Higgins and Nagle opposed.

Commissioner Schaefer made a motion to modify the Development Impact Study regulations to require the applicant to “use current data from the local region that is specific to the proposed housing stock” when assessing the impact to the School District, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Curley abstaining.

Commissioner J. Higgins discussed that he would like to suggest that the ordinance would include the following: (f) Applicant shall formulate and put into use a program allowing reimbursement to any resident, hotel guest or employee of 55% of that person's local monthly, weekly or daily mass transit commuter fare (i) to or from a residence to the Site, (ii) in the case of residents living in the Multifamily Development use on the Site to a place of employment and return, and (iii) in the case of hotel guests on the Site to a temporary place of employment, *provided that* as used in this paragraph the words “local” and “commuter fare” shall exclude trips to destinations outside the five-county Philadelphia area and Burlington and Camden counties in New Jersey.

Commissioner Booker suggested having a third party review the ordinance.

Commissioner Nagle made a recommendation for continuance of discussions at a later meeting.



Commissioner Booker made a motion to continue the discussions at another meeting, seconded by Commissioner Spingler. Motion passed 7-0.

***PARKS & RECREATION***

Tammy Cohen, Director of Recreation and Community Programming thanked everyone for a successful Murder Mystery Dinner on Saturday evening at the Willows. She also announced that on Thursday evening there is a Veteran's Park meeting to brainstorm on ideas for the park.

***LIBRARY***

Commissioner J. Higgins commented that there was a burst pipe at the Library. A few of the furnishings were damaged. Also, the Library is hosting a fundraiser at a local restaurant and the architect that was hired by the library is in the home stretch.

***PUBLIC HEALTH***

Commissioner Nagle commented that the Board of Health would like topics from residents to look into that are related to adults. Any suggestions should be emailed to Larry Taltoan, Township Health Officer.

***Old Business***

None

***New Business***

Commissioner J. Higgins requested that when petitioners appeal from Design Review Board and other board and commission decisions to the Board of Commissioners, that the lower board and commission members be notified. The Manager stated that he has already implemented that policy and a policy that Staff submits a recommendation as well.

Commissioner Fisher commented that he received a request for speeding to be looked at on Callahan Street. Also a resident has requested a review of two or three properties on that street and the resident would like to receive an update.

***Public Participation***

Jim Gingrich – He commented in regards to his frustration with the Stormwater Fee late penalty charge. He also discussed other concerns with stormwater in the Township such as the basin at N. Wayne Field.

Doug McCone – He commented that traffic patterns need to be reviewed on King of Prussia Road in and around the train overpass.

*There being no further business, the meeting adjourned on a motion duly made and seconded.*

*Respectfully submitted,*

*Jennifer DeStefano*



Public Comment by the  
League of Women Voters of Radnor Township  
to the  
Radnor Township Board of Commissioners  
January 27, 2014

Good evening, I am Linda Sall, a vice president of the League of Women Voters of Radnor for whom I am speaking this evening. We appreciate this opportunity to provide input. As you may know, the League has a position on land use from which we advocate.

First, this evening's agenda includes the BioMed Realty Zoning Amendment that would establish regulations for a new Mixed-Use Special Transportation Development Use within the Planned Laboratory Office District. We appreciate the time and effort extended by you in reviewing this matter. We also realize that this issue is clearly worthy of considerable time given the need for wide-scale public input and its vast implications. Because of the timing of this matter and the changes that have occurred since its original submission, we respectfully ask that you consider additional opportunities for public review and input. Decision-making should not be rushed.

Secondly, the League requests that you, as Commissioners, review this amendment in relation to the implementation of the Comprehensive Plan.<sup>1</sup> This document represents the work of dedicated stakeholders and provides a shared vision embraced by Radnor residents. It speaks to the unique nature of our township, the importance of both the Wayne Business District, and our diverse residential neighborhoods. Even when it was adopted a decade ago, the value of preserving Radnor in the face of development pressure was underscored. Recognizing that each of you has been entrusted with realizing this plan, we encourage you to reflect on the comprehensive plan of the past for direction and guidance today. Will this amendment really make a "great community even better?"

To assist you, we have reviewed the Comprehensive Land Use Plan and have selected sections that we believe worthy of consideration. The League supports quality of life issues and believes that zoning is important in meeting a key objective in the general planning goals for the existing land use and land use plan. As stated in the plan (p. 25):

*Work carefully to preserve the balance of land uses and ensure adequate buffering in the many critical interfaces between commercial, residential and other land uses.*

Of significance tonight to the BioMed proposal is a recommendation found on page 26 of the Comprehensive Land Use Plan:

*Specifically, maintain as much open space "green" area at the intersection of the Blue Route and Lancaster Avenue, particularly between the P & W railroad bridge and Radnor Chester Road to enhance the sense of "gateway," minimize traffic problems, and achieve other planning objectives, including the rigorous implementation of existing commercial zoning specifications; avoid commercial expansion in any way.*

In closing, we value your work and trust that your recommendations will be consistent with Radnor's existing land use plan. Thank you.

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<sup>1</sup> See <http://www.radnor.com/departments/division.php?fDD=9-154>