

TOWNSHIP OF RADNOR
Minutes of Public Meeting of September 23, 2013

The Radnor Township Board of Commissioners met at approximately 7:00 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
Kevin G. Higgins
Donald Curley*

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

President Schaefer called the meeting to order and led the assembly in the Pledge of Allegiance

Public Participation

Doug Blazey, Upland Way - He discussed the difference between a fee/tax. He discussed properly using credits for all that can demonstrate reduction in stormwater, funding of the flooding abatement program and that flood control is a wider project.

Tom Costello – Feels as though Villanova Expansion is great for the Township and neighborhoods and is glad that the University incorporated a lot of the changes suggested.

Dana Combreten, Business Student at Villanova – She is in favor of the project.

Grace, Engineering Student at Villanova – She is in favor of the project and would love to have senior housing on campus.

Bill Spellman – He is in favor of the project. Villanova builds nice buildings and it would be an improvement instead of having the large parking lot that is there now.

*Notice of Executive Session preceding the Board of Commissioners meeting of
September 23, 2013*

All commissioners were in attendance, where matters of personnel, litigation and real estate were discussed.

Approval of minutes for the Board of Commissioners meeting of July 8, 2013

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

Motion to Accept Monthly Department Reports

Commissioner Spingler made a motion to accept, seconded by Commissioner Fisher. Commissioner Fisher made mention of a few highlights throughout the monthly reports. Commissioner Schaefer called the vote, motion passed 7-0.

PARKS & RECREATION

Resolution #2013-114 - Renaming of St. David's Park to Veterans Park

Commissioner Nagle commented that he and Commissioner Schaefer attended the Parks and Recreation Board meeting last month when this item was discussed. He does not feel strongly either way; on whether it is St. David's Park or another park within the Township.

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

The overall sense is that the commissioners are in full support of the re-naming of St. David's Park.

Mr. Zienkowski thanked Commander Bill Madden for all of his time. Commander Madden thanked the Board of Commissioners and Staff.4

Tammy Cohen, Director of Recreation and Community Programming discussed on behalf of the Parks and Recreation Board that Bill Madden, Commander of Post 668 American Legion, approached the Parks and Recreation Board at the July 11, 2013 meeting with a proposal to name a Radnor Township Park to honor the Veterans. On Thursday, September 12, 2013, the Radnor Township Parks and Recreation Board met again to discuss the proposal. A motion of recommendation was made by the Parks and Recreation Board to name a Township Park in honor of the Veterans; the motion carried unanimously with a vote of 5-0 with no one abstaining.

The Parks and Recreation Board has agreed, in order to honor the Veterans of the United States Armed Forces, to recommend the name change of one of the Township's Parks and the Township Managers recommendation to rename St. David's Park to Veterans Park to the Board of Commissioners for consideration.

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

PERSONNEL & ADMINISTRATION

Ordinance #2013-13 - (Adoption) Approving a Lease Agreement between the Township of Radnor and the Main Line School Night Association for the Creutzburg Center

Commissioner Fisher made a motion to adopt, seconded by Commissioner Spingler. Commissioner Schaefer called the vote, motion passed 6-1 with Commissioner K. Higgins opposed.

Resolution #2013-98 – Approval of Consultant to prepare the Greenways & Open Space Network Plan

Commissioner Fisher made a motion to approve, seconded by Commissioner Nagle. Cheryl Tumola, Co-Chair Implementations Plan Committee discussed the process that was followed to get to this point.

Kevin Kochanski thanked Cheryl and the Committee for all of their hard work through the process.

The Township solicited proposals from five (5) different consulting firms and received three (3) responses. The Township Administration and the Open Space Implementation Committee have reviewed the qualifications, interviewed all candidates, and recommend the selection of Simone Collins as the Consultant for the Greenways and Open Space Network Plan at a cost not to exceed Sixty-Six Thousand Dollars (\$66,000.00).

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

PUBLIC WORKS & ENGINEERING

Ordinance #2013-15 – (Adoption) Establishing a User Fee for Stormwater Collection and Management

Commissioner J. Higgins made a motion to adopt, seconded by Commissioner Spingler.

Commissioner J. Higgins gave a brief overview of the process that was taken to reach the point of adopting the Stormwater Ordinance. If approved, the ordinance would give a dedicated source of funding so the township could tackle various infrastructure needs. A list of possible projects totaling \$10 million has been identified by staff and consultants.

Commissioner Schaefer stated that since the ordinance was introduced in July, there have been many educational meetings. She has suggested that the fee be reduced to \$29 per billing unit because it will take time for engineering studies and approvals for the various projects. She also suggested that work will extend to 20 years from 10 years.

Commissioner Curley stated that he thinks we're making a mistake tonight. The Board did a good job to understand the scope of the problem but not understanding the scope of the solution. We are collecting money like a fee but spending it like a tax and we are not dealing with the historical failure of stormwater.

Commissioner Fisher will support the ordinance at the current \$56 fee as we have about 300,000 feet of pipe in the township and most is 50 years old. We need to have a mechanism to fund this system.

Commissioner K. Higgins stated that he did some of the math and even at the \$29 fee, you're talking about approximately a 7% tax increase. He believes that this is the wrong way about going about this that is should be done through the taxes.

After debating the matter and listening to input from residents, the board agreed to reduce the amount of the fee to \$29 from \$56 per unit. A unit is up to 7,000 square feet and amounts increase so that 43,560 square feet of property or more equals four units.

Commissioner Curley asked that each resident get a mailing in October of what their particular fee would be.

Mr. Zienkowski made a brief presentation of an analysis of where we are at and a conceptual plan. It will be available on the Township website for review.

Commissioner Schaefer made a motion to amend the ordinance to reduce the fee to \$29, seconded by Commissioner Spingler.

Commissioner Curley made a motion to send an educational mailing out to all property owners in October that states what the cost will be for each category of land, seconded by Commissioner K. Higgins. Motion passed 5-2 with Commissioner Spingler and Nagle opposed.

Mr. White asked if staff could come back to the Board and let them know if the master file is ready to accomplish this.

Public Comment

Ken Taylor, Willow Avenue – He respectfully requested that the fee remain at \$56.00.

Maya von Rossum, Delaware Riverkeeper – Thanked the Board for putting forth the best and earnest ordinance for the Township.

Martin Heldring, Audubon Avenue – He supports the lower fee but he called the project list a place holders. He states that they might be good but we don't know. There's no set of projects that we can point to that have been fully vetted. He also stated that people will face a 7 to 13 percent tax hike from the fee.

John Sheehan, Windsor Avenue – Whether it is a fee or a tax he is happy that the Township is moving forward. He also discussed that the tree canopy in the township has decreased and the possible relation to more stormwater problems.

Bill Bruno, N. Wayne Avenue – He is proud to be here that Radnor Township is finally making a decision to help alleviate the water problem.

John McDonald, Willow Avenue – It is hard to watch the neighbors suffer from the flooding and is very grateful for the ordinance.

Commissioner Schaefer called the vote for the following: *Commissioner Schaefer made a motion to amend the ordinance as it is presented tonight with fee stated at \$29.00, seconded by Commissioner Spingler.* Motion passed 5-2 with Commissioner Curley and K. Higgins opposed.

Commissioner J. Higgins made a motion to amend the ordinance in section 8 to reduce the late fee to 6 percent from 10 percent, seconded by Commissioner Schaefer. Motion passed 7-0.

Commissioner J. Higgins made a motion to re-advertise the amended ordinance for enactment on October 14, 2013 Board of Commissioners meeting, seconded by Commissioner Spingler.

Public Comment

Richard Booker, Belrose Lane – He opposes the stormwater ordinance that the board could pay for improvements through a bond or through taxes rather than a new fee. He suggested that the Board look to the county to establish a stormwater authority and that it is really unconscionable that this board would approve a new tax without knowing what the money would be spent on.

Diane Edbril, Spruce Tree Road - She believes that this is brilliant that it is a fee because it allows all property owners to pay into it and she supports the ordinance.

Darla DeMorrow, Windsor Avenue – She is very concerned about the stormwater. She thinks that the stormwater fee is going to be disproportionately to the residents. She also shared her uneasiness in regards to the fee.

Commissioner Schaefer called the vote on the following motion: *Commissioner J. Higgins made a motion to re-advertise the amended ordinance, seconded by Commissioner Spingler.* Motion passed 5-2 with Commissioner Curley and K. Higgins opposed.

Resolution #2013-103 - Establishing A Stormwater Management Advisory Committee for Radnor Township

Commissioner J. Higgins made a motion to approve, seconded by Commissioner Nagle.

Commissioner Curley made a motion to amend the resolution to read:

- a) The Board of Commissioners shall appoint an advisory committee of seven electors, one from each ward.
- b) The committee will include, but will not be limited to, Township property owners, representatives of the Township’s business community, and representatives of local institutions and services agencies. Appointments shall include individuals with technical expertise and subject matter interest in stormwater management and its impact on water quality.

Motion seconded by Commissioner Nagle.

Public Comment

Rich Booker, Belrose Lane – He is concerned about having an appointed board to create a credit system.

Commissioner Schaefer called the vote for Commissioner Curley motion. Motion passed 7-0.

Public Comment on Underlying Motion to Approve the Resolution

Martin Heldring, Audubon Avenue – He is in favor of the committee to vet the projects but would like to see a reconciliation of the spending of the funds on a quarterly basis.

Commissioner Schaefer called the vote on the underlying motion to approve the resolution, motion passed 7-0.

Resolution #2013-106 – Traffic Signal Installation at Radnor Chester and Raider Roads

Commissioner J. Higgins made a motion to approve, seconded by Commissioner Spingler.

Commissioner Schaefer called the vote, motion passed 6-0 with Commissioner Curley absent for the vote.

Mr. Norcini, Public Works Director stated that the Public Works and Engineering Departments wish to begin dialogue with the Pennsylvania Department of Transportation (Penn DOT) regarding the design and installation of a traffic signal at Radnor Chester and Raider Roads, with the hopes that this dialogue will result in the successful submission of a traffic signal permit application to Penn DOT. At this time, no design work has begun. At a subsequent Board of Commissioners meeting, a request will be made to authorize Gilmore and Associates (Amy Kaminski, PE, PTOE) to proceed with the design of this signal.

The Resolution and attached application layout the requirements of the Township in regards to the proposed traffic signal. This is the first step in the process prior to beginning design work.

Motion to Authorize to Receive Bids for the Resurfacing Program

Mr. Norcini explained that the project entails milling the existing surface of the street to maintain curb reveal and remove oxidized asphalt, repairing any areas that are deteriorated, leveling course (if needed), and the installation of 1.5" of compacted 9.5 mm Superpave wearing course. Roads are chosen for consideration based on the following criteria: alligating, oxidation, rutting, deformation, utility cuts, general condition, and use. The project lists roads that are in the bid package, as well as "fall outs". Fall outs are roads that will be completed should the bids come in under cost estimates. Fall outs are also automatically moved to next year's paving list. We are currently planning to meet with Aqua Pennsylvania to determine if a procedure can be had that allows the Township to pave more than the single lane currently required of utility companies. This may allow us to completely resurface roads that have utility work installed. The roads proposed for paving; (+/- 3.0 miles) are as follows:

	To	From
Crestview Road	All	All
Maplewood Road	Atlee	#575 Maplewood
Pembroke Road	Louella	South Wayne
Oak Terrace	All	All
Harbison Road	All	All
Marlyn Circle	All	All
South Roberts	SR320	Darby Paoli
Mill Road	Conestoga	Ithan
Roberts Road	Portledge	Woodley
Ithan	Conestoga	Meadowood
Browning	All	All

Commissioner J. Higgins made a motion to receive bids, seconded by Commissioner Spingler. Commissioner Schaefer called the vote, motion passed 7-0.

Resolution #2013-110 – Installation of Traffic Calming on Wyldhaven Road

Commissioner J. Higgins made a motion to approve, seconded by Commissioner Spingler.

Mr. Norcini explained that the Public Works & Engineering Departments were contacted by residents of Wyldhaven Road regarding speeding, specifically in the area between Marlbridge Road and Brandywine Place. Wyldhaven Road is 28' wide, with roll curb and no sidewalk. The area of interest is along a curved section of roadway (please see attached) approximately 400 feet in length. In this case, structural traffic calming devices are not appropriate; a lane width reduction would be in order. The plan is to reduce the lane widths to ten feet, with four foot shoulders. To accomplish this, I am requesting that we award Traffic Calming USA the contract to install "Traffic Grip" (please see attached photo sheet). The top picture shows a situation similar to the proposed installation, the lower picture is to better show the color of the product. The process entails the installation of an epoxy resin, which is then bonded with a high friction colored aggregate. This provides an increased awareness to motorists, and to stay in the

reduced width lanes, they must reduce their speed. This product will not impede emergency responders, and may be used in similar situations in the future.

Commissioner Fisher stated that he will not support the resolution as it is pushing vehicles closer together without a center yellow line and staff traffic recommendation was to not do anything. Commissioner Spingler will support the resolution. Commissioner Curley will support the resolution as he sees this as a great Pilot program.

Public Comment

Roberta Winters – Is concerned with the impact for bicyclists and the surfaces interaction with a bicycle.

Dee Delaney, Williams Road - She is in agreement with the resolution as she walks Wyldhaven on a daily basis; she encourages the board to include the yellow line.

Jenn Trumoli, Wyldhaven – She is very happy with the proposed traffic calming and they are not in favor of a double line.

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

Resolution #2013-112 – Land Development Approval - 123 West Wayne Avenue

Commissioner J. Higgins made a motion to receive bids, seconded by Commissioner Spingler.

After a brief discussion for clarification purposes, Commissioner Schaefer called the vote, motion passed 7-0.

COMMUNITY DEVELOPMENT

Villanova Zoning Amendment (**Hearing**) - Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by establishing regulations for a new Comprehensive Integrated College Development Use within the PI – Planned Institution District

Commissioner J. Higgins explained that the intent of regulations to provide and promote development and redevelopment of land currently used for college or university purposes within the Township. It is the further intent of the Comprehensive Integrated College Development to promote a pedestrian-friendly landscape in land currently used for institutional purposes in a sensitive and planned development that preserves the integrity of those neighborhoods in which they are situated. In conformity with the Radnor Township Comprehensive Plan, these regulations provide for the sound planning of institutional property and limit the expansion of institutional uses to areas within the present limits of campus areas. These regulations are intended to provide design and regulatory standards for educational institutional facilities which will mutually benefit the Township and the applicant through enhanced vibrancy of the campus areas and a pedestrian-friendly townscape. This use provides for these benefits, while protecting adjacent non-institutional properties from adverse impacts.

Nicholas Caniglia, Attorney for applicant, presented a summary of modifications to the Zoning Amendment which can be found on the Township website at:

http://www.radnor.com/egov/docs/1380047716_856109.pdf

Nick Caniglia stated that the plan would bring 1,200 students back on campus from area apartments and their cars into the planned parking garage, reducing traffic. The heights of various proposed buildings

would be reduced and setbacks from the right-of-way increased from the original proposal. Ten acres of asphalt without any water management would gain a system to prevent runoff, he said. And retail space will not be more than 5 percent of the total building. Also, various safeguards are addressed in the ordinance to make sure that other colleges that want to use it will need to go through a similar land development process and the ordinance states that it can only be used once by each school.

There was in depth conversation amongst the Commissioners and Applicants Attorney in regards to concerns with the size of the parking garage, traffic number of students compared to size of dormitories, building length and height and set-backs. Kevin Kochanski, Community Development Director is generally in support of the ordinance and believes it is ready to move forward.

Public Comment

Mr. Onorato and Mr. Reiker, attorney and planner that represents Friends to Protect Radnor - They have authored an analysis of the text amendment proposal and have presented it to the Commissioners. They discussed items such as the use of the words currently and existing used throughout the ordinance; they are concerned with building massing; height of buildings; set-backs; that while the university has worthy goals to do something with the dreadful parking lot, their proposed Planned Institutional Zoning is too broad; they don't believe this ordinance is not ready for adoption; suggested that the township hire a special planner to advise.

Bill Hyde, Highland Avenue – He is in favor of the project and believes that there are a lot of students who would look forward to living on campus.

Sue Smith, Wistar Road – She believes Villanova has been a good neighbor to her. She is in favor of the development.

Elaine Sharer, S. Ithan Avenue – She is in favor of the development and Villanova has tried to be good neighbors and have listened to concerns in the past.

Rick Leonardi, Aldwyn Lane – He discussed his concerns with the traffic study that he had only received the other day. He pointed out that the university's 500-page traffic study does not take into account the plans for offices, apartments and a restaurant at the BioMed site just down Lancaster Avenue at King of Prussia Road. He also brought out that the plans call for a long parking lot behind Aldwyn Lane that he said would send runoff into the residential area. He also complained that the pedestrian bridge was poorly designed for many intended walkers and the odds are that any of these people will use the bridge are very slim.

Colleen Price – There needs to be an independent land planner that does not represent either party; what is done at Villanova will affect what is done at the other institutions.

Ryan Gatty, David Drive – He is a student at Villanova and is in support of the project.

Michelle Geanifocarò, Liberty Lane – She is in support of the project and as a Villanova Alumni believes that having on campus housing for 4 years would be a great benefit.

Kevin Geary, Blackfriar Road – He urges the Board to reject the plan and hire an independent planner.

Kathy Rucker, Lowry's Lane – She is not in support of the project and how the quality of life for residents will change.

Philip Ahr, Meredith Lane – He hopes that Villanova is able to accommodate their students on campus as it will be an enhancement to the University. He doesn't think much has changed in the ordinance since first presented in the spring. The ordinance is not ready for submission.

Jim Yannopoulos, Braxton Road – He is not in support of the project. Rejecting the proposal is the right thing to do.

Maya von Rossum, S. Roberts Road – She believes that it is a great opportunity for the University not the Township; requests of a build out analysis is critical to receive; they need to make better efforts at stormwater runoff and more buffers for streams.

David Wood, S. Roberts Road – This is not a good plan for the community.

Susan Stern, Newtown Square – Stated that the need for updated institutional long term plans are needed.

Jim Schneller, St. David's – He is not in favor of the project.

Eric Quisenberry, Rodney Rd. – He is in favor of the project. If the institutions are strong the community is strong.

Roberta Winters, League of Women's Voters – She gave the commissioners a letter stating that her group's position and suggesting the development will have a large impact on the township in many ways including the demographic change of many more younger people living in the dorms. Many trees have been cut, view sheds marred, traffic congestion increased, storm water conditions exacerbated and buildings built that appear out-of-scale. While development may provide increased local revenue and permit fees may temporarily fund staff, residents may never stop paying the long-term cost.

Alex Yannopoulos, Braxton Road – He is not in favor of the project. If the dorms are built does not mean that existing students are going live in them.

AnneMarie Hessman, BarleyCone Lane – She is concerned about conflicts, recusals, the process of the project.

Commissioner Curley suggests it needs a vote up or down tonight for introduction of the ordinance.

Commissioner Nagle agreed that it needs to be voted to introduce or not also it should be sent back to Planning Commission with the new information that was received tonight.

Commissioner Fisher does not support the ordinance as it is; it needs to come back from Planning with a thumb up.

Commissioner K. Higgins is in favor of introducing the ordinance but is not committed in any manner to adopt it.

Commissioner Spingler is in favor of the introduction.

Commissioner J. Higgins is in favor of the introduction moving it forward. He believes that the memorandum submitted by Mr. Onorato warrants a review.

Ordinance #2013-18 – (Introduction) Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by establishing regulations for a new Comprehensive Integrated College Development Use within the PI – Planned Institution District

Commissioner Curley made a motion to introduce as presented, seconded by Commissioner Nagle. Motion passed 5-1 with Commissioner Fisher opposed and Commissioner Schaefer recusal.

Commissioner Schaefer announced that item J - Discussion of Shade Tree Commission Recommendation for Fee in Lieu of – Regarding Compensatory Plantings and Item O - Ordinance #2013-17 have been removed from the agenda.

FINANCE & AUDIT

Disbursement Review and Approval, 2013-9A and 2013-9B

Commissioner K. Higgins made a motion to approve, seconded by Commissioner Nagle. Motion passed 7-0.

Resolution #2013-113 - 2014 Minimum Municipal Obligation (MMO) Adoption

Commissioner K. Higgins made a motion to approve, seconded by Commissioner Nagle. Motion passed 7-0.

PUBLIC SAFETY

Removed from the Agenda - Ordinance #2013-17 – (***Introduction***) Amending the Code of the Township of Radnor, Chapter 270, Vehicles and Traffic, Revising Sections 270-16 Stop Intersections, 270-28 Parking Prohibited At All Times, 270-29 Parking Prohibited Certain Hours, 270-31 Special Purpose Parking Zones and 270-57 Parking Meter Zones Established

LIBRARY

The event on Friday night which was a miniature golf event and a children's event on Saturday were very successful.

PUBLIC HEALTH

The Board of Health will continue to work with the EAC regarding the geese issue in our parks; there is not imminent public health threat.

Old Business

None

New Business

Commissioner Fisher stated he had a complaint today of 8 students living in the 200 block of Lowry's Lane. He will forward details to staff.

Commissioner Schaefer announced there is a vacancy on the Civil Service Commission. Interested parties please forward your resume to Robert Zienkowski, Township Manager, 301 Iven Avenue, Wayne, PA 19087.

Public Participation

Rich Booker, Belrose Lane – No more special zoning districts, it is bad policy. He appreciates the effort.

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

Respectfully submitted,

Jennifer DeStefano