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BEFORE THE BOARD OF SUPERVISORS
OF THE TOWNSHIP OF WESTTOWN
CHESTER COUNTY, PENNSYLVANIA

VOLUME 4

IN RE: CONDITIONAL USE APPLICATION
 TOLL PA XVIII, L.P.

Hearing was held at the Bayard
Rustin High School, Auditorium, 1100 Shiloh
Road, West Chester, Pennsylvania, on Tuesday,
May 23, 2017, beginning at 6:09 o'clock, p.m.

BEFORE: MICHAEL T. DIDOMENICO, Chairman
 CAROL R. DEWOLF
 THOMAS HAWS

ALSO PRESENT: ROBERT R. PINGAR,
 Township Manager

ELEANOR J. SCHWANDT, RMR
COURT REPORTER

ORIGINAL

1 APPEARANCES:

2 PATRICK M. MCKENNA, Esquire
on behalf of the Board of Supervisors

3
4 GREGG I. ADELMAN, Esquire
on behalf of the Applicant

5 MICHAEL S. GILL, Esquire
on behalf of Westtown Township
6 Planning Commission

7 FRONEFIELD CRAWFORD, Esquire
on behalf of Birmingham Township

8
9 KATHRYN L. LABRUM, Esquire
on behalf of Thornbury Township

10 MARK THOMPSON, Esquire
on behalf of Neighbors for Crebilly, LLC

11

12

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13

THE CHAIRMAN: Okay. Good

14

evening, everyone, and welcome to the fourth
15 conditional use hearing for the Crebilly tract
16 and Toll Brothers developers. If we please
17 rise for our Pledge of Allegiance.

18

(Pledge of Allegiance takes

19

place.)

20

THE CHAIRMAN: Thank you. Let me

21

introduce those who are up here that you may

22

not know, if you haven't been to other

23

meetings. The Westtown Township Board of

24

Supervisors, I would like to introduce Mrs.

1 Carol DeWolf, to my right, and who is the vice
2 chair; and Mr. Thomas Haws, who is our police
3 commissioner, to her right.

4 I'm Mike DiDomenico. I'm the
5 chair.

6 To my left is Mr. Robert Pingar,
7 the furthest left; and our township solicitor,
8 Mr. Patrick McKenna. T this time then I will
9 turn this over to Mr. McKenna.

10 MR. MCKENNA: Thank you, Mr.
11 Chairman. Good evening, ladies and gentlemen.
12 This is the continued hearing of the
13 conditional use application of Toll Brothers
14 for the Crebilly tract. We have hopefully two
15 witnesses that we are going to get through this
16 evening. When we last met we were in the
17 middle of the testimony of the applicant's his
18 store expert, Mr. Bob Wise. We are going to
19 pick up where we left off from that
20 perspective, and then hopefully we will finish
21 that in short order and move on to traffic.

22 As we have noted with each and
23 every hearing -- first of all, I want to thank
24 everyone for being here and also for the

1 respect that you have shown to the Board
2 throughout these proceedings, and I ask that
3 that continue through this evening.

4 I recognize the traffic is a hot
5 button issue for most everyone here this
6 evening, so when we get to that point and the
7 questions move to the members of the audience
8 and the other parties, I'd just like to remind
9 you again that tonight for the witness is to
10 ask questions. It is not to offer any comment
11 or testimony. I realize you may not like what
12 you are hearing from the witness, but I'm going
13 to ask you to just keep it respectful and keep
14 it to questions, keeping in mind that you will
15 all have an opportunity to be heard on any of
16 the issues that you hear in any of the hearings
17 this evening.

18 So, Mr. Wise, you are up at the
19 podium. I'll remind you you are still under
20 oath.

21 Mr. Adelman, anything further
22 before we begin?

23 MR. ADELMAN: No, nothing
24 further.

1 MR. MCKENNA: One quick question.
2 Is there anyone recording the proceedings here
3 this evening?

4 Yes, sir. Would you mind
5 identifying yourself.

6 MR. BRAXTON: John Braxton.

7 MR. MCKENNA: Did you get that,
8 Eleanor?

9 Thank you, sir. Audio and
10 visual?

11 MR. BRAXTON: Yes.

12 MR. MCKENNA: Thank you. Mr.
13 Thompson, I believe when we left off you were
14 just about to cross-examine Mr. Wise.

15 MR. THOMPSON: Thank you, Mr.
16 McKenna.

17 MR. MCKENNA: Sure.

18 (Robert J. Wise, Jr., having been
19 previously duly sworn, was examined and
20 testified further as follows:)

21 CROSS-EXAMINATION

22 BY MR. THOMPSON:

23 Q. Mr. Wise, my name is Mark Thompson.
24 I'm an attorney for the Neighbors for Crebilly.

1 I just have a few questions following up your
2 previous testimony.

3 Based on your testimony at the
4 last hearing, is it accurate to say that you
5 agree there was a flanking movement by the
6 Hessians at the farthest east end of the
7 British Army that occurred in the location of
8 the Crebilly property?

9 A. In the general location, yes.

10 Q. Okay. You would agree that you don't
11 know or you haven't studied as part of this
12 project whether any activities related to the
13 battle, simply troop movements or actual
14 engagement, took place on the Crebilly Farm
15 property?

16 A. I have studied and I have read a book,
17 books and reports about the battlefield.

18 Q. You didn't look into it as part of this
19 project; is that accurate?

20 A. I did look into it, yes.

21 Q. But you don't know for certain whether
22 or not troop movements or activities took place
23 in the Crebilly Farm property, do you?

24 A. I do not know for certain whether troop

1 movements or any type of battle activity took
2 place on the Crebilly Farm.

3 Q. Okay. You would agree that newer maps
4 have been generated, since the ones you
5 referred to at the last hearing, showing the
6 outline of the battlefield?

7 A. There was a map presented back in
8 December at the Planning Commission meeting
9 presented by Sean Moir that was -- that brought
10 about new information from his perspective
11 regarding the battlefield, or, excuse me, the
12 battle.

13 Q. And you are aware of a Chester County
14 Planning Commission map that shows an outline
15 which includes Crebilly Farm as part of the
16 battlefield boundary, are you?

17 A. Yes.

18 MR. THOMPSON: Okay. I don't
19 have anything further.

20 MR. MCKENNA: Thank you, Mr.
21 Thompson.

22 All right. We are going to run
23 through our party list, see who is here this
24 evening. If you are here, please let me know.

1 And if you are, let me know if you have any
2 questions.

3 Peter DuFault for Brandywine at
4 Thornbury?

5 MR. DUFAULT: Present. No
6 questions.

7 MR. MCKENNA: Radley Run III HOA,
8 John Martin or John Bertinetti?

9 Arborview HOA, William Hoffman?

10 MR. HOFFMAN: Present. No
11 questions.

12 MR. MCKENNA: West Glen HOA, Gary
13 Bevilacqua?

14 MR. BEVILACQUA: I'm here. No
15 questions.

16 MR. MCKENNA: Same for the school
17 district, Mr. Bevilacqua or Mr. Scanlon?

18 MR. SCANLON: No questions.

19 MR. MCKENNA: Thank you.

20 Westminster Presbyterian Church, Mr. McFalls?

21 Quarry Swimming Association,

22 Chris Feryo?

23 Mr. Spackman, for Thornbury Farm

24 Trust?

1 MR. SPACKMAN: Yes, I have a
2 question.

3 MR. MCKENNA: Can you come up to
4 the microphone, please.

5 MR. SPACKMAN: Hello. Thank you.
6 My name is Randell Spackman from the Thornbury
7 Farm Trust.

8 One of my questions in reference
9 to the buildings and the structures of the
10 farm, I believe you did analysis of those or a
11 review of the buildings?

12 THE WITNESS: Yes.

13 MR. SPACKMAN: Was the building
14 review an exterior view, or was it in-depth, so
15 going inside? Because I read the review and it
16 mostly talks about the exterior of the
17 buildings.

18 THE WITNESS: Exterior. We only
19 went into one building.

20 MR. SPACKMAN: Would a general
21 review of the historic resources also
22 justify -- I'm sorry. Would the typical review
23 of historic resource include an interior review
24 of the different dwellings, barns, to be

1 categorized and reviewed?

2 THE WITNESS: We looked at this
3 as a historic district, and in a typical review
4 of historic district you do not go inside the
5 buildings.

6 MR. SPACKMAN: Would
7 recommendations change on saving the buildings
8 if access was granted to go inside to review
9 internal design structure, architecture?

10 THE WITNESS: It could be, but I
11 was not employed to recommend one way or
12 another whether buildings should stay, remain
13 or be restored.

14 MR. SPACKMAN: But would an
15 interior review help justify your
16 recommendation in the general recommendations
17 to Toll?

18 THE WITNESS: Again, I wasn't
19 asked to make a recommendations. If I was, it
20 could, yes.

21 MR. SPACKMAN: One other
22 question. On a lot of the items that were
23 submitted I never saw reference to the farm
24 scale. Are you familiar what I'm talking

1 about?

2 THE WITNESS: To what, I'm sorry?

3 MR. SPACKMAN: The weighting
4 scale.

5 THE WITNESS: The scale.

6 MR. SPACKMAN: Up by the main
7 house of the farm, above the
8 chapel/springhouse.

9 THE WITNESS: Yes, there is a
10 small building right next to it, I believe the
11 scale shed, which I think we documented the
12 scale shed. I am familiar with the scale. We
13 probably treat it as a minor landscape feature
14 so we didn't describe it.

15 MR. SPACKMAN: I believe, to my
16 knowledge, and I may be wrong, it has been some
17 years since I've been over there, that actually
18 was a functioning scale. Do you have a date of
19 origin on the scale house?

20 THE WITNESS: I don't. I'm
21 sorry.

22 MR. SPACKMAN: Is that something
23 that could possibly be left for history, to be
24 left alone in a design as a remnant?

1 THE WITNESS: It could be left.
2 I'm not sure in that location. You would have
3 to talk to the applicant about that.

4 MR. SPACKMAN: Is it one further
5 documentation for the review, about the scale,
6 because it is a unique structure of a farm of
7 that size to have a drive-on, a scale of that
8 size?

9 THE WITNESS: To do what?

10 MR. SPACKMAN: To review it
11 further, because it is a unique structure that
12 I have not seen in any other farms in my
13 historic preservation background.

14 THE WITNESS: At some times
15 buildings or features such as a scale would be
16 documented if they are going to be removed or
17 demolished, so, yes, it certainly could be
18 further documented and such a search could be
19 done on it. And there is probably, close to,
20 probably information about where it was made
21 and maybe even when.

22 MR. SPACKMAN: And my final
23 question, had you in other reviews ever come
24 across a scale, some farm item like that, in

1 the past?

2 THE CHAIRMAN: Can I interrupt
3 for a minute, please. Can you raise this? We
4 can't hear up here at all. Raise this
5 microphone.

6 MR. MCKENNA: Eleanor, can we go
7 off the record for one second.

8 (Discussion off the record.)

9 MR. MCKENNA: Thank you. I
10 apologize for that. Thank you for your help.
11 Thank you for your assistance in setting up the
12 microphone. Why don't we go back on the
13 record.

14 THE WITNESS: I think, Mr.
15 Spackman, you asked me if I'm familiar with any
16 such weigh stations in other farms?

17 MR. SPACKMAN: Yes.

18 THE WITNESS: I can't recall off
19 the top of my head. I have been to a lot of
20 farms. I cannot recall a weigh station, but I
21 would not say no.

22 MR. SPACKMAN: Okay. Thank you.
23 I have nothing further.

24 MR. MCKENNA: Thank you, Mr.

1 Spackman.

2 Continuing on to the next
3 parties, Amy and Bradley Harkins?

4 MS. HARKINS: No questions.

5 MR. MCKENNA: Mr. Mammucari, any
6 questions?

7 MR. MAMMUCARI: No questions.

8 MR. MCKENNA: Andy Gadaletto?
9 Phillip Jones?

10 MR. JONES: Present. No
11 questions.

12 MR. MCKENNA: Mr. Moscharis?
13 Alison Corcoran?

14 MS. CORCORAN: Present. No
15 questions.

16 MR. MCKENNA: Ben Skupp?
17 Diana Leraris.

18 MS. LERARIS: Present. No
19 questions.

20 MR. MCKENNA: Ed Boyer?
21 Amy Murmame?

22 MS. MURNANE: Present. No
23 questions.

24 MR. MCKENNA: Kurt Wolter?

1 Mr. Crognale?
2 Robert Daul?
3 Scott Sobers?
4 Walter Pavelchek?
5 MR. PAVELCHEK: No questions.
6 MR. MCKENNA: Phillip Jaeger?
7 Jim Cahill?
8 MR. CAHILL: Present. No
9 questions.
10 MR. MCKENNA: David Pryze?
11 MS. PRYZE: Katherine Pryze.
12 MR. MCKENNA: Any questions,
13 ma'am?
14 MS. PRYZE: No, thank you.
15 MR. MCKENNA: Jennifer or Jeffrey
16 Kramer.
17 MS. KRAMER: Present. No
18 questions.
19 MR. MCKENNA: Megan Bruns?
20 Ed Skros?
21 MR. SKROS: Present. No
22 questions.
23 MR. MCKENNA: Eileen Carey?
24 A VOICE: She is out of town.

1 MR. MCKENNA: Thank you.

2 Jim McDermott?

3 MR. MCDERMOTT: Present. No

4 questions.

5 MR. MCKENNA: Dennis or Patricia

6 McFadden?

7 MR. MCFADDEN: Present. No

8 questions.

9 MS. MCFADDEN: No questions.

10 MR. MCKENNA: Carol Weller?

11 MS. WELLER: Present. No

12 questions.

13 MR. MCKENNA: Linda or Matt

14 Reichert?

15 Okay. Goes back around to you,

16 Mr. Adelman, any redirect?

17 MR. ADELMAN: Yes, I do. I have

18 a couple of questions for Mr. Wise.

19 REDIRECT EXAMINATION

20 BY MR. ADELMAN:

21 Q. Mr. Wise, there was some testimony I
22 believe you gave with respect to an answer to
23 Mr. Thompson, as well as to Mr. Gill, regarding
24 the Planning Commission and Mr. Moir's maps and

1 conclusions; is that correct?

2 A. Yes.

3 Q. And have you further analyzed Mr.
4 Moir's maps and his conclusions with respect to
5 the property's involvement, if any, in the
6 Battle of Brandywine?

7 A. I have.

8 Q. And do you agree with Mr. Moir's
9 conclusions?

10 A. I requested Mr. Moir's conclusions.

11 Q. And why is that?

12 A. Before I prepare for these meetings I
13 get a chance to learn a bit more about the
14 battle, battlefield, and as I analyzed the
15 position of the American line, I realized it
16 was roughly three-quarters of a mile south of
17 Street Road, and when I look at that distance,
18 and then up to a mile as you get into the
19 Crebilly property, I thought that that was a
20 little bit far out, given the timing of the
21 battle, to have skirmishes out that far in
22 front of the American lines.

23 I then looked at his conclusions
24 regarding general von Wurmb's, von Wurmb's

1 testimony about the battlefield, and about
2 chasing the Americans from a hill and then into
3 a couple woodlands before coming up 150 paces
4 from the American lines, and I, as I studied
5 that and looked at the woodlands, based on
6 their maps and based on as far back as we could
7 go in the mid-20th century, early 20th century,
8 I felt that the battle actually, his account
9 actually did take place south of Street Road.

10 Although, again, I was not there
11 at the time, so I'm not saying he is wrong. I
12 just feel that in all of the studies I have
13 read, and the historic maps which showed
14 absolutely nothing in the Crebilly property,
15 and the land forms that are south of Crebilly
16 property, and the position of the American
17 lines, and the timing of the battlefield, which
18 was hurried at that time, and the Michael
19 Harris book that we discussed last time that
20 has a full account of the battle that places
21 this action south of Street Road, I believe
22 that that initial skirmishing did take place
23 south of Street Road.

24 However, again, there was other

1 woodlands and there are other land forms, so
2 I'm not saying Mr. Moir is wrong. I just
3 believe that that particular battle action,
4 such as it was, this is a very small skirmish,
5 took place south of Street Road.

6 MR. ADELMAN: I have nothing
7 further.

8 MR. MCKENNA: Does the Board have
9 any questions for Mr. Wise?

10 MS. DEWOLF: Yes. I would like
11 to know if you have reviewed the new Chester
12 County data and analysis, other than the maps
13 that were presented, in respect to the
14 battlefield?

15 THE WITNESS: I have looked
16 through the maps and listened to the or looked
17 at the animation and I have looked at that
18 information. I can't say I studied every part
19 of that analysis.

20 MS. DEWOLF: Are you familiar
21 with their further research that they did to
22 obtain their current findings about where they
23 believe that battle was held?

24 THE WITNESS: They did a KOCOA

1 analysis on the battlefield, which is a
2 military analysis, of what they believe was
3 there at the time and place. And I am familiar
4 with that KOCOA analysis.

5 MS. DEWOLF: What did you just
6 say?

7 THE WITNESS: I said I'm familiar
8 with the KOCOA analysis as it relates, as it
9 relates to the mapping.

10 MS. DEWOLF: Also, in respect to
11 the PHMC, the property has been designated as
12 historic eligible on the PHMC historic sites
13 eligibility list now. Were you aware of that?

14 THE WITNESS: Yes.

15 MS. DEWOLF: And what is the
16 process that you understand that the applicant
17 must go through now, given that new eligible
18 designation?

19 THE WITNESS: It depends
20 primarily on whether federal permits are
21 required.

22 If federal permits are required
23 then they would go through a process called
24 Section 106 from the National Historic

1 Preservation Act that would require them to see
2 if there is an impact from the proposed
3 development on the historic site, and, if there
4 is, to look at ways to look at alternatives,
5 and ultimately to try to mitigate any adverse
6 effect, if possible, where possible.

7 From the state perspective, the
8 state would also require a review, mainly
9 because of the sewer permitting, and if it is
10 only a state review, they would be asked to do
11 the same thing, to try to mitigate any adverse
12 effect.

13 However, it is, the state role is
14 advisory, not regulatory.

15 MS. DEWOLF: In respect to DEP
16 and what the requirements are for that in
17 respect to it being on the eligibility list
18 now?

19 THE WITNESS: Sure.

20 MS. DEWOLF: Aside from sewer,
21 which you mentioned?

22 THE WITNESS: DEP, again, if
23 there is permitting required, DEP would, and
24 the property is eligible for the National

1 Register or on the National Register, then
2 they, again, they would look at the process to
3 see if the plan will impact, create an adverse
4 impact on the historic resource, and, if so,
5 seek ways to mitigate that adverse impact.

6 But, again, the state process of
7 the PHMC prompted by the DEP review is only
8 advisory.

9 MS. DEWOLF: And are you aware
10 that it applies to the property and not just
11 the buildings on the site?

12 THE WITNESS: Yes.

13 MS. DEWOLF: And does that
14 require any additional steps that you need to
15 take through this process?

16 THE WITNESS: Not that I'm aware
17 of.

18 MS. DEWOLF: That's all for now.

19 MR. HAWS: I have some. So I
20 just had a couple quick questions. So back to
21 Carol's one question around it being eligible
22 for the National Register, and you said that
23 federal requirements are that there is an
24 assessment done to see what the impact is.

1 THE WITNESS: Yes.

2 MR. HAWS: When will that
3 assessment occur?

4 THE WITNESS: It depends on
5 whether or not there is federal permitting that
6 is required. I don't know whether federal
7 permitting will be required with this project
8 or not.

9 MR. HAWS: And just clarify for
10 me again, then, your role in front of this
11 Board tonight.

12 THE WITNESS: My role is to
13 answer questions regarding the history or
14 architectural resources of the Crebilly Farm
15 property.

16 MR. HAWS: Okay. So I guess then
17 in your expert opinion can you clarify whether
18 or not this needs to go through that federal
19 review process?

20 THE WITNESS: I don't have that
21 information at this time because I'm not sure
22 what kind of permits, whether state, federal,
23 that they will require.

24 MR. HAWS: So would that be

1 something that you would be eligible to comment
2 on, if you were asked to?

3 THE WITNESS: If I am asked, I
4 mean, if I'm asked to by the applicant, sure.

5 I would clarify one thing. They
6 will probably, assuming, because of the sewer
7 permitting, have to go through the state,
8 because it is a, a property that's eligible for
9 the National Register.

10 MR. HAWS: Sure.

11 THE WITNESS: Go through that
12 state review through the PHMC, as mentioned.

13 MR. HAWS: You said the state is
14 advisory in nature, but the federal is more
15 having to proscribe to whatever process is in
16 place, correct?

17 THE WITNESS: Yes. The federal
18 process is a bit more rigorous to go through,
19 correct.

20 MR. HAWS: So then putting myself
21 in the applicant's position, wouldn't that be
22 something that would be necessary to know
23 whether or not they need to go through that
24 process prior to undertaking such an endeavor

1 as we are here tonight?

2 THE WITNESS: I would say that
3 that process, should it be needed, could impact
4 the plan. But it is not a process normally
5 that stops a plan from going through.

6 That process would be designed to
7 lessen the adverse impact that the plan may
8 have on the property.

9 MR. HAWS: Okay. Thank you.
10 Just a couple other quick questions. So there
11 is a list on your review letter, I guess it is
12 Exhibit A-19.

13 THE WITNESS: Yes.

14 MR. HAWS: It is the page that
15 has the list of the photos, 1 through 29.

16 THE WITNESS: Yes.

17 MR. HAWS: So I was just
18 wondering if you could clarify -- I'm looking.

19 (Board members conferring.)

20 MR. HAWS: Could you be able to
21 clarify from this list which structures the
22 applicant is willing to preserve versus not?

23 THE WITNESS: I will attempt to
24 do that.

1 Photo 1 talks about the scale
2 house that Mr. Spackman referred to. I don't
3 believe the scale house will remain.

4 Photo 3 is the Joshua and Lydia
5 Hunt house. That property will remain or that
6 house.

7 And the serpentine garage, that's
8 the one was discussed last time -- oh, I'm
9 sorry. The serpentine garage will remain.

10 The formal stable will remain.

11 The springhouse residence, that's
12 photo No. 6, will not remain.

13 Photo No. 8 is the Robinson house
14 built in 1959. That will not remain.

15 And I'm not sure about the
16 barnyard wall. I believe that's the barnyard
17 wall right in front of the barn, which will
18 remain. So I'm assuming the barnyard wall will
19 remain as part of that structure.

20 MR. HAWS: I'm sorry, can you
21 clarify? You just said that the house won't
22 remain but the barnyard will?

23 THE WITNESS: Oh. Okay. He is
24 saying that the picture is not lining up with

1 what I'm discussing. Do you want to talk off
2 the picture? Would that be easier?

3 MR. HAWS: Not for me. I have
4 the list in front of me. But we can have -- so
5 we are going to start with photo 1.

6 THE WITNESS: Sure. Photo 1 is
7 landscape. So let's go on to where we can see
8 a building.

9 Photo 2 is Joshua and Lydia Hunt
10 farm, and these buildings will remain.

11 This is also the 1805 Joshua and
12 Lydia Hunt house. This also will remain, as
13 well as the serpentine garage next to it will
14 remain.

15 This is the 1970 stables, that
16 will remain.

17 This is the converted
18 springhouse. I believe that will not remain on
19 the property.

20 This is the, this is the Robinson
21 residence. That, what you see here will all
22 remain.

23 As well as this picture.

24 This will remain.

1 MR. MCKENNA: Wait. Let's make
2 sure we know which one we are talking about.

3 THE WITNESS: That was the,
4 excuse me, that was photo 9, the corncrib will
5 remain.

6 And now we are looking at a
7 cluster, I believe the plan is that the barn
8 would remain. And, I'm sorry, can we go back,
9 Andrew?

10 I'm not exactly sure of which
11 other buildings will remain. But at this point
12 the barn will remain.

13 Next.

14 This is another picture of the
15 barn. It was built in 1940s.

16 MR. ADELMAN: Bob, if you can
17 refer to the photo numbers.

18 THE WITNESS: I'm sorry. This is
19 photo 12 of the carriage house. I believe that
20 will remain.

21 Again, we are still in the
22 equestrian center, this is photo 13. I believe
23 this is a blacksmith's house. I'm not sure
24 whether this will remain or not.

1 This is the stud barn. I don't
2 believe this will remain. That was photo 14.

3 Photo 15 is the manager's house.
4 I do not believe that will remain.

5 And photo 16 is a block garage
6 located in that, next to the manager's house.
7 Again, I do not think that will remain.

8 This is barn No. 2, photo 17,
9 that I do not believe will remain.

10 And this is photo 18, farm shop.
11 I don't think that the building will remain.

12 This is of the equestrian center,
13 some of the buildings, to the left, and then
14 the barn No. 2 to the right. So some of those
15 will remain, some of those will not. That's
16 photo 19.

17 Photo 20 is the modern Robinsons'
18 house off of Street Road. That will not
19 remain.

20 Photo 21 is the weigh station
21 that we discussed, and the shed. I don't think
22 those resources will remain.

23 Photo 22 is the Hunt house that
24 will -- excuse me -- barn. That will remain.

1 And this is the corncrib there at
2 the Hunt property. Again, this is off of
3 Street Road. I'm not sure about this building.
4 I'm sorry, that's photo 23, corncrib.

5 Photo 24 is a converted
6 springhouse that's now a chapel. That will
7 remain.

8 Photo 25 is Darlington Tavern.
9 That will remain.

10 Photo 26 is the garage behind the
11 Darlington Tavern. I'm not sure about this
12 building.

13 Photo 27 is the Michael Brennan
14 house. That will not remain.

15 And photo 28 is the garage
16 building next to the Brennan house. That will
17 not remain.

18 And photo 29 is the Taylor tenant
19 house on Street Road. That will not remain.

20 And that's it for the photos.

21 MR. HAWS: Okay. Just to
22 clarify, photo 9, which was a corncrib, will
23 remain, but photo 23, which was another
24 corncrib, will not?

1 MR. MCKENNA: Not yet. Mr.
2 Bevilacqua, I need a question from you for this
3 witness.

4 MR. BEVILACQUA: A question, have
5 you looked at the PennDOT approved TIP projects
6 in the next few years and what is approved for
7 the improvements of the intersection of 926 and
8 202?

9 THE WITNESS: Yes, this project
10 is on the TIP.

11 MR. BEVILACQUA: I'm looking at
12 the TIP project now, and I do see the project
13 approved for 3.3 million, so it is out there,
14 so I just want to make sure that people know,
15 for the record, that PennDOT has an approved
16 project on the TIP plan. Thank you for
17 confirming.

18 THE WITNESS: Thank you.

19 MR. MCKENNA: Mr. Bevilacqua, do
20 you or Mr. Scanlon have any questions for the
21 school district? Mr. Scanlon, go ahead.

22 MR. SCANLON: Thank you. A
23 couple questions. First of all, the peak, the
24 peak hours, I guess the Table 4, can we look at

1 THE WITNESS: No, I didn't say it
2 will not. I'm unsure about photo 23, whether
3 that corncrib will remain or not. That I
4 believe is right next to the Crebilly barn, and
5 I'm not sure exactly what is in store for that
6 building.

7 MR. HAWS: So for the photo in
8 No. 9, the one corncrib that you had said will
9 remain, is the plan to keep it at its current
10 location or to move it elsewhere on the
11 property?

12 THE WITNESS: I believe it will
13 remain on the current location as part of the
14 Robinson family property, off of New Street.

15 MR. HAWS: No further questions.

16 MS. DEWOLF: I have one more.
17 When you demolish a property or eliminate a
18 property on site, historic property, are you
19 familiar with what that disallows in terms of
20 your bonus densities or bonuses with your plan
21 then?

22 THE WITNESS: I'm not familiar
23 with the particular ordinance that would
24 pertain to bonus densities.

1 MS. DEWOLF: Thank you.

2 MR. MCKENNA: Mr. Wise, I'm going
3 to ask, see if anybody else has anymore
4 questions. If you wouldn't mind going back to
5 the other microphone I would appreciate it.

6 Mr. Gill, for the Planning
7 Commission, any further questions?

8 MR. GILL: Just a couple. Just a
9 couple clarifying questions, Mr. McKenna.

10 RE-CROSS-EXAMINATION

11 BY MR. GILL:

12 Q. Mr. Wise, you mentioned that prior to
13 your testimony here this evening, but after
14 your testimony, or, let me clarify, is it your
15 testimony that prior to this evening but after
16 the last session of this hearing you had the
17 opportunity to go back and do additional
18 research regarding the Battle of Brandywine and
19 any action or activity that might have occurred
20 on the Crebilly Farm?

21 A. Yes.

22 Q. And as a result of that, is it fair to
23 say that you reenforced the conclusions to
24 which you testified at the last session of the

1 hearing, but you are still not able to give us
2 an unequivocal answer as to whether there was
3 or was not action on the property that is now
4 known as Crebilly Farm?

5 A. I would answer that by saying after
6 this review today that I feel more convinced
7 that the action in question took place south of
8 Street Road. I cannot say that it didn't above
9 Street Road on the Crebilly Farm, nor can I say
10 exactly where troops may have marched through
11 the Crebilly Farm.

12 Q. Well, thank you. That was going to be
13 my next question. You understand that my
14 questions both here this evening and at the
15 last session of the hearing weren't necessarily
16 limited to action, and by that I mean combat
17 between British or German soldiers and American
18 soldiers, correct?

19 A. Yes, correct. I believe the other part
20 of that would be troop movement as well.

21 Q. Right. I was referring to activities
22 ancillary or associated with the battle.

23 A. Yes.

24 Q. And it is not your testimony that you

1 can unequivocally say one way or the other that
2 there was troop movement, German troop movement
3 across Crebilly Farm, correct?

4 A. Correct.

5 Q. In fact, as we spoke about at the last
6 session of the hearing, the, what I think is
7 the acknowledged, or at least as far as you
8 would acknowledge, the point of contacting, the
9 point of conflict between the American troops
10 and Stephen's division and the German troops
11 did happen south of Crebilly Farm, south of
12 926, correct?

13 A. That's what I believe.

14 Q. And by necessity, therefore, or by
15 probability, therefore, in fact, we can agree
16 that German troops did move across Crebilly
17 Farm, correct?

18 A. The historic maps do not show troop
19 movement in this location. The historic
20 accounts of what I have seen do not talk about
21 moving troops through this farm. Of course, it
22 was not called the Crebilly Farm.

23 Q. Of course not.

24 A. There was no application for sufferings

1 or to reparations after the battle on behalf of
2 the Hunt family. And that is exactly where the
3 British may have moved through.

4 However, the current maps, dating
5 back at least until, from the 1989 study and
6 the current KOCOA analysis do show troop
7 movement through the Crebilly Farm.

8 As do I know definitively that
9 troops moved through there on September 11th,
10 1777, I cannot say that for a fact.

11 Q. Okay. And I appreciate that. And I'll
12 ask you again, therefore, the question I asked
13 you at the last session of the hearing, which
14 is: From a professional historian's
15 perspective, what is the best way to go about
16 determining whether or not Mr. Moir is correct,
17 whether or not your supposition is correct?
18 How should we find that out?

19 A. I think the KOCOA analysis that was
20 done as part of the American Battlefield
21 Protection Program, funded project, showed that
22 there was troop movement through this. Again,
23 as I said last time, I'm not sure if that's a
24 hundred percent correct and I'm not sure where

1 they can establish how far east the
2 British/German forces moved through what is now
3 the Crebilly property. So I can't tell you
4 exactly where the troops went through.

5 Q. I know you can't. My question was: If
6 you had to make a recommendation about the best
7 way to advance our modern understanding of the
8 battle before Crebilly Farm was developed into
9 317 homes, what is your recommendation?

10 A. I think the best way to recommend what
11 could be done there is above and beyond any
12 scholarly work that has been done, and it
13 recently has been done as far back as 2014,
14 and, again, the study that was done by American
15 Battlefield Protection Program, I think, yes,
16 there will still be information that will come
17 to us in the next forever about this
18 battlefield.

19 I'm not sure how to track that
20 information down. The only other way is
21 probably through some type of archeology.

22 Q. Okay. So keeping that in mind, and
23 returning to the document that's marked as
24 Exhibit B-19 -- B-21, excuse me, which is Ms.

1 Camp's letter to the Board of Supervisors,
2 dated February 16th, 2017, we did discuss at
3 the last session of the hearing the conditions
4 which my client, the Township Planning
5 Commission, has recommended to the Board of
6 Supervisors. At the last session of the
7 hearing you suggested that you were unable to
8 opine on any of the recommended conditions.

9 Condition No. 24 reads, in part,
10 "Prior to issuance of grading permits,
11 Applicant shall cause to be conducted an
12 archeological study," it goes on from there,
13 specifically with regard to the Brandywine
14 Battlefield Swath from CCPC.

15 Is it now your testimony, given
16 your immediately preceding statement, that you
17 are prepared to recommend that your client
18 agree to condition No. 24?

19 A. It is an interesting question. I'll
20 tell you why.

21 Q. Thank you.

22 A. Based on my study today, where I am
23 more convinced that any battlefield action, now
24 I'm speaking combat action, where it would be

1 more likely that something would be in the
2 ground and be picked up through archeology,
3 such as bullets, fragments of shells, now that
4 I'm more convinced that it is south, that
5 occurred south of Street Road, quite honestly,
6 I'm not sure what archeology would find.

7 An archeologist probably would
8 differ with me. But it would be in my opinion
9 almost a needle in the haystack to find
10 something battle related, if at all it
11 occurred.

12 So I'm not sure whether
13 archeology is going to show that something
14 happened. It may show that something didn't
15 happen.

16 Q. I suppose, Mr. Wise, I have trouble
17 jiving that with your statement from a moment
18 ago where you suggested that the best way to go
19 about confirming Mr. Moir or your hypothesis
20 would be archeological investigation.

21 A. It would probably still be the best
22 way, but I'm not sure whether anything would be
23 found.

24 Q. All right. You also had the

1 opportunity during your additional research
2 consideration prior to this evening to revisit
3 proposed conditions No. 25 through 29. You
4 have the letter there. Excuse me. Recalling
5 that your testimony at the last session of the
6 hearing was that you weren't prepared to make
7 any recommendations to your client regarding
8 accepting or rejecting these conditions?

9 A. Yes.

10 Q. You did have the opportunity to
11 reconsider that?

12 A. No.

13 MR. GILL: No. Okay.

14 That's all I have on recross.

15 MR. MCKENNA: Any other counsel
16 have questions for the witness?

17 I believe I have one or two
18 questions from the Board.

19 MR. ADELMAN: And, Pat, I do have
20 a question.

21 THE CHAIRMAN: Mr. Wise, can you
22 explain what the process, what occurs when and
23 if any archeological issues would occur when,
24 since you are recommending that archeological

1 should take place, but it is probably in your
2 opinion not necessary, so let's say digging
3 occurs, the development is happening, and
4 issues occur. They find bones, bodies,
5 whatever. What happens at that point?

6 THE WITNESS: I think it would be
7 up to the applicant to decide exactly what they
8 would do in terms of finding something.
9 Certainly, if they find a body, construction
10 normally stops.

11 However, if you recall what is
12 happening in Philadelphia right now, where they
13 are digging up a graveyard, it was up to the
14 developer to hold up construction so that
15 archeologists exhume the body. There was no
16 law forcing that developer to do that.

17 THE CHAIRMAN: Thank you.

18 MR. MCKENNA: Do you have another
19 question, Carol? I'm sorry.

20 MS. DEWOLF: You mentioned the
21 American Battlefield Protection Program.

22 THE WITNESS: Yes.

23 MS. DEWOLF: Can you tell me a
24 little bit about that?

1 THE WITNESS: That's a program
2 that's associated with the National Park
3 Service to help identify and then provide grant
4 funding for battlefield protection, and
5 probably education for battlefields.

6 MS. DEWOLF: Are you aware that
7 this property is a targeted high priority
8 landscape as part of the battlefield, for them
9 to fund?

10 THE WITNESS: I am not.

11 MS. DEWOLF: And an adjacent
12 property as well?

13 THE WITNESS: I am not.

14 MS. DEWOLF: Thank you.

15 MR. MCKENNA: Mr. Adelman.

16 MR. ADELMAN: Thank you.

17 REDIRECT EXAMINATION

18 BY MR. ADELMAN:

19 Q. One question for you, Bob. Did PHMC
20 determine the property was eligible for
21 inclusion as part of the Brandywine Battlefield
22 National Landmark?

23 A. No, it did not.

24 MR. ADELMAN: I have nothing

1 further.

2 MR. MCKENNA: Anything further
3 from the Board?

4 All right. Thank you, Mr. Wise.

5 MR. ADELMAN: Thank you.

6 (Witness excused.)

7 MR. MCKENNA: Mr. Adelman, call
8 your next witness.

9 MR. ADELMAN: Yes. I would like
10 to call Nicole Kline to be sworn and testify.
11 If I can go off the record a moment to hand out
12 some exhibits.

13 MR. MCKENNA: Yes, thank you.

14 (Discussion off the record.)

15 MR. MCKENNA: Ms. Kline, we are
16 going to have you sworn in.

17 NICOLE R. KLINE,
18 the witness herein, having first been
19 duly sworn on oath, was examined and
20 testified as follows:

21 DIRECT EXAMINATION

22 BY MR. ADELMAN:

23 Q. Good evening, Nicole. Could you please
24 state your name and business address for the

1 record, please.

2 A. Sure, Nicole Kline, McMahon Associates,
3 840 Springdale Drive, Exton, Pennsylvania.

4 Q. I would like to show you what I have
5 marked as Exhibit A-28. Is this a copy of your
6 resume or curriculum vitae?

7 A. Yes, it is.

8 MR. ADELMAN: I ask the Board to
9 take notice of Ms. Kline's expert
10 qualifications as a professional traffic
11 engineer based upon her resume, as well as her
12 licensure and registration as a professional
13 engineer in the Commonwealth of Pennsylvania.

14 I'm happy to go through her
15 qualifications if the Board or the other
16 parties request it.

17 MR. MCKENNA: Mr. Adelman, are
18 you offering her as an expert in traffic
19 engineering?

20 MR. ADELMAN: That's correct.

21 MR. MCKENNA: Any objection from
22 any member of counsel or any parties?

23 MR. THOMPSON: No objection.

24 MR. GILL: No objection.

1 MR. MCKENNA: You will be so
2 admitted.

3 MR. ADELMAN: Thank you.

4 BY MR. ADELMAN:

5 Q. Nicole, what is your involvement in
6 Toll Brothers' proposed residential development
7 on the Crebilly Farm?

8 A. I was hired by Toll Brothers to
9 complete -- a little loud?

10 Q. You are loud. Go ahead.

11 A. I'm a loud talker. I was hired by Toll
12 Brothers to complete the traffic impact study
13 for the Crebilly project.

14 Q. I would like to show you what I have
15 marked as Exhibit A-29. Maybe I should hand it
16 to you. Could you please identify this
17 document for the record.

18 A. This is a Transportation Impact Study
19 for the Crebilly Residential Development that I
20 prepared, dated October 13th of 2016.

21 Q. Okay. Did that traffic study also
22 include multiple appendices?

23 A. Yes, it did.

24 Q. Was that submitted with the initial

1 conditional use application?

2 A. Yes, it was.

3 Q. Do you know if the township reviewed
4 that traffic impact study?

5 A. They did.

6 Q. I would like to show you what I have
7 marked as Exhibits A-30, A-31 and A-32. Can
8 you identify these documents for the record,
9 please.

10 A. Yes, they are three review letters
11 completed by Kimley Horn, on behalf of the
12 township, dated December 27th, 2016, February
13 6th, 2017, and April 3rd, 2017, in review of
14 our traffic impact study.

15 Q. And did it also review revisions to the
16 study?

17 A. Yes, it did.

18 Q. Did you respond in writing to those
19 township traffic engineer reviews?

20 A. Yes, I did.

21 Q. I would like to show you what I have
22 marked as Exhibits A-33, A-34, and A-35. Could
23 you please identify these documents for the
24 record.

1 A. Yes. These three documents are letters
2 that I prepared in response to the three Kimley
3 Horn letters. Our letters are dated January
4 20th, 2017, March 3rd, 2017, and May 19th,
5 2017.

6 Q. And is Exhibit A-33 the January 20th
7 response?

8 A. Yes.

9 Q. And did that also include a full
10 revised Transportation Impact Study?

11 A. Yes, it did, with the same date.

12 Q. And did that also include appendices?

13 A. Correct, yes.

14 Q. Have I included those appendices on a
15 CD-ROM?

16 A. Yes.

17 Q. That's also marked Exhibit A-33?

18 A. Yes.

19 Q. Did you supervise and prepare all of
20 these responses?

21 A. Yes, I did.

22 Q. Let's get into a general overview of
23 the studies. What was the overall scope of the
24 studies?

1 A. Sure. The overall scope of the studies
2 included the intersections of US 202/PA 926, US
3 202 and West Pleasant Grove Road, PA 926 and
4 Bridlewood Boulevard, PA 926 and New Street,
5 New Street and West Pleasant Grove Road, and
6 the proposed site accesses along US 202, PA 926
7 and West Pleasant Grove Road.

8 Q. And who owns the roadways you just
9 described?

10 A. The state owns US 202 and PA 926, while
11 Westtown Township owns West Pleasant Grove Road
12 and New Street.

13 Q. And will Toll Brothers require a
14 highway occupancy permit from the Pennsylvania
15 Department of Transportation?

16 A. Yes, it will, since there is access
17 proposed to state roadways.

18 Q. You just mentioned the scope of the
19 studies. Who is involved in determining the
20 scope of your study?

21 A. We prepared a scoping application that
22 was submitted to both Westtown Township and
23 PennDOT.

24 Q. I would like to show you what I have

1 marked as Exhibit A-36, if you could identify
2 this document for the record, please.

3 A. This document is the minutes of the
4 scoping meeting that were held after the
5 submission of that scoping application.

6 Q. And did you attend that scoping
7 meeting?

8 A. Yes, I did.

9 Q. Who else attended the scoping meeting?

10 A. Fran Hanney and John Otten of PennDOT,
11 PennDOT's consultant reviewer, Chris Patriarca
12 from Westtown Township, Al Federico from
13 Kimley-Horn, Michael Downs and Andrew Semon of
14 Toll Brothers, and myself.

15 Q. If you could go into some more detail
16 and let's go through each of these fairly
17 slowly. Can you describe the existing roadway
18 characteristics in and around the subject
19 property?

20 A. Sure. US 202 and PA 926 serve as
21 arterial roadways to the area. New Street is a
22 collector road. And West Pleasant Grove Road
23 and Bridlewood Boulevard are both local roads.

24 Q. Where were the accesses for the

1 proposed development originally located?

2 A. Originally there was a US 202 right
3 in/right out access, PA 926 access as a new T
4 intersection, and two West Pleasant Grove Road
5 accesses, with opposite Dunvegan and one
6 opposite Hidden Pond.

7 Q. Okay. And do you have a pointer?

8 A. Yes.

9 Q. If you could come over, grab a remote
10 mike, make sure it is on. We have Exhibit A-6
11 on the Board which is the color rendering of
12 the site plan. If you could go over those
13 accesses again and point out --

14 A VOICE: Can you turn down the
15 lights so we can actually see it?

16 Q. -- where they are located?

17 MR. MCKENNA: I'm sorry, this is
18 the best we can do right now.

19 Q. Go ahead, Nicole. It has a laser
20 pointer.

21 A. Sure. So along 202 I mentioned a right
22 in/right out access which is located on, as you
23 look at the screen, on the right side, in the
24 middle of the development plan.

1 A VOICE: Which road --

2 MR. MCKENNA: Ma'am, ma'am, I'm
3 sorry. I appreciate your comments. I can't
4 have you yelling out from the audience.

5 A VOICE: Which road is 202?

6 THE WITNESS: Before I begin I'll
7 do a quick reorientation if you aren't familiar
8 with this plan.

9 Route 202 is located along the
10 right side of the development plan. 926 is
11 located across the bottom of the development
12 plan. And West Pleasant Grove Road is located
13 along the top of the development plan.

14 A VOICE: Thank you.

15 THE WITNESS: So as I mentioned,
16 the 202 right in/right out access is located
17 along the right side of the development on the
18 plan, about in the middle of the development.

19 I mentioned along 926 a T
20 intersection was originally proposed at a new
21 location, which is located along the bottom of
22 the development plan shown on the screen.

23 And then two West Pleasant Grove
24 Road accesses, with the access to the right

1 located opposite Hidden Pond, and the access to
2 the left located opposite Dunvegan.

3 BY MR. ADELMAN:

4 Q. Since the plan was initially proposed
5 have you received comments from both the
6 township and/or PennDOT with respect to the
7 location of those accesses?

8 A. Yes, we have for both.

9 Q. And as a result of those comments have
10 you analyzed alternate accesses for the
11 property?

12 A. Yes.

13 Q. What have you analyzed?

14 A. We have analyzed relocating the 926
15 access intersection to be located opposite
16 Bridlewood Boulevard, which was a requirement
17 from PennDOT.

18 And we also relocated the eastern
19 access on the right side along West Pleasant
20 Grove Road, that was originally opposite Hidden
21 Pond, further to the west in order to meet
22 sight distance criteria.

23 Q. And have those alternate accesses been
24 included in your response letters?

1 A. Yes.

2 Q. Was there comments received from the
3 township with respect to the Route 202 access?

4 A. There was. There were comments, and
5 particularly from the engineer in the Planning
6 Commission, regarding potentially removing the
7 202 access altogether.

8 Q. To your knowledge, has the applicant
9 considered that request?

10 A. Yes.

11 Q. Do you know if the applicant would be
12 willing to remove that access?

13 A. They are willing to remove it.

14 Q. Focusing on the anticipated trip
15 generation for the proposed development, have
16 you analyzed or calculated what that trip
17 generation may be?

18 A. Yes, I have. Thank you.

19 Q. What would that trip generation be,
20 based upon your analysis?

21 A. Based upon our analysis, the weekday
22 daily traffic generation would be approximately
23 1400 vehicles per day. And then we also
24 studied the weekday morning and weekday

1 afternoon peak hours. During the weekday
2 morning -- thank you, lots of flashlights.
3 Thank you.

4 During the weekday morning peak
5 hour, 223 trips. And during the weekday
6 afternoon peak hour, 266 trips.

7 Q. What exactly do you mean when you are
8 referencing peak hour trips?

9 A. So as part of our analysis we are
10 required to study the commuter peak periods for
11 residential development, which in the morning
12 is the highest hour between 7:00 a.m. and 9:00
13 a.m., and in the afternoon the highest hour
14 between 4:00 p.m. and 6:00 p.m.

15 Q. Is that Monday through Friday?

16 A. We typically do traffic counts Tuesday
17 through Thursday.

18 Q. Tuesday through Thursday.

19 MR. MCKENNA: Mr. Adelman, real
20 quick question. Is Ms. Kline referring to a
21 specific exhibit right now regarding the peak
22 hour trips?

23 MR. ADELMAN: Well, no. She is
24 testifying generally. But she can if

1 requested.

2 MR. MCKENNA: I just wanted to
3 see if there is something I could refer to.
4 The testimony goes a little fast when we are
5 talking about the total trips. So if you can
6 just refer me to where I can find that.

7 MR. ADELMAN: Nicole?

8 THE WITNESS: Sure. The traffic
9 impact study exhibit contains the information.

10 MR. MCKENNA: The revised one or
11 the original one?

12 THE WITNESS: Both. But, Gregg,
13 do you have the number?

14 MR. ADELMAN: Which exhibits do
15 you want?

16 THE WITNESS: If you give the
17 January 20th traffic impact study exhibit
18 number.

19 MR. ADELMAN: Exhibit A-33. Do
20 you have a page number there, Nicole?

21 THE WITNESS: I do. It is page
22 9.

23 MR. MCKENNA: Thank you, Ms.
24 Kline.

1 THE WITNESS: You are welcome.

2 BY MR. ADELMAN:

3 Q. Was there any other information with
4 respect to the trip generation that you didn't
5 testify to?

6 A. No.

7 Q. And how are those trips proposed to be
8 distributed from the proposed development?

9 A. With access to the US 202, PA 926 and
10 West Pleasant Grove Road, the site trips would
11 be distributed throughout the study area, in
12 keeping with, in general keeping with the
13 existing traffic patterns.

14 Q. And did you do an analysis as to how
15 those trips would impact the surrounding
16 roadways?

17 A. Yes, we did.

18 Q. And what did you conclude?

19 A. In accordance with PennDOT traffic
20 mitigation criteria, the development would
21 result in a traffic impact at the intersections
22 of US 202 and PA 926.

23 Q. Is that set forth in Exhibit A-33, that
24 January 20th traffic study?

1 A. Yes, it is.

2 Q. And what impact would occur at that
3 intersection?

4 A. In accordance with PennDOT's traffic
5 mitigation criteria, there would be an increase
6 in overall delay that would require
7 improvements to bring that delay in keeping
8 with the future without development conditions.

9 Q. And what improvements would be required
10 in order to do that?

11 A. In order to mitigate the impact of the
12 development in accordance with PennDOT's
13 criteria for overall intersection level of
14 service and delay, it would require the
15 addition of a separate US 202 right turn lane
16 at 926.

17 And in keeping, if PennDOT
18 requires mitigation of the traffic impact on
19 both overall and individual intersection
20 movements, in terms of levels of service and
21 delay, that improvement would be a second PA
22 926 left turn lane, and elimination of the
23 split phasing operations of the traffic signal
24 at the intersection of 202 and 926.

1 Q. And do you have an opinion as to
2 whether installation of those improvements
3 would adequately mitigate the impact?

4 A. It would.

5 Q. And why is that?

6 A. It would satisfy the criteria of
7 PennDOT in terms of returning the intersection
8 to future without development conditions.

9 Q. Do you know whether the applicant has
10 agreed to install those improvements if PennDOT
11 does not install them?

12 A. Yes, they have committed to that, and
13 it is outlined in our traffic impact study,
14 Exhibit 33.

15 Q. Are you aware of any proposed PennDOT
16 improvements at that intersection?

17 A. Yes. PennDOT does have a project at
18 the intersection of US 202 and PA 926 that
19 would complete those improvements.

20 Q. Do you know if that project is moving
21 forward?

22 A. In our most recent conversations with
23 PennDOT, it is moving forward.

24 Q. Have you done an analysis with respect

1 to the right-of-way in those, in that area to
2 install those improvements?

3 A. Yes, we have done a preliminary review
4 of the right-of-way, and it appears that it is
5 adequate, both, existing right-of-way it is
6 adequate to complete those improvements.

7 Q. What other improvements or
8 modifications will you anticipate the applicant
9 being required to do in order to address its
10 impact from the proposed development?

11 A. All of the site access designs and
12 construction will be the responsibility of the
13 applicant, and, specifically, it is proposed to
14 install a new traffic signal at the site access
15 intersection along PA 926 at Bridlewood, as
16 well as in constructing separate left and right
17 turn lanes along PA 926 to enter the proposed
18 development.

19 Q. Do you know who will own the proposed
20 new traffic signal at that intersection?

21 A. We would anticipate that the traffic
22 signal would be dual ownership between Westtown
23 Township and Thornbury, since that is the way
24 the 926 and New Street signal is owned.

1 Q. Who would review and approve the
2 traffic signal design?

3 A. PennDOT.

4 Q. I would like to direct your attention
5 back to the scoping minutes. I believe it is
6 Exhibit A-36. Did you discuss the mitigation
7 of the proposed development's impact with
8 PennDOT at that meeting?

9 A. Yes, we did.

10 Q. Is it your understanding that PennDOT
11 agrees with the proposed mitigation at the
12 intersection of Route 202 and 926?

13 A. Yes.

14 Q. I would like to show you what I have
15 marked as Exhibit A-37. If you could identify
16 this document for the record, please.

17 A. This is an e-mail from Fran Hanney at
18 PennDOT responding to his review of the draft
19 minutes from that meeting.

20 Q. Who is Fran Hanney?

21 A. Fran Hanney is the traffic services
22 manager at PennDOT.

23 Q. And in that capacity what is his role
24 with respect to reviewing and approving traffic

1 improvements on state highways?

2 A. He leads those efforts for the HOP
3 process.

4 Q. And Mr. Hanney was reviewing your
5 scoping minutes, A-36; is that correct?

6 A. That is correct.

7 Q. And did that describe the proposed
8 mitigation improvements at 202 and 926?

9 A. Yes.

10 Q. And what was Mr. Hanney's response to
11 your scoping minutes?

12 A. His response was "so long as the
13 PennDOT project is constructed commensurate
14 with or prior to this development's traffic
15 impacts coming on line."

16 Q. Will Toll Brothers have to make
17 additional roadway improvements along its
18 property frontages?

19 A. It is possible.

20 Q. If you could expand that, please. What
21 would be required?

22 A. There may be some roadway widening
23 needed in order to satisfy the township
24 ordinance street width requirements.

1 Q. Along which roadways?

2 A. West Pleasant Grove Road and New
3 Street.

4 Q. Have you done any analysis whether
5 there is adequate right-of-way along the
6 property frontage to accommodate the
7 requirements?

8 A. We have not. Just based on my
9 knowledge, there could be some right-of-way
10 needed to accomplish that along the site
11 frontage.

12 Q. And could the applicant supply that?
13 Is there enough room along its property
14 frontage?

15 A. Yes.

16 Q. We can go back to I guess the last
17 township engineer review, dated April 3rd,
18 2017, that's Exhibit A-32, and what we have
19 marked as Exhibit A-35, which I believe is your
20 May 19th, 2017 response; is that correct?

21 A. Yes.

22 Q. If we could go through, probably best
23 to just go off of Exhibit A-35. You
24 incorporated all the comments, correct?

1 A. Yes.

2 Q. If you could go through the comments
3 from the township traffic engineer and please
4 let us know what the response was.

5 A. Certainly. So comment 1 describes five
6 different comments that were previously noted.

7 A. Is the comment regarding the
8 internal roadways should be revised to provide
9 a more continuous connection between 926 and
10 West Pleasant Grove Road consistent with the
11 Township Growth Management Plan.

12 Our response was that the
13 proposed internal roadways do provide a
14 connection between 926 and West Pleasant Grove
15 Road that is appropriate through a residential
16 development and for use by local traffic, which
17 is generally consistent with the Growth
18 Management Plan.

19 Comment b. was regarding the
20 intersections of the continuous connection
21 between 926 and West Pleasant Grove Road should
22 be aligned with Bridlewood at 926 and the
23 future road extension through the Arborview
24 Commercial parcel at West Pleasant Grove Road.

1 Our response was: As directed by
2 PennDOT, the 926 access must be located
3 opposite Bridlewood Boulevard, and that it was
4 our understanding that the Arborview site
5 access is proposed along West Pleasant Grove
6 Road, opposite the Westminster Presbyterian
7 Church property, and therefore, the Crebilly
8 site access along that roadway could not be
9 located opposite that proposed Arborview
10 access.

11 C. Is acknowledging that the
12 Growth Management Plan shows an access between
13 the internal connection roadway and 202 within
14 Crebilly. Based on current, the current scope
15 of PennDOT's improvements, the access may no
16 longer be appropriate, which, as I already
17 testified to. And we responded the applicant
18 would be willing to eliminate that site access.

19 D. The comment refers to the
20 internal roadways appear to provide a minimum
21 24-foot paved width, consideration should be
22 given for additional width for sidewalks.

23 And as the response notes, the
24 proposed widths satisfy the township

1 requirements for the street. And sidewalks
2 will be provided along the internal roadways.

3 Comment No. 2, part A, describes
4 the revised analysis at US 202 and PA 926 in
5 the January 20th, 2017 submission indicates
6 that the southbound queues will extend beyond
7 the proposed 202 site access, and recommends
8 two potential approaches to address the issue,
9 either identifying additional improvements at
10 202 and 926 or removing the 202 access, which,
11 again, we respond to and I testified that the
12 applicant is willing to remove the 202 access.

13 Comment 2 b., the location of the
14 revised eastern access to West Pleasant Grove
15 Road does not address the previous comments
16 regarding continuity with Arborview, which I
17 already testified in comment No. 1 we cannot
18 locate the access opposite that due to it being
19 opposite another property.

20 Comment No. 3, as previously
21 noted the counted 2016 traffic volume should be
22 reviewed to verify the decreased volumes along
23 202 compared to recent previous studies of the
24 site. We provided in our response historical

1 data along 202 from both PennDOT and the
2 Delaware Valley Regional Planning Commission
3 that shows decreases in traffic volumes along
4 202. The Table 1 in the letter shows August
5 2013 to October 2016 and March 2017, and Table
6 2 illustrates data from 2003, 2006, 2009, and
7 2012, and all show decreases in traffic.

8 Comment No. 4, existing condition
9 peak hour traffic counts are to be collected on
10 Thursday or Friday during any month from April
11 to November. We did have one count at New
12 Street and West Pleasant Grove Road that was
13 slightly outside of that time period. So in
14 response we recounted that intersection and
15 submitted the data. It was completed on a
16 Thursday, in April, which is in accordance with
17 the township ordinance.

18 Comment No. 5, the turn lane
19 warrant analyses indicate the project will
20 contribute to the need for turn lanes at the
21 intersections of 202 and West Pleasant Grove
22 Road, and 926 and New Street. And our response
23 was that turn lanes are warranted at these two
24 study intersections based on existing

1 conditions and that the same turn lanes are
2 warranted with the development.

3 And that concludes the letter.

4 Q. Okay. Did you also review and analyze
5 the design and layout of the internal streets
6 of the proposed development?

7 A. Yes.

8 Q. And do you have an opinion as to
9 whether the design and layout of the internal
10 streets is adequate and safe?

11 A. It is.

12 Q. And what is your opinion and why?

13 A. It is my opinion that due to the nature
14 of the development as residential, the design
15 and layout of the internal street network is
16 such that it is not a continuous connected
17 route that would allow for high speeds or high
18 volumes of diverted traffic through the
19 neighborhood.

20 Also, with that in mind,
21 realizing that PennDOT is requiring the 926
22 access to be located opposite an existing
23 residential neighborhood, and Bridlewood
24 Boulevard, that the street design within

1 Crebilly is more circuitous provides a
2 connection between West Pleasant Grove Road and
3 926, but not along a direct route that would
4 allow for those higher traffic speeds or higher
5 volumes of diverted traffic that is of a
6 non-local traffic nature.

7 MR. ADELMAN: I have no further
8 questions for Ms. Kline.

9 MR. MCKENNA: Thank you, Mr.
10 Adelman. We will start with Mr. Gill for the
11 Planning Commission.

12 MR. GILL: Thank you.

13 MR. MCKENNA: Mr. Gill, make sure
14 your microphone is on, please.

15 MR. GILL: Thank you.

16 CROSS-EXAMINATION

17 BY MR. GILL:

18 Q. Good evening, Ms. Kline. I want to
19 start with a meeting at PennDOT which resulted
20 in minutes from your office but doesn't appear
21 to have been marked as an exhibit, and that's
22 the April 17th, 2017 meeting. Do you recall
23 that meeting?

24 A. Yes.

1 Q. And did you prepare minutes for that
2 meeting?

3 A. Yes.

4 Q. Do you have those there?

5 A. Yes. And I do believe they are marked
6 as an exhibit.

7 MR. GILL: Mr. Adelman, are they?

8 MR. ADELMAN: Yes, Exhibit A-36,
9 if you are referring to the December 2nd
10 meeting.

11 MR. GILL: No, I'm referring to
12 the April 17th meeting.

13 MR. ADELMAN: No, I do not have
14 that as an exhibit.

15 BY MR. GILL:

16 Q. Nevertheless, Ms. Kline, do you have
17 those minutes there with you?

18 A. I do, yes.

19 Q. I would like to review with you some
20 things that arose from that meeting and some
21 things you said here this evening.

22 MR. ADELMAN: Mike, I'm sorry.
23 Can we introduce it as an exhibit?

24 MR. GILL: I have one copy. I

1 anticipated that you would mark it. We can
2 mark it as PC-3 and we will make copies
3 available.

4 MR. ADELMAN: Sure, absolutely.

5 MR. HAWS: What was the date of
6 the letter, Mr. Gill?

7 MR. GILL: Minutes of a meeting
8 which occurred at PennDOT on April 17, 2017.

9 MR. HAWS: Thank you.

10 BY MR. GILL:

11 Q. The Route 202 access which had been
12 shown on the initial conditional use plan set
13 that's marked as Exhibit A-6, that is
14 referenced in these minutes, if I'm not
15 mistaken, Ms. Kline, as something that the
16 applicant would be willing to remove. Is it
17 your testimony here this evening that, in fact,
18 the applicant has gone further and has
19 affirmatively agreed to remove that access, not
20 just to consider removing it but they will
21 remove it?

22 A. No. They have considered removing it
23 and they are willing to remove it.

24 What is referenced in the minutes

1 is there was just a very preliminary plan put
2 together that considered that access being
3 removed.

4 Q. I'm confused. The minutes of the
5 meeting state that Nicole highlighted the
6 proposed access -- you prepared these minutes
7 again, right?

8 A. Yes.

9 Q. Nicole highlighted the proposed access
10 configuration based on the current site plan
11 which will continue to evolve, period. The
12 site access to US Route 202 has been removed
13 from the plan based on feedback from Westtown
14 Township but could be still be provided?

15 A. Yes, correct.

16 Q. How do I give the site access to US
17 Route 202 has been removed from the plan based
18 on feedback from Westtown Township with your
19 testimony, with your statement a moment ago
20 that you are not sure that it is going to be
21 removed?

22 A. There was not a formal plan submitted
23 to PennDOT. What was shown at the meeting was
24 a very preliminary plan that showed what it

1 would look like with the potential removal of
2 that access, which is the plan that is
3 referenced in these minutes, and that that's
4 why it says but it could still be provided.

5 This was not a formal submission.
6 This was an informal meeting.

7 Q. So it still is the applicant's
8 proposal, formal proposal as we sit here this
9 evening to provide the Route 202 access?

10 A. That's correct, as that is what is
11 shown on the conditional use plan.

12 Q. Why is that access necessary, Ms.
13 Kline, in your opinion?

14 A. Well, if that access were to be
15 removed, then all of the traffic traveling
16 southbound along 202 that wants to enter the
17 site would do so along West Pleasant Grove
18 Road. So this provides two options for that
19 traffic. They can either turn right onto West
20 Pleasant Grove Road and come in one of the two
21 accesses there, or they can turn right directly
22 off of 202. So it just provides options.

23 Q. Are you seeing removal of the ingress
24 from 202 and removal of the egress to 202 as

1 being part and parcel, or could you just have a
2 right in from 202 without the egress from the
3 development?

4 A. You could have right in/right out. You
5 could have right in or right out. Or you could
6 remove the access. All are viable options.

7 Q. Have you studied any of or all of
8 those?

9 A. We have preliminarily studied all of
10 them.

11 Q. What are the results of those analyses?

12 A. The results really are unchanged, in
13 general. Like I said, the options are for that
14 traffic to either use West Pleasant Grove Road
15 to access the site in or out, or to exiting
16 traffic could potentially, because it is
17 exiting traffic that wishes to travel south on
18 202, they could also come out of the access on
19 926 and do so at 926 and 202.

20 Q. Given the fact that you just stated a
21 moment ago that the impact on the studied
22 intersections is unchanged, to use your word,
23 and understanding that the Township Planning
24 Commission would like to see 202 access

1 removed, why would you do anything other than
2 recommend to your client that it agree to
3 remove the access?

4 A. That was a recommendation based on the
5 Planning Commission review. There are others
6 at the township that may have a different
7 opinion. So it was really just vetting through
8 the entire process and understanding what the
9 township as a whole desired in terms of that
10 access.

11 Q. If the township, this Board is inclined
12 to grant the conditional use approval and
13 impose a condition that the 202 access be
14 removed entirely, is that something you would
15 support in your capacity as the applicant's
16 consultant?

17 A. Yes.

18 Q. Thank you. Do you have there what has
19 been marked as Exhibit A-21?

20 MR. ADELMAN: Mike, are you
21 referring to the map? Historic map?

22 MR. GILL: No. To Kristin's
23 letter.

24 MR. ADELMAN: Oh, that's not

1 A-21. B-21.

2 BY MR. GILL:

3 Q. I'm sorry, B-21. Ms. Kline, do you
4 have what is marked as B-21?

5 A. Yes, I have that exhibit.

6 Q. Okay. Before we get to that actually
7 let's go back to the plan. I'm sorry. I'm
8 somewhat all over the place here.

9 So the south, the southern access
10 to and from the site along Street Road will, in
11 fact, be lined up with Bridlewood Boulevard,
12 correct?

13 A. As required by PennDOT, yes.

14 Q. As required by PennDOT. But, again,
15 there haven't been any plans submitted to the
16 township or to PennDOT to show that, correct?

17 A. That is correct.

18 Q. But it is referenced in your revisions
19 to the TIS?

20 A. Correct.

21 Q. And likewise, the realignment of the
22 accesses onto West Pleasant Grove Road that you
23 testified to are not the subject of any or are
24 not depicted on any plans which have been

1 resubmitted to the township, correct?

2 A. Correct.

3 Q. But, again, there is a reference in
4 your resubmissions of your TIS?

5 A. Yes.

6 Q. Do you contemplate there being any
7 access to and from the development to New
8 Street?

9 A. No, it is not proposed to access New
10 Street.

11 Q. Okay. This collector road that we have
12 talked about, which has been the subject of
13 some discussion, there is no separate road from
14 Pleasant Grove Road to 926 other than the
15 internal circulation patterns for the
16 development, correct?

17 A. Within the development, that's correct.
18 Obviously, New Street and 202 today connect
19 those two roadways.

20 Q. Understood. But when we talk about the
21 applicant providing for a collector road or a
22 connector road within the development, that's
23 not something, that's not a separate and
24 distinct feature from the internal circulation

1 plan which will service the development,
2 correct?

3 A. There is a connection provided between
4 those roadways with the internal roadway
5 network. But there is not a continuous roadway
6 that connects the two through the development.

7 Q. Let me try the question another way.
8 If there had been no mention or reference of a
9 connector road or collector road whatsoever,
10 the internal circulation network that we see on
11 Exhibit A-6 would still be necessary to serve
12 the development, to allow homeowners to get to
13 their homes, correct?

14 A. To some degree if you wanted to be
15 fully connected you would need to provide this.
16 With multiple access points, you would
17 certainly have the option to not fully connect
18 it. But most, in most cases it would be fully
19 connected.

20 Q. Okay. What would be the case where it
21 wouldn't be, if, say, you wanted to build two
22 separate, stand-alone developments on the site?

23 A. Yes, you could have a street that dead
24 ends in a cul-de-sac rather than connecting

1 throughout the entire development.

2 Q. Okay. Is there any adverse impact on
3 the developer resulting from connecting this
4 road network, have it be a single connected
5 pattern?

6 A. In this fashion, no.

7 Q. Okay. So, again, this is something
8 that the developer would do as a matter of
9 course as part of the development?

10 A. Generally, yes.

11 Q. What about the geometry, excuse me, of
12 the internal collection circulation road
13 network? Is there anything being done
14 differently to facilitate connections from West
15 Pleasant Grove down to Street Road that would
16 otherwise not be done in terms of the width of
17 the roadways, the surface material of the
18 roadways?

19 A. No. It is in keeping with what would
20 generally be done.

21 Q. What would be done to service the
22 development regardless?

23 A. Yes.

24 Q. With that, I'm going to ask you to take

1 a look at Exhibit B-21. Have you seen that
2 letter prior to your testimony here this
3 evening?

4 A. Yes, I have.

5 Q. Have you had a chance to review it?

6 A. I have reviewed it, yes.

7 Q. What do you understand it to be?

8 A. I understand it to be the
9 recommendations from the Planning Commission
10 for the application.

11 Q. Are there recommendations in Ms. Camp's
12 letter here that are specific to your area of
13 expertise, traffic?

14 A. Yes.

15 Q. Where do those start?

16 A. I believe those start on comment 5 on
17 page 3.

18 Q. I would like to go through those with
19 you. Is the applicant's response to condition
20 No. 5 what you have referred to as
21 Exhibit A-35, this May 19th, 2017 letter?

22 A. There are three letters in total that
23 respond to the township traffic engineer's
24 letters, which only two of their letters are

1 included here. There was a third. And we have
2 responded to all three, which were entered as
3 exhibits.

4 Q. Okay. So is it your statement, then,
5 that the applicant has complied with proposed
6 condition No. 5?

7 A. Yes.

8 Q. Okay. We have just discussed the
9 connector road which is the subject of the
10 condition No. 6. Do you see that there?

11 A. Yes.

12 Q. In your opinion, does the connector
13 road or the internal circulation road which is
14 shown on Exhibit A-6 respond to condition No.
15 6?

16 A. Well, some of the comments in condition
17 No. 5 contradict No. 6.

18 Q. How is that?

19 A. In one of the letters from Kimley Horn
20 it recommends that it may not be appropriate to
21 provide that, such a continuous connector road
22 that is referenced here.

23 Q. Nevertheless, you do show a continuous
24 connector road, correct?

1 A. We show a connection between the
2 roadways. But I would not call it continuous
3 because there are intersections along the way
4 that would require the driver to make turning
5 maneuvers.

6 Q. How, if at all, has the applicant
7 responded to the last sentence of condition No.
8 6 regarding limiting the number of homes with
9 frontage?

10 A. It is not in my expertise or wheelhouse
11 to design the site. So that would be up to the
12 applicant and their site engineer in terms of
13 the home locations.

14 Q. Okay. But the home locations are, the
15 home locations, I guess it is a matter of
16 obvious statement that the home locations have
17 frontage on the internal circulation roads,
18 correct?

19 A. There are homes that have frontage,
20 yes.

21 Q. Is the traffic signalization that you
22 described in your testimony and which is the
23 subject of comment in your TIS consistent with
24 proposed condition No. 8?

1 A. Yes, it is.

2 Q. With regard to the intersection of
3 Route 202 and 926, will the intersectional
4 improvements that you have described in the
5 TIS, and which you have suggested the applicant
6 has committed to, do require the movement of
7 the historic structure at that intersection?

8 A. We do not believe it will require the
9 movement of the historic structure.

10 Q. How much right-of-way is there now?

11 A. I couldn't speak to the exact
12 right-of-way that's available. But the fact
13 that the historic structure does not need to be
14 moved is consistent with what PennDOT believes
15 that the current status of their project as
16 well, so it is consistent.

17 Q. How close will the cartway of Route 926
18 be in the post-development condition to the
19 southern facade that structure?

20 A. I can't speak to that exact value since
21 we haven't designed it yet. But if we are
22 adding a lane we could expect the roadway to
23 get up to potentially 12 feet closer. But we
24 haven't designed it, yet so I can't speak to

1 that dimension.

2 Q. How close is it now?

3 A. I can't speak to what that existing
4 dimension is.

5 Q. It is more than 12 feet, though,
6 correct?

7 A. Yes, it is certainly more than that,
8 yes.

9 Q. Rather than belabor the letter, and
10 given your statement that you have read it and
11 reviewed it prior to your testimony here this
12 evening, are there any of the conditions
13 recommended by the Planning Commission with
14 which you, as in your capacity as a traffic
15 engineer for the applicant, take issue?

16 A. Well, I'm going to read it because I
17 haven't committed it to memory, so I'm going to
18 read through it before I answer that question.

19 Q. Please, go ahead.

20 A. Comment No. 12 d, as in dog, I would
21 just note that I would assume the comment
22 discusses implementing traffic calming measures
23 in accordance with a plan to be developed in
24 accordance with and approved by the township.

1 I'm not sure if this is along West Pleasant
2 Grove Road or internal to the development.

3 Q. Well, how, if at all, would that change
4 your response to condition 12 d?

5 A. Well, it is just a clarification. At
6 this time we have had correspondence with the
7 township traffic engineer in relation to our
8 PennDOT coordination as well, and this comment
9 also mentions roundabouts which I believe in
10 our conversations we have generally agreed that
11 that might not be the best, the best treatment
12 along West Pleasant Grove Road as it would
13 require significant clearing, which may not be
14 desirable, that would change that roadway.

15 Q. Other than requesting clarification
16 with regard to condition 12 d, and assuming
17 that any purported inconsistencies between the
18 Kimley Horn reviews and the proposed conditions
19 can be resolved, are there any conditions
20 recommended by the Township Planning Commission
21 which you, in your capacity as traffic engineer
22 for the applicant, with which you, in your
23 capacity as traffic engineering consultant for
24 the applicant, take issue or would not

1 recommend to your client?

2 A. Comment No. 13 relates to the applicant
3 shall design, permit and construct various turn
4 lanes at a number of intersections where we
5 demonstrate the development does not have a
6 traffic impact, and these include
7 intersections, all three of the intersections
8 mentioned are under the control of PennDOT. So
9 we would defer to PennDOT to require whatever
10 improvements are necessary there.

11 Q. If the township -- let me take a step
12 backwards. Your interactions with PennDOT
13 necessarily include representatives of the
14 township, correct?

15 A. Yes.

16 Q. And if the township were to take the
17 position, again, assuming this Board is
18 inclined to grant conditional use approval, is
19 inclined to impose these conditions, if the
20 township takes the position before PennDOT that
21 these improvements are necessary and required,
22 would you, in your capacity as the applicant's
23 traffic engineer, dispute that position before
24 PennDOT?

1 A. We would defer to PennDOT to determine
2 what the required improvements are along state
3 roadways.

4 Q. That wasn't my question. Do you
5 understand my question?

6 A. Can you repeat the question?

7 Q. Sure. If the township, as part of your
8 client's interactions with PennDOT, takes the
9 position that these improvements are necessary,
10 will you, in your capacity as the applicant's
11 traffic engineer, the applicant's consultant,
12 take a contrary position?

13 A. Again, along state roadways it is
14 PennDOT's jurisdiction. So if the township
15 goes into PennDOT and describes that these
16 improvements are needed, and PennDOT agrees
17 with the township, then the applicant would be
18 required to install those improvements in order
19 to get their HOP permit.

20 Q. Do you understand that that wasn't my
21 question?

22 MR. ADELMAN: Objection. That's
23 her answer. Can we move on, please.

24 MR. MCKENNA: Mr. Gill, can you

1 ask another question?

2 MR. GILL: I'm sorry, was that
3 you?

4 MR. MCKENNA: That was me.

5 MR. GILL: Yes, I will ask
6 another question.

7 BY MR. GILL:

8 Q. Okay. Other than condition 12 d, and
9 conditions 13 a, b and c, with which you may or
10 may not disagree, are there any other comments
11 or any other proposed conditions offered by the
12 Township Planning Commission with which you
13 take issue or objection?

14 A. For comments 5 to 15, which are those
15 that are directly related to my work, I
16 reference the only ones that I wanted to make
17 sure were on the record with specific
18 information. I believe the rest are agreeable.

19 Q. And you, in your capacity as the
20 applicant's traffic consultant, will recommend
21 that your client agree to these conditions?

22 A. The ones that I indicated were
23 agreeable, yes. The others would be open to
24 continued coordination.

1 MR. GILL: Mr. McKenna, may I
2 have a moment?

3 MR. MCKENNA: You may. Mr. Gill,
4 we are almost up against a break. Would you
5 prefer to take a break at this point and come
6 back?

7 MR. GILL: Yes. Why don't we.

8 MR. MCKENNA: That's fine. Why
9 don't we do that. It is quarter to eight right
10 now. We are going to stand in recess until
11 8:00 o'clock and we will come back on the
12 record.

13 (Recess taken.)

14 MR. MCKENNA: All right. We will
15 go back on the record. Back to you, Mr. Gill,
16 with your continued questioning of the witness.

17 MR. GILL: Thank you.

18 BY MR. GILL:

19 Q. Ms. Kline, just a few follow-up
20 questions. With regard to the condition
21 recommended by the Planning Commission for
22 those turn lanes at the intersection of 926,
23 have those been commented upon by PennDOT in
24 any of its reviews?

1 A. Are you referring to -- sorry. Are you
2 referring to No. 10?

3 Q. I'm referring to No. 13.

4 A. No. 13.

5 MR. MCKENNA: Mr. Gill, are we
6 talking about proposed condition No. 13 from
7 the Planning Commission?

8 MR. GILL: Yes.

9 MR. MCKENNA: Thank you.

10 THE WITNESS: Yes, they have
11 commented preliminarily on some of those lanes.
12 BY MR. GILL:

13 Q. Okay. And have they suggested that
14 left turn lanes on all four approaches at
15 Street Road and New Street are, quote, the
16 minimum improvements which must be provided at
17 the intersection if the intersection is
18 ultimately proposed to remain signalized?

19 A. That is the comment, as I recall, from
20 PennDOT's review letter.

21 Q. Do I understand your testimony
22 correctly or the response that you offered in
23 Exhibit A-35 to this issue that those turn
24 lanes are required under existing conditions,

1 and, therefore, it is not the applicant's
2 responsibility to provide them?

3 A. They are required under existing
4 conditions, yes.

5 Q. Is it the applicant's -- I'm sorry. Is
6 it the applicant's position that -- well, let
7 me take a step backwards. How long would the
8 turn lanes need to be in order to satisfy the
9 impact from the development or mitigate the
10 impact from the development?

11 A. There is no impact by the development
12 on that intersection in terms of PennDOT
13 criteria.

14 Q. Okay. So it is the applicant's
15 position, just to make sure we are clear, that
16 because those intersectional improvements are
17 already required under existing conditions,
18 according to you, that you would not at this
19 point in time recommend that the applicant
20 agree to comply with proposed condition No. 13?

21 A. At this point, that is correct.

22 Q. Okay. If the applicant removes the --
23 I'm sorry -- removes the access, ingress and
24 egress to and from the site on 202, will that

1 be reflected on subsequent plans which are
2 submitted during the course of this conditional
3 use hearing?

4 A. You would have to ask the applicant if
5 they intend to make revisions to a site plan
6 and submit it.

7 Q. Okay. Was that improvement or the
8 absence of that feature shown on a plan which
9 was discussed at the April 17th, 2017 meeting
10 at PennDOT?

11 A. Yes.

12 Q. So that plan exists?

13 A. There is a plan that exists that shows
14 the removal of that access, yes.

15 Q. And again, it is your testimony that
16 removal of that driveway, right turn, right in,
17 right out, won't have any impact on the traffic
18 functionality for the rest of the development,
19 correct?

20 A. Correct.

21 Q. Okay. But the township traffic
22 engineer has not had the opportunity to review
23 that statement, the accuracy of that statement?

24 A. That is correct. Analysis has not been

1 formally submitted.

2 Q. Okay. So it is altogether possible,
3 then, that the removal of the ingress and
4 egress to 202 will create an effect whereby
5 additional or perhaps fewer improvements are
6 necessary at the other studied intersections,
7 correct?

8 A. Certainly could in either direction,
9 yes.

10 Q. Okay. So unless and until we know what
11 the applicant's determination is with regard to
12 the intersection -- I'm sorry, the improvement
13 at -- excuse me -- the access onto 202, we
14 don't yet have a full and final submission or
15 the opportunity for the township traffic
16 engineer to conduct a full and final analysis
17 of the traffic, correct?

18 A. Yes.

19 MR. GILL: Thank you. That's all
20 I have.

21 MR. MCKENNA: Mr. Crawford, for
22 Birmingham Township.

23 MR. CRAWFORD: Yes, thank you.

24 MR. MCKENNA: Make sure the

1 microphone is on in front of you, Mr. Crawford,
2 one of them.

3 MR. CRAWFORD: Probably this one
4 is better.

5 CROSS-EXAMINATION

6 BY MR. CRAWFORD:

7 Q. I would like if I might to learn more
8 about your assignment of distributions from the
9 a.m. and p.m. peak traffic from the three
10 access points for the development. Could you
11 explain those, please.

12 A. Certainly. If I could get the
13 Exhibit number of our traffic study I can
14 reference the page where that information is
15 shown, if that's helpful.

16 Q. A-33.

17 A. So A-33, page 56, shows in detail a
18 stick figure that illustrates all of the
19 studied intersections and the site accesses.
20 And it shows the percentages of the traffic
21 assignments, as well as the individual trips at
22 all movements throughout the study area.

23 Q. I'm not finding page 56 anywhere. I
24 see lots of tables and charts, but I'm not

1 seeing page numbers.

2 MR. ADELMAN: Frone, if I may,
3 the diagrams have the page numbers along the
4 right-hand side.

5 THE WITNESS: So it would be
6 Figure 4C.

7 BY MR. CRAWFORD:

8 Q. Okay. All right. Okay.

9 A. So, again, this figure which is up on
10 the screen now --

11 Q. Mm-hmm.

12 A. -- shows, on the outside of the figure
13 it shows the percentages, so those are the
14 overall percentages. So, for example, you see,
15 I'll orient the figure, it is set up the same
16 way the site plan was shown previously, with
17 202 along the right side, New Street along the
18 left side, 926 along the bottom, and West
19 Pleasant Grove Road along the top.

20 So, for example, you see the 40
21 percent at the top right corner, that
22 illustrates that 40 percent of the site traffic
23 is destined to and from the north on 202.

24 You see the 10 percent destined

1 to and from the east on 926, the 30 percent to
2 and from the south on 202, and continues around
3 through the rest of the study area.

4 And then the individual numbers
5 that you see at each intersection are the trips
6 themselves. So the trip generation that I
7 mentioned, multiplied by the distribution
8 percentages, the first number is weekday
9 morning peak hour, and then the numbers in the
10 parenthesis are weekday afternoon peak hour.

11 Q. So that the distribution would involve
12 only 10 percent of the total traffic going
13 westbound on 926; is that correct?

14 A. After it goes through New Street, yes.

15 Q. And how did you make those
16 determinations?

17 A. Based on the existing traffic patterns
18 throughout the study area.

19 Q. And what would be the percentage of
20 increase in traffic post-development at the
21 intersection of 926 and New Street?

22 A. At 926 and New Street, from future
23 without development conditions to future with
24 development conditions, it is a 4 percent

1 increase in traffic during each peak hour.

2 Q. 4 percent total?

3 A. 4 percent total.

4 Q. And at the intersection of, that same
5 intersection, would the 926 traffic going
6 westbound or coming from westbound to the next
7 intersection to the west, which is Birmingham
8 Road, be larger or lesser than the traffic at
9 the New Street intersection?

10 A. It would be less, because, as you can
11 see, we have 5 percent of the traffic that is
12 destined to and from the south on New Street,
13 so that would not go through the adjacent
14 intersection of 926 and Birmingham, so it would
15 be less.

16 Q. Well, you would be adding some traffic
17 from New Street onto westbound Street Road;
18 would you not?

19 A. We would. But that would be accounted
20 for in my 4 percent, because I was talking
21 about total intersection volume at 926 and New
22 Street, so it would account for that volume.

23 Q. I believe that the next intersection
24 was not part of your scope of study; is that

1 correct?

2 A. That's correct.

3 Q. So why was that excluded since it is
4 fairly close --

5 A. The study -- go ahead.

6 Q. -- and it is also signalized?

7 A. The study area that is included in our
8 report was approved by PennDOT and Westtown
9 Township.

10 Q. In your Table 4 in that same exhibit,
11 which is overall intersection level of service?

12 A. Yes.

13 Q. Morning and afternoon peak hour
14 analysis, take, first of all, Street Road and
15 New Street, without the development base you
16 are assigning an F level of service and a 109.5
17 wait time; is that correct?

18 A. That's correct.

19 Q. And with signal retiming either through
20 any of the alternatives that you have proposed
21 for development or your client proposes for
22 development, you are proposing that there would
23 be an increase in level of service from F to E?

24 A. It would get better, yes, the delay

1 would decrease.

2 Q. And what is the type of signal retiming
3 that you are proposing that would create that
4 improvement?

5 A. It is reallocating the green time at
6 the intersection. Currently the green time
7 given along New Street is relatively short and
8 results in high delays. So optimizing the
9 signal timings to better balance the green
10 times for both, for all approaches, results in
11 an overall decrease in the length.

12 Q. So when you speak of retiming, it is
13 reallocating more green to the New Street
14 movement and less to the 926 movement?

15 A. Yes.

16 Q. And would there be a reduction, then,
17 in or actually an increase in the wait time for
18 westbound 926 as a result of the reallocation?

19 A. At times there could be, yes.

20 Q. So if I understand what you are saying,
21 there would be a net improvement, even though
22 the 926 factor or movement would possibly be a
23 detriment?

24 A. Yes.

1 Q. If you were to add to that signal
2 retiming the left turns at the four approaches
3 to that intersection, would it be a fair
4 statement that the level of service would
5 increase larger than what you show in this
6 chart?

7 A. That we would expect the delay could
8 decrease and to have a better level of service,
9 yes, we would expect that with the addition of
10 lanes in the intersection.

11 Q. Well, you didn't do anything with
12 Birmingham Road, correct?

13 A. That's correct.

14 Q. You have no existing traffic counts at
15 that intersection, correct?

16 A. That is correct, it was not part of the
17 study.

18 Q. Eastbound 926, there is currently two,
19 two lanes at the intersection with 202?

20 A. That's correct, two lanes from 926 onto
21 202, yes.

22 Q. And if I understand what you are
23 proposing to do is to add a third eastbound
24 lane at that intersection?

1 A. That is correct.

2 Q. And is that something that your client
3 is prepared to pay for?

4 A. Yes.

5 Q. So that right now the right lane can
6 take any of the three approaches, correct?

7 A. Yes.

8 Q. So you would have two dedicated left
9 turn lanes, and then the right lane would be
10 straight or right?

11 A. Correct.

12 Q. And how much would that improve the
13 wait time at that intersection?

14 A. As I recall, and let me just double
15 check my notes, I want to make sure I give you
16 the right numbers, with that improvement we
17 would expect a significant decrease in overall
18 delay on the order of 20 or 30 percent.

19 Q. Would there be any matching lane
20 improvements or lane additions on the westbound
21 approach from 926 across 202? In other words,
22 the opposite intersection, would there be any
23 additional lanes done at that intersection?

24 A. There would not be any additional

1 lanes. But there could be some realignment to
2 make sure that the geometry from the new
3 configuration eastbound lines up properly with
4 westbound. But westbound has the lanes that it
5 needs currently, so there is no plan to widen
6 that.

7 Q. And then the other improvement at that
8 intersection, if I understand it, would be a
9 dedicated right turn lane, whereas now there is
10 a sort of unofficial right turn lane?

11 A. Yes, there is a shoulder. As it stands
12 today, there is no separate right turn lane
13 formally at the intersection.

14 Q. And is there sufficient room, I would
15 say, to increase the radius, because one of the
16 factors there I think is you have a very tight
17 radius for right turns from that shoulder to
18 926 westbound?

19 A. Yes, I would agree with that statement,
20 and with a formal right turn lane the radius
21 would need to be modified, yes.

22 Q. And I believe it was your testimony,
23 though, that that could be accomplished without
24 getting closer than 12 feet to the existing

1 building on the property?

2 A. Approximately, without laying it out,
3 we can't say exactly the dimensions, but it is
4 anticipated that that lane can be added without
5 the need to remove the historic structure
6 there..

7 Q. And same question as to the amount of
8 improvement, how much do you think the
9 conversion of that shoulder to a dedicated
10 right turn lane would improve the southbound
11 202 wait time as well?

12 A. Well, I can't speak to that exact
13 movement. But in terms of the intersection
14 overall, if we were to implement that
15 improvement, the overall benefit, we looked at
16 it as a whole, with the left turn lanes and the
17 southbound right turn lane, that's the number I
18 can give you, and you could expect a 20, even
19 up to 40 percent decrease in overall
20 intersection delay, implementing all of that.

21 MR. CRAWFORD: Thank you. That's
22 all I have.

23 MR. MCKENNA: Ms. Labrum, for
24 Thornbury?

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CROSS-EXAMINATION

BY MS. LABRUM:

Q. Good evening, Ms. Kline. On A-6, the access off of 926 that you had originally proposed for the Crebilly Farms, was that proposed in your original design to be signalized?

A. Yes, it was.

Q. And did you have sufficient car count for a signal warrant for PennDOT?

A. Yes, we did satisfy signal warrants.

Q. You testified earlier that PennDOT is requiring you to move the access shown on A-6 and to line up with Bridlewood Boulevard?

A. Yes.

Q. That intersection?

A. Yes, that's correct.

Q. I'm sorry. Do you know why PennDOT is requiring you to move the access as proposed?

A. I believe their reasoning for moving the access is to reduce the number of intersections along 926, which is a principle of good access management, as well as moving the intersection further away from 202.

1 Q. When you laid out your access
2 originally, I'm guessing 1400 feet, are you
3 1400 feet back from 202, the access as shown?

4 A. I believe that is approximately the
5 location, yes.

6 Q. And when you were doing your traffic
7 studies, how far back were cars queuing up at
8 926 and 202?

9 A. There are times when it queues beyond
10 that general area.

11 Q. In looking at the e-mail from Fran
12 Hanney, dated January 20th, 2017, where he
13 requested that you add the, "The Department
14 strongly favors this alignment," that being the
15 alignment with Bridlewood Boulevard and the
16 access to the Crebilly project, "and has
17 serious concerns about the current proposed
18 locations viability for signalization," was he
19 referencing your proposed access on Exhibit A-6
20 and the need for a light there?

21 A. Yes.

22 Q. And when he is talking about the
23 viability, is he talking about your car count?

24 A. No. He is more referring to the

1 location, as I indicated, being a new T
2 intersection that isn't serving anybody else,
3 and the location in proximity to 202.

4 MR. MCKENNA: Ms. Labrum, I just
5 want to clarify for the record, you are
6 referring to Exhibit A-37 as that e-mail.
7 Thank you.

8 MS. LABRUM: Thank you.

9 BY MS. LABRUM:

10 Q. Could I ask you, do you have, can you
11 tell me if it was exhibit or alternate A, B or
12 C that was the exhibit at the April 17th
13 meeting with PennDOT?

14 A. It would have involved, again, that was
15 an informal plan, at an informal meeting, so it
16 would not have matched up with any of those
17 alternatives.

18 Q. Can you tell me what accesses were
19 exhibited on the informal plan for the April
20 17th meeting?

21 A. As I had mentioned, the access
22 intersection on 202 was removed. The access
23 along West Pleasant Grove Road to the east was
24 shifted to a location that would satisfy sight

1 distance criteria. And then the access along
2 926 was shown opposite Bridlewood.

3 Q. And West Pleasant Grove, the western
4 access as shown on A-6 remained where it is?

5 A. Correct.

6 Q. And can you give us an idea of where
7 you moved your eastern access?

8 A. I believe it was approximately 6- or
9 800 feet shifted towards the west, if I recall
10 correctly. So it is not located opposite any
11 existing roadway at that location.

12 Q. And when you showed these new access
13 points, how did that affect the layout of your
14 internal streets as shown on A-6?

15 A. The site engineer designs the internal
16 streets, so I couldn't speak to that
17 specifically because it wasn't part of my work.

18 Certainly, they changed.
19 Obviously, you don't have the connections in
20 the same place. So there was a
21 reconfiguration. In general, it was similar,
22 but there was some reconfiguration internally
23 in order to accommodate those site access
24 changes.

1 Q. Did the new proposed plan have a
2 connector street shown on it or did it have
3 more of this system of homes facing each of
4 your streets?

5 A. It was more similar to this plan, with
6 the homes along the street.

7 Q. In your report, I think that it is
8 A-33, but I'm missing my cover sheet.

9 A. I believe that's correct.

10 Q. You have alternative C on page 11 of
11 that report. You have 926 and site access
12 intersection with an average daily traffic
13 count of 2200 vehicles. Can you tell me where
14 those vehicles came from?

15 A. Under alternative C there was a
16 continuous connected roadway provided through
17 the site. And with that it was anticipated
18 that traffic would divert through the site that
19 was not destined to or from it. So you can see
20 there how much of an increase in traffic volume
21 could result from providing that continuous
22 roadway.

23 Q. And as an expert traffic engineer,
24 would you suggest having alternative C roadway

1 improvements with homes with driveways along
2 that road?

3 A. That level of volume would still be
4 considered a low volume roadway in terms of the
5 daily traffic volumes. So it certainly is not,
6 would not exclude having individual residential
7 driveways along it. There might be some
8 different criteria to consider, but it still
9 would be considered a low volume roadway.

10 Q. What number do you reach if you move
11 out of low volume roadway?

12 A. It depends on the classification and
13 adjoining land uses. But I would, without
14 having specific criteria to point to, just in
15 general, we could be talking 5- to 10,000
16 vehicles a day could still accommodate
17 driveways, residential driveways along it
18 reasonably.

19 Q. As an expert traffic engineer, would
20 you find that an acceptable design?

21 A. Yes, it could be. Like I said, there
22 may be some different criteria to consider.
23 But it could be acceptable to design
24 residential driveways along the roadway of,

1 with that level of volume.

2 Q. The proposed turn lanes which you are
3 proposing for 926 and 202, what is the length
4 that you are proposing for the additional turn
5 lane?

6 A. I'm referring to Exhibit A-33 again.

7 At this point the study does not
8 refer to a specific length. That is typically
9 vetted through the design process. But what we
10 do have is the queuing information which would
11 contribute to that.

12 So, again, until we lay it out
13 geometrically, design wise, that will determine
14 the extent of the turn lane length. But we
15 would look at the queues and the operations to
16 determine that when we lay it out.

17 Q. Do you know the length of the turn lane
18 proposed by PennDOT currently?

19 A. I don't have that plan with me. I
20 apologize.

21 Q. My expert is telling me that it is
22 approximately 130 feet. Would that sound
23 right?

24 A. For the right, the southbound right

1 turn lane, yes, that sounds accurate.

2 Q. How many cars would you anticipate you
3 could stack up in 130 feet?

4 A. We typically consider 25 feet, which
5 includes the length of the vehicle and the
6 space around it. So we would expect around six
7 vehicles to be able to queue in that lane.

8 Q. Are you aware if there is sufficient
9 right-of-way available for the two lanes, if
10 necessary, for the 926 at 202?

11 A. For the two left turn lanes? At this
12 point, based on preliminary review, it does
13 appear that adequate right-of-way is available
14 for that.

15 MS. LABRUM: I think that's all
16 my questions. Thank you.

17 THE WITNESS: Thank you.

18 MR. MCKENNA: Mr. Thompson?

19 CROSS-EXAMINATION

20 BY MR. THOMPSON:

21 Q. Ms. Kline, Exhibit A-37 is the e-mail
22 from Francis Hanney where he refers to the
23 PennDOT project being "constructed commensurate
24 with or prior to the development's project

1 impacts coming on line." Incidentally, this is
2 Mr. Hanney's review of a plan that the Board
3 hasn't seen; is that correct?

4 A. No, that is incorrect. This is from
5 our scoping meeting, which occurred in January
6 of 2017. This is an e-mail in response to that
7 meeting. Obviously, the meeting in April was
8 much later. That's not what is being
9 referenced here.

10 Q. So the more recent correspondence from
11 PennDOT involves that plan, that revised plan;
12 is that correct?

13 A. That is correct.

14 Q. Okay. So Mr. Hanney is referring to
15 the PennDOT project as it relates to 926 and
16 202. Can you explain what the PennDOT project
17 is versus what the proposed improvements are
18 that Toll Brothers is proposing?

19 A. The PennDOT project includes a separate
20 southbound right turn lane on US 202, and
21 modifications along eastbound 926 to provide
22 the two separate left turn lanes, with a shared
23 through right turn lane as the third lane. It
24 includes signal upgrades and pedestrian

1 upgrades, from what I understand.

2 Q. So this is the PennDOT project, but you
3 would be working with PennDOT possibly to pay
4 for some of those improvements?

5 A. If PennDOT's project is completed as
6 indicated in Mr. Hanney's e-mail, then PennDOT
7 would pay for that.

8 Q. What is the time of the PennDOT
9 project?

10 A. As I recall, PennDOT's current schedule
11 is looking at construction in the next couple
12 of years. I can't speak to their exact
13 schedule. It is their project. You know, it
14 would have to be a question asked of PennDOT
15 directly. But what they have indicated to us
16 is that it is in the next two to three years.

17 Q. Talking about the design and layout,
18 you indicated that the design and layout of the
19 internal street network was done to avoid
20 non-local traffic from cutting through the
21 site; is that correct?

22 A. Yes.

23 Q. Is there any way to design a connector
24 road that would mitigate that issue but provide

1 less circuitous route through the site?

2 A. It would be difficult. That is
3 certainly the easiest way to do it. As soon as
4 you provide a very direct route, people will,
5 are much more likely to use it as a non-local
6 cut-through.

7 Q. And through right- and left-hand turns,
8 is that a way to mitigate that?

9 A. It certainly helps it. If you install
10 intersections where people have to stop, people
11 make turning movements, that increases the time
12 it takes them to travel through that roadway
13 and, therefore, it is less desirable to use as
14 a cut-through.

15 Q. Does PennDOT, or do you have an opinion
16 on whether an entrance should be provided on
17 New Street?

18 A. Based on my analysis of the site,
19 access to New Street is not required.

20 MR. THOMPSON: That's all I have.

21 THE WITNESS: Thank you.

22 MR. CRAWFORD: Can I have a
23 couple more questions?

24 MR. MCKENNA: Sure. I'm sorry,

1 Mr. Crawford, we will come back to you real
2 quick.

3 RECROSS-EXAMINATION

4 BY MR. CRAWFORD:

5 Q. Just a couple of more. I wanted to
6 come back to your Table 4 on A-33. And you do
7 show Street Road and Bridlewood Boulevard as A
8 service, and I'm presuming that's prior to the
9 decision to have your Street Road access
10 opposite Bridlewood Boulevard?

11 A. That is correct.

12 Q. Have you done any analysis of a
13 signalized intersection for the four-way
14 intersection opposite Bridlewood?

15 A. Yes, we have. And you can -- sorry, I
16 don't know if it is included. We have done an
17 analysis as a four-legged intersection, and you
18 can see that in Exhibit A-33 on page, for
19 alternative A it is Figure 6F, on page 72.
20 Again, the page number is on the side of the
21 page.

22 Q. Could you summarize what the impact
23 would be on traffic along 926, both eastbound
24 and westbound, having to stop for another

1 traffic signal between 202 and New Street?

2 A. Certainly. And the figure is up here
3 on the screen, and the results that we are
4 referring to with the four-leg intersection are
5 shown in the middle of the figure, in the
6 bubble.

7 Q. Mm-hmm.

8 A. So as it indicates in the title, it
9 says "Alternative with site access opposite
10 Bridlewood Boulevard."

11 Q. Mm-hmm.

12 A. So that shows the four-leg signalized
13 intersection with access to the site on the
14 north side, and you can see in the figure, all
15 of the levels of service along 926 remain level
16 of service A or B. At the intersection as a
17 whole, all movements operate acceptably and it
18 operates at level of service B or A overall.

19 And you can also see that just
20 below where the bubble is pointing, that's the
21 existing intersection of 926 and Bridlewood,
22 which currently the left turn out of Bridlewood
23 operates with delay at level of service E.

24 Q. Thank you.

1 A. You are welcome. Thank you.

2 MR. MCKENNA: Mr. Crawford,
3 anything else?

4 MR. CRAWFORD: I'm finished.
5 Thank you.

6 MR. MCKENNA: Thanks. Mr.
7 DuFault, for Brandywine at Thornbury HOA.

8 MR. DUFAULT: Peter DuFault,
9 president, Brandywine Thornbury Homeowners
10 Association.

11 MR. MCKENNA: Mr. DuFault, can
12 you get right up in that microphone so we can
13 hear you.

14 MR. DUFAULT: Is that better?

15 MR. MCKENNA: Much.

16 MR. DUFAULT: I apologize for the
17 questions I'm going to ask because I came here
18 tonight prepared to talk about a plan that was
19 shown to the Planning Commission and was shown
20 tonight and has been on the screen all night
21 long. So some of these questions might be
22 repetitive, and I apologize for that.

23 The plan shows site access to 926
24 to be near the Route 202/926 intersection, just

1 slightly west of the entrance to Brinton
2 Village. Is that correct?

3 THE WITNESS: Yes, that is the
4 location on the plan.

5 MR. DUFAULT: What is the
6 distance from the intersection to Brinton
7 Village entrance?

8 THE WITNESS: I can't speak to
9 what that measurement would be. We can pull up
10 the plan.

11 MR. DUFAULT: And the second one
12 I would ask is what is the distance to the
13 intersection and to the site access road?

14 THE WITNESS: From the
15 intersection of 926 and 202 to the site access
16 as it is shown on that plan?

17 MR. DUFAULT: Correct.

18 THE WITNESS: Approximately 700
19 feet west of 202.

20 MR. DUFAULT: I believe you said
21 earlier it was 1400 feet?

22 THE WITNESS: I believe what I
23 was referring to, and if it wasn't clear, was
24 the new location opposite Bridlewood would be

1 more of that distance.

2 MR. DUFAULT: 1400 feet is to
3 Bridlewood? 700 feet from the intersection --

4 THE WITNESS: Oh, I'm sorry, I
5 was looking at the incorrect access. I was
6 looking at West Pleasant Grove Road.

7 What I had testified to earlier
8 was correct. The full movement access along
9 Street Road at the T intersection location is
10 approximately 1400 feet west of 202. I
11 apologize.

12 MR. DUFAULT: Okay. So the site
13 entrance to the intersection is 1400 feet?

14 THE WITNESS: That is correct, as
15 it is shown on the conditional use plan.

16 MR. DUFAULT: Okay. In your
17 opinion, is this the optimal location for the
18 connection of the site access to Route 926?

19 THE WITNESS: From our analysis,
20 it works and it functions acceptably. But as I
21 testified to earlier, it is certainly sound
22 access management planning to have
23 consolidation of intersections rather than
24 introducing new intersections along a roadway.

1 MR. DUFAULT: The question was:
2 Was it the optimal location, you said no?

3 THE WITNESS: From a traffic
4 operations standpoint, as I mentioned, it is
5 always better to consolidate intersections.
6 But there are a lot of other factors when
7 considering optimal site access that would be
8 outside of my evaluation.

9 MR. DUFAULT: What was the reason
10 for not putting it at Bridlewood to begin with?

11 THE WITNESS: I can't speak to
12 that. That would have been the applicant's
13 choice.

14 MR. DUFAULT: The applicant's
15 choice?

16 THE WITNESS: Correct.

17 MR. DUFAULT: Thank you. In your
18 opinion as the traffic expert, will this
19 location adversely interfere with the 926
20 eastbound traffic approaching the intersection
21 of 202 and 926?

22 THE WITNESS: No.

23 MR. DUFAULT: No, okay. Do you
24 know the level of service at which the Route

1 202/926 intersection is now operating?

2 THE WITNESS: I'm sorry, can you
3 repeat that?

4 MR. DUFAULT: What level of
5 service is the intersection operating at now?

6 THE WITNESS: At 926 and 202?

7 MR. DUFAULT: Yes, ma'am.

8 THE WITNESS: Yes, so Table 4
9 that we have referenced in Exhibit A-33
10 references the existing overall level of
11 service at 202 and 926 as level of service F.

12 MR. DUFAULT: That's a failing
13 grade?

14 THE WITNESS: Correct.

15 MR. DUFAULT: I remember that
16 from school.

17 THE WITNESS: Same with traffic.

18 MR. DUFAULT: How would the
19 location of this, of your site access at the
20 proposed location impact the level of service
21 of 926, the intersection?

22 THE WITNESS: It would not
23 because as part of the installation of the
24 traffic signal, as PennDOT has indicated, we

1 will be required to interconnect the signal so
2 that they talk to one another, so that when an
3 approach at one signal is green, then it is
4 coordinated with the adjacent signalized
5 intersection.

6 MR. DUFAULT: On page 8 of your
7 traffic improvement study, the revised one,
8 2017, it states under existing conditions
9 during the weekday morning and weekday
10 afternoon commuter peak periods over saturation
11 occurs on some movements. Can you identify the
12 movements that are affected?

13 THE WITNESS: I can, yes. The
14 eastbound 926 approach, the Route 202
15 northbound approach, and the Route 202
16 southbound approach.

17 MR. DUFAULT: How are they
18 affected?

19 THE WITNESS: I'm sorry?

20 MR. DUFAULT: How are they
21 affected?

22 THE WITNESS: What this is
23 referring to is in the existing conditions, we
24 complete traffic counts, and what we do is we

1 count the intersection or count the vehicles
2 that get through the intersection during our
3 count periods. If an intersection is operating
4 at over saturated conditions, obviously, all
5 the traffic that wants to get through the
6 intersection cannot.

7 So in addition to what we call
8 stop bar counts, which is the vehicles crossing
9 the stop bar, we know there are vehicles that
10 are unserved. And to account for that traffic
11 we do observations of the queues of the
12 vehicles that are not served, and we
13 incorporate that into our analysis so that it
14 matches field conditions. So that's what is
15 being referred to here.

16 MR. DUFAULT: In other words, you
17 are having a long queue?

18 THE WITNESS: Correct.

19 MR. DUFAULT: How far back does
20 that queue extend?

21 THE WITNESS: It is significant
22 on northbound and southbound 202. The values
23 are detailed in the report for both peak hours.

24 MR. DUFAULT: More importantly,

1 what is the likely queue on 926 eastbound?

2 THE WITNESS: What was that?

3 MR. DUFAULT: The length of the
4 queue on 926 eastbound?

5 THE WITNESS: What is the queue?

6 MR. DUFAULT: How long is it?

7 Yes. How far back? Does it go back as far as
8 Bridlewood?

9 THE WITNESS: Oh, there are times
10 when, yes, it goes as far as Bridlewood.

11 MR. DUFAULT: That's 1400 feet?

12 THE WITNESS: Correct.

13 MR. DUFAULT: Thank you. In 2014
14 PennDOT announced plans for improvements to
15 this intersection, for the 926/202
16 intersection. They proposed plans and they had
17 a public hearing, hearing at the Westtown
18 municipal building. At that time they proposed
19 the same plan that you are talking about now,
20 two dedicated lanes, lanes for right and
21 left-hand turn going eastbound, a turning
22 movement going southbound onto 926 westbound,
23 and a third lane. All right. At that time the
24 intersection was rated at an F level.

1 And as I recall the testimony
2 from the traffic engineer who presented the
3 plan to the group, the improvement was not
4 going to be above, would still be an F level,
5 at a lesser, not quite, it was more like an F
6 plus rather than an F minus.

7 MR. MCKENNA: Mr. DuFault, is
8 there a question there?

9 MR. DUFAULT: Am I correct? Do
10 you have the level of service from that study
11 that they did?

12 THE WITNESS: I don't have their
13 study. But what I have is the work that we
14 did. And I just want to make sure I reference
15 it properly.

16 MR. DUFAULT: I think you gave a
17 percentage of 4 percent.

18 THE WITNESS: I want to make sure
19 I reference it properly.

20 Yes, with the improvements the
21 intersection will continue to operate at an
22 overall level of service F.

23 MR. DUFAULT: I thought you said
24 there would be an improvement.

1 THE WITNESS: It will be
2 improved. The delay will be significantly
3 decreased. But it will still operate at
4 overall level of service F.

5 MR. DUFAULT: Okay. F is still
6 F.

7 In your opinion, is it fair to
8 say that the traffic of 319 homes proposed for
9 the Crebilly Farm tract would exacerbate
10 conditions at an already overburdened, failing
11 intersection?

12 THE WITNESS: No, I would not say
13 that it exacerbates the conditions at a failing
14 intersection.

15 MR. DUFAULT: Without
16 improvements it makes it better?

17 THE WITNESS: Crebilly is
18 proposing to install improvements.

19 MR. DUFAULT: Crebilly is
20 proposing to do the same improvement that
21 PennDOT had proposed and extend it for two or
22 three years; is that correct?

23 THE WITNESS: Crebilly, Toll
24 Brothers, the applicant --

1 MR. DUFAULT: I'm sorry.

2 THE WITNESS: I said it as well.
3 Toll Brothers, the applicant, is proposing to
4 complete improvements at 202 and 926 that would
5 mitigate their impact, and, yes, they are
6 similar or part of PennDOT's project, should
7 PennDOT's project move forward. But if not,
8 Crebilly has committed to completing -- Toll
9 Brothers has committed to completing -- I did
10 it again -- to complete the improvements
11 necessary to mitigate their effect.

12 MR. DUFAULT: Okay. Thank you.
13 You are aware, obviously, of
14 PennDOT's recommendation that the site access
15 be relocated to align with Bridlewood
16 Boulevard. In your opinion, would this
17 alignment increase traffic on Bridlewood
18 Boulevard?

19 THE WITNESS: In the
20 configuration of the site that is shown, as I
21 mentioned, without that continuous connection,
22 the roadway being located opposite Bridlewood
23 Boulevard would allow for site traffic from
24 both residential developments to use that

1 roadway network as local traffic. So that is
2 the intention of keeping that roadway less of a
3 continuous connector through there, to avoid
4 that traffic diversion of non-local traffic.

5 MR. DUFAULT: Would that increase
6 the traffic on Bridlewood Boulevard?

7 THE WITNESS: It could allow
8 traffic from the new development to use
9 Bridlewood, and it could also allow Bridlewood
10 traffic to use the roadway through the site.
11 So it could, it could result in just a swapping
12 of traffic.

13 MR. DUFAULT: Okay. Do you have
14 any idea what that increase would be? Have you
15 done the analysis on the count, on the amount
16 of cars or traffic that would be added to that?

17 THE WITNESS: At this point we
18 haven't completed detailed calculations on what
19 those traffic maneuvers would be.

20 MR. DUFAULT: Do you have any
21 knowledge of the Brandywine Thornbury
22 community?

23 THE WITNESS: Yes, in terms of
24 traffic, the roadways, from other work that I

1 have done in addition to this site.

2 MR. DUFAULT: And do you think
3 that that would, the increased traffic would
4 impact the lifestyle of the people that live in
5 Brandywine at Thornbury?

6 THE WITNESS: I don't think I
7 spoke to an increase in traffic that would
8 result.

9 MR. DUFAULT: Okay. In your
10 opinion, will the alignment of Bridlewood
11 Boulevard improve the design as originally
12 submitted.

13 THE WITNESS: I'm sorry, could
14 you repeat that?

15 MR. DUFAULT: In your opinion as
16 the traffic engineer, is the alignment with
17 Bridlewood Boulevard a better design than
18 originally, that you originally submitted?

19 THE WITNESS: As I had indicated
20 before, I think I answered this question, that
21 the access works where it is currently located
22 on the conditional use plan, but that as a
23 PennDOT requirement, we will, the applicant is
24 willing to locate it opposite Bridlewood.

1 MR. DUFAULT: All right. I think
2 my last question. Condition 14 of the Planning
3 Commission's recommendation to the Board of
4 Supervisors stated in part: Applicant shall
5 implement traffic calming measures in
6 accordance with plans to be developed in
7 coordination with and --

8 MR. MCKENNA: Mr. DuFault, slow
9 down a little bit. When you are reading you
10 are going super fast for the lady that has to
11 take down everything you are saying.

12 (Discussion off the record.)

13 MR. MCKENNA: Thank you. Start
14 over on that one, please.

15 MR. DUFAULT: You are familiar
16 with condition 14 of the Planning Commission's
17 recommendation to the Board of Supervisors?

18 THE WITNESS: Yes.

19 MR. DUFAULT: All right. I'll
20 only read it in part. It refers to three,
21 well, "Applicant shall implement traffic
22 calming measures in accordance with plans to be
23 developed in coordination with and approved by
24 the Townships along the following roads," one

1 of those roads is Bridlewood Boulevard (in
2 conjunction with Thornbury.)

3 Does the applicant accept this
4 condition?

5 THE WITNESS: The applicant is in
6 discussions with Thornbury to discuss potential
7 traffic calming.

8 MR. DUFAULT: Okay. That's all I
9 have at this time. I reserve some right to ask
10 some more questions when I have a chance to
11 review the documents, the exhibits that were
12 presented tonight.

13 MR. MCKENNA: Thank you, Mr.
14 DuFault. I appreciate that.

15 MR. DUFAULT: Thank you.

16 MR. MCKENNA: Mr. Hoffman for
17 Arborview HOA?

18 MR. HOFFMAN: Good evening, Ms.
19 Kline. How are you?

20 THE WITNESS: Good. How are you?

21 MR. MCKENNA: Mr. Hoffman, I ask
22 you to also just get right up real close,
23 adjust that microphone if you have to.
24 Unfortunately, it is difficult for us up here

1 to hear those particular microphones, so the
2 louder you can be for us, the better.

3 MR. HOFFMAN: Very good.

4 MR. MCKENNA: Perfect. Thank
5 you.

6 MR. HOFFMAN: I believe you
7 previously testified to this. You mentioned
8 that your client had agreed to move the West
9 Pleasant Grove east access west, and I believe
10 the figure you gave was approximately six to
11 eight hundred feet. Do you recall that?

12 THE WITNESS: Yes.

13 MR. HOFFMAN: Is that correct?
14 Was that your testimony?

15 THE WITNESS: Yes.

16 MR. HOFFMAN: If you were to take
17 your red clicker there, would you be able to
18 approximate on the map where you think that may
19 fall, based on the scale on there?

20 THE WITNESS: Based on the
21 conditional use plan and my recollection, I
22 believe it is somewhere in this vicinity,
23 somewhat splitting the distance between the two
24 site accesses as they stand today. But without

1 an exact plan I can't speak to the exact
2 location.

3 MR. HOFFMAN: So is it your
4 understanding that the applicant is going to
5 maintain the western access in addition to the
6 now modified eastern access at the same spot?

7 THE WITNESS: Yes, that is
8 correct.

9 MR. HOFFMAN: Okay. Do you
10 recall the rationale as to why the eastern
11 access was moved to the west?

12 THE WITNESS: Yes. At the
13 location that's currently shown on the
14 conditional use plan, the site access does not
15 meet the required sight distance criteria.

16 MR. HOFFMAN: Do you recall why
17 that was?

18 THE WITNESS: There are physical
19 impediments that block sight distance at that
20 location.

21 MR. HOFFMAN: Isn't it true that
22 there is a crest approximately 250 feet to the
23 west --

24 THE WITNESS: Yes.

1 MR. HOFFMAN: -- of the eastern
2 access?

3 THE WITNESS: Yes, that is
4 correct.

5 MR. HOFFMAN: Was that apparent
6 on your report that you provided with regard to
7 where the proposed eastern access was going to
8 originally situate itself?

9 THE WITNESS: Yes, as I recall
10 that was in the report.

11 MR. HOFFMAN: Okay. Have you
12 conducted any safety studies with regards to
13 the traffic increase and bus stop activity on
14 West Pleasant Grove?

15 THE WITNESS: As part of the
16 PennDOT process we were required and we did
17 submit a crash summary to PennDOT for their
18 review.

19 MR. HOFFMAN: Okay. Do you have
20 any concerns, as you stand here today, having
21 the new proposed east access road sit on a
22 blind hill crest over where the Arborview
23 entrance now sits, from a safety standpoint?

24 THE WITNESS: As indicated in our

1 report, we did have concerns with the location
2 of the site access opposite Hidden Pond as it
3 is shown on the plan, and that's why it is now
4 proposed to move that location.

5 MR. HOFFMAN: So you feel in its
6 newly amended location it is in a more optimal
7 location?

8 THE WITNESS: Yes, based on field
9 observations and measurements at that location,
10 it exceeds the sight distance requirements.

11 MR. HOFFMAN: Now, I noticed in
12 your traffic study you noted that the both east
13 and west West Pleasant Grove entrances are
14 considered low volume driveways. How did you
15 come about that?

16 THE WITNESS: That's in
17 accordance with PennDOT driveway classification
18 criteria.

19 MR. HOFFMAN: Can you explain
20 that a little bit further for me.

21 THE WITNESS: Sure. It is based
22 on the volumes, the volume of traffic
23 anticipated to use those driveways.

24 MR. HOFFMAN: Volume your client

1 anticipates that will be egressing from those
2 driveways?

3 THE WITNESS: Correct.

4 MR. HOFFMAN: Now, you had also
5 mentioned that your client is currently
6 maintaining its position as to the Route 202
7 ingress and egress. Would that change your
8 answer as to the low volume driveways of the
9 West Pleasant Grove east and west entrances,
10 depending on what happens with the Route 202
11 exits and entrances?

12 THE WITNESS: I do not believe
13 that that will change the driveway
14 classifications along West Pleasant Grove Road.
15 But we would need to run the full calculations
16 to confirm that, depending upon what decision
17 is made on the 202 access.

18 MR. HOFFMAN: Okay. You may have
19 testified to this before, but is it your
20 understanding now that your client currently
21 does not have any plans to go along with
22 recommendation No. 15 as to the connector road
23 proposed by the Planning Commission? Do you
24 have any recollection of that or any knowledge

1 with regard to that?

2 THE WITNESS: There are a couple
3 so I just want to make sure I read it.

4 MR. HOFFMAN: Sure.

5 THE WITNESS: At this point what
6 is referenced in No. 15 is not what is
7 proposed.

8 MR. HOFFMAN: By the applicant?

9 THE WITNESS: Correct.

10 MR. HOFFMAN: Okay. Thank you.
11 I have no further questions.

12 MR. MCKENNA: Thank you, Mr.
13 Hoffman.

14 Mr. Bevilacqua, any questions for
15 West Glen HOA?

16 MR. BEVILACQUA: Yes. Just one
17 point for the record. If you look at PennDOT's
18 approved TIP projects and --

19 THE COURT REPORTER: I'm sorry,
20 sir. I'm sorry, I can't hear you.

21 MR. BEVILACQUA: Yeah. Somebody
22 needs to go on record with the facts --

23 MR. ADELMAN: Objection. Is this
24 a question?

1 Table 4? Thanks.

2 MR. ADELMAN: Are we in
3 Exhibit A-33?

4 MR. SCANLON: We have the grades
5 of the intersection. The intersection of 926
6 and 202 received an F, it was 190.9. What does
7 190.9 mean?

8 THE WITNESS: That means seconds
9 of average delay.

10 MR. SCANLON: Seconds of average
11 delay?

12 THE WITNESS: Correct.

13 MR. SCANLON: What does it take
14 to make that from an F to a C?

15 THE WITNESS: We would have to
16 complete an analysis to give that answer.

17 MR. SCANLON: Okay. The traffic
18 counts when they were done, were they done --
19 they were morning traffic counts, they were
20 done 6:30 in the morning?

21 THE WITNESS: We were required to
22 do traffic counts from 7:00 a.m. to 9:00 a.m.

23 MR. SCANLON: 7:00 to 9:00?

24 THE WITNESS: Correct.

1 MR. SCANLON: 7:30 to 8:30 were
2 part of that?

3 THE WITNESS: Yes.

4 MR. SCANLON: In the afternoon,
5 2:30 or 3:30 or 4:30?

6 THE WITNESS: 4:00 to 6:00.

7 MR. SCANLON: Okay. 4:00 to
8 6:00.

9 Are there sidewalks in the
10 development all the way, coming all the way
11 out? I know they are in there. Are they
12 coming out to 926 and also on Pleasant Grove
13 Road?

14 THE WITNESS: That's more of a
15 question for the site engineer.

16 MR. SCANLON: Okay. Are there
17 stop signs within that, within that
18 development, to slow traffic down?

19 THE WITNESS: There certainly
20 would be stop signs at intersections within the
21 development.

22 MR. SCANLON: Okay. Do we know
23 how many?

24 THE WITNESS: Not at this point,

1 no.

2 MR. SCANLON: For the traffic
3 study, did you observe any school buses going
4 through the intersection of 926 and 202 or 926
5 and New Street?

6 THE WITNESS: I'm sure that we
7 did. I can't speak to number of school
8 vehicles specifically, but what we do during
9 our traffic counts is we account for separately
10 any heavy vehicles, which school buses are a
11 part of.

12 MR. SCANLON: Okay. And how far
13 is it distance wise from the entrance at 926 to
14 the entrance at Pleasant Grove Road?

15 THE WITNESS: Through the site?

16 MR. SCANLON: Yes.

17 THE WITNESS: I can't say that I
18 have measured that distance along the roadways.

19 MR. SCANLON: Okay. And I ask
20 that for the school district, we have to plan
21 for bus stops in transportation. Okay.

22 How about was there any estimates
23 of time, if there is a bus stop on 926 out at
24 the entrance, what would that do to the

1 intersection at 202 and 926?

2 THE WITNESS: Bus stop planning
3 was not a part of this study.

4 MR. SCANLON: Okay. Currently we
5 have bus stops outside of the developments,
6 along the sight lines. Are there clear sight
7 lines at that intersection --

8 THE WITNESS: Yes.

9 MR. SCANLON: -- for a bus stop
10 to be located?

11 THE WITNESS: The sight distance
12 at the intersection exceeds the requirements.

13 MR. SCANLON: So we could put a
14 bus stop on 926?

15 THE WITNESS: Again, we didn't do
16 bus stop planning. What I can speak to is that
17 there is sufficient sight distance at that
18 location.

19 MR. SCANLON: Not that we would
20 require. Okay. Thank you.

21 THE WITNESS: Thank you.

22 MR. MCKENNA: Thank you, Mr.
23 Scanlon.

24 I believe I saw Mr. McFalls for

1 Westminster Presbyterian Church come in at some
2 point. Mr. McFalls, any questions?

3 MR. MCFALLS: No questions.

4 MR. MCKENNA: Thank you. Mr.
5 Feryo, I believe you showed up also for the
6 Quarry Swimming Association. Any questions?

7 MR. FERYO: Yes, thank you.

8 Ms. Kline, thank you for being
9 here. My first question is: Do you or any of
10 the engineers doing this traffic study drive on
11 any of these roads on a regular basis at rush
12 hour?

13 THE WITNESS: Yes.

14 MR. FERYO: So you have taken
15 into consideration not just the math of the
16 engineering but human nature of the
17 engineering; is that correct?

18 THE WITNESS: Within the confines
19 of the analysis, yes.

20 MR. FERYO: The next question is,
21 I want to make sure, you are saying that if the
22 development comes out at Bridlewood Boulevard
23 there will be a red light there?

24 THE WITNESS: It is intended to

1 have a traffic signal at that location.

2 MR. FERYO: Can you answer, is it
3 in any way best practices from an engineering
4 standpoint to put a temporary red light there
5 to see how that red light impacts all of the
6 other intersections, so like right now, if you
7 put a red light there just to try it out, is
8 that a best practice?

9 THE WITNESS: No, it is not. The
10 intersection as it stands today does not
11 warrant a traffic signal and, therefore,
12 PennDOT would not allow a traffic signal to be
13 installed in any capacity.

14 MR. FERYO: So just to say we are
15 going to see how this works, they wouldn't
16 allow it?

17 And the proposed traffic
18 planning, does that take into consideration, so
19 I think what your goal is would be to keep
20 traffic moving on Street Road at a continuous
21 pace; is that correct?

22 THE WITNESS: Not necessarily.

23 MR. FERYO: So does it take into
24 consideration on New Street or Street Road any

1 of the neighborhoods that aren't necessarily
2 developments or driveways that aren't
3 developments, how it will impact them, how any
4 of this change will impact them?

5 THE WITNESS: It certainly does
6 from the standpoint that we have to look at the
7 vehicular queues. Our results are not only in
8 seconds of delay at an intersection but also
9 the analysis gives us results of vehicular
10 queues on all approaches. And certainly that
11 would speak to, if something was going to be
12 blocked, the results would speak to that.

13 MR. FERYO: I'm not worried about
14 blocked. Blocked is easy because people are
15 nice and they let you out of your driveway.
16 How about when it is not blocked and traffic is
17 moving at a more continuous pace, how far back
18 on Street Road did you go westbound?

19 THE WITNESS: How far back
20 across--

21 MR. FERYO: Does that impact what
22 we just said for queues? How far back does
23 that go on Street Road to the west?

24 THE WITNESS: From where?

1 MR. FERYO: Say New Street. So
2 you are at the New Street intersection.

3 THE WITNESS: New Street and 926?

4 MR. FERYO: Right.

5 THE WITNESS: Okay.

6 MR. FERYO: So was there any
7 impact study done to any of the driveways along
8 either New Street, right at that intersection,
9 or Street Road, right at that intersection?

10 So there is a lot of driveways
11 there and there are some neighborhoods that
12 come out to the west and to the north of that
13 intersection.

14 THE WITNESS: What we are
15 required to look at is, similar to the delay,
16 we are required to mitigate the queues. So we
17 are required to have conditions that are
18 similar to without development conditions. So
19 the improvements have to speak to not only the
20 delay but the queues.

21 MR. FERYO: So you are saying
22 that these changes should have zero impact on
23 any of those driveways or neighborhoods
24 anywhere near that intersection of New and 926?

1 THE WITNESS: No, that's not what
2 I said. We would have to talk about specific
3 driveways, and that's not an evaluation that
4 has been completed as part of this study.

5 MR. FERYO: Will it be?

6 THE WITNESS: At this point, no.
7 We have completed a study that is in accordance
8 with the scope required by PennDOT and the
9 township.

10 MR. FERYO: So for the Quarry
11 Swimming Association specifically, people would
12 be making a left-hand turn on New Street to get
13 into the property. So do you anticipate that
14 being a problem in any way?

15 THE WITNESS: No, because the
16 amount of traffic that this development is
17 adding to New Street is minimal. Again, we
18 have no access to that roadway.

19 MR. FERYO: But the amount of
20 traffic at the red light on Street Road at
21 Bridlewood Boulevard is going to have a major
22 impact on that intersection. Or you are
23 saying--

24 THE WITNESS: If your

1 intersection is on New Street, no.

2 MR. FERYO: How about emergency
3 response times getting to a property,
4 especially a swimming association where seconds
5 are critical?

6 THE WITNESS: Again, what we are
7 required to do is to mitigate any impact so
8 that it is the same or better than without
9 development.

10 MR. FERYO: Last question. Am I
11 correct in also understanding that you will be
12 adding left-hand turn lanes at the intersection
13 of 926 and New Street? Are there going to be
14 new lanes, new turn lanes there?

15 THE WITNESS: That has yet to be
16 determined.

17 MR. FERYO: If it is determined
18 that they are necessary, will all of that
19 property needed to accomplish that be coming
20 from Toll Brothers and the Crebilly property?

21 THE WITNESS: We couldn't speak
22 to that until we have a design on paper.

23 MR. FERYO: So would they be
24 willing to do that if they were told, if that

1 design worked that way?

2 THE WITNESS: That's something
3 the applicant would have to speak to.

4 MR. FERYO: Thank you.

5 MR. MCKENNA: Thank you, Mr.
6 Feryo.

7 Mr. Spackman for Thornbury Farm
8 Trust, any questions?

9 MR. SPACKMAN: Yes, please.
10 Thank you once again this evening.

11 One of my questions is with the
12 intersection, obviously 926 and South New
13 Street, Chester County has a trail network
14 system that runs up South New Street. Have you
15 looked into that and researched for the
16 intersections?

17 THE WITNESS: That is something
18 that we have discussed with Thornbury and will
19 be discussing further.

20 MR. SPACKMAN: What happens with
21 the design for an intersection with a trail
22 system that crosses it?

23 THE WITNESS: Accommodations
24 would have to be made at the signal for

1 pedestrian crossing, were it to be added.

2 MR. SPACKMAN: And one of the
3 things I don't see in your traffic counts is
4 any hoof counts. We have horses in our farm
5 that travel northbound on 926 and South New
6 Street, crossing to the north, and that also
7 requires more time for horses and carriages,
8 because we still use that. That's what keeps
9 our farm operating. If we lose that, we lose a
10 tremendous part of our property for the horse
11 use.

12 So my question is: With the
13 design of that intersection, what is done for
14 equestrian access?

15 THE WITNESS: What would be done
16 for equestrian access?

17 MR. SPACKMAN: Yes. We do use
18 that access to head north.

19 THE WITNESS: It would be
20 considered as part of the trail design. I
21 assume they would be using the trail.

22 MR. SPACKMAN: No. They use the
23 roadbed as in the carriages and because there
24 are several horses traveling at a time.

1 THE WITNESS: It is a public road
2 system so they would be permitted. If they are
3 permitted, you would be on a public road then,
4 they would be permitted to use it. It wouldn't
5 be any different than it is today.

6 MR. SPACKMAN: Okay. One other
7 question is with the South New Street, headed
8 south, is there any design for any changes or
9 recommendations for traffic calming at this
10 point, or is that still in talking phase?

11 THE WITNESS: On South New
12 Street?

13 MR. SPACKMAN: South New Street,
14 south of 926.

15 THE WITNESS: At this point there
16 have been no discussions on that.

17 MR. SPACKMAN: Okay. One of the
18 other questions is with the site plan there,
19 and I understand how you guys are doing the
20 traffic counts I think to a degree, but I'm
21 just trying to understand on a logistic level
22 if you are leaving the development and you are
23 trying to head north on 202, how do you do
24 that? Do you go out 926 and head left?

1 THE WITNESS: Correct. You could
2 use the accesses on West Pleasant Grove Road,
3 but you would have to travel New Street and
4 around. But most likely you would work your
5 way through the development, come to the
6 intersection, the site access intersection on
7 926 where it is proposed that you have a
8 signal. You would turn left, and then you
9 would turn left at the signal at 926 and 202 to
10 head north.

11 MR. SPACKMAN: Then my next
12 question would be, if you are heading north, I
13 guess if you are south of 926 and head north,
14 so you would want to make -- trying to enter
15 the development, how would you enter the
16 development from 202 from below 926?

17 THE WITNESS: So if you are
18 traveling northbound on 202, you would turn
19 left at 926, and then turn right into the site
20 access on 926.

21 MR. SPACKMAN: Is there enough
22 room for stacking on 202 turn lane right now
23 for the left-hand turn with the additional
24 traffic?

1 THE WITNESS: Again, we have to,
2 we have to show that we mitigate any impact on
3 that movement.

4 MR. SPACKMAN: Okay. Thank you.

5 THE WITNESS: Thank you.

6 MR. MCKENNA: Thank you, Mr.
7 Spackman.

8 Amy or Bradley Harkins, do you
9 have any questions?

10 MS. HARKINS: Go down low for me.

11 I think you had said going north
12 out of the development there is, 40 percent of
13 that traffic is going to be going north on 202?

14 THE WITNESS: On 202 there is 40
15 percent of the total development traffic
16 traveling to and from the north, yes.

17 MS. HARKINS: On the return trips
18 when they come from the south back into the
19 development, and if that 202 access is
20 eliminated, they are going to be going on West
21 Pleasant; is that correct?

22 THE WITNESS: Correct.

23 MS. HARKINS: I guess my question
24 is how are they, how is traffic changing on

1 West Pleasant? Obviously, there is going to be
2 an increase.

3 THE WITNESS: In terms of the
4 numbers?

5 MS. HARKINS: Mm-hmm.

6 THE WITNESS: So I'm referring
7 back to Exhibit A-33, Figure 4C, page 56. So
8 the total amount of traffic entering the site
9 from that direction is 20 vehicles during the
10 weekday morning peak hour, and 70 vehicles
11 during the weekday afternoon peak hour.
12 Currently we have that split between West
13 Pleasant Grove Road and the 202 access. But if
14 the 202 access goes away, we would expect that
15 traffic to all use West Pleasant Grove Road.

16 MS. HARKINS: I think there was
17 another picture that showed the grades, like
18 instead of the numbers here, and had the grades
19 of the roads currently.

20 THE WITNESS: The letter?

21 MS. HARKINS: Yeah, the letters.

22 THE WITNESS: Mm-hmm.

23 MS. HARKINS: I think on West
24 Pleasant it was currently a C, and it would be

1 changing? I don't know if the --

2 THE WITNESS: If we go back,
3 again, Exhibit A-33, Figure 6F, page 72.

4 MS. HARKINS: Would that change
5 at all in grades of traffic?

6 THE WITNESS: No, because the
7 site access intersections, the traffic along
8 West Pleasant Grove Road would be free flowing
9 and it is the traffic existing the site that
10 would have control.

11 MS. HARKINS: The stop sign at
12 West Pleasant and New Street, so it looks like
13 it goes from a C to an F.

14 THE WITNESS: It actually, what
15 that shows is is the first letter grade, the C
16 is morning, and the F is afternoon. And the
17 conditions here match without development
18 conditions, which is another figure. It is
19 actually the figure just back from this, figure
20 6E, page 71. This is without development
21 conditions, if you go up one page.

22 MS. HARKINS: I'm sorry. So I'm
23 understanding, the C in the morning and the F
24 in the afternoon doesn't change?

1 THE WITNESS: That's correct.

2 MS. HARKINS: Okay. And then my
3 other question, 40 percent is going north, 30
4 percent is going south out of the development
5 onto 202?

6 THE WITNESS: Yes.

7 MS. HARKINS: Okay. You had
8 mentioned, I think you said the right turn lane
9 is about 130 feet?

10 THE WITNESS: Based on PennDOT's
11 current preliminary concept plan.

12 MS. HARKINS: Okay. How many
13 cars is 30 percent of the development?

14 THE WITNESS: It depends on what
15 peak hour you are looking at and the entering
16 versus exiting.

17 MS. HARKINS: I guess in the
18 morning then if they are heading south?

19 THE WITNESS: In the morning --
20 sorry, I just have to add up some numbers here.
21 In the morning you are looking at about 62
22 vehicles.

23 MS. HARKINS: 62 vehicles going
24 south, turning right onto 202 south?

1 THE WITNESS: No. It is broken
2 up between different movements. So that's
3 total entering and exiting the site. So if you
4 are just talking exiting, the exiting 30
5 percent, then that is 48 vehicles.

6 MS. HARKINS: 48 vehicles
7 exiting, going south on 202?

8 THE WITNESS: Correct.

9 MS. HARKINS: You had mentioned
10 that 130-foot turn lane accommodates about six
11 vehicles?

12 THE WITNESS: That's a different
13 movement. That right turn lane is here. So
14 that right turn lane is from 202 southbound to
15 926 westbound. So that would be a different
16 movement. If you are exiting the site in the
17 morning to travel south on 202 you would not be
18 in that lane. You would either exit the site
19 onto 202 and then go through the intersection,
20 or you would come out onto 926 and turn right
21 from 926. So that's a different lane.

22 MS. HARKINS: Would the turn
23 lane -- so assuming the access on 202 is
24 eliminated, they are going to be coming out

1 onto to 926 and turning right?

2 THE WITNESS: Correct.

3 MS. HARKINS: So we have that
4 right turn lane. I guess how long is that
5 lane? If you have 48 cars that are going, they
6 are hitting 926 and going right on south 202, I
7 guess I'm wondering how long of a queue that's
8 going to be.

9 THE WITNESS: Well, the 48
10 vehicles occurs over a one-hour period. So
11 they don't occur all at once.

12 MS. HARKINS: Do we have an idea
13 of how long the timing is for the light between
14 rotations?

15 THE WITNESS: Yes. So the cycle
16 length, we refer to as the entire cycle period
17 of a signal going through all its indications,
18 at 926 and New Street it is about 160 seconds.
19 It is a little different in each peak hour, but
20 it is around 160 seconds total.

21 MS. HARKINS: 160, so just under
22 three minutes?

23 THE WITNESS: Yeah.

24 MS. HARKINS: So 48 cars I guess

1 would have to cycle through, it would take a
2 few rotations?

3 THE WITNESS: Well, again, there
4 is 48 vehicles are happening over an entire
5 hour. They are not all coming at one time.
6 That's over an entire hour. So they would be
7 distributed throughout the entire hour.

8 MS. HARKINS: Okay.

9 THE WITNESS: So you can think
10 about it, 48 vehicles over 60 minutes, it is
11 less than an additional vehicle a minute over
12 the course of an hour.

13 MS. HARKINS: But on the F system
14 as was indicated?

15 THE WITNESS: Yes.

16 MS. HARKINS: Okay. Thank you.

17 MR. MCKENNA: Thank you, ma'am.

18 Mr. Mammucari, any questions?

19 Mr. Mammucari is no longer here.

20 Phillip or Susan Jones, any
21 questions?

22 Hang on, ma'am. We will adjust
23 that for you. The staff here is great.

24 MS. JONES: My first question,

1 just for clarification, when you are talking
2 about the number of trips that are generated
3 and you are talking about using a two-hour,
4 between 7:00 and 9:00, but you are only using
5 an hour; am I correct on that?

6 THE WITNESS: That's correct.

7 MS. JONES: Okay. Also, as far
8 as studying traffic on 926, were all of these
9 studies done while there is the detour because
10 of the bridge being out?

11 THE WITNESS: No.

12 MS. JONES: So we don't know what
13 impact that would have when the bridge reopens?
14 Because I would assume traffic would increase
15 there.

16 THE WITNESS: That's a temporary
17 condition, so our study occurred before the
18 detour. We would not want to study conditions
19 during the detour, during temporary conditions.
20 We would be directed by the township and
21 PennDOT to not study those conditions.

22 MS. JONES: What you studied was
23 before the bridge was out?

24 THE WITNESS: Correct.

1 MS. JONES: Okay. Thank you.

2 THE WITNESS: Thank you.

3 MR. MCKENNA: As we adjust the
4 mike, I'm assuming, sir, you are Phillip
5 phones?

6 MR. JONES: Yes.

7 MR. MCKENNA: Thank you.

8 MR. JONES: Thank you. So I
9 think I understood you to testify earlier this
10 evening that the more direct or time saving
11 routes would attract more motorists; is that
12 correct?

13 THE WITNESS: In the context --

14 MR. JONES: In general?

15 THE WITNESS: Go ahead.

16 MR. JONES: In general?

17 THE WITNESS: In the context of
18 my testimony it was referring to the connector
19 road, so it was specific to that.

20 MR. JONES: But is that not in
21 general in your expertise, people are going to
22 travel more direct or time saving routes when
23 they discover them, over time, when you make
24 the improvements, or there are regulations to

1 travel?

2 THE WITNESS: Certainly, yes.

3 MR. JONES: Are you aware that on
4 many days, particularly at peak travel times,
5 traffic is backed up going south on 202 all the
6 way to the main exit ramp off of the high-speed
7 part of 202, north of 926?

8 THE WITNESS: I have experienced
9 that on occasion, yes.

10 MR. JONES: I have experienced it
11 many occasions.

12 Are you aware that many people
13 are already exiting at Jacqueline to get to 926
14 west via New Street?

15 THE WITNESS: I didn't -- go
16 ahead.

17 MR. JONES: So they are already
18 leaving 202 at Jacqueline Drive, which is north
19 of this site, cutting over to New Street and
20 going down New Street, and people that are
21 coming south, that are added by this, are going
22 to have potentially the same considerations
23 made when you add that population and those
24 cars, whatever they are, they are going to do

1 the same thing, they are going to choose --

2 MR. MCKENNA: Mr. Jones, I got to
3 ask you to ask a question.

4 MR. JONES: Do you expect that
5 people will do the same, take similar action
6 with their driving? Have you considered that
7 in your study?

8 THE WITNESS: We have not studied
9 traffic along Jacqueline Drive as part of our
10 study.

11 MR. JONES: This is a broad
12 impact to the area. Does your study consider
13 that improvements in timing are quickly
14 discovered by motorists and, thus, cause
15 further increases to travel at the improvement
16 intersections that offset the original service
17 improvement and bring overall service level
18 back down to the original service level? Or
19 worse sometimes? Because I just found out --

20 MR. MCKENNA: Wait, Mr. Jones.
21 Hang on. You asked a question. Let her
22 answer.

23 THE WITNESS: Certainly, there
24 are situations where if you make improvements

1 it draws more traffic. As a general statement,
2 yes, that happens.

3 MR. JONES: So the level of
4 service improvement may degrade immediately or
5 at some point thereafter once people discover
6 the improvement?

7 THE WITNESS: I just answered a
8 question in generality, so that would be the
9 answer.

10 MR. JONES: Thank you. I have
11 lived and driven daily the routes discussed on
12 202, 926, New Street, Pleasant Grove for over
13 30 years. No traffic improvement on these
14 roads has stood the test of time, by my
15 personal observation. Basically --

16 MR. MCKENNA: Mr. Jones --

17 MR. ADELMAN: Objection.

18 MR. MCKENNA: You have to ask a
19 question.

20 MR. JONES: Hang on.

21 MR. MCKENNA: Can you get to it?
22 It sounds like a statement.

23 MR. JONES: I'm getting to it.
24 Give me a second. Due to the increased, due to

1 general population increase, which Crebilly
2 will increase the population substantially,
3 does this traffic study consider this
4 phenomena?

5 THE WITNESS: It considers the
6 increase in traffic from the development, yes.

7 MR. JONES: And the
8 improvement -- it has not improved over the
9 last 30 years.

10 THE WITNESS: As demonstrated in
11 the study, the applicant is committed to making
12 improvements to mitigate their impact, which is
13 their requirement.

14 MR. JONES: Thank you.

15 THE WITNESS: Thank you.

16 MR. MCKENNA: Thank you, Mr.
17 Jones.

18 Alison Corcoran, any questions?

19 MS. CORCORAN: My question
20 pertains to the access road, the access points
21 at Pleasant Grove, Pleasant Grove Road. Are
22 there proposed, as they sit on Exhibit A-6,
23 they are four-way intersections, correct?

24 THE WITNESS: Yes. Correct.

1 MS. CORCORAN: Are there proposed
2 stop signs, signal, anything at this point on
3 Pleasant Grove Road?

4 THE WITNESS: No.

5 MS. CORCORAN: I believe you have
6 testified that the entrance opposite Arborview
7 will be shifting east, correct?

8 THE WITNESS: Shifting west.

9 MS. CORCORAN: I'm sorry, west.

10 THE WITNESS: Correct.

11 MS. CORCORAN: Shifting west.

12 THE WITNESS: Yes, shifting west.

13 MS. CORCORAN: My next question,
14 condition No. 49 from the Planning Commission
15 speaks to investigating shifting the access
16 that aligns with Dunvegan. Is that something
17 that the applicant has done?

18 THE WITNESS: At this time that
19 has not been considered.

20 MS. CORCORAN: Is that something
21 that the applicant will consider based on the
22 condition from the Planning Commission?

23 THE WITNESS: It is something
24 that they would be open to discussing.

1 MS. CORCORAN: If these access
2 roads are shifted to not align with the current
3 Dunvegan or Arborview, does that affect the
4 traffic impact study that's been done on
5 Pleasant Grove Road?

6 THE WITNESS: It would from the
7 standpoint that they would be stand-alone
8 intersections. But the results, the
9 intersections would still operate at acceptable
10 conditions based on the criteria.

11 MS. CORCORAN: Thank you.

12 THE WITNESS: Thank you.

13 MR. MCKENNA: Thank you, ma'am.
14 Diana Leraris?

15 MS. LERARIS: No questions.

16 MR. MCKENNA: Thank you, ma'am.
17 Amy Murname?

18 Ladies and gentlemen, if at any
19 time through these proceedings if I am
20 butchering your names, please let me know. And
21 that is --

22 MS. MURNANE: It is Murnane,
23 M-U-R-N-A-N-E.

24 MR. MCKENNA: Ah, thank you,

1 ma'am. Murnane?

2 MS. MURNANE: Murnane. Thank
3 you.

4 MR. MCKENNA: I appreciate the
5 correction.

6 MS. MURNANE: I want to ask you
7 about the traffic impact numbers coming from
8 New Street, north of West Pleasant Grove Road.
9 I believe there is a potential development by
10 Toll off of Tigue Road in East Bradford
11 Township, and I want to know if those potential
12 numbers of cars coming from that development,
13 over a hundred homes, has been added to your
14 traffic numbers here.

15 THE WITNESS: We identified that
16 development in our study. There is the 91-unit
17 residential development in East Bradford, and
18 those are assumed to be part of our regional
19 background traffic growth that we have added in
20 our study, yes.

21 MS. MURNANE: Where in your
22 numbers have they been added?

23 THE WITNESS: They would have
24 been added along all roadways in this area.

1 MS. MURNANE: So those numbers up
2 here are including the 91 homes up there?

3 THE WITNESS: Yes.

4 MS. MURNANE: Okay. And there is
5 no traffic calming measures on New Street
6 south, especially around West Pleasant Grove
7 Road?

8 THE WITNESS: At this point, no.

9 MS. MURNANE: Are you aware that
10 everybody west of 202, to get on 202 north,
11 have no access other than 926 and up to
12 Rosedale Avenue?

13 THE WITNESS: They would be able
14 to access that through New Street and 926.

15 MS. MURNANE: But are the numbers
16 from just the development or for all residents
17 north of the development up to Rosedale? There
18 is no access to 202 north until you get to
19 Rosedale.

20 THE WITNESS: Understood.

21 MS. MURNANE: Are those numbers
22 part of your study?

23 THE WITNESS: Yes. So we go out
24 and we collect existing, all of the existing

1 data as it stands today. So people are doing
2 that today. We would capture that in our data.

3 MS. MURNANE: Okay. Thank you.

4 THE WITNESS: Thank you.

5 MR. MCKENNA: Thank you, Ms.

6 Murnane.

7 Mr. Pavelchek, any questions?

8 MR. PAVELCHEK: No questions.

9 MR. MCKENNA: Thank you.

10 Mr. Cahill, any questions?

11 Mr. Cahill, I want you to get as
12 close to that microphone as you can, please.

13 MR. CAHILL: How is this?

14 MR. MCKENNA: Perfect actually.

15 MR. CAHILL: I've learned better.

16 Thank you.

17 Earlier you mentioned that
18 stacking of cars were about 1400 feet. Was
19 that on 202 or 926?

20 THE WITNESS: The 1400 feet is
21 the distance as it is shown on the conditional
22 use plan from 202 to the site access along 926.

23 MR. CAHILL: When you say 202 to
24 the site access, where on 202 would that be?

1 THE WITNESS: From the
2 intersection of 926 and 202 -- we will pull up
3 the site plan. From the intersection of 926
4 and 202, along 926 to the access intersection,
5 that is the 1400 feet.

6 MR. CAHILL: What about 202
7 southbound?

8 THE WITNESS: 202 southbound in
9 reference --

10 MR. CAHILL: To 926.

11 THE WITNESS: 202 southbound to
12 926, I'm not sure what distance you are asking.

13 MR. CAHILL: From the
14 intersection with 202 past Abbey Green, from
15 Abbey Green down 202 south to 926, are we
16 dealing with 1400, 2,000, 3,000 feet of traffic
17 at present, both lanes?

18 THE WITNESS: From what initial
19 intersection to 926 along 202?

20 MR. CAHILL: Jacqueline Drive.

21 THE WITNESS: From Jacqueline,
22 I'm not sure what that total distance is. It
23 is certainly much more 1400 feet.

24 MR. CAHILL: Yes, it is. Right

1 now we have current conditions of traffic
2 that's backed up from 926/202 up to Abbey Green
3 and beyond.

4 THE WITNESS: Yes.

5 MR. CAHILL: Okay. That is not
6 1400 feet. Probably about 3,000 feet. Maybe
7 4,000 feet, times two lanes.

8 MR. MCKENNA: Mr. Cahill, I need
9 a question from you if you don't mind.

10 MR. CAHILL: Do we have traffic
11 studies that demonstrate that that is the case?

12 THE WITNESS: The traffic study
13 demonstrates the queues that are seen in the
14 field today, yes.

15 MR. CAHILL: Is that queue
16 involving from Jacqueline Drive south on 202 to
17 926?

18 THE WITNESS: Our study includes
19 the queue that results from the intersection of
20 202 and 926, up 202, yes.

21 MR. CAHILL: You are saying that
22 all you are getting is about 1400 feet of
23 stacking?

24 THE WITNESS: No. That's along

1 926. And that's just intersection spacing that
2 we are talking about.

3 MR. CAHILL: How much stacking
4 and how much footage, lengthwise, of vehicles
5 are on 202 from Jacqueline Drive to 926?

6 THE WITNESS: The stacking would
7 be what the distance is.

8 MR. CAHILL: Do you have any
9 figures on that?

10 THE WITNESS: I do not.

11 MR. CAHILL: Okay. You mentioned
12 Jacqueline Drive. One of the things about
13 Jacqueline Drive is, I believe it is one of
14 these that you considered to be direct street
15 out, and Jacqueline Drive previously is defined
16 as a drive. Are you familiar with the
17 definition of drive versus streets and roads?
18 Is there a difference in your opinion between
19 the three of them?

20 THE WITNESS: A difference
21 between driveways, streets and what?

22 MR. CAHILL: A drive. Jacqueline
23 Drive, the word drive versus the word street
24 versus the word road.

1 THE WITNESS: They can be used in
2 all different contexts depending on who is
3 applying the name. It really can be anything.

4 MR. CAHILL: I believe the
5 definition of a drive is a limited road,
6 shortness, and it is a winding road that is
7 designed to allay traffic.

8 MR. ADELMAN: Objection. That's
9 not a question.

10 MR. CAHILL: Okay. Can I turn it
11 into a question then. In your opinion, in your
12 opinion, do you consider a drive to be a short
13 road, with a short duration movement, and that
14 can enter to a street, which is a straight road
15 and a lengthy road which carries high traffic,
16 compared to a drive that carries low traffic?

17 THE WITNESS: No, I don't.

18 MR. CAHILL: You don't apply?

19 THE WITNESS: I don't agree
20 that's a universal definition of the use of
21 applying drive to a roadway.

22 MR. CAHILL: You don't do that.
23 I've got a definition --

24 MR. MCKENNA: Mr. Cahill --

1 MR. ADELMAN: Objection,
2 objection.

3 MR. MCKENNA: You can't argue
4 with her. You can ask a question.

5 MR. CAHILL: Okay.

6 MR. MCKENNA: And move on.

7 MR. CAHILL: But how do you know
8 that's the case, ma'am?

9 MR. ADELMAN: Objection,
10 relevance.

11 MR. MCKENNA: I agree, Mr.
12 Cahill. I'm not sure why any of this is
13 relevant.

14 MR. CAHILL: So --

15 MR. MCKENNA: Hang on, if you
16 wouldn't mind. I would like you to ask a
17 different question.

18 MR. CAHILL: It has been a long
19 night too. At the present time West Pleasant
20 Grove is the only major road that you are
21 planning on using, in addition to 926?

22 THE WITNESS: At this point the
23 plan shows an access to 202.

24 MR. CAHILL: Access on West

1 Pleasant Grove to 202?

2 THE WITNESS: An access from the
3 development to 202.

4 MR. CAHILL: Access from the
5 development onto West Pleasant, onto 202; is
6 that correct?

7 THE WITNESS: There is both.
8 There are accesses from the development to West
9 Pleasant Grove Road, and there is an access
10 shown from the development directly to 202.

11 MR. CAHILL: Okay. And you said
12 West Pleasant Grove to be a very viable access
13 point for traffic coming out of the
14 development?

15 THE WITNESS: Yes, it is a public
16 street that the site has frontage to.

17 MR. CAHILL: And a viable access
18 to --

19 THE WITNESS: Yes, it is.

20 MR. CAHILL: It is a little
21 choppy and a little rough down --

22 MR. ADELMAN: Objection. I can't
23 even tell if that is a question.

24 MR. CAHILL: Okay. I'm sorry.

1 Thank you.

2 THE WITNESS: Thank you.

3 MR. MCKENNA: Thank you, Mr.
4 Cahill.

5 Mr. or Mrs. Pryze, any questions?

6 MS. PRYZE: Thanks very much. As
7 part of your assessment was there rationale to
8 Toll Brothers as to the reason for needing two
9 entrances/exits off of West Pleasant Grove
10 Road? Was there some sort of variable you were
11 asked to assess or was that a given?

12 THE WITNESS: We weren't
13 necessarily asked whether they needed one
14 access or two. But the two accesses satisfy
15 the spacing requirements for access locations.
16 So they are both viable locations.

17 MS. PRYZE: My question to that
18 is if that east entrance/exit to the
19 development is moved further west, and there
20 are no plans to move the west further west, is
21 there consideration or potential that there
22 would just be one entrance/exit?

23 THE WITNESS: At this point two
24 accesses are proposed. It would be at the

1 applicant's discretion and decision to change
2 that.

3 MS. PRYZE: Okay and that won't
4 be part of your assessment or recommendation
5 then?

6 THE WITNESS: No. If they
7 decided to change it, we would certainly
8 re-evaluate. But that would not be our
9 decision to make.

10 MS. PRYZE: Okay. Thank you.

11 THE WITNESS: Thank you.

12 MR. MCKENNA: Thank you, ma'am.
13 Jennifer or Jeffrey Kramer?

14 MS. KRAMER: Back to site trip
15 assignment, Figure 4C, I believe you allotted 5
16 percent of the traffic would travel north on
17 New Street and 40 percent would travel north on
18 202. Is the traffic that you would, the
19 traffic coming out of the development to go
20 north on 202, using Jacqueline Drive, be
21 counted towards that 5 percent on New Street or
22 the 40 percent on 202?

23 THE WITNESS: Exit -- I'm sorry,
24 could you repeat that?

1 MS. KRAMER: Would traffic
2 exiting the development onto West Pleasant
3 Grove Road to go north on 202 --

4 THE WITNESS: So the 40 percent
5 that wants to go north on 202?

6 MS. KRAMER: Yes, that many
7 people going through Jacqueline Drive?

8 THE WITNESS: That would be
9 those, that traffic would have to exit the site
10 onto 926, and turn left to go north on 202, and
11 the traffic you had mentioned, the 5 percent
12 going north on New Street, they could either
13 exit the site on West Pleasant Grove Road and
14 turn to go north on New Street or exit on 926
15 and go up New Street. Those would be their
16 options.

17 MS. KRAMER: So it is not taking
18 into account that people go on Jacqueline
19 Drive?

20 THE WITNESS: To travel north on
21 202?

22 MS. KRAMER: Yes.

23 THE WITNESS: No.

24 MS. KRAMER: Why not? That's a

1 common route.

2 THE WITNESS: Because there is,
3 there is adequate access provided for them to
4 access the intersection.

5 MS. KRAMER: Okay. Unrelated
6 question, given the claim that traffic has
7 decreased on 202 in recent years, have studies
8 been done to determine whether this is because
9 of a local change in traffic patterns or
10 because of a national overall reduction in
11 traffic due to the recession?

12 THE WITNESS: I'm not familiar
13 with any specific studies that have been done.
14 But as a professional in the industry, a lot of
15 the traffic volume decreases have been due to
16 other modes of traffic, or people
17 telecommuting, working from home, working
18 different hours. You know, a general sense of
19 the reasons why traffic volumes across the
20 country have generally been dropping.

21 MS. KRAMER: Okay. In your other
22 tables I noticed that traffic had increased in
23 the non-recession years from 2003 to 2009, and
24 then again from 2013 through 2015 and 2016. Is

1 there any reason to expect that it will not
2 continue to increase, regardless of the
3 proposed development?

4 THE WITNESS: We can't speculate.
5 There is a whole host of reasons why volumes
6 can go up and down.

7 MS. KRAMER: Okay. What impact
8 will that increase have on the current traffic
9 numbers, particularly for the commuters who are
10 using the side roads like West Pleasant Grove
11 Road to New Street to avoid these back-ups?

12 THE WITNESS: The applicant is
13 required to mitigate their traffic impact.

14 MS. KRAMER: But you haven't
15 taken into account the increases that have been
16 going on for the past several years?

17 THE WITNESS: We have taken into
18 account the required growth rate subscribed by
19 PennDOT to increase the traffic volumes on all
20 the studies roadways from existing conditions
21 to future 2028 design year conditions, that is
22 incorporated in the study.

23 MS. KRAMER: Thank you.

24 THE WITNESS: Thank you.

1 MR. MCKENNA: Thank you, ma'am.

2 Mr. Skros, any questions?

3 MR. SKROS: No questions.

4 MR. MCKENNA: Thank you.

5 Jim McDermott, any questions? I
6 believe Mr. McDermott has left.

7 Dennis or Patricia McFadden, any
8 questions?

9 MR. MCFADDEN: Yes. Hi. With
10 the proposed elimination of the egress for 202
11 for the access there, do you feel there is
12 going to be a lot more traffic going, utilizing
13 West Pleasant Grove Road to get into and out of
14 the proposed development?

15 THE WITNESS: If the right in
16 from 202 is eliminated, then we would expect
17 that traffic to use West Pleasant Grove Road,
18 yes.

19 MR. MCFADDEN: Okay. So will
20 Toll Brothers provide another impact study for
21 West Pleasant Grove Road, West Pleasant Grove
22 Road and New Street to the township?

23 THE WITNESS: The study would
24 have to be revised to reflect the proposed

1 access configuration, yes.

2 MR. MCFADDEN: Okay. On the
3 redesign of 202 and 926, I know Toll Brothers
4 has said that they would do the construction if
5 the project with PennDOT kind of goes out two
6 or three years. Since they are both state
7 roads, does Toll Brothers have to wait for the
8 design from PennDOT to do that?

9 THE WITNESS: No. So the
10 applicant has committed to complete
11 improvements at that intersection that would
12 mitigate their impact if PennDOT does not
13 proceed with their project, and they would be
14 required to design and submit the design to
15 PennDOT for approval, but they would not wait
16 for PennDOT to design it.

17 MR. MCFADDEN: So at a PennDOT
18 meeting a few weeks ago, I asked that same
19 question, and they said that Toll Brothers
20 would not be allowed to proceed without -- with
21 any design of that, any construction of that
22 intersection because PennDOT is doing a design
23 phase right now.

24 MR. ADELMAN: Objection, hearsay.

1 MR. MCKENNA: Well, sir do you
2 have a question based on --

3 MR. MCFADDEN: Yeah. My comment
4 is based on -- I think Mr. Haws was at the same
5 PennDOT meeting you were at. Anyway, you
6 answered my question. Okay.

7 One other question. Back to the
8 site plan, with the relocation of the 926
9 access to opposite Bridlewood, I'm not sure if
10 you can answer this or not, it looks like the
11 access road would probably have to head west
12 along the property line. Is that going to have
13 any impact on the open space, 60 percent open
14 space?

15 THE WITNESS: The configuration
16 would be revised, but they would still have to
17 meet all of the township criteria in terms of
18 open space.

19 MR. MCFADDEN: Okay. It looks
20 like to me it would use more space with that
21 new drive. Thank you.

22 THE WITNESS: Thank you.

23 MR. MCKENNA: Thank you Mr.
24 McFadden.

1 Carol Weller?

2 MS. WELLER: No questions.

3 MR. MCKENNA: Thank you, ma'am.

4 So that will bring you back
5 around to Mr. Adelman. Do you have any
6 redirect?

7 MR. ADELMAN: May the Board go
8 first?

9 MR. MCKENNA: I was going to
10 start with you, see if you had any redirect.

11 MR. ADELMAN: I would like to
12 reserve my right until the Board asks some
13 questions. Thank you.

14 MR. GADALETO: Hold on.

15 MR. MCKENNA: I'm sorry, sir. I
16 don't know who you are.

17 MR. GADALETO: I'm Andy Gadaletto.
18 I'm a party.

19 MR. MCKENNA: Yes, sir. I
20 apologize. I called your name earlier. I
21 didn't know you had come in at some point. So
22 if you have a question, please feel free.

23 MR. GADALETO: My business closes
24 at 6:30. You start the meeting every time at

1 6:00, so it is greatly appreciated.

2 My first question is: What is
3 the state's busiest intersection right now?

4 THE WITNESS: I can't speak to
5 that.

6 MR. GADALETO: That was in
7 today's *Daily Local*, 202 and Route 1. Where
8 does 202 and 926 rate?

9 THE WITNESS: I can't speak to
10 that.

11 MR. GADALETO: Okay. You are a
12 traffic engineer.

13 MR. ADELMAN: Objection. Stick
14 to the question, sir.

15 MR. MCKENNA: Sustained. Mr.
16 Gadaletto, don't argue with her, please. Ask a
17 question.

18 MR. GADALETO: Why wasn't the
19 study performed on a Friday?

20 THE WITNESS: It was performed in
21 accordance with the township ordinance
22 criteria.

23 MR. GADALETO: Are you aware of
24 the current traffic problems along 202 on

1 Friday afternoon between 3:00 and 6:00 o'clock?

2 THE WITNESS: Yes.

3 MR. GADALETO: It is pretty
4 severe. It is worse than it is on Thursday,
5 correct?

6 THE WITNESS: It could be. It
7 can vary on any given day.

8 MR. GADALETO: You can come to my
9 store and I'll show you any Friday.

10 MR. MCKENNA: Mr. Gadaletto, I'm
11 going to ask you again, please, I know this is
12 personal to you, please don't argue with her.
13 Please just ask your questions.

14 MR. GADALETO: It is in the form
15 of a question. My next question is: When you
16 performed the study on September 8th was there
17 any emergency personnel that had to navigate
18 through rush hour traffic?

19 THE WITNESS: Not to my
20 knowledge.

21 MR. GADALETO: How many accidents
22 occurred, that you reported occurred in late
23 2016 along 202 in that area, and 926 and New
24 Street?

1 THE WITNESS: I can't speak to
2 the number of crashes at this time.

3 MR. GADALETO: Okay. Do you
4 expect your development to help or hurt the
5 emergency personnel and emergency situation
6 along 202 and New Street or 926?

7 THE WITNESS: I expect it to be
8 neutral because the applicant is required to
9 install improvements that would bring the
10 levels of service and delay to the same or
11 better than without development conditions.

12 MR. GADALETO: Are you aware of
13 what the chief of WEGO, Chief Bernot said about
14 the traffic impact in her opinion?

15 THE WITNESS: I am not.

16 MR. GADALETO: Exhibit E 19.
17 Number one, significant amount of traffic,
18 traffic backlogs frequently occur between
19 Skiles and 926, potential for more commercial
20 vehicle accidents.

21 My point, if the emergency
22 personnel having to respond to a situation,
23 could be potentially backlogged, is that a
24 concern of yours?

1 THE WITNESS: Again, the
2 applicant is committed to installing
3 improvements that would result in conditions
4 that are the same or better than without
5 development conditions. Therefore, mitigating
6 the impact of the development.

7 MR. GADALETO: Okay. My next
8 question is: Are you aware, there has been
9 numerous power outages in this vicinity, and
10 what would happen if the traffic signal loses
11 power?

12 THE WITNESS: I can't speak to
13 what is out there today, but battery backup is
14 typically supplied to insure that a signal
15 operates when the electricity goes out.

16 MR. GADALETO: Would Toll
17 Brothers be willing to supply a generator if
18 they get full approval for this?

19 THE WITNESS: Toll Brothers would
20 follow the requirements of PennDOT for the
21 signal design, who has jurisdiction over that.

22 MR. GADALETO: Okay. What is
23 required and what is not, if it were to save
24 one life, would Toll Brothers do it, in your

1 opinion?

2 THE WITNESS: I can't, I can't
3 speak to that. That's not an opinion.

4 MR. GADALETO: Okay. In your
5 opinion, you quoted before the study normally
6 is done between November and April, and it was
7 done in September. You said November through
8 April is the preferred time for PennDOT to do
9 the study, you said?

10 THE WITNESS: The ordinance
11 requires that the traffic counts be done
12 between November and April, and they were. I'm
13 not sure what September you are referring to.

14 MR. GADALETO: There was the
15 traffic study was done on September the 8th.

16 THE WITNESS: There is no traffic
17 study dated September 8th.

18 MR. GADALETO: The one by
19 Kimberly --

20 A VOICE: That's the response.

21 MR. GADALETO: That's the
22 response. Okay. How wide are the lanes
23 currently on 202 north and south at their least
24 point on 202 right now?

1 THE WITNESS: Lanes vary. It is
2 not a single dimension.

3 MR. GADALETO: Okay. That's all
4 my questions. Thank you.

5 THE WITNESS: Thank you.

6 MR. MCKENNA: Thank you, Mr.
7 Gadaletto.

8 All right. Let me ask counsel a
9 question real quick. Are you going to have
10 follow-up questions for the witness? Do you
11 anticipate any further questions?

12 MR. GILL: Planning Commission
13 will have follow-up questions.

14 MR. MCKENNA: Mr. Thompson, are
15 you going to have other questions based on what
16 you have heard?

17 MR. THOMPSON: It is possible.

18 MR. MCKENNA: I know the Board
19 has plenty of questions. So, Mr. Adelman, I
20 know that smile is not what you would like to
21 see, but --

22 MR. ADELMAN: I'm willing to stay
23 to 10:30.

24 MR. MCKENNA: I realize that. It

1 is eight minutes of 10:00. I believe it would
2 be the preference of the Board to bring Ms.
3 Kline back. I realize she is not available in
4 June.

5 MR. ADELMAN: Correct.

6 MR. MCKENNA: Is she available
7 for the July, proposed July date?

8 MR. ADELMAN: What was that date
9 again? I'm sorry.

10 MR. MCKENNA: July 25th.

11 MR. ADELMAN: Yes, she is.

12 MR. MCKENNA: Okay. Any
13 objection, then, to producing her back for
14 continued testimony and questioning on July
15 25th?

16 MR. ADELMAN: I would like some
17 additional meetings.

18 MR. MCKENNA: I'm sorry, I didn't
19 hear you.

20 MR. ADELMAN: My objection would
21 be based on the request to have additional
22 meetings.

23 MR. MCKENNA: I'm not sure I
24 understand the objection. I'm sorry.

1 MR. ADELMAN: I would like to
2 have additional meetings.

3 MR. MCKENNA: More than July?

4 MR. ADELMAN: Yes.

5 MR. MCKENNA: That's fine. I'm
6 happy to discuss further out than July.

7 MR. ADELMAN: More meetings
8 before July 25th.

9 MR. MCKENNA: Well, I appreciate
10 that, but there is no requirement that we do
11 so, and I don't believe it is the Board's
12 intention to do so.

13 MR. ADELMAN: Well, note my
14 objection for the record.

15 MR. MCKENNA: Okay. Well, I need
16 to know whether you are going to produce her on
17 July 25th.

18 MR. ADELMAN: I'll produce her at
19 the next meeting, obviously when she is
20 available.

21 MR. MCKENNA: Thank you. I
22 appreciate that. All right. Then is there any
23 anything further from the Board tonight.

24 MS. DEWOLF: What did he just

1 say?

2 MR. MCKENNA: She will be
3 produced.

4 MR. ADELMAN: When she is
5 available, at the next available meeting she is
6 able to attend, which would be the one after
7 June.

8 MR. MCKENNA: July 25th.
9 Anything further from the Board?

10 MS. DEWOLF: Just make it clear--

11 MR. MCKENNA: Can't hear you,
12 Carol. You are not on the mike.

13 MS. DEWOLF: I would just like to
14 make it clear that there is just limited
15 options in the summer for another meeting. We
16 are sticking with the June and the July meeting
17 we have, because of the Board being gone and
18 different times, etcetera, and other
19 obligations we have,

20 MR. MCKENNA: Is there anything
21 further from the Board?

22 MR. HAWS: I'm available to meet
23 any time that's necessary.

24 MR. MCKENNA: Thank you, Mr.

1 Haws. Anything further from counsel, further
2 from counsel or the parties?

3 Mr. Adelman, anything further you
4 want to put on the record tonight?

5 MR. ADELMAN: Nothing further.
6 Thank you.

7 MR. MCKENNA: Thank you. We are
8 going to stand in continuance until Tuesday,
9 June 20th, we will be back here at 6:00 p.m.

10 Before everyone leaves I do want
11 to thank all of the Rustin staff, Mr. Scanlon
12 in particular, and everyone who assisted this
13 evening with our setup, with our media
14 projection, and with the microphones. Thank
15 you very much for your time.

16 (Proceedings conclude at 8:55
17 p.m.)

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I N D E X

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By Mr. Gill			640

Nicole R. Kline

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E X H I B I T S

PLANNING COMMISSION EXHIBITS

PC-3 - 4/17/17 Minutes from meeting at PennDOT
B-6 - Planning Commission comments

1 APPLICANT'S EXHIBITS

2

3 A-28 - Nicole Kline resume

4 A-29 - McMahon Associates Transportation Impact
5 Study, 10/13/16

6 A-30 - Kimley Horn review letter, 12/27/16

7 A-31 - Kimley Horn review letter, 2/6/17

8 A-32 - Kimley Horn review letter, 4/3/17

9 A-33 - McMahon Associates response letter and
10 revised Transportation Impact Study, 1/20/17

11 A-34 - McMahon Associates response letter,
12 3/3/17

13 A-35 - McMahon Associates response letter,
14 5/19/17

15 A-36 - McMahon Associates minutes of PennDOT
16 Scoping Meeting, 12/2/16

17 A-37 - E-mail from Francis Hanney, regarding
18 12/2/16 Scoping Meeting minutes

19

20 CERTIFICATE OF REPORTER

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1 Commonwealth of Pennsylvania)
2 Chester County)

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CERTIFICATE OF REPORTER

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I, Eleanor J. Schwandt, Registered Merit Reporter and Notary Public, do hereby certify that the foregoing record, pages 609 to 803 inclusive, is a true and accurate transcript of my stenographic notes taken on May 23rd, 2017, in the above-captioned matter.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 1st day of June, 2017.

_____

Eleanor J. Schwandt

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