

TOWNSHIP OF RADNOR
Minutes of the Regular Board of Commissioners Meeting of August 16, 2021

The Radnor Township Board of Commissioners met via Zoom at approximately 6:35 pm

Commissioners Present

Jack Larkin, President Moira Mulrone, Vice President Lisa Borowski
Cathy Agnew Sean Farhy Richard Booker Jake Abel

Also Present: *William White, Township Manager, John Rice, Township Solicitor, Robert Tate, Director of Finance, Christopher Flanagan, Chief of Police, Steve Norcini, Township Engineer, Roger Phillips, Engineer, Kevin Kochanski, Director of Community Development, Ricky Foster, Jr., Acting Public Works Director, Peggy Hagan, Executive Assistant to the Township Manager.*

President Larkin announced item 3 F. Ordinance 2021-07 - **(Introduction)** Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by permitting an increase in building height in the Garrett Hill Neighborhood (GH-N) and Garrett Hill Garrett Avenue (GH-GA) Districts. In addition, outdoor dining would be permitted in the Garrett Hill Conestoga Road (GH-CR) District was being pulled due to a defect in the agenda and will be addressed at a future meeting.

President Larkin announced that item 3 I. Fenimore Woods Park Discussion and Direction is a pro forma vote and will not require much discussion as it was discussed at a previous meeting.

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

Moment of Silence to honor the recent loss of two Lower Merion Fire Fighters who passed in the line of duty.

President Larkin asked for a Moment of Silence to honor the recent loss of two Lower Merion Fire Fighters who passed in the line of duty.

Notice of Executive Session

President Larkin gave Notice of an Executive Session held prior to the Regular Board of Commissioners Meeting of August 16, 2021, to discuss Legal, Personnel, and Property Matters.

1. Public Participation

Sara Pilling – She spoke on Climate Change asked the Township and Residents to think about what they can do.

Cameron Azarano – She thanked the Board for listening to Friends of Fenimore voices and asked the Board to review their list of nine items.

Gretchen Groebel – On behalf of herself and the Radnor Conservancy, she spoke on Fenimore Woods and urged the Board to save the existing tree canopy, save the historic structure, budget for maintenance of plantings and buildings, and to work with Friends of Fenimore Woods Coalition. She also urged the Board to consider hiring a park manager, land manager, ecologist.

Dave Lorine – Resident of Morris Road – He spoke in favor of item 3 H.

Dr. Rob Dovidio - 12 Clover Lane – He spoke on the potential rezoning of Clover Lane, dismayed to learn of plans to put a 3-story home at 10 Clover Lane. Not against development but is against development without concern for aesthetics of the neighborhood.

John Church – 24 Clover Lane - He spoke on keeping the aesthetics of Clover Lane and shared a photo of Clover Lane.

Roberta Winters – She thanked the Commissioners for their hard work and said that Zoning changes should not be contemplated with an outdated Comprehensive Plan, the changes should not be made piece by piece.

Don Lewis - Highland Ave – Supports Commissioner Abel’s efforts for Odorisio Park and the West Wayne Cemetery.

Resident of 16 Clover Lane – spoke on Clover Lane and the aesthetics of the neighborhood.

Nora Johnson – Spoke on Clover Lane and supports a Zoning Amendment to prevent what is happening on Clover Lane.

2. Consent Agenda

a) Disbursement Review & Approval

b) Approval of minutes of the Board of Commissioners Meeting of July 12, 2021

c) Chief’s Monthly Report

d) Final Staff Traffic Committee Meeting Minutes July 21, 2021

e) HARB 2021-15 - 111 Walnut Avenue, Wayne - Demo existing garage and rebuild on existing foundation on exact same footprint.

f) HARB 2021-16 - 130 Poplar Avenue, Wayne - Addition of larger kitchen on the rear of home using the Existing footprint.

g) HARB 2021-17 - 484 Woodland Avenue, Wayne – Garage and laundry room addition on rear portion of the house (West side)

~~h) Resolution 2021-85 – Authorizing an Electronics Recycling and Paper Shredding Event hosted by Radnor Township at an estimated cost of \$11,375 to be held on October 2, 2021, at the Radnor Township Municipal Building~~

~~i) Motion to Authorize the Township Administration to Seek Proposals from Qualified Certified Public Accounting Firms to Perform the Township’s Annual Audit for the Years 2021, 2022 and 2023~~

j) Resolution 2021-81 - Award of bid for Road De-Icing Salt for the 2020-21 Winter Season to Eastern Salt Company, Incorporated at a Cost of \$63.60 Per Ton

~~k) Resolution 2021-86 – Authorizing the engagement of Part-Time Third-Party Uniform Construction Code (UCC) Services by Barry Isett & Associates, Inc.~~

Commissioner Larkin asked if any Commissioner(s) wanted to pull any item(s) from the Consent Agenda.

Commissioner Booker asked for items I and K and Commissioner Abel asked for item H, to be removed from the Consent Agenda.

h) Resolution 2021- 85 - Authorizing an Electronics Recycling and Paper Shredding Event

hosted by Radnor Township at an estimated cost of \$11,375 to be held on October 2, 2021, at the Radnor Township Municipal Building

President Larkin moved to approve Resolution 2021-85, seconded by Commissioner Mulroney.

Bill White, Township Manager, noted that this is an annual event and that the event would not be held at the Township Building, another location will be determined. There was discussion among the Commissioners and Staff.

President Larkin called the vote, the motion passed 4-3 with Commissioners Booker, Abel, and Agnew against.

i) Motion to Authorize the Township Administration to Seek Proposals from Qualified Certified Public Accounting Firms to Perform the Township's Annual Audit for the Years 2021, 2022 and 2023

President Larkin moved to Authorize the Township Administration to seek proposals from qualified Public Accounting Firms to perform the Township's Annual Audit for the Years 2021, 2022 and 2023, seconded by Commissioner Mulroney.

Commissioner Booker asked if there was any dissatisfaction with the current Auditor. Bob Tate, Director of Finance, noted that this is the end of the three-year contract and must be put out to bid and the RFT would be put out publicly in the next week.

President Larkin called the voted, the motion passed 7-0.

k) Resolution 2021-86 – Authorizing the engagement of Part-Time Third-Party Uniform Construction Code (UCC) Services by Barry Isett & Associates, Inc.

President Larkin moved to approve Resolution 2021-86, seconded by Commissioner Mulroney.

Kevin Kochanski noted it is the end of the three-year contract and it must be put out to bid. There was discussion among Commissioners and Staff.

President Larkin called the vote, the motion passed 7-0.

President Larkin moved to approve the balance of the Consent Agenda, items a) to g) and item j), seconded by Commissioner Mulroney. The motion passed 7-0.

3. Committee Reports

A. 608 W. Wayne Ave – Waiver of §245-22 of the Stormwater Management Ordinance

Steve Norcini, Township Engineer, spoke on the applicant reducing the driveway and keeping the basin the same size. There was discussion among Commissioners, Applicant, and Staff.

President Larkin called the vote, the request for waiver was granted with a vote of 5 to 2 with Commissioners Farhy and Abel against.

B. 401 E. Lancaster Ave -CAUCUS: Minor Final Subdivision Plan

Steve Norcini introduced the plan and noted this is a simple lot line change and is a matter of housekeeping. There was discussion among Commissioners, Applicant, and Staff.

C. 250 KOP Road – CAUCUS: Preliminary/Final Land Development Plan

Steve Norcini spoke on the project. George Broseman, Applicant's representative introduced the project. Joe Trainer presented the plan for a parking structure in the rear of the property. Matt Hammond spoke on the traffic considerations for project. There was discussion among Commissioners, Applicant, and Staff

D. Concordia (Eagle and Radnor Rd) – CAUCUS: Preliminary/Final Land Development Plan

Dave Falcone, Applicant Representative, and Rob Lamber, Applicant's Engineer presented the plan. There was discussion among the Commissioners, Applicant, and Staff.

E. Consideration to forward the petition from TBH Radnor LLC, (Toll Brothers) Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by establishing regulations to permit hotel rooftop dining and outdoor dining as part of a hotel use within the PLO – Planned Laboratory Office District to the Township Planning Commission, and/or other Township Boards, Commissions, and Committees for review and comment. Staff further requests that the Board of Commissioners consider an amendment to this petition to permit Hotel Rooftop Dining in all zoning districts that permit hotels, PB – Planned Business, C-2 General Commercial District, and C-3 Service Commercial District; and to permit rooftop dining for non-conforming hotels as a Special Exception.

President Larkin moved to forward the petition from TBH Radnor LLC, (Toll Brothers) Amending Chapter 280 of the Radnor Township Zoning Code, Zoning Ordinance, by establishing regulations for permit hotel rooftop dining and outdoor dining as part of a hotel use within the PLO – Planned Laboratory Office District to the Township Planning Commission, and/or other Township Boards, Commissions, and Committees for review and comment, seconded by Commissioner Mulroney.

Alyson Zarro of TBH Radnor, LLC (Toll Brothers) spoke on the proposed hotel on the Penn Medicine Property and the request to add roof top dining and outdoor dining to the hotel. There as discussion among Commissioners, Applicant, and Staff regarding the proposed hotel and the other Township businesses that would be affected by the Zoning Amendment.

President Larkin moved to amend the petition with the recommendation from Staff to consider amending the petition to permit Hotel Rooftop Dining in all zoning districts that permit hotels, PB-Planned Business, C-2 General Commercial District, and C-3 Service Commercial District; and to permit rooftop dining for non-conforming hotels as a Special Exception, seconded by Commissioner Mulroney. The motion passed 7-0.

President Larkin called the vote, the amended motion passed 7-0.

~~F. Ordinance 2021-07 – (Introduction) Amending Chapter 280 of the Radnor Township Code, Zoning Ordinance, by permitting an increase in building height in the Garrett Hill Neighborhood (GH-N) and Garrett Hill Garrett Avenue (GH-GA) Districts. In~~

~~addition, outdoor dining would be permitted in the Garrett Hill Conestoga Road (GH-CR) District.~~

This item as pulled from the Agenda at the beginning of the meeting.

G. Consideration of Music is Love Foundation’s Request for \$75,000 for the 2021 Wayne Music Festival Amended 8/16/21

Ken Kearns spoke on behalf of the Music is Love Foundation’s request for \$75,000 for the Wayne Music Festival and the lack of sponsorship for this year’s event.

There was discussion among Commissioners, Staff, and Mr. Kearns on the request for \$75,000 for the Wayne Music Festival and the ability to repay the Township if money was given as a backstop and the additional in-kind donations from the Township that are given each year.

President Larkin moved to approve the request; the motion failed for lack of majority.

H. Motion to Authorize the Township Solicitor and Staff to develop zoning overlay options for the South Devon / Morris / Clover area

President Larkin moved to authorize the Township Solicitor and Staff to develop zoning overlay options for the South Devon/Morris/Clover area, seconded by Commissioner Abel.

Kevin Kochanski spoke on the request for authorization for the Township Solicitor and Staff to develop zoning overlay option for the South Devon/Morris/Clover area.

Commissioner Able asked the Board of Commissioners to approve the request for the Residents.

There was discussion among Commissioners, Staff, and the Township Solicitor.

John Rice, Township Solicitor, said the neighbors can put Façade Easements on their property, this would be done by the Residents, not the Township. Mr. Rice offered to work with the homeowners on Façade Easements.

Public Comment –

Ryan Rose of 364 Morris Road – He would rather see a HARB designation for Clover Lane instead of a Zoning Overlay.

Resident – He spoke on HARB designation across from a park

John Church – He thanked the Board of Commissioners and Staff for listening to the Residents and offering a possible path to a solution.

Dr. Rob Dovidio - He would like to make sure the Residents get notified of future variances for development projects.

Sarah Pugh of 362 Morris Road - She asked what are the next steps to developing an overlay.

President Larkin noted that Staff would work together on language and meet with homeowners, the draft would come back to the Board of Commissioners, who would send to the Planning Commission and then be returned to the Board of Commissioners for approval.

John Rice said that he, along with Kevin

Kochanski will look into Façade Easements and

the option to amend the HARB Ordinance to inventory the homes, they will get information out to the Residents.

President Larkin moved to amend the request to have staff develop options, seconded by Commissioner Agnew. The motion passed 6-1 with Commissioner Booker against

President Larkin called the vote on the amended motion, seconded by Commissioner Mulroney. The motion passed 5-2 with Commissioners Larkin and Mulroney against.

I. Fenimore Woods Park Discussion and Direction

President Larkin moved to proceed with the direction to send the Fenimore Woods Project back the Parks and Recreation Board and other interested Citizen Groups to discuss new proposals for that area., seconded by Commissioner Agnew.

There was discussion among Commissioners.

Public Comment -

Marla Neeson of Windermere Avenue - She spoke on the Fenimore Woods Project. No need to scrap the plan but modify the plan.

President Larkin called the vote, the motion passed 7-0

J. Resolution 2021-83 – Award of the 2021 Superpave Resurfacing Project to Allan Myers in the Amount of \$1,189,726.65

President Larkin moved to approve Resolution 2021-83, seconded by Commissioner Booker.

Steve Norcini, Township Engineer spoke on the resurfacing project and noted there was only one bidder. There was discussion among Commissioners and Staff.

President Larkin called the vote, the motion passed 7-0.

K. Resolution 2021-74 – Approving the Five-Year Capital lease Agreement with Meridian Rapid Defense Group under the General Services Administration’s Cooperative Purchasing Program for the Financing of a Vehicle Barrier System with Hydraulic Trailer with an annual payment of \$17,280.18 for five years.

President Larkin moved to approve Resolution 2021-74, seconded by Commissioner Mulroney.

Commissioner Larkin called the vote, the motion passed 4-3 with Commissioners Booker, Mulroney, and Abel against.

L. Resolution 2021-88 – Authorizing the Execution of a Grant Application to the Pennsylvania Department of Community and Economic Development Keystone Communities Program in the amount of \$25,000 and Township matching funds up to \$25,000 to be used for the development of a Radnor Township Business District Strategic Plan.

President Larkin moved to approve Resolution 2021-88, seconded by Commissioner Agnew.

Bob Tate, Director of Finance, spoke on the grant and timeline to submit a grant for a business

planner and noted this is a collaborative effort with Staff and Villanova University.

There was discussion among Commissioners and Staff.

President Larkin called the vote, the motion passed 5-2 with Commissioners Booker and Farhy against.

M. Resolution #2021-89 – Amending Resolution 2021-24 Engaging Cohen Law Firm to assist the Township in a review of local ordinances as they pertain to cellular coverage, facility installation, location, maintenance, and other recommendations as needed by adjusting the estimated cost to \$16,500 due to added meetings with Planning Commission and Citizens Communication Council.

Bill White, Township Manager, spoke on the Resolution and the need to adjust the estimated cost due to added meetings with the Planning Commission and Citizens Communication Council.

President Larkin called the vote. The Resolution passed 6-1 with Commissioner Booker against.

N. Resolution 2021-87 – Board Acceptance of the 2020 Audited Financial Statements

President Larkin moved to approve Resolution 2021-87, seconded by Commissioner Mulroney.

There was discussion among Commissioners and Staff. President Larkin called the vote, the motion passed 7-0.

O. 2022 Budget Calendar Review and Adoption

President Larkin took items O and P together.

Bill White, Township Manager asked is the Board of Commissioners would like to organize the meeting scheduling offline.

President Larkin called the vote, the vote passed 6-1 with Commissioner Booker against.

P. 2022 Budget Initial Projection Presentation Highlights (full presentation to be published online Friday, August 13 to the Board and Public)

4. Reports of Standing Committees

Commissioner Farhy spoke on the loss of John Ryan, former Zoning Hearing Board Solicitor.

President Larkin spoke on the need to schedule a Zoning Ordinance Amendment for Concordia. John Rice, Township Solicitor said the meeting needs to be scheduled and advertised. The meeting will be held on September 13, 2021.

5. New Business

None

6. Old Business

None

a) 2021 Leaf Collection Discussion

Ricky Foster, Acting Public Works Director, presented the proposal for the 2021 Leaf Collection Program.

The proposal is to collect leaves twice in each District, increase manpower and man hours, mark inlets in flood prone areas with 48” reflective driveway markers, sweep streets after each collection, request Resident compliance, allow leaf drop off for Residents and provide better communication.

There was discussion among Commissioners and Staff.

President Larkin moved to allow the Public Works Department to move forward with the Program, seconded by Commissioner Borowski.

Items of concern, making sure a communication plan is in place, educating Residents on the program and compliance, provide the Board with information to send to their Constituents

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

- b) Spotted Lantern Fly Spraying – Motion to approve recommendations from the Board of Health to avoid broad based spraying of Bifenthrin for SLF in Radnor Township, encourage local measures by homeowners to manage damage to specific ornamental plants, and consider Township level efforts to diminish habitat favorable to the spread of SLF, specifically removal of Ailanthus (Tree of Heaven), an invasive, undesirable plant species imported from Asia that is known to be the natural habitat of the SLF, and is commonly seen on roadsides and in untended acreage.

Radnor Township is not on the State spraying list, Staff will monitor spraying list.

Public Comment

Sara Pilling – She said you do not want the use of Bifenthrin.

President Larkin called the vote to approve recommendations from the Board of Health to avoid broad based spraying of Bifenthrin for SLF in Radnor Township, encourage local measures by homeowners to manage damage to specific ornamental plants, and consider Township level efforts to diminish habitat favorable to the spread of SLF, specifically removal of Ailanthus (Tree of Heaven), an invasive, undesirable plant species imported from Asia that is known to be

the natural habitat of the SLF, and is commonly seen on roadsides and in untended acreage.

The vote passed 6-1 with Commissioner Booker against.

7. Public Participation

None

9. Adjournment of Regular Meeting

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

Respectfully submitted.

Peggy Hagan