

**TOWNSHIP OF RADNOR**  
**Minutes of the Meeting of September 26, 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    Luke Clark, Vice President    Elaine Schaefer    Donald Curley  
John Nagle                Richard F. Booker                James C. Higgins*

**Also Present:** *Robert A. Zienkowski, Township Manager; John Rice, Township Solicitor; William White, Finance Director; Steve Norcini, Director of Public Works; William Colarulo, Superintendent of Police; Kevin Kochanski, Director of Community Development; 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 September 26, 2016*

All commissioners were in attendance at the September 26, 2016 of real estate, personnel and litigation were discussed.

*1. Consent Agenda*

*a) Disbursement Review and Approval: 2016-09B, 2016-09C*

*b) Acceptance of Department Monthly Reports*

*c) Resolution #2016-99 - Declaring its Support - Small Business Saturday in Radnor Township on November 26, 2016*

*d) Authorization to file complaint against Goshen Holding Company to enforce 1998 plan restriction*

*e) Resolution #2016-95 - Award of Superpave Contract*

*f) Resolution #2016-96 - Approving the Disposition of Specific Township Records*

*g) Resolution #2016-97 - Establishing the 2017 Minimum Municipal Obligation (“MMO”), subject to further amendment during the 2017 budget process*

*h) Motion to Authorize Interior Painting at the Radnor Activity Center with a not to exceed \$15,000*

Commissioner Booker requested that item g (Resolution #2016-97) be removed from the consent agenda.

Commissioner Schaefer made a motion to approve the consent agenda omitting item “g” as requested, seconded by Commissioner Higgins. Motion passed 7-0.

*g. Resolution #2016-97 - Establishing the 2017 Minimum Municipal Obligation (“MMO”), subject to further amendment during the 2017 budget process*

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

Mr. White, Finance Director briefly explained that in accordance with the provisions of Act 205 the Minimum Municipal Obligation (MMO), which represents the Township’s annual pension contribution requirement, must be submitted and approved by the Board of Commissioners no later than September

30 of each year. This resolution will establish the Township’s 2017 MMO to be incorporated into the preliminary 2017 budget estimates. Please note that these MMO estimates can change as a result of the budget review process, which will occur over the next three months.

Major assumptions include:

- Current staffing counts
- CBA Wage adjustments
- Actuarial Assumptions as included in the 1/1/2015 Actuarial Report

There was a brief discussion amongst Commissioner Booker and Mr. White, Finance Director for clarification purposes. Commissioner Ahr called the vote, motion passed 7-0.

*2. Public Participation*

Leslie Morgan, Farm Road – She inquired if staff could present a spreadsheet with an update on the Library renovations as well as commented in regards to 800 Goshen Road which was on the consent agenda.

Jane Galli, Barcladen Road - She inquired about the issue with rodents and cockroaches at Villanova as well as if Villanova student population has hit its excessive mark.

Katherine Twitmyer, Upland Way – She commented about the need for a left turn signal at Conestoga Road and Route 320.

There was a discussion in regards to the left turn signal inquired about above and it was agreed that it would be a worthwhile investment to keep it in the 2017 Budget.

Mr. Zienkowski commented that the Township Health Inspector is currently working with Villanova in regards to the rodent and cockroach issue.

Dan Sherry, Wayne – He commented in regards to comments he had made and inquired about comments made by Commissioner Nagle, contributions made to the Township by Radnor Conservancy and the televising of the Villanova CARE meetings at the last Board of Commissioners meeting.

*3. Committee Reports*

**PERSONNEL & ADMINISTRATION**

*A. Announcements of vacancies on various Boards & Commissions*

Commissioner Schaefer made a motion to appoint Jim Quinn to the Environmental Advisory Council, seconded by Commissioner Nagle. Motion passed 7-0.

Commissioner Ahr announced the following vacancies. Interested candidates, please send your resume to Robert Zienkowski, Township Manager, 301 Iven Avenue, Wayne, PA 19087.

Board of Health 1 Vacancy	Design Review Board 1 Vacancy	Environmental Advisory Committee 1 Vacancy to fill unexpired Term
Shade Tree Commission 1 Vacancy to fill unexpired Term	Stormwater Advisory Committee 1 Vacancy to fill unexpired Term	

**Vacancies effective January 1, 2017**

Board of Health  
Planning Commission

Design Review Board  
Rental Housing Appeal Board

Environmental Advisory Council

***PUBLIC SAFETY***

***B. Ordinance #2016-10 (Adoption) – “No Parking Any Time” signs to be placed on the north side and south side of Cornerstone Lane at Bryn Mawr Avenue***

Commissioner Schaefer made a motion to adopt, seconded by Commissioner Nagle. Motion passed 7-0.

***C. Resolution #2016-98 – Approving an Agreement with Parkeon - Pay by Phone Kiosk Software***

Commissioner Schaefer made a motion to approve, seconded by Commissioner

Lieutenant Flanagan and William Gallagher showed a brief video of the proposed software. There was a brief discussion amongst the Commissioners and staff in regards to the software.

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

***COMMUNITY DEVELOPMENT***

***D. Discussion of the PLO Amendment***

Commissioner Higgins commented that he will recuse himself from the votes and discussions of the above item as his law firm has a professional relationship with the University of Penn.

Commissioner Curley suggested that the Board will go through each item listed in the Planning Commission memo and direct staff to bring back at a subsequent meeting in October in Ordinance form.

*Item 12. Change minimum lot area to 6 acres for PLO as a whole*

Commissioner Schaefer made a motion to accept the change to the minimum lot area to six acres for the PLO as a whole, seconded by Commissioner Nagle.

**Public Comment**

Fred Fromhold – He commented in regards to his clients’ suggested revision to the proposed PLO District Amendment.

Commissioner Ahr called the vote on Commissioner Schaefer’s motion, motion failed 2-4 with Commissioners Booker, Clark, Ahr and Curley opposed and Commissioner Higgins abstaining.

Commissioner Curley made a motion to set the minimum threshold for triggering mixed-use to match the existing threshold for a minimum lot size and to maintain the minimum lot size at 10 acres for the PLO, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Higgins abstaining

*Item 1, 2 & 10. Revise the list A uses to a 30 - 100% gross floor area; Revise the list B uses to 0-70% gross floor area. Provided however that list B uses less than 30% should not benefit from the reduced setbacks and increased building height provisions; Create a new list of C uses which would include assisted living, age targeted, hotel and skilled nursing uses. Allow these uses to be developed at 100% on lots less than 10 acres. The setbacks and building height would be consistent with the mixed use.*

Commissioner Curley made a motion to permit a 60% max mixed use and to create a list of “C” uses consisting of assisted living, independent living, skilled nursing and hotel. The current dimensional standards would remain for the list of “C” uses; seconded by Commissioner Nagle.

Commissioner Schaefer made a motion to amend the previous motion to read 70% max mixed use, seconded by Commissioner Nagle.

#### Public Comment

Dave Falcone representing Penn Medicine commented in regards to the above proposed motions.

Commissioner Ahr called the vote on the amended motion, motion failed 3-3 with Commissioners Booker, Clark and Curley opposed and Commissioner Higgins abstaining.

Commissioner Schaefer made a motion to amend Commissioner Curley’s motion regarding “C” list that the current dimensional standards would remain for the list of “C” uses with the smaller parcels; seconded by Commissioner Nagle. Motion failed 2-4 Commissioners Booker, Clark, Ahr and Curley opposed and Commissioner Higgins abstaining.

Commissioner Booker made a motion to amend Commissioner Curley motion to separate the two items in the original motion. Failed for lack of a second.

Commissioner Ahr called the vote on the original motion, motion passed 5-1 with Commissioner Booker opposed and Commissioner Higgins abstaining.

*Item 3. Remove the indoor health/fitness recreation center use as a separate principal use but permit the use in conjunction with a hotel or other principal use not open to the public under the accessory use provisions.*

Commissioner Curley made a motion to remove the indoor health/fitness recreation center use as a principal use but retain it as an accessory to a hotel or other principal permitted use, seconded by Commissioner Schaefer. Motion passed 5-0 with Commissioners Booker and Higgins abstaining.

*Item 4. Provide for an ambulatory care facility use with the definition as proposed by Amy Kaminski.* Commissioner Curley made a motion to utilize the ambulatory care definition proposed by Amy Kaminski in her Gilmore letter of July, but exclude medical and dental offices for this use, seconded by Commissioner Nagle. Motion passed 5-1 with Commissioner Booker opposed and Commissioner Higgins abstaining.

*Item 5. Remove the financial subdivision definition as a principal use and provide for it under the area and height regulations.*

Commissioner Curley made a motion to direct the solicitor to provide language to permit financial subdivision in the ordinance, seconded by Commissioner Schaefer. Motion passed 5-1 with Commissioner Booker opposed and Commissioner Higgins abstaining.

*Item 6. Modify Section 280-64.C so that the building placement setback is from any "existing or proposed" street right-of-way line.*

Commissioner Curley made a motion for section 280-64.C to be clarified to read the setback is to any “existing or proposed” street right-of-way, seconded by Commissioner Nagle. Motion passed 5-0 with Commissioner Nagle absent for the vote and Commissioner Higgins abstaining.

*Item 7. Modify Section 280-64.D to address the angle of the building offsets. Provide minimum dimensions for off-sets.*

Commissioner Curley made a motion as an alternative to the current requirement, that the greatest length or dimension established in section 280-64.D (the great dimension in length or depth without an offset) may be up to 350 feet. Provided that the façade is constructed of brick, stone, architectural concrete, architectural metal or architectural glass and constructed with vertical and horizontal articulation and is approved by the Township; seconded by Commissioner Schaefer. Motion passed 5-1 with Commissioner Booker opposed and Commissioner Higgins abstaining.

*Item 8. Modify Section 280-64 F. to increase the riparian buffer to 50 feet.*

Commissioner Curley made a motion to not make any changes to the riparian buffer, keeping the riparian buffer at 35 feet; seconded by Commissioner Schaefer. Motion passed 5-0 with Commissioners Booker and Higgins abstaining.

*Item 9. Modify Section 280-64.G and change the word may to must.*

Commissioner Curley made a motion to amend section 280-64.G. and revise the word “may” to “must”, seconded by Commissioner Schaefer. Motion passed 5-0 with Commissioners Booker and Higgins abstaining.

*Item 11. Provide for a greater setback from the mixed use to an existing residential use. Setbacks against existing residential uses - 200' if a proposed building is in excess of the existing 38' height regulations.*

Commissioner Curley made a motion to take no action regarding item 11, seconded by Commissioner Clark. Motion passed 5-0 with Commissioners Booker and Higgins abstaining.

Commissioner Curley made a motion to provide a 25-foot setback to a limited access highway, seconded by Commissioner Nagle. Motion passed 5-1 with Commissioner Booker opposed and Commissioner Higgins abstaining.

Commissioner Curley made a motion to modify the language of the height chart to ensure allowable height, not mandatory height, seconded by Commissioner Clark. Motion passed 5-1 with Commissioner Booker opposed and Commissioner Higgins abstaining.

Commissioner Curley made a motion to modify the language so that stand-alone restaurants are not allowable, seconded by Commissioner Nagle. Motion passed 6-0 with Commissioner Higgins abstaining.

Commissioner Curley commented that the information given tonight has now given staff direction to proceed with the amendments to the ordinance and they can present an ordinance amendment to the Board of Commissioners at the next meeting for further review and comment.

**PUBLIC WORKS & ENGINEERING**

None

***FINANCE & AUDIT***

None

***PARKS & RECREATION***

Commissioner Nagle commented that this past year was Radnor Day Camp's 75<sup>th</sup> Year Anniversary as well as October 9<sup>th</sup> is the Great Harvest and Pumpkin Festival held at the Willows.

***LIBRARY***

Commissioner Booker commented that the bids have been extended an additional week as well as requesting that we have the architects come and present the changes that have been made to the Library renovation plans.

***PUBLIC HEALTH***

Commissioner Nagle commented that at the last Board of Health meeting the board honored a High School Intern for their work; also, the Board of Health may be coming back to discuss chickens.

***Old Business***

Commissioner Schaefer announced that the Ardrossan Trail Project is having its second public meeting on Monday, October 17<sup>th</sup>, at 7:30 at the Township Building.

***New Business***

None

***Public Participation***

None

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

*Respectfully submitted,*

*Jennifer DeStefano*