

**RESOLUTION NO. 2022-38  
RADNOR TOWNSHIP**

**A RESOLUTION OF RADNOR TOWNSHIP, DELAWARE COUNTY,  
PENNSYLVANIA, APPROVING THE FINAL MINOR SUBDIVISION  
PLAN FOR 236 N. ABERDEEN AVENUE**

*WHEREAS*, Christy Flynn (“Applicant”) submitted a Final Minor Subdivision Plan prepared by Yohn Engineering, LLC, consisting of four (4) sheets, dated January 11, 2021, last revised January 31, 2022 (“Plan”); and

*WHEREAS*, the Plan has been reviewed by both the Radnor Township Planning Commission and the Delaware County Planning Commission each who has made a recommendation; and

*WHEREAS*, the Applicant proposes to demolish the existing residence at 236 North Aberdeen Avenue, Tax Map 36-13-120 (“Property”) and construct a new twin dwelling unit; and

*WHEREAS*, the Board of Commissioners now intends to approve the Final Minor Subdivision Plan for 236 N. Aberdeen Avenue, subject to certain terms and conditions.

*NOW, THEREFORE*, it is hereby **RESOLVED** that the Radnor Township Board of Commissioners does hereby approve the Final Minor Subdivision Plan for 236 N. Aberdeen Avenue, prepared by Yohn Engineering, consisting of four (4) sheets, dated January 11, 2021, last revised January 31, 2022, subject to the following conditions:

1. The Applicant shall comply with the February 17, 2022, Gannett Fleming review letter, a copy of which is attached hereto as *Exhibit “A”*.
2. The Applicant shall comply with the February 21, 2022, Gilmore & Associates, Inc. review letter, a copy of which is attached hereto as *Exhibit “B”*.
3. The Applicant shall comply with the Decision and Order of the Zoning Hearing Board Dated November 15, 2021, a copy of which is attached hereto as *Exhibit “C”*.
4. Compliance with all other applicable Township, County, State and Federal Rules, Regulations, Ordinances and Statutes.
5. The Applicant shall execute Development and Financial Security Agreements and any other required documents in a form and manner to be approved by the Township Solicitor.

**IN ADDITION** to the foregoing conditions of Plan approval, the Board does hereby approve the following requested SALDO modifications:

1. SALDO §255-22. B.(1)(k) – as to the requirement to show manmade features within 500 feet of site.
2. SALDO §250-17. D. (5) – as to the minimum distance of five feet between driveways and side lot lines.

**SO RESOLVED**, at a duly convened meeting of the Board of Commissioners of Radnor Township conducted on this 28<sup>th</sup> day of March, 2022.

RADNOR TOWNSHIP BOARD OF  
COMMISSIONERS

By:

  
Name: Moira Mulrone  
Title: President

ATTEST: \_\_\_\_\_





**Gannett Fleming**

*Excellence Delivered As Promised*

**Date:** February 17, 2022

**To:** Steve Norcini, PE Township Engineer

**From:** Roger Phillips, PE

**cc:** Kevin W. Kochanski, RLA, CZO – Director of Community Development  
John Rice, Esq. – Grim, Biehn, and Thatcher  
Damon Drummond, PE – Gilmore & Associates, Inc.  
Patricia Sherwin – Radnor Township Engineering Department

**RE:** 236 N Aberdeen Avenue

Date Accepted: 03/01/2021

90 Day Review: 05/30/2021 extended to 03/31/2022

---

Gannett Fleming, Inc. has completed a review of the Minor Final Subdivision Plan for the above reference project for compliance with the Radnor Township Code. The Plans were reviewed for conformance with Subdivision and Land Development, Zoning and other applicable codes of the Township of Radnor.

The applicant is proposing to demolish the existing residence, subdivide the property and construct a new twin dwelling unit. This project is located within the R-5 Zoning District.

The applicant appeared before the Zoning Hearing Board November 15, 2021. The applicant has requested a variance for the following:

1. §280-112.D – To permit the disturbance of Steep Slopes

On December 27, 2021 the applicant received the attached Zoning Relief.

The applicant has indicated on the plans that the following waivers are being requested:

1. §255-22.B(1)(k) – Existing principal buildings (and their respective uses) and driveways on the adjacent peripheral strip. Sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site (this includes properties across streets) must be shown on the plans.
2. §250-17.D(5) – A minimum distance of five feet shall be maintained between the driveway and side lot lines.

Gannett Fleming, Inc.

Valley Forge Corporate Center • 1010 Adams Avenue • Audubon, PA 19403-2402

t: 610.650.8101 • f: 610.650.8190

www.gannettfleming.com

Exhibit "A"

Residential Subdivision – 236 North Aberdeen Avenue

Plans Prepared By: Yohn Engineering LLC

Dated: 01/11/2021, last revised 01/31/2022

Sewage Facilities Planning

1. Final plan approval will not be granted until Planning Approval or a Planning Exemption is received from the PA DEP. The applicant has indicated they are in the process of obtaining capacity approval.

Subdivision and Land Development

1. §255-22.B(1)(k) – Existing principal buildings (and their respective uses) and driveways on the adjacent peripheral strip. Sewer lines, storm drains, culverts, bridges, utility easements, quarries, railroads and other significant man-made features within 500 feet of and within the site (this includes properties across streets) must be shown on the plans. The applicant has requested a waiver from this requirement.

Stormwater

1. The applicant has provided a certified infiltration report and preliminary stormwater calculations. Final approval of the stormwater management plan will be required as part of the Grading Permit process. Any revisions to the size or location of the individual structures or other features will be addressed at this time.

Streets and Sidewalks

1. §250-17.D(5) – A minimum distance of five feet shall be maintained between the driveway and side lot lines. The applicant has requested a waiver from this requirement.

General

1. The applicant appeared before the Shade Tree Commission and received approval May 19, 2021.

The applicant appeared before the Planning Commission on February 7, 2022. The Planning Commission recommended approval of the plan contingent upon addressing all staff comments.

If you have any questions or require any additional information, please contact me.

Very truly yours,

GANNETT FLEMING, INC.

A handwritten signature in black ink, appearing to be 'R. Phillips', written over a large, loopy circular flourish.

Roger A. Phillips, P.E.  
Senior Project Manager



---

**MEMORANDUM**

---

**Date:** February 21, 2022

**To:** Steve Norcini, P.E.  
Radnor Township Engineer

**From:** Damon Drummond, P.E., PTOE  
Senior Transportation Engineer

**cc:** Kevin Kochanski, ASLA, R.L.A. – Director of Community Development  
Roger Phillips, P.E. – Gannett Fleming, Inc.  
Kristin Norwood, P.E. – Gilmore and Associates, Inc.  
Leslie Salsbury, P.E. – Gilmore and Associates, Inc.

**Reference:** 236 North Aberdeen Avenue  
Final Minor Land Development Plan Review #2  
Radnor Township, Delaware County, PA  
G&A #21-03020

---

Gilmore & Associates, Inc. (G&A) has completed a transportation review for the referenced project and offers the following transportation comments for Radnor Township consideration:

**A. BACKGROUND**

The applicant proposes to demolish an existing residence and construct 2 single family semi-detached dwelling units at 236 North Aberdeen Avenue. Access to the units will be provided via a proposed shared driveway. The lot is to be subdivided to form two lots.

**B. DOCUMENTS REVIEWED**

1. Final Minor Subdivision/Land Development Plan prepared by Yohn Engineering, LLC, consisting of 4 sheets and dated January 11, 2021 and last revised January 31, 2022.
2. Response Letter prepared by Yohn Engineering, LLC, dated February 16, 2022.

**C. REQUESTED WAIVERS**

1. §255-22.B(1)(k) – The Applicant is requesting a waiver from providing man made features within 500 feet of the site. We note that an aerial showing the man-made features within 500' has been provided with this submission. Therefore, we have no objection to granting this waiver.

BUILDING ON A FOUNDATION OF EXCELLENCE

65 E. Butler Avenue | Suite 100 | New Britain, PA 18901 | 215-345-4330 | 215-345-8606  
508 Corporate Drive West | Langhorne, PA 19047 | 215-369-3955 | 215-345-8606  
184 W. Main Street | Suite 300 | Trappe, PA 19426 | 610-489-4949 | 610-489-8447  
119 East Linden Street | Kennett Square, PA 19348 | 610-444-9006 | 610-444-7292  
5100 Tilghman Street | Suite 150 | Allentown, PA 18104 | 610-366-8064 | 610-366-0433  
One Penn Center at Suburban Station | 1617 JFK Blvd. | Suite 425 | Philadelphia, PA 19103 | 215-687-4246 | 215-564-1780  
201 Market Street | Camden, NJ 08102 | 856-203-7447 | 856-379-3567  
[www.gilmore-assoc.com](http://www.gilmore-assoc.com)

Exhibit "B"

2. §250-17.D(5) – The Applicant is requesting a waiver from maintaining a minimum distance of five feet between the driveway and the side lot line in order to preserve the maximum amount of on-street parking.

**D. SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS**

1. §255-27.C(4) – As noted previously, where a subdivision abuts or contains an existing street of inadequate right-of-way width, the Board of Commissioners may require the reservation or dedication of rights-of-way to conform to the standards in §255-27.C(1). The plans indicate a half width right-of-way of 16.5 feet along North Aberdeen Avenue; however, local streets require a 60 foot right-of-way width (30 foot half-width). We note that this is an existing one-way roadway with parking along the north side. Due to the existing features and proximity of structures on adjacent lots, improvements along Aberdeen Lane are not anticipated that would require additional right-of-way along this site frontage.

**RADNOR TOWNSHIP ZONING HEARING BOARD**

**APPEAL NO. 3111**

James and Christine Flynn (“Applicants”), premises located at 236 N. Aberdeen Avenue (“Premises”) and zoned R5 Residential (“R5”).

**DECISION OF THE ZONING HEARING BOARD**

**Relief Requested**

1. The Applicants seek to improve and disturb certain steep slopes to allow for the demolition of the existing home and the construction of one twin semidetached residential building with a total of two residential units. (“Steep Slope Disturbance”).
2. To permit the Steep Slope Disturbance the Applicants request variance relief from Section 280-112(D) that prohibits the disturbance of steep slopes.

**Findings of Fact**

1. This application involves the premises located at 236 N. Aberdeen Avenue and zoned R5 (“Premises”).
2. Testimony and evidence on this application were presented at the properly noticed hearing held on November 15, 2021.
3. Applicants’ Exhibits A-1 through A-5 were entered into the record at the November 15, 2021 hearing. (November 15, 2021 Hearing Transcript, 27:22 – 28:4).
4. The home on the Premises was built in 1887 or 1888. (*Id.*, 5:24).
5. There currently exists a steep slope to the rear of the home on the Premises. (*Id.*, 8:11-22).
6. The Applicants intend to demolish the existing home and to construct one twin semidetached residential building with a total of two residential units. (*Id.*, 10:17-22).
7. On November 1, 2021, the Radnor Township Planning Commission unanimously recommended the approval of the Applicants’ proposed Steep Slope Disturbance and the Applicants’ requested variance relief. (*Id.*, 12:22 – 13:6).
8. Currently the Premises has no stormwater management or public sewer. (*Id.*, 15:17-18 and 16:10-18).
9. The Applicants propose to connect both units of the twin building to the public sewer system. (*Id.*, 16:3-5).



10. The impervious coverage that will result from the Applicants' proposed construction and Steep Slope Disturbance will be well below the impervious coverage limits permitted by the Zoning Code. (*Id.*, 17:19-22).

11. The Applicants' proposed Steep Slope Disturbance includes the installation of a stormwater management system. (*Id.*, 17:23 – 18:1).

12. The existing steep slopes on the Premises appear to be manmade. (*Id.*, 21:9-18).

13. The Applicants' Steep Slope Disturbance will improve the overall stormwater management at the Premises. (*Id.*, 26:10-14).

### **Conclusions of Law**

1. The unique slopes on the premises present an unnecessary hardship to its use.

2. A variance is necessary to allow the Applicants to reasonably overcome the unnecessary hardship and to enable the reasonable use of the Premises.

3. The granting of the requested relief will improve the stormwater controls.

4. The existing steep slopes present an undue hardship to the otherwise permitted use and construction proposed by the Applicants' Steep Slope Disturbance.

5. The unnecessary hardship was not created by the applicant.

6. The Applicants' proposed Steep Slope Disturbance will further the intent of the Zoning Ordinance by:

- a. limiting erosion and sedimentation (*Id.*, 24:12-14 and Code § 280-112(A)(1));
- b. protecting watersheds and limiting increases in stormwater runoff (*Id.*, 25:8-11 and Code § 280-112(A)(2));
- c. preventing an increase in the possibilities of landslides and soil subsidence (*Id.*, 25:14-19 and Code § 280-112(A)(3));
- d. maintaining adequate foliage cover on hillsides (*Id.*, 25:20 – 26:2 and Code § 280-112(A)(4)); and
- e. protecting streams from increases in sediment and pollution (*Id.*, 26:6-9 and Code § 280-112(A)(5)).

7. The granting of the requested variance will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use of adjacent properties.

8. The granting of the requested variance will represent the minimum deviation necessary to afford relief and will represent the least possible modification of the Zoning Ordinance.

9. The granting of the requested variance will not be injurious to the public health, safety, morals, and general welfare of the Township.

10. The granting of the requested variance is necessary to implement the purposes of the Municipal Planning Code and the Zoning Ordinance.

**Order**

Based on the testimony and exhibits entered into and made part of the record before the Board, and for the reasons set forth on the record, the Applicants' request is hereby **GRANTED**. The Board hereby determines that:

1. Variance relief from the requirements of Zoning Code Section 280-112(D) is hereby **GRANTED** to permit the Steep Slope Disturbances in the precise location and extent shown on the plans that were entered into and made part of the record, and otherwise as described in the testimony and exhibits entered into and made part of the record, to the extent consistent with the plans;
2. Relief is granted only with respect to Zoning Code Section 280-112(D); and
3. No relief is granted with respect to any other provisions of the Zoning Code.

**BY ORDER OF THE ZONING HEARING BOARD**

/s/ **JOHN F. REILLY, CHAIRMAN**

/s/ **GEORGE F. NAGLE, VICE CHAIRMAN**

/s/ **RICHARD WEITZMAN, MEMBER**

/s/ **JOHN A. LORD, MEMBER**

/s/ **JOHN NAGLE, ALTERNATE**

DATED: November 15, 2021

MAILED: December 27, 2021

Board Member Bradley Delizia and Alternate Member Jamie B. Forman were absent during this hearing.

THIS DECISION WILL EXPIRE IF THE APPLICANTS FAIL TO OBTAIN A BUILDING PERMIT WITHIN SIX MONTHS OF THIS DATE: December 27, 2021.