



Community Development Department  
**ZONING HEARING BOARD AGENDA**

**Thursday, June 20, 2019**  
**7: 00 P.M.**

1. Call to Order

2. Pledge of Allegiance

3. **APPEAL #3041**

The Applicant, James and Christine Flynn, property located at 236 North Aberdeen Avenue, zoned R5 Residential. Applicant seeks to subdivide the property into two (2) lots to allow for preservation of the existing home and construction of a new single family detached home. Applicant seeks variances from Section 280-35A(1) regarding minimum lot width and Section 280-35A(3) regarding front yard setback.

4. **APPEAL #3042**

The Applicant, All Seasons Flowers and Produce, property located at 912 Conestoga Road and zoned GH-CR. Applicant conducts a florist and related services at the Property. Applicant seeks relief from Section 280-49.11(B) and/or (D) of the GHZD (Garrett Hill Zoning District) to permit the seasonal sales of flowers and related products within the front yard setback. Applicant seeks a variance or such other relief required to permit the sales and storage within the front yard setback. Applicant previously received temporary relief on February 16, 2017, Appeal #2982 for this which expires May 31, 2019.

5. **APPEAL #3043**

The Applicant, The Grayson School, property located at 209-211 Matsonford Road and zoned R1. Applicant seeks a special exception from Section 280-101A(1) and/or 280-101A(2) of the code to allow the continued/expanded educational use of a portion of the property by The Grayson School, a private school service gifted children grades pre-kindergarten-12, and any other relief deemed necessary for The Grayson School to occupy portions of the Archbishop John Carroll High School campus.

6. **APPEAL #3029**

The Applicant, Villanova University, property located at 800 E Lancaster Avenue and zoned PI (Planned Institutional). Applicant seeks to modify the conditions imposed by the prior decision of the Zoning Hearing Board in Appeal #1554 dated November 20, 1980 regarding a grant of relief by the Zoning Board from the height requirements for light standards at the Villanova Football Stadium. Applicant requests that the conditions be modified in order to be consistent with Resolution #2006-05 dated February 14, 2006 of the Board of Commissioners. In the alternative, Applicant requests a variance from Section 280-64E of the Zoning Code, contends that the prior grant of variance did not impose conditions except for the height and number of the light standards, or improperly imposed any other conditions. Applicant further requests such other relief from the Zoning Code consistent with the Exhibits presented.

**The next meeting of the ZHB is scheduled for July 18, 2019. Applications for the July 18, 2019 meeting must be submitted on or before June 18, 2019.**

**ZONING HEARING BOARD APPLICATION**  
**TOWNSHIP OF RADNOR**  
301 IVEN AVENUE  
WAYNE, PA 19087  
610-688-5600  
FAX: 610-971-0450  
www.radnor.com  
www.radnor.com

|                          |
|--------------------------|
| <b>TOWNSHIP USE ONLY</b> |
| APPEAL # <u>304H</u>     |
| FEE: _____               |
| DATE RECEIVED: _____     |

**GENERAL INFORMATION:** Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. Incomplete applications will not be accepted for processing.

**REQUIRED FEE DUE AT FILING:** Please refer to the Consolidated Fee Schedule, as amended on our website at [www.radnor.com](http://www.radnor.com) for a copy of our current fees.

\*\*\*\*\*  
TYPE OR PRINT

Property Address: 236 North Aberdeen Avenue, Wayne, PA 19087

Name and address of Applicant: James and Christine Flynn  
236 North Aberdeen Avenue, Wayne, PA 19087

Telephone Number: 484-614-5876 Email: cflynn@rockwellcustom.com

Property Owner (if different than above): \_\_\_\_\_

Owner address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

Attorney's name: Nicholas J. Caniglia, Esquire

Address: 125 Strafford Avenue, Suite 110, Wayne, PA 19087

Telephone number: 610-688-2626 Email: Nick@PierceCanigliaTaylor.com

**Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)***

Applicant seeks to subdivide the property into two lots to allow for preservation of the existing home and construction of a new single-family detached home. Applicant seeks variances from §280-35 A. (1) regarding minimum lot width and §280-35 A. (3) regarding front yard setback.

**Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)***

None to Applicant's knowledge.

**Brief narrative of improvements: (attach additional pages if necessary)**

The Property is Zoned R-5 Residence District and consists of 0.4056 acres (17,670 S.F.). There is an existing home on the property, constructed in 1888 by Jonathan Lengel, a prominent Radnor architect and builder, as the Lengel family home. Applicant has resided in the existing home since 2008 and now wishes to build a larger home for their young family, while preserving the existing home. If the variance requested is not granted, the Property could be developed by-right as a pair of single-family semi-detached homes, requiring the demolition of the existing home. The minimum lot width required for a single-family detached home in the R-5 zoning district is 55 feet. Lot 1, with the existing home, will have a lot width of 47.7 feet and Lot 2, with the new proposed home will have a width of 51.0 feet. The Applicant would like the new home to be harmonious with the existing homes on the street by matching the front setbacks. The minimum front yard for single-family detached homes in the R-5 zoning district is 25 feet. The homes on the north side of the street have front setbacks between 10.44 and 18.8 feet, with many of the homes having porches approximately 10.5 feet back from the right-of-way. Lot 2 will have the new proposed home with a front setback of 11.5 feet to the front porch and 17.4 feet to the main façade of the house.

**Witnesses:**

Christy Flynn - Owner of the Property will describe the Property and the proposal.  
Applicant reserves the right to call other witnesses at the time of the hearing.

**ATTACHMENTS: Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:**

1. **Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:**
  - a) **lot lines and lot dimensions described in metes and bounds (in feet);**
  - b) **total lot area;**
  - c) **location of easements and rights of way, including ultimate rights of way;**
  - d) **location of all setback lines for existing and proposed structures;**
  - e) **location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;**
  - f) **location of existing and proposed improvements;**
  - g) **table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and**
  - h) **all other features or matters pertinent to the application.**

**PLANS SHALL NOT EXCEED 24" X 36", AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 ½" X 11" AT FILING**

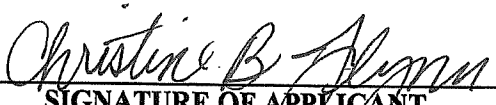
2. **List of witnesses and summary of their testimony attached.**
3. **Photographs of the property at issue and all adjoining properties.**
4. **Copies of any written professional reports, including traffic studies, land planning studies,**

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

#### ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)

  
SIGNATURE OF APPLICANT

**AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.**

# ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com



|                      |
|----------------------|
| TOWNSHIP USE ONLY    |
| APPEAL # <u>3042</u> |
| FEE: _____           |
| DATE RECEIVED: _____ |

**GENERAL INFORMATION:** Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. Incomplete applications will not be accepted for processing.

**REQUIRED FEE DUE AT FILING:** Please refer to the Consolidated Fee Schedule, as amended on our website at [www.radnor.com](http://www.radnor.com) for a copy of our current fees.

\*\*\*\*\*

TYPE OR PRINT

Property Address: 912 Conestoga Road, Rosemont, PA

Name and address of Applicant: All Seasons Flowers and Produce LLC

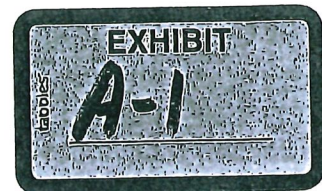
912 Conestoga Road, Rosemont, PA 19010

Telephone Number: 484-222-6106 Email: margaretm1033@gmail.com

Property Owner (if different than above): Angela DiFelice

Owner address: 300 Poplar Avenue, Devon, PA 19333

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_



Attorney's name: Nicholas J. Caniglia, Esquire

Address: 125 Strafford Ave., Suite 110, Wayne, PA 19087

Telephone number: 610-688-2626 Email: Nick@piercecanigliataylor.com

Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)*

The Premises is Zoned GH-CR, Garrett Hill-Conestoga Road Zoning District. Applicant conducts a florist and related services at the Property. Applicant seeks relief from Section 280-49.11(B) and/or (D) of the GHZD (Garrett Hill Zoning District) to permit the seasonal sales of flowers and related products within the front yard setback. Applicant seeks a variance or such other relief required to permit the sales and storage within the front yard setback.

Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)*

~~None to Applicant's knowledge relevant to this Application.~~

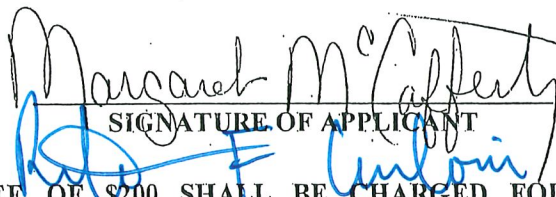
Appeal 2982

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

#### ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)

  
SIGNATURE OF APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.



# ZONING HEARING BOARD APPLICATION

## TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

|                          |
|--------------------------|
| <b>TOWNSHIP USE ONLY</b> |
| APPEAL # <u>3043</u>     |
| FEE: _____               |
| DATE RECEIVED: _____     |

**GENERAL INFORMATION:** Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. Incomplete applications will not be accepted for processing.

**REQUIRED FEE DUE AT FILING:** Please refer to the Consolidated Fee Schedule, as amended on our website at [www.radnor.com](http://www.radnor.com) for a copy of our current fees.

\*\*\*\*\*

TYPE OR PRINT

Property Address: 209-211 Matsonford Road, Radnor, PA 19087  
(Archbishop John Carroll campus)

Name and address of Applicant: The Grayson School, c/o Melissa Bilash, Executive Director, P.O. Box 651, Broomal, PA 19008 AND Archbishop John Carroll High School, c/o Francis E. Fox, 211 Matsonford Rd., Radno  
Telephone Number: (610) 529-9360 Email: mbilash@thegraysonschool.org PA, 19087

Property Owner (if different than above): Archbishop John Carroll High School  
c/o Francis E. Fox, President, 211 Matsonford Road, Radnor, P  
Owner address: \_\_\_\_\_ 19008

Telephone number: (610) 688-7610 Email: president@jcarroll.org

Attorney's name: George W. Broseman, Esquire

Address: 910 Harvest Drive, Blue Bell, PA 19422

Telephone number: 610-941-2459 Email: gbroseman@kaplaw.com

**Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)***

Special exception Code §280-101.A(1) and/or §280-101.A(2) to allow the continued/expanded educational use of a portion of the property by The Grayson School, a private school serving gifted children grades pre-kindergarten-12, and any other relief deemed necessary for The Grayson School to occupy portions of the Archbishop John Carroll High School campus.

**Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)***

Educational use of the Property is a lawful nonconforming use originally approved by orders of the Delaware County Court of Common Pleas in 1965.

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

#### ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)

THE GRAYSON SCHOOL AND ARCHBISHOP JOHN CARROLL HIGH SCHOOL



SIGNATURE OF APPLICANT

CO-APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

#### ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note - 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)

THE GRAYSON SCHOOL AND ARCHBISHOP JOHN CARROLL HIGH SCHOOL

\_\_\_\_\_  
SIGNATURE OF APPLICANT

  
\_\_\_\_\_  
CO-APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

#### ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note – 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)

THE GRAYSON SCHOOL AND ARCHBISHOP JOHN CARROLL HIGH SCHOOL

---

SIGNATURE OF APPLICANT

CO-APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.

# ZONING HEARING BOARD APPLICATION

TOWNSHIP OF RADNOR

301 IVEN AVENUE

WAYNE, PA 19087

610-688-5600

FAX: 610-971-0450

www.radnor.com

www.radnor.com

|                                |
|--------------------------------|
| TOWNSHIP USE ONLY              |
| APPEAL # <u>3029</u>           |
| FEE: <u>900<sup>00</sup></u>   |
| DATE RECEIVED: <u>11-20-18</u> |

**GENERAL INFORMATION:** Applicants are strongly encouraged to review the "Requirements and Information for Appeals to the Zoning Hearing Board" that are attached to the application. Ten (10) copies of this application and required attachments along with an electronic submittal in pdf format (CD or thumb drive) must be filed with the Community Development Department not less than thirty (30) calendar days prior to the hearing. *Incomplete applications will not be accepted for processing.*

**REQUIRED FEE DUE AT FILING:** Please refer to the Consolidated Fee Schedule, as amended on our website at [www.radnor.com](http://www.radnor.com) for a copy of our current fees.

\*\*\*\*\*

TYPE OR PRINT

Property Address: Villanova University

Name and address of Applicant: 800 Lancaster Avenue, Villanova, PA 19085

Telephone Number: 610-519-7450 Email: christopher.kovolski@villanova.edu

Property Owner (if different than above): \_\_\_\_\_

Owner address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_



Attorney's name: Nicholas J. Caniglia, Esquire

Address: 125 Strafford Avenue, Suite 110, Wayne, PA 19087

Telephone number: 610-688-2626 Email: Nick@piercecaniigliataylor.com

**Relief requested and/or basis for appearing before the Zoning Hearing Board including *specific citation to any and all sections of the Zoning Code relevant to the appeal. (attach additional pages if necessary)***

Applicant seeks to modify the conditions imposed by the prior decision of the Zoning Hearing Board in Appeal Number 1554 dated November 20, 1980 regarding a grant of relief by the Zoning Board from the height requirements for light standards at the Villanova Football Stadium. Applicant requests that the conditions be modified in order to be consistent with Resolution Number 2006-05 dated February 14, 2006 of the Board of Commissioners. In the alternative, Applicant requests a variance from §280-64E of the Zoning Code, contends that the prior grant of variance did not impose conditions except for the height and number of the light standards, or improperly imposed any other conditions. Applicant further requests such other relief from the Zoning Code consistent with the Exhibits presented.

**Description of previous decisions by the Zoning Hearing Board pertinent to the property, or attach copies of decisions: *(attach additional pages if necessary)***

Appeal Number 1554 dated November 20, 1980 (attached as Exhibit A-4 hereto)

Resolution #2006-05 dated February 14, 2006 (attached as Exhibit A-6 hereto)

**Brief narrative of improvements: *(attach additional pages if necessary)***

The Premises is Zoned PI-Planned Institutional. On November 20, 1980 the Zoning Hearing Board, pursuant to Appeal Number 1554 (See, Exhibit A-4), granted Villanova University relief from the then 50' height requirement of the Zoning Code to construct six one-hundred foot tall light standards at the Villanova University Football Stadium. On February 14, 2006 the Board of Commissioners of Radnor Township passed Resolution Number 2006-05 (Exhibit A-6) requiring that the "stadium lights be turned off when the stadium is not in use and the light level be reduced for intramurals to no more than 50 foot candles at midfield after 9 p.m. and tower lights be turned off at midnight." (See A-6, Paragraph number 26). Villanova University uses the stadium lights for varsity sports practices, intercollegiate sporting events, intramurals, ROTC, summer camps, and special events. In further restriction of the Resolution of the Board of Commissioners, in addition to continuing to comply with the Resolution, Applicant has agreed to turn off the tower lights no later than 10:30 p.m.

Christopher Kovolski – Assistant VP of Government Relations & External Affairs of Villanova University will testify regarding the needs of the University, its current conditions, and existing uses.

Robert Morro – VP for Facilities of Villanova University will testify regarding the current conditions.

Representative of Athletic Department will testify regarding the need for the lights.

Applicant reserves the right to call other witnesses at the time of the hearing.

**ATTACHMENTS:** Ten (10) copies of each and one (1) electronic copy in pdf format (CD or thumb drive) of the following must be provided:

1. Engineered plan or survey of the property drawn to scale, prepared by a registered architect, engineer or surveyor licensed in Pennsylvania, containing the following information:
  - a) lot lines and lot dimensions described in metes and bounds (in feet);
  - b) total lot area;
  - c) location of easements and rights of way, including ultimate rights of way;
  - d) location of all setback lines for existing and proposed structures;
  - e) location of steep slopes, floodplains, riparian buffers, wetlands, and other pertinent features;
  - f) location of existing and proposed improvements;
  - g) table of zoning data including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and any degree of compliance or noncompliance; and
  - h) all other features or matters pertinent to the application.

**PLANS SHALL NOT EXCEED 24" X 36", AND MUST BE NEATLY FOLDED TO NO GREATER DIMENSION THAN 8 1/2" X 11" AT FILING**

2. List of witnesses and summary of their testimony attached.
3. Photographs of the property at issue and all adjoining properties.
4. Copies of any written professional reports, including traffic studies, land planning studies,

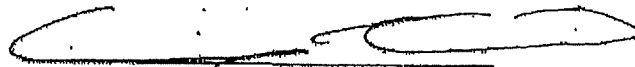


appraisals, floodplain analyses, economic forecasts or other written reports, which the applicant wishes to present at the hearing (*note: the author of the study or a qualified representative of the entity who prepared the study must appear at the meeting and be available for cross-examination*).

5. Copy of deed, lease, agreement of sale, or other authorization to file the appeal. (*note: leases or agreements of sale either must expressly permit the tenant or buyer to file an appeal, or must be accompanied by a letter from the owner clearly authorizing tenant or buyer to file the appeal*).

#### ADDITIONAL REQUIREMENTS

1. Will this application involve the subdivision of land? Applications that involve the subdivision of land are referred to the Planning Commission for review and recommendation. *Applicants will be notified of the date and time of the Planning Commission meeting*
2. Will briefs or memoranda of law be filed in accordance with requirements of the Zoning Hearing Board? (*note - 10 copies of any brief or memorandum of law to be submitted by the applicant must be received by the Community Development Department no later than 14 days before the hearing*).
3. Will the applicant (or duly authorized officer of the applicant, if applicant is not a natural person) be present at the hearing. If not, then power of attorney, notarized and in recordable form, authorizing the person who will testify on behalf of the applicant, and to bind the applicant in any proceedings of the Board must be presented at or before commencement of the hearing. Attorneys, agents, or other representatives of the applicant may not appear and testify on behalf of the applicant without power of attorney. Forms of power of attorney are available in the Community Development Department. (*note: failure to provide power of attorney will result either in the appeal being continued, or being dismissed, at the discretion of the Board*)



SIGNATURE OF APPLICANT

AN ADDITIONAL FEE OF \$200 SHALL BE CHARGED FOR ANY CONTINUANCE REQUESTED BY THE APPLICANT. THIS FEE SHALL BE PAID PRIOR TO THE RESCHEDULING OF THE HEARING.