

TOWNSHIP OF RADNOR
Minutes of Public Meeting of November 11, 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; Amy Kaminski, Township Traffic Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.*

The Presentation of Colors were presented by Bateman Gallagher Post 668 and they led the assembly in the Pledge of Allegiance.

Public Participation

Tom Costello – He is in support of the redevelopment at Villanova and is glad that the University has incorporated a lot of the recommended changes.

Kate Long, Aldwyn Lane – She presented the Commissioners with memos from The Friends to Save Radnor group Attorney and Land Planner that are in response to the two versions of the CICD from September and October. They have been shared with staff and planning commission. They would like to strongly urge the Commissioners to send the ordinances back and the township hire a land planner.

Monica Walsh, Radnor High School Senior – She supports the acquisition of Ardrossan.

Carol Lohmeir, Debaran Lane – She is opposed to Ordinance #2013-17 in regards to parking on one side of Debaran Lane.

Patty Barker, Rosemont – Would like to see the memos from the Friends to Save Radnor posted under the Villanova link on the Township website. While she agrees with Open Space in theory, she believes that at this juncture in our economy she is not in favor of the Ardrossan acquisition at this time. She also commented on her concerns in regards to the Villanova Zoning Petition.

Dan Webster, Ravenscliff – Thanked Bob Zienkowski, Bill White and staff for a fantastic budget with a lot of detail. He also discussed his concerns with the Ardrossan acquisition.

Doug McCone – He would request that the Board of Commissioners table ordinance #2013-20 and #2013-21 until June 2014 so they can be properly vetted through the Planning Commission and Delaware County Planning.

Andrew Brackford – He is in support of the Villanova redevelopment and is glad that Villanova is reinvesting money in the community.

Philip Wilson, Church Road – He stated his appreciation of the Budget document this year. He presented the Commissioners with a tool for a sensitivity analysis to be used with our budget, acquisition of Ardrossan and many other items within the Township to be able to look at items in simplicity.

Grace Ziensing, Glynn Lane – She expressed her support for the Ardrossan Acquisition.

Paul, Brooklea Road – He commented in regards to Ordinance #2013-17. Majority of the residents on his block are opposed to the ordinance.

Linda Lewis, Debaran Lane – Questioned why only two neighborhoods are being looked at for ordinance #2013-17, why not the entire Township.

Martin Heldring – He discussed his frustration with the process for the acquisition of Ardrossan and that the information was posted the day after elections. Make the process honest and with integrity.

Sarah Armstrong – She asks the Board to do what is fair to all voters of the township and what is in the 1991 open space policy and to take the acquisition of Ardrossan to a referendum.

Mark Knight, Glynn Lane - He is in support of the acquisition of Ardrossan.

Notice of Executive Session preceding the Board of Commissioners meeting of November 11, 2013

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

Notice of Executive Session on November 13, 2013

This Executive Session has been cancelled and will be rescheduled as a public meeting at a later time.

Appointment of a Member for the Vacancy Board

Commissioner Schaefer discussed that the vacancy board is a board that consists of the current Board of Commissioners and one elector. They are responsible for appointing a Commissioner in case of a vacancy. The position is reappointed every year at the reorganization meeting. Commissioner Nagle nominated John Fischer to the Vacancy Board, seconded by Commissioner Spingler. Motion passed 7-0.

Approval of minutes for the Board of Commissioners meeting of September 9, 2013

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

Consent Agenda

Resolution #2013-139 – Authorization to award the contract for installation of the South Wayne Avenue ADA curb ramps and bump out median

Consideration of a Motion to approve the Certificate of Appropriateness:

HARB 2013-23 -- 138 Runnymede Avenue - Renovation on existing foundation/footprint.

HARB 2013-24 -- 213 Orchard Way - Rear covered patio over existing flagstone. Details of cornice to match sunroom.

HARB 2013-25 -- 401 Oak Lane - Attached garage addition, including new bedroom, baths, kitchen renovation. Removal of existing garage.

HARB 2013-26 – 424 Louella Avenue – Repair or demolition of an existing chimney that has been found to be structurally deficient by the owner’s contractor.

Motion to authorize John Rice to attend the Zoning Hearing Board meeting and oppose the following: APPEAL #2907 - The appellant, Radnor Properties-201 KOP, LP; Radnor Properties, SDC, LP; Radnor Properties – 555 LA, LP; and Radnor Center Associates are seeking a reversal of the Zoning Officer’s October 4, 2013 Determination issued for property at 145 King of Prussia Road.

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

Jim Schneller, St. David’s – Asked for the following items to be removed from the consent agenda:

- Resolution #2013-136 – Authorization for Gannett Fleming, Incorporated to Provide Design Services and Bidding Documents for the Replacement of the Timber Bridge at the Willows Park
- Motion to Authorize for the Public Works Department to receive bids for the construction of a bridge at the Willows Park

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

Resolution #2013-136 – Authorization for Gannett Fleming, Incorporated to Provide Design Services and Bidding Documents for the Replacement of the Timber Bridge at the Willows Park

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

Public Comment

Jim Schneller, St. David’s – He is not in support of the money being spent at the Willows.

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

Motion to Authorize for the Public Works Department to receive bids for the construction of a bridge at the Willows Park

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

FINANCE & AUDIT

Disbursement Review and Approval: 2013-10D, 2013-10E

Commissioner K. Higgins made a motion to approve, seconded by Commissioner Spingler. Commissioner Curley recused himself from Office Basics line items. Commissioner Schaefer called the vote, motion passed 7-0.

Public Hearing #1 on 2014 Preliminary Recommended Comprehensive Budget

Mr. Zienkowski discussed that Administration is recommending a 0% tax increase, the importance of economic development. Mr. White discussed a brief overview of the proposed the 2014 Preliminary Recommended Comprehensive Budget. There was a brief discussion amongst the Commissioners in regards to the budget.

Public Comment

Dan Webster, Ravenscliffe – He inquired what the solution was for the unfunded liabilities. Mr. White, Finance Director responded to the inquiries.

Philip Wilson, Wayne – He recommended using the sensitivity analysis that he presented earlier to see how the acquisition of Ardrossan to see what the impact on the budget would be.

Bill White stated that the next budget hearing will on November 18, 2013 followed by the introduction of the final budget ordinances on November 25, 2013.

PUBLIC SAFETY

Ordinance #2013-17 – (Adoption) 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

Fire Chief Dan Kincade, Bryn Mawr Fire Company and Lieutenant Christopher Gallagher, Radnor Police Department presented pictures of the areas that are of concern with access for fire trucks. There was discussion amongst the Commissioners in regards to the pictures presented.

Commissioner Fisher made a motion to table the ordinance, seconded by Commissioner Spingler.

Public Comment

Michael Riggio, Brooklea Road – He is opposed to the ordinance in regards to parking only on one side of the street and is afraid that it will create a safety problem for the kids.

Jason, Conestoga Village – He is opposed to the ordinance and would like to look at statistical data as well.

Tom Hilberts, Debaran Lane – Debaran Lane is wider than the street that was shown in the pictures and it is used a lot as a cut through.

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

PERSONNEL & ADMINISTRATION

Resolution #2013-134 – Authorization of Expending Not to Exceed \$24,000.00 for Holiday Enhancements in the Wayne Business Overlay District from Parking Revenues

Diane Jiorle, President Wayne Business Association discussed that the money would be for new lamp posts banners throughout downtown Wayne and Mr. Zienkowski stated that the remainder amount would go for banners throughout the Community.

There was a discussion in regards to the WBA not being in support of the N. Wayne Crosswalk and the RECT funding it.

Commissioner Fisher made a motion to approve with the resolution amended to state that with that the Township will request the funding from the RECT, seconded by Commissioner Curley. Commissioner Schaefer called the vote, motion passed 6-1 with Commissioner J. Higgins opposed.

Diane Jiorle announced that the Christmas Tree Lighting is on December 6 and Santa Parade on December 7th. She is requesting the permission to hang a banner on the overpass on N. Wayne Avenue at the train station. Mr. Zienkowski stated that SEPTA and PennDot will need to approve.

Ordinance #2013-XX – (Introduction) - Approving an Agreement of Sale and Purchase between the Township of Radnor and ESIII, L.P. A Pennsylvania Limited Liability Company by its General Partner, ESIII—Ardrossan LLC for the Purchase of 71 Acres of Open Space

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

Commissioner Schaefer discussed the process that will take place. She also discussed that the proposed acquisition is for approximately 71 acres on Darby Paoli Road and Newtown Roads. The proposed price are Parcel A, the “Wheeler field” 27.65 acres: \$2,400,000.00; Parcel B, the “Quarry tract” 16.336 acres: \$3,600,000.00; Parcel C, the “Rye field” 27.04 acres: \$5,653,820.00. The Intended Use would be Trails (both walking/running on the perimeter and macadam/biking on the road); Continued agricultural use through a farming licensing agreement and Reforestation, habitat and wetland restoration. The proposed payment would be funded by an \$10 million bond issue (previously approved by Radnor voters) as well as supplementary grant funding requested from DCNR, Delaware County and private fundraising. The bond payments would be largely funded by revenue from our Open Space Fund, which comes from the real estate transfer tax, rather than from property taxes. However, for an 11 year period (2015 to 2026) the projected payments will exceed the amount available in that fund and we would need a millage increase to make up the difference. The millage increase would be structured to sunset in 2026. The millage increase required would be .15 mills. The median assessed value would be \$39 a year with such an increase. Again, any increase would sunset in 2026. She is an enthusiastic proponent for this acquisition and that open space is a valuable asset to the community.

Mr. John Rice, Township Solicitor commented in regards to why the land cannot be acquired for no charge.

Commissioner K. Higgins commented that his opinion is that it should go out as a referendum.

Commissioner Curley commented that he does not intend to support this acquisition.

Commissioner J. Higgins commented that there is risk in everything; however he does support the proposed ordinance.

Commissioner John Fisher commented that he has not made a decision yet and will keep an open mind and hear from the public before making a final decision.

Commissioner Nagle commented in regards to his support of the acquisition of Ardrossan; this has been in discussion for a long time.

Commissioner Spingler is also in support of the acquisition of Ardrossan and he has been discussing this with his ward for years.

Public Comment

Lisa Goldstein, Malin Road – She thanked the Commissioners for the proposal and the information on the website; she is support of the acquisition of Ardrossan.

Barbara Kaufman, Lantoga Road – She is in support of the acquisition of Ardrossan.

Al Chipego, Briarwood Road – He is in support of the acquisition of Ardrossan.

Bob Zelten, Windsor Avenue – He is in support of the acquisition of Ardrossan that this is a tremendous investment for the Township.

Leslie Morgan, Farm Road – She discussed the acquisition and the potential conditional use of the land at Ardrossan.

Hank Mahoney, Beechtree Lane – He is representing the Radnor Conservancy and they whole heartedly support the acquisition of Ardrossan. He also stated that there is a wealth of information on the Township website which he greatly appreciates.

Colleen Price, Atterbury Road – She commented on her support of open space and the density modification. She would still like to see that we get the space for free.

Maya VonRossum, S. Roberts Road & Delaware Riverkeeper – She commented that keeping open space raises property values and protects the environment and she supports the acquisition. She is not in support of another referendum.

Ms. Carpenter – She is in support of the acquisition of Ardrossan.

Rich Booker, Belrose Lane – He commented in regards to the timing of the announcement on the township’s website, the process of the acquisition and that portions of Ardrossan will be developed. In general he is in support of open space but would like a good deal to be negotiated. There is broad concern across the community and urged to proceed to referendum.

Catherine Donches – If the land that is in question does not remain open for recreational use by the public it doesn’t seem to be a prevalent alternative to the present plan.

John Snyder, Attorney for Seller of Ardrossan – He commented that the timing of the announcement was coincidental because negotiations had just concluded; he also stated that the township received a good price and his clients had left a substantial of money on the table.

David Wood, S. Roberts Road – He is in support of the acquisition but is not in support of a referendum.

Robin Mann, Beechwood Drive – She is in support of the acquisition of Ardrossan.

Commissioner Schaefer called the vote, motion passed 5-2 with Commissioner K. Higgins and Curley opposed.

Motion to Set Proposed Hearing Dates for the Acquisition of Ardrossan

Commissioner Fisher read that the proposed hearing dates are November 18, 2013 - 6:00 PM or immediately following the budget meeting; November 26, 2013 - 6:30 PM; December 9, 2013 - 6:30 PM (if needed); December 18, 2013 - 6:30 PM (if needed) are the proposed Hearing Dates.

Commissioner Fisher made a motion to set the dates, seconded by Commissioner Curley. Motion passed 6-0 with Commissioner Nagle out of the room.

COMMUNITY DEVELOPMENT

Introduction Only as revised by Staff - Ordinance # 2013-21 - (Introduction Only) 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 the ordinance, seconded by Commissioner Spingler.

Kevin Kochanski, Director of Community Development explained that Villanova University had previously filed a petition in 2012. After meeting with the Board, the University took the opportunity to revise their petition to address the comments and concerns raised by the Commissioners, Staff, and the public. A revised petition was submitted in November of 2012. Since that time, there have been multiple meetings that have been held by Villanova University and at the Township. As a result of the feedback that Villanova received during these meetings, the ordinance was amended again; which was heard by the Board at the Zoning Petition Hearing on September 23, 2013.

After the Zoning Petition was accepted, the amendment was introduced and direction was given to staff to tighten up the language. The ordinance was also sent to Simone Collins for an independent planning review of the draft ordinance. Revisions were made to the ordinance to address the concerns raised at the hearing, as well as comments received by Simone Collins and from the adjacent neighbor's attorney and land planner. Since these revisions fall outside of what the Applicant proposed, a new Ordinance number has been assigned and this Ordinance will now need to be introduced. This project has been in front of the Township Planning Commission eight times. He also walked through the significant changes to the ordinance since last in front of the Board.

After an in depth discussion amongst the Commissioners and Staff in regards to setbacks, scale & character of the buildings, how other institutional properties in the Township can utilize the ordinance, process of the ordinance, the Township hiring a potential planner, Township Planning Commission comments and Delaware County Planning comments, Commissioner Fisher made a motion to direct staff to hire a licensed AICP planner with an allocation of \$20,000.00, seconded Commissioner K. Higgins. Motion failed 2-4 with Commissioners Curley, Spingler, J. Higgins and Nagle opposed and Commissioner Schaefer recusing.

Commissioner J. Higgins called the vote on the underlying motion, motion passed 5-1 with Commissioner Fisher opposed and Commissioner Schaefer recusing.

Public Comment

Maya von Rossum, Delaware Riverkeeper – Please see her comments attached to the minutes that she submitted to the Board.

Philip Ahr, Meredith Avenue – He asked that when the ordinance is passed onto Planning Commission that it is not a rushed process. He also discussed items such as traffic, concept and detail and to ensure a well-considered and reasonable final draft.

Nick Caniglia, Attorney for the Applicant – He inquired if a date for adoption can be agreed upon.

Patty Barker, Rosemont- She is in agreement with Commissioner Fisher and urges the Board to authorize to hire an independent planner.

Introduction Only as revised by Staff - Ordinance # 2013-20 - (Introduction Only) 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

Commissioner J. Higgins made a motion to introduce the ordinance, seconded by Commissioner Spingler.

Kevin Kochanski, Director of Community Development explained that the applicant had previously filed a petition in 2012. After numerous meetings with the Board, the Planning Commission, the Comprehensive Plan Implementation Committee, and staff, the applicant made significant revisions to their proposal. During the Zoning Petition Hearing, there were comments and suggestions made by the Board as well as comments from adjacent property owners in the PLO District. Staff took these comments and made further suggested changes to the draft ordinance prior to the October Planning Commission Meeting and again after the October Planning Commission meeting. These changes are incorporated into the ordinance that is in front of you for your consideration. He also reviewed a build-out analysis that can be found on the Township website at:

http://www.radnor.com/egov/docs/1381408218_387695.pdf

Commissioner Curley suggested tabling the ordinance until after the New Year so not to overwhelm the Planning Commission. After an in depth conversation amongst Commissioners and staff in regards to details within the ordinance, Commissioner Schaefer called the vote, motion passed 6-1 with Commissioner Curley opposed.

Public Comment

Mark Kaplan, Attorney for Brandywine Realty – He commented that he feels as though this ordinance has not been vetted properly through Planning Commission and he asked for the proper process to be completed. He expressed his concerns with the substance of the ordinance and the process of the Township review.

Mike Devine, BioMed – He stated that out of all three of the projects discussed tonight the Planning Commission stated that this is the project that is closest to proceed. The applicant stated that they have worked with the Township and the neighboring property owners in depth.

Commissioner Nagle made a motion to postpone the remainder of the meeting to the following meeting, seconded by Commissioner Fisher. Motion passed 4-3 with Commissioner Schaefer, J. Higgins and Spingler opposed.

Old Business - None

New Business - None

Public Participation

Rich Booker, Belrose Lane – He would like to ask the Board to refrain from anymore work on Chamounix sidewalk.

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

*Respectfully submitted,
Jennifer DeStefano*