

TOWNSHIP OF RADNOR
Minutes of the Meeting of June 13, 2016

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

Philip Ahr, President	Elaine Schaefer	Donald Curley
Luke Clark, Vice President	John Nagle	Richard F. Booker arrived @ 8:30 PM
James C. Higgins		

Also Present: Robert A. Zienkowski, Township Manager; John Rice, Township Solicitor; Robert Tate, Assistant Finance Director; Steve Norcini, Director of Public Works; William Colarulo, Superintendent of Police; Roger Philips, Township Engineer; Amy Kaminski, Traffic Engineer and Jennifer DeStefano, Executive Assistant to the Township Manager.

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

Notice of Executive Session on June 13, 2016

All commissioners were in attendance at the June 13, 2016 executive session; where matters of real estate and litigation were discussed.

Commissioner Ahr asked for everyone to stand for a moment of silence for all of the victims in Orlando and their families.

1. Consent Agenda

- a) Disbursement Review and Approval: 2016-05C, 2016-05-D, 2016-05E, 2016-06A
- b) Approval of Minutes of the Board of Commissioners meeting of May 9, 2016 and May 23, 2016
- c) Staff Traffic Committee Meeting Minutes – May 18, 2016
- d) Resolution #2016-68 – Authorizing the sale of surplus parking meters in accordance with Ordinance #2012-04
- e) Motion authorizing capital lease financing RFP’s for certain Public Works vehicles (as included in the capital plan)
- f) Motion Authorizing the Receipt of Sealed Bids for the Annual Pruning & Tree Removal Contract
- g) Resolution #2016-67 – 227-229 Plant Avenue – Sewage Facilities Planning Module

Mr. Zienkowski requested that item d to be tabled from the agenda. Commissioner Schaefer made a motion to approve the consent agenda excluding item d, seconded by Commissioner Clark. Motion passed 6-0 with Commissioner Booker absent.

2. Public Participation

Sara Pilling, Garrett Avenue – She commented in regards to the Public Safety Seminar that the League of Women Voters held.

Christina Perrone – She commented in regards to the process that the Township is taking in regards to the Willows.

3. Committee Reports

FINANCE & AUDIT

A. Resolution #2016-73 - Board acceptance of 2015 Comprehensive Annual Financial Report and Independent Audit's Report

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

Mr. Tate gave a brief background of the 2015 Comprehensive Annual Financial Report. There was a brief discussion amongst members of CARFC (Ed Caine and Mark Blair) and Commissioners in regards to the audit report. The Commissioners have thanked Mr. Zienkowski, Mr. White and Mr. Tate for their countless hours. Mr. Zienkowski thanked CARFAC and the Board of Commissioners for their involvement.

Public Comment

Christina Perrone – She commended Mr. Zienkowski and Mr. White for an outstanding job and suggested possibly organizing a citizen group similar as CARFAC for the Willows.

Commissioner Ahr called the vote, motion passed 6-0 with Commissioner Booker absent.

B. Discussion and Consideration by the Board for the Execution of a Grant Application to the Pennsylvania Department of Community and Economic Development for the Radnor Township TAP Trail

Commissioner Schaefer gave a brief overview of the grant application.

Commissioner Schaefer made a motion to give direction to staff to execute the grant application for the PCED Radnor Township TAP Trail, seconded by Commissioner Higgins.

There was a brief discussion amongst the Commissioners for clarification of the grant.

Commissioner Ahr called the vote, motion passed 6-0 with Commissioner Booker absent.

PERSONNEL & ADMINISTRATION

C. Discussion from the Board of Commissioners on the Willows RFP

The board discussed at length the future of the mansion of the Willows. There was an in depth discussion amongst the Commissioners and staff in regards to the following items: will the Mansion and the surrounding area remain predominantly and primarily park and recreation use; the Mansion and surrounding area to remain a public facility; preserve the mansion without

burdening the taxpayer; maintaining the public use and access of the building; public/private partnership; catering facility; whether to move forward with a new RFP; ways to find a low-impact use for the building and the costs to maintain the mansion at its current condition. Mr. Zienkowski also discussed that discussions about the Willows began in 2011 and that there has been a lot of conversation since then. He also commented that the \$120,000 is not the number but rather it costs the township about \$50,000 a year for utilities and maintenance for the structure.

Public Comment

Sara Pilling – She commented the residents have three proposals on the table that would be quashed by allowing a marketing company to draft an RFP. Other proposals are for township nonprofits to take it over or for a cultural center. She asked the Commissioners to wait until September or October to give the residents more time to develop their plans.

Doug McCone – He commented that a committee of resident experts could check out the mansion and give recommendations for repairs and costs as well as a building valuation.

Leslie Morgan, Farm Road – She commented that she is in support of hiring a broker as well as a private/public partnership.

Joe Reiser, Villanova – He commented that his sample size that he has received is that the Willows remain as a public use.

Tony Gargano, St. Gabes Court – He inquired about what the threshold of money the residents and Township is willing to spend.

Georgette McCauly, Villanova – She commented that if the Township removes the public/recreation use in the Mansion then it changes the atmosphere of the park.

Christina Perrone – She commented about what the real costs that it takes to maintain the mansion as well as her support to keep the mansion as public land and for public use. She also suggested putting the issue to a public referendum in November and that the Board should share the legal opinion from solicitor Rice with the public.

Roberta Winters, League of Women Voters – She read a statement on behalf of the League of Women Voters on their position of the Willows.

Mr. Rice, Township Solicitor, commented about the legal standing of the future of the Willows. He commented that the Willows was not condemned when acquired in 1973 but transferred in lieu of condemnation which is a legal difference.

Commissioner Curley discussed the following points that the options he sees that the Township has are: Option 1 - No action (what does it cost us now); Option 2 - Conventional Demolition (replace it with lawn); Option 3 - Selective Restoration (the Rick and Sara idea); Option 4 - First Floor Rehab (Phil's idea); Option 5 - Way it was in 2000; Option 6 – Full Upgrade (gut inside

and replace with new everything as well as reconfigure in a manner that supports contemporary use)

The Commissioners discussed in depth how to proceed forward with the Willows.

Commissioner Curley made a motion to authorize staff to engage an architect or engineer to help staff develop planning level cost estimates for six (6) scenarios for the Willows which include: Option 1 - No action; Option 2 - Conventional Demolition; Option 3 - Selective Restoration; Option 4 - First Floor Rehab; Option 5 – Cost of returning to 2000; Option 6 – Full Restoration with a not to exceed amount of \$7,500.00; seconded by Commissioner Clark. Motion passed 4-3 (Commissioner Booker having joined the meeting prior to the vote) with Commissioner Higgins, Schaefer and Nagle opposed.

D. Resolution #2016-70 – Authorization to engage Avison Young to represent the Township to lease the Willows Mansion

Commissioner Ahr made a motion to approve, seconded by Commissioner Nagle. There was a brief discussion amongst the Commissioners that this resolution does not need action tonight.

Commissioner Ahr called the vote, motion failed 0-7 with all Commissioners opposed.

E. Discussion and Possible Motion to receive bids for painting, plastering and exterior repairs at the Willows Mansion and Cottage

Commissioner Ahr made a motion to receive bids for painting, plastering and exterior repairs at the Willows Mansion and Cottage, seconded by Commissioner Nagle.

Commissioner Nagle made a motion to amend the original motion to split the bids between the Mansion and the Cottage, seconded by Commissioner Higgins.

Public Comment

Sara Pilling, Garrett Avenue - She requested that the fresco restoration would be included in the bids.

Commissioner Ahr called the vote on the amended motion, motion passed 7-0.

Commissioner Higgins made a motion to receive bids for the painting, plastering and exterior repairs to the Willows Cottage, seconded by Commissioner Ahr. Motion passed 7-0.

There was an agreement that there is no need to proceed with a vote on the Willows Mansion.

COMMUNITY DEVELOPMENT

F. Discussion of PLO Ordinance Amendments

- *Penn Medicine version*
- *RETTEW version*

- Don Curley version

Commissioner Higgins has recused himself from this discussion as Penn Medicine is a client of his.

Steve Gabriel from RETTEW presented their version of the PLO amendment. He discussed that since the Board of Commissioners last discussion of this draft Ordinance, the ordinance has been reviewed and discussed at a total of eight (8) Planning Commission meetings starting in July of last year and wrapping up at the Planning Commission's meeting last month. The Planning Commission directed a number of modifications to the ordinance over that period and these will be discussed at your upcoming June 13 meeting. Summary highlights of the ordinance as it stands are listed below:

- Mixed Use Development is being added to the uses permitted in the PLO zoning district to facilitate current market redevelopment in the PLO. A variety of uses fall under the heading of Mixed Use Development. A special set of regulations are being proposed that will only apply to Mixed Use Development. The decision to develop under Mixed Use Development or under the current PLO permitted uses and regulations is a choice that is left up to the applicant.
- A number of new terms and definitions are being added that will only apply to development in the PLO and not across the entire Township.
- Open Space on-site is being increased under Mixed Use Development with a limit of 45% site coverage (thus 55% open space required) as opposed to the 45% required open space under the existing PLO.
- As a trade-off for the increased open space requirement, maximum building height under Mixed Use Development is proposed to be increased to 85 feet.
- To protect existing residential uses adjacent to PLO zoned properties from the increased building height, Mixed Use Development projects must provide a 100 foot wide buffer planting strip where they adjoin a residential use or zone. In addition, facades of Mixed Use Development buildings that face residential uses must shall be stepped back from the required side or rear setback a distance of one (1) foot for every two (2) feet or portion thereof in height over 45 feet. Further, the required front yard setback for Mixed Use Development is 100 feet and shall contain a 75 foot wide landscape strip.
- Density/Intensity of development for Mixed Use Development is regulated through the concept of Traffic Neutrality (see Section 280-65.3.C(1)(a) of the draft ordinance for a description) whereby the amount of traffic projected for a proposed Mixed Use Development must be 5% less than the traffic generated by a general office use of the existing building floor area on a site, based on ITE (Institute of Traffic Engineers) data and methods. This concept is based on feedback from Township officials and particularly Township residents via face-to-face meetings and town hall meetings that identified traffic as the number one concern related to any kind of development in the PLO.

Commissioner Curley commented that his plan would do the following: 1. minimizes change; 2. minimizes uncertainty; 3. provides certain benefits (recognizing benefit is relative); 4. provides for mixed use; 5. considers and addresses concerns of commissioners, citizens, and property owners; 6. provides an alternative to traffic intense uses; 7. preserves the PLO as a zoning district

David Falcone, representing Penn Medicine commented that his clients could get behind Commissioner Curley's draft ordinance with some changes. He discussed their proposed changes to the ordinance. Penn Medicine does not want to increase traffic in that area and suggested they cap floor area and allow for mixed uses to generate less traffic. Under the current ordinance they could not build ambulatory care without getting a zoning variance and those uses, such as outpatient surgery, offer traffic reductions.

There was an in depth discussion amongst the Commissioners and staff in regards to the details of the proposed PLO amendments.

Public Comment

Mark Kaplan, representing Brandywine Realty – He commented in regards to Brandywine's support of Penn Medicine's proposed version as well as commented that Brandywine and Penn Medicine have entered into a letter of intent for Brandywine to build a hotel for Penn Medicine.

Lloyd Goodman, Radnor Racquet Club – He commented in regards to the restrictions that would be placed on his property with the proposed amendment.

Tony Gargano – He inquired about a traffic study and the impact on the Township services.

Commissioner Schaefer made a motion that the Planning Commission considers the ordinance as presented in Commissioner Curley's version with the comments that came out tonight from the Commissioners and the participants in the audience including all of the issues that came out tonight, seconded by Commissioner Nagle.

There was an in depth discussion amongst the Commissioners on whether to include the following items: mix of A&B uses in section 280.63; the definition of ambulatory care and outpatient surgical center; verify that the 7b uses are beneficial to traffic; including the financial subdivision language; evaluating the 10 acre minimum and comment on the appropriateness of the 85 foot height.

Commissioner Curley made a motion to amend the original motion to send the amended ordinance which was proposed by Commissioner Curley to the Planning Commission for review with the following particulars to be considered: mix of uses in list A&B; the definition of ambulatory care; evaluate the effectiveness of the list B uses to reduce traffic; evaluate language regarding financial subdivision or some other mechanism to accomplish that end; evaluate the 85 foot height; to evaluate the 10 acre minimum and age targeted living, seconded by Commissioner Booker. Motion passed 6-0 with Commissioner Higgins abstaining.

Commissioner Ahr called the vote on the original motion as amended. Motion passed 6-0 with Commissioner Higgins abstaining.

G. Motion to authorize execution of Memo of Understanding with Radnor Crossing Apartments to allow temporary parking on the tennis courts at the property

Solicitor Rice commented that Kevin Kochanski was contacted by counsel for the property owner about temporary parking on the tennis courts of their property. In order to do this a memo of understanding needs to be executed. Counsel for the applicant briefly reviewed the memo of understanding and the need for it. There was a discussion amongst the Commissioners in regards to the need for the temporary parking, the reason for a MOU and the objections to the temporary parking provided by the surrounding residents.

Commissioner Higgins made a motion to approve the memo of understanding, seconded by Commissioner Nagle.

Public Comment

Mr. Whistle, St. Paul's Court – He is in attendance on behalf of many of the neighbors and they would like the Commissioners to not authorize the temporary parking. He made a brief presentation demonstrating the neighbors concerns which has been submitted as part of the record.

Mr. Zienkowski asked for the Commissioners hold this item in abeyance for two weeks to allow staff to review the new information which is being presented tonight and also asked the applicant to submit a drawing.

Commissioner Curley made a motion to extend the meeting 20 minutes, seconded by Commissioner Clark. Motion passed 5-2 with Commissioner Booker and Nagle opposed.

There was further discussion amongst the Commissioners, applicant and resident in regards to the proposed temporary parking.

Commissioner Curly made a motion to table, seconded by Commissioner Clark. Motion passed 7-0.

H. Appeal of DRB Decision 2016-27 by the owner/applicant, Five Below, Inc.

Debbie Sholski, representing Five Below briefly described the appeal. Five Below is proposing to lease space in the storefront previously occupied by City Sports and is proposing certain signage consisting of one (1) wall sign and the change of copy of the two (2) existing pylon signs to remove and replace the prior City Sports copy with the Five Below copy.

The Applicant respectfully disagrees that the condition is proper because the proposed sign is compliant with all the applicable Zoning Ordinance requirements and there is no requirement limiting the lettering height to 22" and in addition that the signage is compliant with the Zoning Ordinance, the Applicant believes the proposed lettering height is necessary because of the existing vegetation and visibility issues in proximity to the roadways. The Applicant also

believes the proposed signage is consistent and in keeping with the other surrounding signage in the shopping center as well as in the surrounding area. The tenant space proposed to be occupied by Five Below is the largest tenant space in the shopping center and contains the widest storefront within the shopping center. Five Below will be the anchor tenant in the Shopping Center. As previously mentioned, Five Below had reduced the overall square footage of the sign area to be compliant with the Zoning Ordinance from its prototypical type where other locations have a larger sign area. The lettering limitation height of 22" as recommended by the Design Review Board would be the smallest lettering that Five Below would have at any of its locations within Pennsylvania and New Jersey. All but one of its other locations has a lettering height of 36 inches to 42 inches.

There was a brief discussion amongst the Commissioners and staff.

Commissioner Curley made a motion to approve the Appeal, seconded by Commissioner Schaefer.

Commissioner Higgins made a motion to extend the meeting 15 minutes, seconded by Commissioner Clark. Motion passed 6-1 with Commissioner Booker opposed.

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

PUBLIC WORKS & ENGINEERING

I. 223 Radnor Chester Road– Requesting a waiver from §245-22, §245-23, and §245-25 of the Stormwater Management Requirements

Mr. Zienkowski commented that staff is in full support of the proposed waiver and thanked the resident for trying all options prior to seeking a waiver.

Commissioner Clark made a motion to approve the waiver, seconded by Commissioner Nagle. Motion passed 7-0.

J. 663 Conestoga Road – Requesting a waiver from §245-22 of the Stormwater Management Ordinance for infiltration

Commissioner Higgins made a motion to approve the waiver, seconded by Commissioner Clark.. Motion passed 7-0.

K. Resolution #2016-71 - Award of the Design Contract for the Stormwater Management Facility at Banbury & Francis Avenue

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

PARKS & RECREATION

Commissioner Nagle commented that the Parks Board meeting was cancelled last week. He also announced the Great American Campout which will be held on June 25, 2016 at the Willows.

PUBLIC SAFETY

Superintendent Colarulo announced that on June 20th there will be a Public Safety meeting as well as June 29th an Active Shooter Situation meeting.

LIBRARY

Commissioner Booker commented that there will be a meeting on June 16, 2016.

PUBLIC HEALTH - None

Old Business - None

New Business - None

Public Participation

Rick Leonardi – He commented in regards to latest memo which was received from the Delaware Riverkeeper to the DEP regarding the headwaters and sources of Valley Run. He read into record the email in which was received.

There was a brief discussion amongst the Commissioners and staff on how to proceed. There was unanimous consent that Mr. Norcini will follow up with Villanova University and report back to the Board.

Jane Galli – She commented in regards to the above mentioned headwaters.

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

Respectfully submitted,

Jennifer DeStefano