

1 BEFORE THE BOARD OF SUPERVISORS
2 OF THE TOWNSHIP OF WESTTOWN
3 CHESTER COUNTY, PENNSYLVANIA

4
5 VOLUME 6

6
7 IN RE: CONDITIONAL USE APPLICATION
8 TOLL PA XVIII, L.P.

9
10 Hearing was held at the Bayard
11 Rustin High School, Auditorium, 1100 Shiloh
12 Road, West Chester, Pennsylvania, on Tuesday,
13 July 25, 2017, beginning at 6:05 o'clock,
14 p.m.

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

18 ALSO PRESENT: ROBERT R. PINGAR,
19 Township Manager

20
21
22
23 ELEANOR J. SCHWANDT, RMR
24 COURT REPORTER

-01:18-13 1 and I'm Mike DiDomenico, Chair.
-01:18-10 2 To my far left is our Township
-01:18-07 3 Manager, Mr. Rob Pingar; and our solicitor, Mr.
-01:18-04 4 Patrick McKenna, who now we will turn the
-01:18-01 5 proceedings over so he can continue to explain
-01:17-58 6 the process and all that goes on. Mr. McKenna.
-01:17-53 7 MR. MCKENNA: Thank you, Mr.
-01:17-52 8 Chairman. Good evening, ladies and gentlemen.
-01:17-50 9 We are here on the continued conditional use
-01:17-47 10 hearing for the Toll Brothers application for
-01:17-44 11 the Crebilly tract. We were last here on June
-01:17-41 12 20th, 2017.
-01:17-38 13 We are actually going to go back
-01:17-36 14 to the testimony that was begun in May. During
-01:17-32 15 that time period the applicant had presented
-01:17-30 16 testimony from their witness, Nicole Kline.
-01:17-27 17 Ms. Kline was not able to finish that night and
-01:17-23 18 was not able to attend in June, so we started
-01:17-20 19 to go a little bit out of order with the
-01:17-18 20 presentations for efficiency sake. So Ms.
-01:17-14 21 Kline is back this evening, so we are going to
-01:17-11 22 hear from her.
-01:17-11 23 First question, as we do with
-01:17-09 24 every hearing, is there anyone here this

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
6 MICHAEL GILL, Esquire
on behalf of Westtown Township
Planning Commission
7
8 KATHRYN L. LABRUM, Esquire
on behalf of Thornbury Township
9
10 MARK THOMPSON, Esquire
on behalf of Neighbors for Crebilly, LLC
11
12 FRONEFIELD CRAWFORD, Esquire
on behalf of Birmingham Township

-01:28-39 12
-01:18-56 13 THE CHAIRMAN: Okay. Good
-01:18-55 14 evening, everyone, and welcome to our 6th
-01:18-53 15 conditional use hearing for the Crebilly tract
-01:18-50 16 and Toll Brothers developers. If we would
17 please rise for your Pledge of Allegiance.
18 (Pledge of Allegiance takes
19 place.)

-01:18-30 20 THE CHAIRMAN: Thank you,
-01:18-30 21 everyone. As in the past let me introduce the
-01:18-28 22 Westtown Board of Supervisors. To my right is
-01:18-21 23 Mrs. Carol DeWolf, our vice chair; Mr. Thomas
-01:18-19 24 Haws, to her right, our police commissioner;

-01:17-07 1 evening who is recording the proceedings?
-01:17-06 2 Yes, sir. I know you are here
-01:17-04 3 every time. If you wouldn't mind again telling
-01:17-03 4 me your name.
-01:17-02 5 MR. BRAXTON: Sure, John Braxton.
-01:17-00 6 MR. MCKENNA: And it is video,
-01:16-59 7 correct?
-01:16-58 8 MR. BRAXTON: Yes.
-01:16-57 9 MR. MCKENNA: Thank you very
10 much.
-01:16-56 11 MR. BRAXTON: Thank you.
12 (NICOLE R. KLINE, having been
13 previously duly sworn, was examined and
-01:18-55 14 testified further as follows:)
-01:18-55 15 MR. MCKENNA: So, Ms. Kline, if
-01:18-53 16 you are ready why don't you go ahead and take
-01:18-52 17 the microphone. You are still under oath.
-01:16-49 18 Quick recap. Ms. Kline did have
-01:18-47 19 direct testimony by Mr. Adelman. All of the
-01:18-44 20 parties were then offered an opportunity for
-01:18-41 21 cross-examination. So at this point what I'm
-01:18-38 22 going to do is ask the Board if they have any
-01:18-36 23 questions that they would like to ask Ms.
-01:18-33 24 Kline, and then we will see if, based upon what

-01-16-31 1 was presented, if there is any redirect by Mr.
 -01-16-27 2 Adelman, and/or any recross based on everything
 -01-16-24 3 that was presented. So at this point does any
 21 4 member of the Board have any questions?
 -01-16-16 5 THE CHAIRMAN: I do not. I would
 -01-16-15 6 rather sit back and listen to what is coming
 -01-16-13 7 forth.
 -01-16-07 8 MS. DEWOLF: For all residents in
 -01-18-03 9 Westtown Township who reside west of Route 202,
 -01-15-57 10 how are they able to make a northbound movement
 -01-15-51 11 on 202?
 -01-15-47 12 THE WITNESS: I can speak to
 -01-15-45 13 within the study area, to travel from the west
 -01-15-40 14 side of 202 and to turn left to travel
 -01-15-37 15 northbound on 202, 926 would be, the signalized
 -01-15-30 16 intersection at 926 and 202 would be the way to
 -01-15-27 17 do that within the study area that was required
 -01-15-24 18 for this development.
 -01-15-23 19 MS. DEWOLF: If someone lives
 -01-15-21 20 north on South New Street at the county line of
 -01-15-17 21 Westtown Township, how do they get northbound
 -01-15-13 22 on 202? Is that same route the route that you
 -01-15-04 23 believe most of us travel?
 92 24 THE WITNESS: Most of us, yes, I

-01-15-01 1 would expect that's the way that they would
 -01-14-59 2 travel.
 -01-14-58 3 MS. DEWOLF: Do they have any
 -01-14-57 4 other alternatives?
 -01-14-54 5 THE WITNESS: Certainly there are
 -01-14-52 6 a number of intersections along 202 that would
 -01-14-50 7 allow you to make a left to travel north.
 -01-14-45 8 MS. DEWOLF: Can you name one?
 -01-14-44 9 THE WITNESS: The intersection
 -01-14-42 10 immediately south of 202 and 926 that comes out
 -01-14-38 11 of the residential development in Thornbury,
 -01-14-33 12 and on down the corridor to the south.
 -01-14-29 13 MS. DEWOLF: So in Westtown, if a
 -01-14-26 14 Westtown resident on the west side of 202 would
 -01-14-22 15 like to make a northbound movement to go to
 -01-14-19 16 work, for emergencies, or for getting out on
 -01-14-14 17 the northbound Route 202, they must go down to
 -01-14-09 18 926 as their first option; is that correct?
 -01-14-06 19 THE WITNESS: I would certainly
 35 20 say that would be their first option.
 -01-14-02 21 MS. DEWOLF: And your suggestion
 -01-14-02 22 is they go further south into Thornbury and
 -01-13-58 23 perhaps use Bridlewood?
 -01-13-56 24 THE WITNESS: No. It is just a

-01-13-55 1 matter of option. As I said, I would agree
 -01-13-53 2 that their first option and primary option
 -01-13-51 3 would be 926, certainly.
 -01-13-48 4 MS. DEWOLF: And can you tell me
 -01-13-47 5 what the stacking is like at South New Street
 -01-13-45 6 and 926?
 -01-13-44 7 THE WITNESS: The stacking
 -01-13-41 8 meaning what the queues are at 926 and New
 -01-13-38 9 Street?
 -01-13-37 10 MS. DEWOLF: From New Street to
 -01-13-35 11 926, what is the stacking at that intersection
 -01-13-30 12 for southbound, and you want to make any
 -01-13-28 13 movement?
 -01-13-27 14 THE WITNESS: At the intersection
 -01-13-26 15 of 926 and New Street, it is all single-lane
 -01-13-21 16 approaches, so there are no turning lanes with
 -01-13-18 17 particular storage for a turning lane.
 -01-13-13 18 MS. DEWOLF: Do you have any
 -01-13-13 19 stacking data for South New Street waiting for
 -01-13-10 20 that light at 926?
 -01-13-08 21 THE WITNESS: If by stacking you
 -01-13-05 22 mean queues, yes, our report includes vehicular
 -01-13-02 23 queues at the intersection.
 -01-13-00 24 MS. DEWOLF: And what are they?

-01-12-59 1 THE WITNESS: Let me pull up
 -01-12-55 2 those numbers. So I will refer to the numbers
 -01-12-39 3 in our January 20th, 2017 study which was
 -01-12-35 4 entered into the record as an exhibit.
 -01-12-29 5 MR. HAWS: Is that Exhibit A-33?
 -01-12-24 6 MR. ADELMAN: That's correct.
 -01-12-23 7 MR. HAWS: Thank you.
 -01-12-00 8 THE WITNESS: So referring to
 -01-11-57 9 what I believe your question was, was the
 -01-11-55 10 stacking on southbound New Street at 926; is
 -01-11-51 11 that correct?
 -01-11-51 12 MS. DEWOLF: Yes.
 -01-11-50 13 THE WITNESS: Based on the
 -01-11-48 14 existing conditions analysis, the maximum queue
 -01-11-43 15 today is about 1400 feet.
 -01-11-37 16 MS. DEWOLF: Can you give me an
 -01-11-36 17 idea of where that is, how far back on New
 -01-11-32 18 Street that is? Is that right in front of the
 -01-11-29 19 quarry access? Is it the front of the Robinson
 -01-11-26 20 driveway? Is it in front of the property
 -01-11-23 21 across? Can you give me an idea where that is?
 -01-11-19 22 THE WITNESS: Let me pull up a
 -01-11-15 23 map that's also contained in the study and see
 -01-11-12 24 if we can give an approximate area.

-01-11-09 1 MS. DEWOLF: Or the bridge?
 -01-11-07 2 THE WITNESS: Pardon?
 -01-11-05 3 MS. DEWOLF: Or does it extend
 03 4 over the curb at the bridge?
 -01-10-42 5 THE WITNESS: Yeah, I don't have
 -01-10-42 6 a dimension plan here in front of me to tell
 -01-10-39 7 you exactly where that 1400-foot queue is in
 -01-10-34 8 terms of the existing driveway or properties
 -01-10-31 9 along that stretch of road.
 -01-10-29 10 MS. DEWOLF: Well, I'm kind of
 -01-10-27 11 interested in that given the sight lines. If
 -01-10-26 12 there were an additional egress or ingress onto
 -01-10-21 13 South New Street from this development, given
 -01-10-15 14 the current stacking, do you see that as an
 -01-10-12 15 issue?
 -01-10-12 16 THE WITNESS: Certainly, if an
 -01-10-09 17 access were located along New Street to this
 -01-10-06 18 development, which is not currently proposed, I
 -01-10-04 19 would expect additional traffic would then
 -01-10-01 20 access New Street, so it would potentially
 -01-09-57 21 increase traffic.
 -01-09-55 22 MS. DEWOLF: Are you familiar
 -01-09-54 23 with the fatalities that have occurred at South
 -51 24 New Street and 926 in the last two or three

-01-09-49 1 years?
 -01-09-49 2 THE WITNESS: I cannot say that I
 -01-09-46 3 am familiar with those.
 -01-09-44 4 MS. DEWOLF: My neighbor lost his
 -01-09-38 5 brother. There have been numerous. I just
 -01-09-35 6 wondered if you have any accident data for that
 -01-09-33 7 particular intersection. I don't remember
 -01-09-29 8 hearing any.
 -01-09-28 9 THE WITNESS: I do not have crash
 -01-09-25 10 data for that intersection.
 -01-09-20 11 MS. DEWOLF: Okay. When you are
 -01-09-13 12 considering transportation, do you consider the
 -01-08-10 13 impact of the other properties that are
 -01-09-07 14 contiguous? For example, the Robinson property
 -01-09-00 15 itself or the property across, which is the
 -01-08-56 16 Quarry Swim Club, or the recent ownership and
 -01-08-53 17 purchase of the property immediately west of
 -01-08-49 18 South New Street?
 -01-08-44 19 THE WITNESS: In terms of the
 -01-08-40 20 requirements of the scope of the traffic impact
 -01-08-35 21 study, an assessment of adjacent properties is
 -01-08-32 22 not a part of that required scope.
 -01-08-32 23 MS. DEWOLF: Are there any
 -01-08-32 24 planning aspects to the greatest extent

-01-08-29 1 possible that you must consider in respect to
 -01-08-28 2 the aspects, impacts to them for this, for the
 -01-08-21 3 adjacent properties?
 -01-08-20 4 THE WITNESS: If a property has a
 -01-08-15 5 vested plan, an application in for land
 -01-08-13 6 development, we certainly must include that in
 -01-08-11 7 our traffic studies.
 -01-08-08 8 MS. DEWOLF: Okay. And so have
 -01-08-07 9 you considered the properties that are adjacent
 -01-08-05 10 to South New Street, including the Robinsons --
 -01-08-01 11 THE WITNESS: We have --
 -01-07-58 12 MS. DEWOLF: -- in your plan?
 -01-07-57 13 THE WITNESS: I'm sorry. So we
 -01-07-55 14 have incorporated properties in the area that
 -01-07-49 15 have active formal land development
 -01-07-43 16 applications, none of which I am aware of for
 -01-07-38 17 immediately adjacent properties.
 -01-07-36 18 MS. DEWOLF: Are you familiar
 -01-07-33 19 with the use of South New Street from the
 -01-07-26 20 borough for bicycle and pedestrian use, and
 -01-07-21 21 numbers, and as part of the Chester County
 -01-07-17 22 plan? Have you considered any of the impacts
 -01-07-14 23 to those users, for any of the multi-modal
 -01-07-08 24 users?

-01-07-07 1 THE WITNESS: I am familiar with
 -01-07-06 2 the use of that roadway in such a way,
 -01-07-04 3 certainly, for the multi-modal purposes,
 -01-07-02 4 vehicles, bikes, pedestrians.
 -01-06-58 5 With this project it is not
 -01-06-52 6 proposed to change the character of that
 -01-06-51 7 roadway. And we do have information in the
 -01-06-47 8 study about pedestrian facilities, etcetera,
 -01-06-43 9 but there is no proposal to change the use or
 -01-06-39 10 facilities along that roadway that exist today.
 -01-06-36 11 MS. DEWOLF: So you don't have
 -01-06-35 12 any plans for that particular user with the
 -01-06-32 13 increase of traffic to the area?
 -01-06-30 14 THE WITNESS: At this time there
 -01-06-25 15 is no proposed additional facilities or change
 -01-06-21 16 along New Street for this development.
 -01-06-15 17 MS. DEWOLF: And I'm interested
 -01-06-11 18 in a fact that you put into the record that
 -01-06-09 19 there has been a decrease in traffic numbers on
 -01-05-59 20 Route 202. Have they changed, has DVRPC
 -01-05-53 21 changed any of their mechanisms for
 -01-05-50 22 transportation monitoring and tracking that
 -01-05-48 23 would cause any change in those numbers?
 -01-05-44 24 THE WITNESS: Not that I am aware

-01-05-42 **1** of. But it is a trend over the past several
-01-05-37 **2** years that on a daily, 24-hour basis that
-01-05-34 **3** traffic volumes have decreased along a lot of
31 **4** roadways in the region for a variety of
-01-05-28 **5** reasons.
-01-05-27 **6** MS. DEWOLF: And looking at these
-01-05-25 **7** numbers, I don't see that significant drop.
-01-05-19 **8** Can you explain where you see that, and how?
-01-05-16 **9** THE WITNESS: I don't believe
-01-05-14 **10** that I testified there was a significant drop.
-01-05-12 **11** I just testified there was a drop. And if you
-01-05-09 **12** look at the DVRPC data that was submitted, it
-01-05-06 **13** does show a decrease over the past ten years.
-01-05-02 **14** It is a slight decrease, absolutely. But it
-01-04-59 **15** does not show an increase.
-01-04-57 **16** MS. DEWOLF: So the numbers on
-01-04-55 **17** Table 2 that you referred to, and Table 1, they
-01-04-50 **18** are average annual daily, so many of the days
-01-04-45 **19** may be much higher than these particular
-01-04-42 **20** figures in any one day, correct?
-01-04-38 **21** THE WITNESS: They certainly
-01-04-37 **22** could be higher. I think you would have to
-01-04-33 **23** look at the data to determine whether you would
30 **24** call that significant or not, and what

-01-04-28 **1** significant means.
-01-04-26 **2** MS. DEWOLF: Can you capture the
-01-04-25 **3** data for specific dates?
-01-04-22 **4** THE WITNESS: Yes. I think data
-01-04-19 **5** could be made available, the raw data.
-01-04-15 **6** MS. DEWOLF: So dates for DVRPC
-01-04-11 **7** at certain times of the year, making sure that
-01-04-09 **8** school is not in process, making sure that
-01-04-06 **9** there is not a bridge closed or what have you,
-01-04-03 **10** could be captured if you wanted to look
-01-03-59 **11** specifically at some high points and maybe the
-01-03-54 **12** median, rather than the annual average?
-01-03-51 **13** THE WITNESS: Well, the average
-01-03-50 **14** annual would be the median. But if you wanted
-01-03-48 **15** to look at the raw data and see some of the
-01-03-46 **16** fluctuations, that that data could be requested
-01-03-42 **17** of DVRPC to see what their range of raw data
-01-03-38 **18** actually is.
-01-03-36 **19** MS. DEWOLF: Have you considered
36 **20** public transportation on 202 for your new
-01-03-32 **21** residents or the future needs of our
-01-03-29 **22** transportation system?
-01-03-27 **23** THE WITNESS: At this time, no
-01-03-25 **24** additional public transportation is proposed

-01-03-23 **1** for the project.
-01-03-11 **2** MS. DEWOLF: I'll have a couple
-01-03-10 **3** more.
-01-03-07 **4** MR. HAWS: Take your time.
-01-03-05 **5** MS. DEWOLF: So I don't remember
-01-02-58 **6** you testifying that you actually have a
-01-02-55 **7** connector road down here in your plan. Is that
-01-02-53 **8** true?
-01-02-52 **9** THE WITNESS: The traffic study
-01-02-48 **10** evaluated a few different plan alternatives,
-01-02-44 **11** and we have, as I believe I have testified to,
-01-02-39 **12** Toll Brothers has taken a preliminary look at
-01-02-37 **13** some potential plan modifications based on
-01-02-34 **14** comments received from various parties,
-01-02-32 **15** including the Planning Commission and
-01-02-30 **16** Thornbury, and as part of that a connector road
-01-02-27 **17** is, was contemplated in some of that planning
-01-02-22 **18** work that does provide a roadway connection
-01-02-20 **19** between West Pleasant Grove Road and 926
-01-02-18 **20** through the site.
-01-02-15 **21** MS. DEWOLF: But your plan does
-01-02-13 **22** not show that road at this time, correct?
-01-02-10 **23** THE WITNESS: The conditional use
-01-02-07 **24** application, the plan that was part of the

-01-02-04 **1** application, I do not believe shows that
-01-02-00 **2** connector road concept.
-01-01-59 **3** MS. DEWOLF: Do you know how long
-01-01-58 **4** it takes me -- I live on South New Street -- to
-01-01-55 **5** get across the 926/202 intersection to go
-01-01-50 **6** eastbound to work?
-01-01-49 **7** THE WITNESS: We have the delay
-01-01-46 **8** information in our study. I would expect it to
-01-01-44 **9** be significant, as shown in the study.
-01-01-41 **10** MS. DEWOLF: Takes me 20 minutes.
-01-01-39 **11** I live a half mile north. Interesting.
-01-01-25 **12** In respect to Jacqueline Drive,
-01-01-22 **13** it is a neighborhood, hasn't really experienced
-01-01-19 **14** such significant traffic as it has. Have you
-01-01-16 **15** looked at any other alternatives for the west,
-01-01-10 **16** people residing in the western part of the
-01-01-08 **17** township to have any access to 202 other than
-01-01-03 **18** 926?
-01-01-02 **19** THE WITNESS: We were not asked
-01-01-00 **20** to do that as part of the scope of this study,
-01-00-58 **21** no.
-01-00-57 **22** MS. DEWOLF: Thank you. That's
-01-00-56 **23** all I have.
-01-00-53 **24** THE CHAIRMAN: Ms. Kline, I

01:00:51 1 wasn't going to ask a question, but I want to
 01:00:49 2 piggyback on something that Mrs. DeWolf came up
 01:00:46 3 with. Back when you were I believe asked, it
 42 4 came from the January 20, 2017, study, I guess
 01:00:40 5 it is Exhibit A-33, you answered that the
 01:00:36 6 maximum queue was 1400 feet. And I basically
 01:00:30 7 just did some quick math here. At 18-foot for
 01:00:26 8 a car, 1400 feet is 77 cars on South New
 01:00:21 9 Street.

01:00:20 10 THE WITNESS: We would typically
 01:00:19 11 just as, in terms of industry methodology, we
 01:00:14 12 would assume 25 vehicle -- 25 feet per
 01:00:11 13 passenger vehicle to allow vehicle spacing. So
 01:00:07 14 if we were to equate the length to a number of
 01:00:03 15 vehicles, we would use 25 per vehicle.

00:59:59 16 THE CHAIRMAN: Okay. So you are
 00:59:58 17 saying there would be 25 vehicles there, but
 00:59:56 18 that comes out to 56. If I use 25, that's 56
 00:59:51 19 vehicles.

00:59:50 20 THE WITNESS: It is a significant
 00:59:49 21 queue today, certainly.

00:59:48 22 THE CHAIRMAN: Okay. Thank you.

00:59:45 23 MR. HAWS: Yes, Ms. Kline, I have
 4 24 just a couple questions. So in your testimony

00:59:37 1 back in May you had referred to Exhibit A-33,
 00:59:31 2 page 9, Table 2, if you wouldn't mind going to
 00:59:27 3 that for a second.

00:59:24 4 THE WITNESS: Sure. Yes.

00:59:20 5 MR. HAWS: Sure. So this was the
 00:59:18 6 vehicular trip generation report table that you
 00:59:15 7 had generated, and you talked about
 00:59:13 8 Alternatives A or Alternatives B and C.

00:59:08 9 Alternative A is the applicant's plan before us
 00:59:04 10 for 319 units. Alternatives B and C have a
 00:59:00 11 size of 397 units.

00:58:57 12 So my question to you is: On
 00:58:53 13 your daily columns you have numbers for
 00:58:50 14 Alternative A and Alternatives B and C, and the
 00:58:47 15 difference between those numbers is 213 daily
 00:58:42 16 trips. Does that seem to equate? How did you
 00:58:38 17 calculate that number based on the size
 00:58:35 18 difference of 78?

00:58:32 19 THE WITNESS: We use industry
 9 20 standard trip generation data that is provided
 00:58:27 21 by the Institute of Transportation Engineers,
 00:58:24 22 and they provide trip generation rates for a
 00:58:19 23 variety of land uses, and we calculate trips,
 00:58:16 24 per number of units, in this case for

00:58:13 1 residential.

00:58:13 2 So in Alternative A we had the
 00:58:09 3 two existing units, 200 single-family units and
 00:58:04 4 117 carriage homes, whereas in Alternatives B
 00:58:00 5 and C we had 152 new single families, two
 00:57:55 6 existing units and 243 new carriage homes.

00:57:52 7 So we take those numbers and we
 00:57:49 8 utilize the ITE trip generation rates to
 00:57:46 9 determine the number of trips.

00:57:44 10 So that is the difference between
 00:57:42 11 the two numbers, is applying the rates to the
 00:57:39 12 different units.

00:57:38 13 MR. HAWS: And it just so happens
 00:57:35 14 that when you look at the weekly morning peak
 00:57:32 15 hours that between both Alternative A and
 00:57:29 16 Alternatives B and C that the number in equals
 00:57:25 17 the same?

00:57:24 18 THE WITNESS: It is just, yeah,
 00:57:23 19 it is just a coincidence there.

00:57:21 20 MR. HAWS: Okay. When you look
 00:57:19 21 at the differences between the size of the
 00:57:12 22 units and the daily trips, and you look at that
 00:57:09 23 factor rate for Alternative A was 8.59, for
 00:57:04 24 Alternatives B and C it was 7.44, and you are

00:57:00 1 telling me that the difference is due to the
 00:56:57 2 make-up of the units on the property?

00:56:55 3 THE WITNESS: Yes.

00:56:52 4 MR. HAWS: What is the daily rate
 00:56:49 5 for a single-family home versus a carriage
 00:56:46 6 home?

00:56:46 7 THE WITNESS: I don't have the
 00:56:44 8 raw ITE data with me. Let me double check
 00:56:40 9 here. And we have appendices that were also
 00:56:37 10 submitted as part of the record with this
 00:56:35 11 study. I can double check and see. I may have
 00:56:30 12 more detailed information there.

00:56:27 13 Are you asking what the daily
 00:56:18 14 rate difference is?

00:56:17 15 MR. HAWS: You are saying that
 00:56:15 16 the reason why the numbers don't match up
 00:56:13 17 statistically is because you took into account
 00:56:09 18 that under Alternative A it was two existing
 00:56:04 19 units, 200 new single-family homes, and 117
 00:56:00 20 carriage homes. What I'm asking is: What is
 00:55:55 21 the trip generation value for a single-family
 00:55:51 22 home versus a carriage home on why there would
 00:55:48 23 be such a discrepancy with such an increase in
 00:55:43 24 density on property?

00:55:42 **1** THE WITNESS: So there are
 00:55:41 **2** different trip generation rates provided for
 00:55:37 **3** detached residential units versus attached
 35 **4** residential units. And that is based on actual
 00:55:31 **5** field collected data, number of studies across
 00:55:28 **6** the country that go into developing those
 00:55:26 **7** rates.
 00:55:26 **8** So that is the difference between
 00:55:23 **9** the mix and the two different types of
 00:55:20 **10** residential units. The data that we use is
 00:55:16 **11** broken down. It is not just residential units.
 00:55:12 **12** It breaks it down between detached units versus
 00:55:10 **13** attached units versus apartments. There is a
 00:55:06 **14** variety of different land uses that fall within
 00:55:04 **15** the umbrella of residential.
 00:55:02 **16** And there are different rates,
 00:55:00 **17** that's why you see daily numbers, and you see
 00:54:57 **18** weekday a.m. numbers and weekday p.m. numbers.
 00:54:53 **19** So each period also has a different rate
 00:54:50 **20** between the different uses. So there is a
 00:54:47 **21** variety of rates that go into these
 00:54:45 **22** calculations.
 00:54:45 **23** MR. HAWS: Sure, no, and I
 44 **24** understand that. I was asking for what was the

00:54:42 **1** rate for a single-family home versus a carriage
 00:54:38 **2** home.
 00:54:27 **3** THE WITNESS: I'm just going to
 00:54:26 **4** grab my calculator here to give you an example.
 00:53:58 **5** So, for example, on the daily
 00:53:43 **6** numbers for Alternative A, there is a breakdown
 00:53:39 **7** of 117 attached units and 202 detached units.
 00:53:34 **8** So, for example, on a daily basis, the trip
 00:53:32 **9** generation rate for the attached units is
 00:53:28 **10** approximately 6.3 trips per unit, where on the
 00:53:22 **11** detached units, the rate is approximately 9.9
 00:53:17 **12** trips per unit, per day. So that's an example.
 00:53:10 **13** MR. HAWS: So that's what I was
 00:53:08 **14** asking. I was asking what is the industry
 00:53:06 **15** standard number that you utilize for
 00:53:02 **16** single-family dwelling versus carriage home?
 00:52:59 **17** Are you saying that those are the two numbers
 00:52:56 **18** that you apply for the study?
 00:52:55 **19** THE WITNESS: That was for daily
 00:52:52 **20** as an example. But each peak hour has a
 00:52:51 **21** different rate.
 00:52:51 **22** So there are a multitude of rates
 00:52:49 **23** that go into these calculations. That was just
 00:52:47 **24** an example.

00:52:46 **1** Certainly, detached units
 00:52:44 **2** generate at a higher rate, meaning that one
 00:52:42 **3** detached unit is typically going to generate
 00:52:38 **4** more traffic than one attached unit.
 00:52:33 **5** Generally, in terms of size, a detached unit is
 00:52:31 **6** larger, there is usually more people in the
 00:52:29 **7** household that have vehicles, etcetera. That
 00:52:26 **8** all factors into the data that was collected to
 00:52:24 **9** develop those rates.
 00:52:22 **10** MR. HAWS: Okay. Thank you.
 00:52:18 **11** Some additional questions. In your
 00:52:14 **12** Exhibit A-35, under comment No. 1b.
 00:52:06 **13** THE WITNESS: We just want to
 00:52:04 **14** pull up that reference. Okay. So A-35 is the
 00:51:58 **15** May 19th, 2017 letter.
 00:51:56 **16** MR. HAWS: That is correct.
 00:51:55 **17** THE WITNESS: Okay.
 00:51:54 **18** MR. HAWS: So my first question
 00:51:52 **19** is: Under your comment No. 1b, it states that
 00:51:46 **20** "As directed by PennDOT, the PA 926 site access
 00:51:43 **21** to the Crebilly development must be located
 00:51:41 **22** opposite Bridlewood Boulevard." And then it
 00:51:38 **23** says, "It is our understanding that the
 00:51:36 **24** Arborview site access is proposed to be located

00:51:33 **1** along West Pleasant Grove Road, opposite the
 00:51:30 **2** Westminster Presbyterian Church property, and
 00:51:27 **3** therefore, the Crebilly site access along West
 00:51:22 **4** Pleasant Grove Road cannot be located opposite
 00:51:21 **5** the Arborview access."
 00:51:19 **6** Why is that?
 00:51:18 **7** THE WITNESS: Because the
 00:51:16 **8** applicant does not own the property opposite
 00:51:16 **9** where the Arborview access is proposed. That
 00:51:14 **10** is the Westminster Church property.
 00:51:11 **11** MR. HAWS: Okay. And then in
 00:51:08 **12** that same exhibit, comment No. 3, your tables 1
 00:51:02 **13** and 2, I know that Ms. DeWolf had asked you
 00:50:58 **14** some questions about that. Can you explain the
 00:50:57 **15** difference between the raw daily traffic
 00:50:54 **16** volumes and the adjusted AADT?
 00:50:50 **17** THE WITNESS: Yes. So data is
 00:50:48 **18** collected throughout the year at various times,
 00:50:44 **19** and, as you would expect, traffic varies.
 00:50:41 **20** Traffic is different when school is in session
 00:50:39 **21** versus summer, versus winter. So an average
 00:50:35 **22** annual daily traffic volume is just as the
 00:50:31 **23** title alludes, that it is an average over the
 00:50:27 **24** course of the year.

00:50:27 1 So if you were to look at the raw
00:50:25 2 data you would expect to see days that are
00:50:23 3 below that and days that are above that. But
20 4 typically what you boil the raw traffic count
00:50:17 5 data down to for a roadway like this, for a
00:50:14 6 daily volume, is you want to talk about an
00:50:12 7 average annual daily traffic.

00:50:10 8 MR. HAWS: Okay. And then you
00:50:09 9 had made a comment just in response to Ms.
00:50:06 10 DeWolf's question that median and average are
00:50:03 11 the same. And I just -- that's not
00:49:57 12 statistically correct. Average is the average
00:49:54 13 of a group of numbers. Median is the middle
00:49:50 14 point of a set of numbers.

00:49:46 15 MS. DEWOLF: It happens once.

00:49:43 16 MR. HAWS: Yeah. So I guess the
00:49:42 17 question is: Do you have data to show median
00:49:40 18 adjusted traffic volumes per day? Because I
00:49:36 19 think when you are looking at a set where you
00:49:34 20 have peaks and valleys and loads, average does
00:49:31 21 not necessarily capture the appropriate measure
00:49:28 22 here, and median would be more beneficial for
00:49:25 23 this report.

23 24 THE WITNESS: In terms of the

00:49:21 1 statistical definition, you are absolutely
00:49:19 2 correct, the term median and average are not
00:49:17 3 the same. But in terms of how this average
00:49:14 4 annual traffic volume is developed, it is not
00:49:09 5 simply an averaging of a set of data as you
00:49:06 6 would think of it in terms of statistics.

00:49:03 7 There is a lot of other factors.
00:49:01 8 You know, it is looking at the long-term
00:48:58 9 historic trends. It is not a simple
00:48:56 10 calculation. It is not a simple averaging of
00:48:53 11 the raw data either.

00:48:52 12 So at this point we do not have
00:48:50 13 the raw data. What we reported in the tables,
00:48:47 14 Table 1 showed data from PennDOT and Table 2
00:48:43 15 showed data from DVRPC, but we are only privy
00:48:40 16 to the final numbers. We do not have all of
00:48:37 17 the raw data that went into the calculations at
00:48:33 18 this time.

00:48:33 19 MR. HAWS: Okay. But, again, not
31 20 to hammer in on this point, but it is average
00:48:27 21 daily, it is average annual daily traffic, yet
00:48:23 22 you are telling me that it is not an average.
00:48:21 23 I just, I don't understand how that can be the
00:48:18 24 case. It would have to have some other -- it

00:48:15 1 would talk about competence intervals, median,
00:48:11 2 you know, lots of different statistical terms.
00:48:08 3 When the title is "average" it is looking at
00:48:05 4 the average of a set of numbers.

00:48:02 5 So I am just having a hard time
00:47:58 6 wrapping my head around your last statement
00:47:56 7 there. Can you clarify that a little bit more?

00:47:54 8 THE WITNESS: Sure. So when we
00:47:52 9 are talking about traffic there are other
00:47:51 10 factors that go into calculating average annual
00:47:48 11 daily traffic, such as actual correctional
00:47:44 12 factors, seasonal adjustment factors, so there
00:47:41 13 are other elements. Rather, it is not just an
00:47:40 14 average of a set of raw today.

00:47:36 15 What I was referring to is there
00:47:35 16 is a set of other, other correction factors
00:47:31 17 that go into developing an average annual daily
00:47:27 18 traffic volume. So those are the types of
00:47:25 19 things I was referring to. Axle correction
00:47:22 20 factor, which incorporates heavy vehicles into
00:47:18 21 the equation, and also seasonal adjustment
00:47:14 22 factor.

00:47:13 23 MR. HAWS: Okay. Moving on to
00:46:55 24 during your testimony you had said that Toll

00:46:52 1 Brothers will have to make additional roadway
00:46:50 2 improvements along its property frontages. I
00:46:45 3 guess the question was: "Would Toll Brothers
00:46:43 4 need to make that?" And you said: "It is
00:46:41 5 possible." And then Mr. Adelman asked for you
00:46:38 6 to expand on that. And you said: "There would
00:46:36 7 be some roadway widenings needed in order to
00:46:32 8 satisfy township ordinance street width
00:46:28 9 requirements."

00:46:28 10 Do you have any of those details?

00:46:26 11 THE WITNESS: We do not have the
00:46:24 12 details at this time. We have not gone into a
00:46:23 13 detailed design of roadway improvements,
00:46:19 14 pending the discussions here through the
00:46:17 15 conditional use hearing.

00:46:15 16 MR. HAWS: Okay. And then during
00:46:14 17 your testimony, separate question came to you
00:46:11 18 about that there may need to be right-of-ways
00:46:08 19 along some of that property frontage, and then
00:46:06 20 you said that you have not done that
00:46:03 21 calculation yet, but based on your knowledge
00:46:01 22 that there may be the requirement for some
00:45:58 23 right-of-ways.

00:45:57 24 Have you had a chance to review

00:45:56 1 that and see what the impact of the
 00:45:54 2 right-of-ways would have?
 00:45:53 3 THE WITNESS: No. Again, until
 31 4 we do a full detailed design, those elements
 00:45:49 5 would not be quantified.
 00:45:47 6 MR. HAWS: Okay. Moving on to
 00:45:41 7 Exhibit, this would be Board Exhibit 19.
 00:45:05 8 THE WITNESS: So I believe 19 is
 00:45:04 9 an impact analysis. Is that correct?
 00:45:02 10 MR. HAWS: That is correct.
 00:45:01 11 THE WITNESS: Okay.
 00:45:01 12 MR. HAWS: During your review and
 00:44:59 13 preparation for this traffic study report did
 00:44:56 14 you have a chance to review this document?
 00:44:54 15 THE WITNESS: I have not reviewed
 00:44:53 16 this document.
 00:44:44 17 MR. HAWS: Again, I don't have it
 00:44:42 18 right in front of me, but I believe that the
 00:44:39 19 Planning Commission's attorney asked you some
 00:44:36 20 questions regarding that, specifically around
 00:44:33 21 comment No. 4, which was talking about
 00:44:23 22 additional roadway access between South New
 00:44:21 23 Street and the development.
 16 24 And I was just wondering why that

00:44:13 1 wasn't factored in at all to any potential
 00:44:10 2 traffic mitigation on the other streets and
 00:44:06 3 throughways.
 00:44:05 4 THE WITNESS: Based on the
 00:44:03 5 conditional use application that was filed, the
 00:44:00 6 proposed site accesses adequately serve the
 00:43:57 7 development, and that is what is proposed at
 00:43:55 8 this time, and so that is what we evaluated.
 00:43:52 9 MR. HAWS: Okay. And then also
 00:43:49 10 on that same document comment No. 6 talks about
 00:43:43 11 the collector road, and that having a more
 00:43:39 12 contiguous road through that would help with
 00:43:33 13 traffic patterns off of West Pleasant Grove
 00:43:30 14 Road and 926.
 00:43:26 15 Would having the collector road
 00:43:24 16 on the plan change any of the traffic numbers
 00:43:20 17 and study that you have done?
 00:43:18 18 THE WITNESS: Certainly, it would
 00:43:15 19 depend on the characteristics of the connector
 12 20 road. A similar comment was made by the
 00:43:10 21 traffic engineer, the township's traffic
 00:43:08 22 engineer on this issue, and our response was
 00:43:02 23 that an internal connection has been
 00:42:59 24 preliminarily evaluated by Toll Brothers, as I

00:42:56 1 mentioned earlier this evening, as part of
 00:42:54 2 evaluating some potential changes to the plan,
 00:42:51 3 but that a connector road through a residential
 00:42:48 4 development such as what is proposed, and that
 00:42:43 5 based on PennDOT requirements must connect
 00:42:41 6 opposite Bridlewood Boulevard. Again, another
 00:42:38 7 residential development that some type of
 00:42:34 8 regional connection to allow non-local traffic
 00:42:30 9 to utilize it would not seem to be appropriate,
 00:42:27 10 given the uses and connections based on the
 00:42:24 11 proposed plan and the requirements that are
 00:42:22 12 being dictated by PennDOT for that access.
 00:42:19 13 MR. HAWS: So once having
 00:42:10 14 PennDOT's written letter, because that goes
 00:42:08 15 directly against our Growth Management Plan and
 00:42:04 16 Comprehensive Plan for that site, the site has
 00:42:02 17 always been earmarked to have a collector road,
 00:41:59 18 and based on all of our zoning and ordinances,
 00:41:54 19 a development of this size I feel should
 00:41:51 20 require that type of connection and
 00:41:47 21 connectivity to the community.
 00:41:45 22 THE WITNESS: PennDOT states in
 00:41:44 23 their letter the access must be located
 00:41:42 24 opposite Bridlewood Boulevard and 926, and they

00:41:39 1 also state that they are supportive of a
 00:41:37 2 connection between 926 and West Pleasant Grove
 00:41:34 3 Road. But, again, it doesn't, it doesn't go
 00:41:31 4 any further than that into anymore detail.
 00:41:28 5 But in response to similar
 00:41:26 6 comments from your township traffic engineer,
 00:41:23 7 in light of the uses here, a connector road
 00:41:20 8 makes sense, in terms of allowing for local
 00:41:16 9 traffic and not just this development, other
 00:41:13 10 local traffic surrounding this area to utilize
 00:41:11 11 that connection certainly makes sense.
 00:41:09 12 But to create some type of wide,
 00:41:04 13 higher-speed connection here, which may attract
 00:40:58 14 202 traffic, would not be desirable through
 00:40:55 15 this residential neighborhood, nor would it be
 00:40:53 16 desired through the residential neighborhood to
 00:40:49 17 the south, in existing Thornbury.
 00:40:45 18 MR. HAWS: That's based on your
 00:40:44 19 opinion?
 00:40:43 20 THE WITNESS: That's based on my
 00:40:42 21 opinion, yes.
 00:40:41 22 MR. HAWS: But you just a moment
 00:40:40 23 ago you said that's PennDOT opinion.
 00:40:38 24 THE WITNESS: No. I stated that

00:40:37 1 PennDOT supports a connection and they state
 00:40:35 2 that in their letter. But they don't -- go
 00:40:33 3 ahead.
 13 4 MR. HAWS: I'm saying, but that
 00:40:30 5 was after I asked the follow-up question. Your
 00:40:28 6 first statement said that PennDOT doesn't
 00:40:26 7 prefer a collector road, but then now you are
 00:40:24 8 saying that they do.
 00:40:23 9 THE WITNESS: I don't believe I
 00:40:22 10 testified that PennDOT does not support a
 00:40:19 11 connector road. I said that PennDOT is
 00:40:17 12 dictating the location of the access along 926
 00:40:14 13 be opposite Bridlewood, and they stated in
 00:40:12 14 their review letter that they do support a
 00:40:10 15 connection between West Pleasant Grove Road and
 00:40:06 16 926. So I believe that's what I testified to,
 00:40:04 17 but that is, was what I intended --
 00:40:01 18 MR. HAWS: Okay.
 00:40:00 19 THE WITNESS: -- to represent.
 00:39:59 20 MR. HAWS: One other question.
 00:39:57 21 You had testified that the applicant would be
 00:39:53 22 willing to abandon the 202 entrance into the
 00:39:46 23 neighborhood, or exit, egress or ingress. Is
 40 24 that correct?

00:39:39 1 THE WITNESS: Yes. What is
 00:39:38 2 currently shown on the conditional use plan is
 00:39:36 3 a right in/right out on 202. And the applicant
 00:39:33 4 would consider removing that access in
 00:39:28 5 coordination with the township.
 00:39:27 6 MR. HAWS: By removing that
 00:39:26 7 access off of 202, what does that do to the
 00:39:23 8 traffic study that is before us as part of this
 00:39:21 9 conditional use?
 00:39:20 10 THE WITNESS: Certainly the
 00:39:19 11 results of the traffic study would change, but
 00:39:17 12 we have already completed that analysis, and
 00:39:13 13 the final results and recommendations would not
 00:39:09 14 change.
 00:39:08 15 MR. HAWS: But how much more
 00:39:06 16 daily traffic would be going off of East
 00:39:03 17 Pleasant Grove and 926?
 00:39:01 18 THE WITNESS: There would be
 00:39:00 19 additional traffic, so, again, the current plan
 6 20 shows a right in/right out on 202, so that if
 00:38:53 21 that access were removed, then traffic
 00:38:50 22 traveling south on 202 coming into the
 00:38:47 23 development would have to turn right onto West
 00:38:44 24 Pleasant Grove Road, and then there are two

00:38:42 1 proposed accesses that they could turn into the
 00:38:40 2 site from West Pleasant Grove Road.
 00:38:37 3 So the additional traffic would
 00:38:36 4 end there. As an exiting movement, if that 202
 00:38:32 5 access were removed, traffic wishing to exit
 00:38:29 6 the site and travel south on 202 would either
 00:38:26 7 have to come out one of the accesses on West
 00:38:22 8 Pleasant Grove Road and come around New Street
 00:38:20 9 to 926, or they could come out directly onto
 00:38:17 10 926 and turn at 202. Those would be the
 00:38:14 11 options.
 00:38:13 12 MR. HAWS: One other additional
 00:38:12 13 question. If we were to remove access off of
 00:38:08 14 202 and divert traffic to either West Pleasant
 00:38:05 15 Grove -- I apologize, I said East there a
 00:38:03 16 minute ago -- or 926, West Pleasant Grove is a
 00:37:59 17 township road, if it was required to put
 00:37:54 18 calming, traffic calming measures on that road,
 00:37:51 19 because now we are increasing the amount of
 00:37:48 20 traffic onto West Pleasant Grove Road, would
 00:37:45 21 that have any impact on your traffic study?
 00:37:42 22 THE WITNESS: Implementation of
 00:37:39 23 traffic calming would not have an impact on the
 00:37:37 24 results of the traffic study.

00:37:26 1 MR. HAWS: I have a couple other
 00:37:24 2 questions. Have you done any sort of bus stop,
 00:37:19 3 whether it be for the school district or for
 00:37:13 4 local transportation, analysis as part of this
 00:37:11 5 traffic study?
 00:37:10 6 THE WITNESS: No. That was not
 00:37:09 7 part of the scope of this traffic study that
 00:37:07 8 was required by the township and PennDOT.
 00:37:05 9 MR. HAWS: So with a development
 00:37:03 10 of this size, that's not a requirement to look
 00:37:01 11 at the impact of local public transportation?
 00:36:57 12 THE WITNESS: Public
 00:36:56 13 transportation is one thing. The school
 00:36:54 14 district handles their own transportation, so
 00:36:52 15 we are not privy, privy to that knowledge, so
 00:36:49 16 that is not a scope requirement of traffic
 00:36:47 17 impact study.
 00:36:46 18 MR. HAWS: Sure. So I had asked
 00:36:45 19 about the school district, then also public
 00:36:43 20 transportation. So since the school district
 00:36:41 21 is in charge of theirs, did you do an analysis
 00:36:39 22 on the impact of this development on public
 00:36:35 23 transportation?
 00:36:34 24 THE WITNESS: We provided summary

00:36:32 1 of the existing public transportation that's
00:36:30 2 provided in this region within our study. But
00:36:28 3 no additions or modifications are proposed, so
26 4 that's the extent to which it is included in
00:36:23 5 the traffic study.

00:36:22 6 MR. HAWS: So there would be no
00:36:21 7 need to upgrade any of the current public
00:36:19 8 transportation bus stops to make them ADAH
00:36:15 9 compliant?

00:36:14 10 THE WITNESS: As part of this
00:36:13 11 proposed development there is no impact to
00:36:11 12 public transportation.

00:36:08 13 MR. HAWS: And how did you come
00:36:06 14 to that assessment?

00:36:03 15 THE WITNESS: Based on the
00:36:00 16 existing facilities and the usership at those
00:35:55 17 facilities, the potential generation from this
00:35:51 18 development or the existing public transit,
00:35:47 19 which is bus service, would be negligible, if
00:35:43 20 anything.

00:35:42 21 MR. HAWS: Was that provided in
00:35:41 22 any of the reports that are before us?

00:35:38 23 THE WITNESS: Really, all that's
36 24 included in the report is a description of the

00:35:34 1 existing facilities.

00:35:32 2 MR. HAWS: But you are testifying
00:35:29 3 tonight that you did an analysis and that it
00:35:28 4 will have no impact on that?

00:35:25 5 THE WITNESS: I'm testifying that
00:35:24 6 that is my professional opinion.

00:35:19 7 MR. HAWS: Okay. Thank you.

00:35:12 8 Just a couple more questions. In your
00:34:39 9 testimony at the May 23rd hearing, Mr. Gill,
00:34:32 10 for the Planning Commission, had asked you to
00:34:29 11 stipulate to certain conditions, and your
00:34:25 12 answer was for comments 5 to 15, which are
00:34:20 13 those that are directly related to your work,
00:34:16 14 that you made reference that you were on the
00:34:11 15 record with specific information and that you
00:34:09 16 believed that the rest were agreeable. You
00:34:06 17 were in regards talking about whether you
00:34:04 18 agreed -- you were in agreement with the
00:34:02 19 comments 5 through 15.

39 20 And it just seemed kind of vague,
00:33:56 21 and I was just wondering if there was a way
00:33:53 22 that you could clearly articulate what you
00:33:50 23 meant there.

00:33:49 24 THE WITNESS: I believe during

00:33:47 1 that testimony I was asked to comment on a
00:33:43 2 group of -- to give testimony on a group of
00:33:39 3 comments, and we then went through each of the
00:33:35 4 comments in more detail. But I would have to
00:33:32 5 go back and reference that exhibit to be able
00:33:28 6 to go through that again and specify on each
00:33:24 7 comment what is acceptable in terms of our
00:33:20 8 analysis.

00:33:19 9 MR. HAWS: Sure. I mean your
00:33:17 10 answer was: "The ones that I indicated were
00:33:15 11 agreeable, yes. The others would be open to
00:33:11 12 continued coordination." What did you mean by
00:33:08 13 "open to continued coordination"?

00:32:55 14 THE WITNESS: So one of the
00:32:39 15 comments in one, some of the language in
00:32:36 16 comment No. 6 we have testified to earlier this
00:32:32 17 evening. It speaks to the fact that the
00:32:30 18 connector road should be -- the location of the
00:32:27 19 connector road should be immediately west of
00:32:24 20 Westminster Presbyterian Church and aligned
00:32:21 21 with the proposed access to the Orvis
00:32:18 22 commercial tract.

00:32:16 23 As I testified to earlier this
00:32:16 24 evening, the Orvis tract, or Arborview, as it

00:32:13 1 is also called, their access is proposed
00:32:10 2 opposite property that the applicant doesn't
00:32:08 3 own, so that, for example, is something that
00:32:05 4 they cannot physically provide. So that would
00:32:02 5 be an example.

00:32:00 6 MR. HAWS: But I guess what I was
00:31:57 7 trying to get at is what did you mean by "open
00:31:53 8 to continued coordination"? So you were saying
00:31:46 9 ones that were agreeable, yes, but then the
00:31:44 10 ones that were at disagreement that would be
00:31:40 11 open to continued coordination?

00:31:37 12 THE WITNESS: Well, many of these
00:31:36 13 comments refer to items that are under the
00:31:31 14 jurisdiction of PennDOT. So the applicant will
00:31:26 15 be under the jurisdiction of PennDOT for
00:31:24 16 anything along state roadways, so they would
00:31:22 17 not be able to commit to something that PennDOT
00:31:19 18 would not permit or potentially approve or not
00:31:16 19 approve.

00:31:16 20 So that would also be an example
00:31:14 21 of continued coordination would be needed.

00:31:11 22 They can't necessarily accept something that
00:31:08 23 they don't know if PennDOT will accept.

00:31:05 24 MR. HAWS: So for ones that

00-31-03 1 weren't under PennDOT's purview, what do you
 00-31-01 2 mean by "continued coordination"?
 00-31:00 3 THE WITNESS: In comment 12, for
 33 4 example, it speaks to coordination and approval
 00-30-30 5 by the township for a landscaping plan, for
 00-30-28 6 example. So even within the comments
 00-30-25 7 themselves it speaks to further coordination
 00-30-22 8 would be needed for some of these items. I
 00-30-20 9 mean, we can go through it line by line if you
 00-30-18 10 want to. I'm happy to do so.

00-30-16 11 MR. HAWS: No. That's fine. I
 00-30-14 12 was just trying to understand what you were
 00-30-09 13 referencing.

00-30-09 14 THE WITNESS: Those are the items
 00-30-07 15 I was referring to. So in a broad sense, there
 00-30-05 16 are items within this set of comments that
 00-30-03 17 refer to ongoing coordination. There are items
 00-30-00 18 that I think contradict some of the items that
 00-29-54 19 PennDOT has indicated they want to see.

00-29-50 20 There are certainly some that
 00-29-49 21 contradict other comments that we have heard
 00-29-46 22 throughout this conditional use hearing.

00-29-44 23 So those are the items that I am
 42 24 referring to, ongoing coordination and the

00-29-38 1 applicant is open to, the 202 access being an
 00-29-35 2 example, that there are some contradictory
 00-29-33 3 opinions, and so that further coordination is
 00-29-29 4 needed to determine what the township wants to
 00-29-25 5 move forward with.

00-29-24 6 MR. HAWS: Okay. Just one final
 00-29-23 7 question. Regarding the historic structure at
 00-29-21 8 the corner of 926 and 202, you had testified
 00-29-17 9 that PennDOT currently has a TIP for
 00-29-13 10 improvements at that intersection, and that by
 00-29-10 11 the potential widening of that road should not
 00-29-06 12 have an impact on that, and you had thought
 00-29-03 13 that it wouldn't come as close as 12 or 14
 00-28-58 14 feet, I can't remember what you had said, but
 00-28-56 15 you said that you would need to go back and
 00-28-55 16 verify that.

00-28-54 17 I was just wondering if since the
 00-28-52 18 last time you were before this Board you've had
 00-28-50 19 a chance to confirm the distance and the need
 15 20 or not need of potentially moving that
 00-28-43 21 structure?

00-28-43 22 THE WITNESS: That is really
 00-28-41 23 within the purview of PennDOT's project. And
 00-28-37 24 they have not released any further detailed

00-28-34 1 design on that. So it would really require
 00-28-31 2 PennDOT to weigh in on that for their, for
 00-28-28 3 their design.

00-28-26 4 MR. HAWS: What is a typically
 00-28-23 5 safe distance for a building to be next to a
 00-28-19 6 state road?

00-28-18 7 THE WITNESS: There really isn't
 00-28-17 8 a standard for that. I mean, certainly you
 00-28-14 9 have clear zones that you like to see along
 00-28-12 10 roadways based on their classification. But
 00-28-08 11 there really isn't a standard distance in terms
 00-28-05 12 of what is safe or not safe.

00-28-01 13 MR. HAWS: Is there a difference
 00-28-00 14 between new construction, existing construction
 00-27-58 15 or historic structures?

00-27-56 16 THE WITNESS: There is certainly
 00-27-54 17 land development requirements that would talk
 00-27-51 18 about building setbacks, etcetera.

00-27-48 19 But for an historic structure, it
 00-27-46 20 is certainly not uncommon that things change
 00-27-43 21 around it and things don't necessarily meet a
 00-27-38 22 new land development standard, I would say in
 00-27-35 23 general, that as a general comment.

00-27-33 24 MR. HAWS: When the PennDOT TIP

00-27-30 1 or the construction phase completes, or
 00-27-28 2 whatever the terminology you want to use, and
 00-27-23 3 if the historic structure needs to be moved for
 00-27-20 4 that, is that something the applicant would be
 00-27-17 5 willing to do?

00-27-16 6 THE WITNESS: I can't speak to
 00-27-12 7 the historic structure. That's not a part of
 00-27-09 8 my expertise. Nor was I asked to look at that
 00-27-06 9 as part of this evaluation. So that would be
 00-27-04 10 up to the applicant.

00-27-02 11 MR. HAWS: So then I guess just a
 00-27-00 12 more general question: In your experience as a
 00-26-58 13 traffic consultant, if additional traffic
 00-26-55 14 improvements are needed due to your study, if
 00-26-51 15 historic structures were required to be moved,
 00-26-47 16 would that be something that applicants
 00-26-45 17 typically would agree to?

00-26-43 18 THE WITNESS: If it is a part of
 00-26-41 19 the requirement for the development and the
 00-26-37 20 associated required improvements that historic
 00-26-34 21 structure be moved, certainly that is something
 00-26-32 22 that has occurred on projects.

00-26-29 23 MR. HAWS: Okay. I'm sorry, just
 00-26-27 24 one additional follow-up question. I

00:26:26 1 apologize. When you did the traffic study, did
 00:26:21 2 you do it with the 202/926 intersection as it
 00:26:17 3 is today, or as it will be once the
 14 4 construction is completed at that intersection?
 00:26:11 5 THE WITNESS: We did it as both.
 00:26:08 6 MR. HAWS: What was the
 00:26:07 7 difference between the two?
 00:26:06 8 THE WITNESS: In general terms,
 00:26:04 9 approximately, the PennDOT project I believe
 00:26:02 10 resulted in about a 20 percent decrease in
 00:26:00 11 delay.
 00:25:59 12 MR. HAWS: Okay. Thank you.
 00:25:57 13 THE WITNESS: Thank you.
 00:25:56 14 MS. DEWOLF: I have some more
 00:25:55 15 questions. West Pleasant Grove is this
 00:25:48 16 wonderful, scenic drive, and historic. Are you
 00:25:42 17 familiar with any of our regulations regarding
 00:25:38 18 that particular road, or the protection of our
 00:25:34 19 viewsheds of our roads?
 00:25:32 20 THE WITNESS: I'm familiar with
 00:25:31 21 the roadway standards within the township
 00:25:29 22 ordinance.
 00:25:26 23 MS. DEWOLF: Well, road standards
 25 24 are very different than I'm asking. I'll ask

00:25:24 1 the same question again. Are you familiar with
 00:25:22 2 any of our scenic or historic road pieces,
 00:25:17 3 ordinances that relate to historic or roads'
 00:25:11 4 viewsheds with this significance?
 00:25:09 5 THE WITNESS: I'm not familiar
 00:25:08 6 with those types of ordinances as it relates to
 00:25:04 7 roadways, no.
 00:25:02 8 MS. DEWOLF: Okay. In respect to
 00:25:01 9 your road plan inside your plan, in the
 00:24:57 10 development, not the outside road systems,
 00:24:53 11 given PHMC's eligibility status for this
 00:24:49 12 particular property to be an historic structure
 00:24:45 13 in its entirety, is your road system impacting
 00:24:41 14 any historic element on that property?
 00:24:36 15 THE WITNESS: That would be a
 00:24:35 16 question for the historic consultant. That was
 00:24:31 17 not a part of my review or evaluation as part
 00:24:27 18 of this development.
 00:24:26 19 MS. DEWOLF: Are any of your
 25 20 designed roadway systems impacting any historic
 00:24:20 21 properties --
 00:24:19 22 THE WITNESS: The road --
 00:24:17 23 MS. DEWOLF: -- on top of any
 00:24:16 24 historic element?

00:24:14 1 THE WITNESS: The road system was
 00:24:13 2 designed by the site engineer, and the historic
 00:24:10 3 consultant would have reviewed historic
 00:24:07 4 resources on the property. So it is just not a
 00:24:05 5 part of my review or my expertise to comment on
 00:24:02 6 that.
 00:24:02 7 MS. DEWOLF: Okay. In respect to
 00:23:54 8 the Presbyterian Church, Westminster
 00:23:50 9 Presbyterian Church, sorry, how are those
 00:23:49 10 people exiting in your new plan? How are they
 00:23:45 11 going northbound?
 00:23:44 12 THE WITNESS: Their access would
 00:23:38 13 not change from what it is today. To travel
 00:23:35 14 northbound today they would have to, I would
 00:23:32 15 assume their primary option would be to travel
 00:23:29 16 West Pleasant Grove to New Street, to 926, to
 00:23:26 17 202 northbound.
 00:23:23 18 MS. DEWOLF: Okay. And
 00:23:20 19 Bridlewood, have you done any studies on the
 00:23:17 20 safety and the traffic impact on that very
 00:23:07 21 vulnerable neighborhood immediately south and
 00:23:04 22 the impact of the large numbers of volume that
 00:22:58 23 will be rerouted through there as a result?
 00:22:56 24 Have you accommodated any elements to mitigate

00:22:50 1 that?
 00:22:49 2 THE WITNESS: We have met with
 00:22:47 3 Thornbury and they have hired a special traffic
 00:22:44 4 consultant to look at the Bridlewood Boulevard
 00:22:40 5 roadway and coordinate with the neighbors to
 00:22:37 6 determine potential traffic calming master plan
 00:22:33 7 for that neighborhood. And the applicant is
 00:22:29 8 continuing, will continue coordination with
 00:22:27 9 Thornbury on those elements.
 00:22:25 10 MS. DEWOLF: Have you considered
 00:22:24 11 any of the pedestrian elements of the children
 00:22:22 12 in your new development that will walk to
 00:22:20 13 school?
 00:22:20 14 THE WITNESS: The proposed
 00:22:14 15 development will include pedestrian connections
 00:22:12 16 throughout. In regards to walking to school, I
 00:22:06 17 do not believe that this development is close,
 00:22:03 18 in close proximity. We did not -- I will say
 00:21:55 19 we did not complete an evaluation of trips to
 00:21:50 20 school, walking trips to school as part of our
 00:21:47 21 traffic study evaluations.
 00:21:44 22 MS. DEWOLF: They have crosswalks
 00:21:43 23 in them, though, correct?
 00:21:41 24 THE WITNESS: Crosswalks --

00:21:40 1 MS. DEWOLF: You haven't
 00:21:39 2 mentioned or evaluated any crosswalks either
 00:21:37 3 across 202, across 926, or across West Pleasant
 32 4 Grove Road to get up to two schools which are
 00:21:29 5 immediately north?
 00:21:24 6 MR. ADELMAN: Is that a question?
 00:21:23 7 MS. DEWOLF: Yeah, it is. Did
 00:21:22 8 you do any evaluation of pedestrian access and
 00:21:19 9 crossings with your existing plan that we have
 00:21:17 10 received?
 00:21:16 11 THE WITNESS: We have not
 00:21:15 12 completed a pedestrian connection and crosswalk
 00:21:11 13 evaluation from the development to the
 00:21:10 14 neighboring schools.
 00:21:08 15 MS. DEWOLF: Okay. You also
 00:21:07 16 mentioned in your testimony that you would
 00:21:04 17 possibly be widening roads, etcetera. Are you
 00:21:02 18 familiar on South New Street that you have an
 00:21:00 19 historic property immediately on the west side,
 00:20:57 20 which is on the Chester County Historic
 00:20:55 21 Cultural Survey, site survey, and is --
 00:20:49 22 THE WITNESS: Yes.
 00:20:48 23 MS. DEWOLF: -- Brinton Quarry
 46 24 and Serpentine Barrens.

00:20:44 1 THE WITNESS: Yes, we are
 00:20:43 2 familiar with that property and its status on
 00:20:41 3 the registry.
 00:20:40 4 MS. DEWOLF: So if you needed to
 00:20:39 5 widen the road, would you do that on the
 00:20:37 6 eastern side?
 00:20:35 7 THE WITNESS: We have taken a
 00:20:35 8 very, very preliminary look at that, but, yes,
 00:20:31 9 if widening is needed in that area, we would
 00:20:28 10 certainly have to avoid impacts to that
 00:20:25 11 historic property, and would not be able to
 00:20:21 12 acquire right-of-way there. So, yes, widening
 00:20:19 13 would have to occur on the opposite side.
 00:20:16 14 MS. DEWOLF: Have you looked at
 00:20:15 15 the impact to that very small bridge and very
 00:20:13 16 dangerous turn on South New Street, and the
 00:20:09 17 integrity and structural integrity of that
 00:20:06 18 bridge, and the costs that you may incur or
 00:20:03 19 need to invest in, given the increase in
 38 20 traffic and the increase of type of traffic?
 00:19:53 21 THE WITNESS: At this time we
 00:19:53 22 have not identified an impact to that
 00:19:51 23 structure, and we have not completed any
 00:19:49 24 detailed analysis of its condition.

00:19:36 1 MS. DEWOLF: I think that's it
 00:19:35 2 for now.
 00:19:33 3 MR. HAWS: Sorry, I just have one
 00:19:31 4 additional question. So in regards to the
 00:19:27 5 intersection of 926 at Bridlewood, you had
 00:19:23 6 testified that all site access design
 00:19:19 7 construction will be the responsibility of the
 00:19:18 8 applicant and has proposed that a new traffic
 00:19:14 9 signal would be installed there.
 00:19:11 10 Does that also include any future
 00:19:09 11 escrow payments for upgrades to that traffic
 00:19:06 12 light, or timing, or backup generators for that
 00:19:02 13 signal?
 00:19:01 14 THE WITNESS: That would be
 00:18:59 15 determined during the design phase, in terms of
 00:18:55 16 provision of a generator backup, battery
 00:18:51 17 backup, those types of elements, and you
 00:18:49 18 certainly aren't at a point where we discussed
 00:18:47 19 any maintenance agreements which are certainly
 00:18:44 20 common with development accesses. We have not
 00:18:41 21 discussed any of that at this time.
 00:18:40 22 MR. HAWS: Okay. Thank you.
 00:18:33 23 MR. MCKENNA: Other questions
 00:18:32 24 from the Board? If not, I have a couple for

00:18:30 1 Ms. Kline.
 00:18:29 2 First of all, Ms. Kline, thank
 00:18:28 3 you for coming back in July. Appreciate it.
 00:18:25 4 I would like to turn your
 00:18:25 5 attention, I have a couple questions on
 00:18:23 6 Exhibit A-36, if you could get that in front of
 00:18:21 7 you. That was the December 2nd, 2016 minutes
 00:18:19 8 of the scoping meeting that you prepared.
 00:18:08 9 THE WITNESS: Yes, I have A-36.
 00:18:06 10 MR. MCKENNA: Thank you. I want
 00:18:05 11 to follow-up on a question from Mr. Haws which
 00:18:04 12 was related to access out along New Street. Do
 00:18:00 13 you see at the bottom of the first page there
 00:17:58 14 is a provision that provides that "Andrew" --
 00:17:54 15 and correct me if I'm wrong, does that refer to
 00:17:52 16 Andrew Semon?
 00:17:51 17 THE WITNESS: Yes.
 00:17:50 18 MR. MCKENNA: -- "indicated that
 00:17:49 19 consideration was given to provide access along
 00:17:46 20 New Street; however, Toll believes that PHMC,"
 00:17:41 21 which is the Pennsylvania Historic Museum
 00:17:38 22 Commission, "and possibly the County did not
 00:17:36 23 want access due to historical significance and
 00:17:32 24 view sheds that exist along New Street with

00-17-30 1 mature trees."
 00-17-29 2 Did I read that right?
 00-17-27 3 THE WITNESS: Yes.
 25 4 MR. MCKENNA: Okay. Are you
 00-17-24 5 aware if PHMC or the County has expressed
 00-17-19 6 anything in writing about a preference not to
 00-17-15 7 have any access out to New Street?
 00-17-13 8 THE WITNESS: I cannot speak to
 00-17-13 9 that.
 00-17-12 10 MR. MCKENNA: Okay. Were you
 00-17-11 11 aware of the basis of that statement during the
 00-17-07 12 meeting?
 00-17-07 13 THE WITNESS: No.
 00-17-05 14 MR. MCKENNA: Okay. If we turn
 00-17-02 15 to page 2, and the top paragraph I would like
 00-16-56 16 to talk about, which is dealing with what the
 00-16-54 17 letter refers to as the connector road. And it
 00-16-51 18 talks about Fran. Is that Fran Hanney from
 00-16-48 19 PennDOT?
 00-16-47 20 THE WITNESS: Yes.
 00-16-47 21 MR. MCKENNA: Okay. Thank you.
 00-16-46 22 He was asking about the connector road through
 00-16-44 23 the site and says, according to your memo,
 39 24 "will strongly recommend," "PennDOT will

00-16-37 1 strongly recommend that this connector road be
 00-16-35 2 provided." In response Mr. Semon indicated
 00-16-31 3 "that the connector road may be feasible with
 00-16-27 4 the bonus density, but it would be undesirable
 00-16-23 5 to have a high volume roadway through the
 00-16-21 6 residential development since homes could not
 00-16-19 7 be constructed along it."
 00-16-18 8 Do you take that or did PennDOT
 00-16-15 9 take that or we can take that to mean that Toll
 00-16-11 10 is not willing to construct the connector road
 00-16-08 11 without a bonus density aspect?
 00-16-05 12 THE WITNESS: I cannot speak to
 00-16-04 13 what the applicant is willing or not willing to
 00-16-01 14 do in those terms.
 00-16-00 15 MR. MCKENNA: Okay. What was
 00-15-59 16 your understanding of the meaning of that
 00-15-57 17 statement at the time of the meeting? You were
 00-15-53 18 present when Mr. Semon said that to Mr. Hanney,
 00-15-50 19 I believe? Or do you not know?
 15 20 THE WITNESS: I don't know. But
 00-15-44 21 I believe the intent of this statement, as I
 00-15-42 22 understood it at the meeting, was to get to the
 00-15-37 23 point that it is undesirable to have a
 00-15-34 24 high-volume connection through this type of

00-15-32 1 development.
 00-15-30 2 MR. MCKENNA: And I think the
 00-15-29 3 township would agree with you that we don't
 00-15-27 4 want a high-volume road.
 00-15-25 5 But I don't believe, correct me
 00-15-21 6 if I'm wrong, was Mr. Hanney asking the status
 00-15-17 7 about a high-volume local -- well, put it this
 00-15-13 8 way, is a local collector road a high-volume
 00-15-11 9 road, I guess, in your opinion?
 00-15-10 10 THE WITNESS: A local connector
 00-15-09 11 road, no, I don't believe that's a high-volume
 00-15-07 12 road.
 00-15-06 13 MR. MCKENNA: So if a local
 00-15-04 14 collector road is constructed, then that would
 00-15-01 15 probably address the high-volume aspect of the
 00-14-57 16 concern expressed by Mr. Semon at that meeting;
 00-14-55 17 is that right?
 00-14-54 18 MR. ADELMAN: Objection. You
 00-14-53 19 would have to ask Mr. Semon.
 00-14-52 20 MR. MCKENNA: Well, I just asked
 00-14-50 21 her if she knows.
 00-14-48 22 THE WITNESS: The applicant would
 00-14-45 23 have to speak to that.
 00-14-44 24 MR. MCKENNA: Do you have any

00-14-44 1 idea if Mr. Semon intends to testify?
 00-14-40 2 THE WITNESS: I can't speak to
 00-14-38 3 what witnesses will be called.
 00-14-37 4 MR. MCKENNA: That's fair. Down
 00-14-30 5 on the fourth paragraph there is a comment that
 00-14-27 6 starts with "Drew asked." Who is Drew, if you
 00-14-23 7 don't mind identifying that?
 00-14-22 8 THE WITNESS: The first page has
 00-14-21 9 the list of attendees in detail. Drew Sirianni
 00-14-17 10 works for Pennoni as the consultant reviewer
 00-14-14 11 for PennDOT.
 00-14-14 12 MR. MCKENNA: Okay. Thank you.
 00-14-12 13 I did not realize that.
 00-14-11 14 And they were discussing
 00-14-11 15 re-aligning the proposed signalized site access
 00-14-08 16 along 926 to line up opposite Bridlewood
 00-14-03 17 Boulevard. "Fran added that the Department
 00-14-01 18 strongly favors the alignment opposite
 00-13-59 19 Bridlewood Boulevard."
 00-13-58 20 Notwithstanding the comment from
 00-13-56 21 PennDOT, the plan has not been revised to
 00-13-52 22 realign the access at Bridlewood Boulevard; is
 00-13-48 23 that correct?
 00-13-48 24 THE WITNESS: The conditional use

00-13-46 1 plan does not show the access opposite
 00-13-44 2 Bridlewood, that's correct.
 00-13-43 3 MR. MCKENNA: Okay. Can I turn
 9 4 your attention to PC 3 for a couple of minutes.
 00-13-35 5 Do you have that?
 00-13-18 6 THE WITNESS: So it appears that
 00-13-17 7 PC 3 is the minutes of the scoping meeting
 00-13-14 8 dated April 17th, 2017.
 00-13-12 9 MR. MCKENNA: That's correct.
 00-13-11 10 Thank you.
 00-13-08 11 The first bullet in the paragraph
 00-13-06 12 refers to a gentleman named "Mike." I didn't
 00-13-04 13 see a Mike identified in the memo. Do you know
 00-13-02 14 who that is?
 00-13-02 15 THE WITNESS: I believe that was
 00-13-00 16 revised at a later date, so I apologize. That
 00-12-58 17 would being Mike Downs from Toll Brothers.
 00-12-54 18 MR. MCKENNA: Mike Downs, thank
 00-12-52 19 you.
 00-12-47 20 Now, at that time in paragraph 2,
 00-12-41 21 correct me if I'm wrong, it seems to suggest
 00-12-40 22 that the current site plan would continue to
 00-12-35 23 evolve and that the site access to 202 had been
 32 24 removed from the plan based on feedback from

00-12-29 1 Westtown Township, but that it could still be
 00-12-26 2 provided.
 00-12-26 3 So a revised plan of some sort
 00-12-22 4 was presented to PennDOT at that meeting?
 00-12-19 5 THE WITNESS: Yes, which I
 00-12-18 6 believe I testified to when I was here in May,
 00-12-15 7 that Toll Brothers had taken a preliminary look
 00-12-12 8 at some of the potential changes based on
 00-12-10 9 comments received from various entities, and
 00-12-07 10 that was the subject of this meeting which
 00-12-05 11 included PennDOT, Westtown Township, Thornbury
 00-12-01 12 and the applicant.
 00-12-00 13 MR. MCKENNA: Based on feedback
 00-11-58 14 from Westtown Township, what feedback were you
 00-11-55 15 referring to there?
 00-11-54 16 THE WITNESS: The township
 00-11-52 17 traffic engineer's review letters.
 00-11-50 18 MR. MCKENNA: Okay.
 00-11-50 19 THE WITNESS: Primarily.
 9 20 MR. MCKENNA: Thank you. And
 00-11-48 21 that plan the Board has not seen because it is
 00-11-44 22 not in front of them for the conditional use;
 00-11-42 23 is that right?
 00-11-41 24 THE WITNESS: That is correct.

00-11-40 1 That is not the conditional use application
 00-11-38 2 plan.
 00-11-37 3 MR. MCKENNA: And then the third
 00-11-36 4 paragraph Mr. Hanney goes back and again to ask
 00-11-33 5 the status of the provision of the connector
 00-11-32 6 road, because the plan shows a circuitous
 00-11-25 7 connection.
 00-11-23 8 And then on page 2, Mike, again,
 00-11-21 9 that would be Michael Downs, indicates that the
 00-11-18 10 plan may evolve as it goes through the
 00-11-16 11 conditional use hearing.
 00-11-13 12 Since April, though, you would
 00-11-11 13 agree that the plan has not evolved on that
 00-11-09 14 issue?
 00-11-09 15 THE WITNESS: The plan that is
 00-11-06 16 the subject of the application has not changed.
 00-11-04 17 MR. MCKENNA: Do you have any
 00-11-03 18 idea or has Mr. Downs given you any indication
 00-11-00 19 when that evolution may occur during this
 00-10-58 20 conditional use hearing?
 00-10-57 21 THE WITNESS: No.
 00-10-56 22 MR. MCKENNA: Do you have any
 00-10-56 23 idea if it will evolve during this conditional
 00-10-52 24 use hearing?

00-10-52 1 THE WITNESS: Well, I would
 00-10-51 2 certainly imagine, just on my own opinion, that
 00-10-49 3 the applicant would want to hear all of the
 00-10-46 4 questions and testimony before making any
 00-10-44 5 formal changes and resubmission of the plan.
 00-10-41 6 MR. MCKENNA: Thank you.
 00-10-40 7 Appreciate that answer.
 00-10-28 8 Turning to the last page of your
 00-10-26 9 memo, there were a number of action items that
 00-10-24 10 were noted. Do you see that on page 3?
 00-10-21 11 THE WITNESS: Yes.
 00-10-20 12 MR. MCKENNA: It says: Thornbury
 00-10-14 13 will provide Toll with information regarding
 00-10-12 14 traffic calming improvements along Bridlewood
 00-10-09 15 Boulevard.
 00-10-08 16 And has that happened? Has there
 00-10-05 17 been any meetings with Thornbury to discuss
 00-10-02 18 traffic calming improvements along Bridlewood?
 00-09-59 19 THE WITNESS: Not at this time.
 00-09-57 20 MR. MCKENNA: Do you anticipate
 00-09-56 21 any of those meetings occurring prior to the
 00-09-54 22 conclusion of the conditional use hearing?
 00-09-52 23 THE WITNESS: There is nothing
 00-09-50 24 scheduled at this time.

00-09-45 1 MR. MCKENNA: Do you have any
00-09-44 2 indication that Thornbury has coordinated with
00-09-40 3 you or did you have any conversations with them
38 4 about the trail easement through the Spackman
5 Farm?

00-09-34 6 THE WITNESS: I do not have any
00-09-33 7 additional information on this at this time.

00-09-31 8 MR. MCKENNA: Do you anticipate
00-09-31 9 that that will be done during the conditional
00-09-28 10 use hearing?

00-09-28 11 THE WITNESS: There is no
00-09-28 12 indication at this time of when that would
00-09-25 13 occur.

00-09-19 14 MR. MCKENNA: Bear with me for
00-09-18 15 one second, please.

00-09-16 16 Back on page 2, the second
00-09-12 17 paragraph refers to PennDOT -- excuse me -- to
00-09-07 18 Toll addressing PennDOT's traffic impact study
00-09-04 19 comments for the intersection of 926 and New
00-09-01 20 Street, and it states that a roundabout
00-08-58 21 checklist should be completed. Can you tell me
00-08-56 22 what that's referring to, please.

00-08-54 23 THE WITNESS: PennDOT made a
00-08-53 24 comment that consideration should be given to

00-08-46 1 providing a roundabout at that intersection.
00-08-44 2 Upon further discussions at this meeting,
00-08-40 3 PennDOT agreed that based on preliminary
00-08-37 4 conversations it may not be appropriate at this
00-08-35 5 intersection. But they asked that we complete
00-08-33 6 the roundabout checklist and submit that to the
00-08-30 7 Department for review.

00-08-29 8 MR. MCKENNA: Has that been done?

00-08-27 9 THE WITNESS: No, it has not.

00-08-26 10 MR. MCKENNA: Do you know when
00-08-26 11 that would be completed?

00-08-25 12 THE WITNESS: There is not a plan
00-08-23 13 or schedule at this time for that to be
00-08-21 14 completed.

00-08-20 15 MR. MCKENNA: In the next
00-08-19 16 paragraph Mr. Hanney discusses signal timing, I
00-08-12 17 believe. And there is a reference to Paul,
00-08-08 18 which I believe is Paul Lutz from PennDOT.
00-08-05 19 Existing traffic signal at 926 and the shopping
00-07-59 20 center should be included in the discussions
00-07-59 21 for signal timing and coordination.

00-07-56 22 Do you know, is the applicant
00-07-55 23 proposing to evaluate that traffic signal for
00-07-50 24 signal timing purposes as part of this

00-07-47 1 application?

00-07-47 2 THE WITNESS: As part of this
00-07-46 3 application, I do not believe any additional
00-07-41 4 information will be submitted. But as part of
00-07-37 5 the PennDOT process, at the request of PennDOT,
00-07-34 6 the applicant will need to evaluate the
00-07-31 7 intersection for signal timing, retiming
00-07-28 8 purposes, with the additional signal proposed
00-07-25 9 at the access at 926.

00-07-23 10 MR. MCKENNA: Thank you. I don't
00-07-07 11 think I have any other questions. Thank you.

00-07-03 12 MR. PINGAR: Good evening,
00-07-01 13 Nicole.

00-07-00 14 THE WITNESS: Good evening.

00-06-59 15 MR. PINGAR: I just have a few
00-06-58 16 questions. Also with respect to Exhibit PC 3,
00-06-52 17 you had noted that there was a typo and
00-06-49 18 identified Mike, which it turns out was Mike
00-06-46 19 Downs, who was not listed as one of the
00-06-45 20 attendees. Is there any attendee listed that
00-06-42 21 actually was not there?

00-06-41 22 THE WITNESS: No. Oh, I
00-06-35 23 apologize. Andrew Semon is listed here. That
00-06-30 24 is where, that should have been Mike Downs

00-06-28 1 instead of Andrew. I apologize.

00-06-27 2 MR. PINGAR: All right. Thank
00-06-25 3 you.

00-06-25 4 THE WITNESS: Thank you.

00-06-24 5 MR. PINGAR: I just wanted some
00-06-23 6 clarification. In the second bullet you made
00-06-21 7 reference to this other plan that I guess was
00-06-14 8 presented at that meeting, and I did not attend
00-06-12 9 that meeting, and our representative of the
00-06-06 10 township was at that meeting, it also noted the
00-06-03 11 site access to Route 202 has been removed from
00-06-01 12 the plan; is that correct?

00-06-00 13 THE WITNESS: That preliminary
00-05-58 14 plan that was submitted, that was not, has not
00-05-56 15 been submitted but was the subject of that
00-05-54 16 meeting, yes, the 202 access had been removed.

00-05-51 17 MR. PINGAR: Very good. Now, is
00-05-48 18 it fair to say that with that removed that the
00-05-45 19 distribution of traffic from the site no longer
00-05-42 20 going out to 202 would go elsewhere to or from
00-05-38 21 the site to other intersections?

00-05-36 22 THE WITNESS: Yes, that is
00-05-35 23 correct.

00-05-35 24 MR. PINGAR: Has there been a

00-05-33 1 revised impact traffic study done to account
 00-05-30 2 for that removed intersection at 202?
 00-05-28 3 THE WITNESS: We have completed a
 28 4 revised traffic analysis. A formal study and
 00-05-24 5 submission has not been made for review at this
 00-05-21 6 time.
 00-05-21 7 MR. PINGAR: Moving to, I think
 00-05-17 8 my final question, page 2, the fifth bullet
 00-05-10 9 down where it starts, "Nicole also indicated
 00-05-05 10 that if a connector road is provided through
 00-05-03 11 Crebilly, it could not be aligned opposite the
 00-05-00 12 Fairshare connector along West Pleasant Grove
 00-04-57 13 Road, since it is located opposite the church."
 00-04-51 14 Are you aware that the connector
 00-04-48 15 road for the Arborview development and the
 00-04-45 16 commercial segments of that, commercial parts
 00-04-43 17 of that was designed to -- have you seen the
 00-04-39 18 plan for Arborview and that connector road
 00-04-36 19 through the Arborview tract?
 00-04-34 20 THE WITNESS: Yes, I have.
 00-04-33 21 MR. PINGAR: Was that provided to
 00-04-33 22 you by township staff?
 00-04-32 23 THE WITNESS: Yes.
 -31 24 MR. PINGAR: And have you seen

00-04-29 1 the plan dated back a number of years to the
 00-04-21 2 Bozzuto development, even the Makemie Ridge
 00-04-19 3 development, showing how that segment of the
 00-04-16 4 connector road would intersect with West
 00-04-13 5 Pleasant Grove Road and then with the connector
 00-04-12 6 road through the Crebilly site?
 00-04-09 7 THE WITNESS: The plan that I was
 00-04-06 8 provided for the Fairshare properties is dated
 00-04-05 9 November 23rd of 2015, and it shows their
 00-04-01 10 property and their proposed connector road, and
 00-03-59 11 it does not show anything beyond that.
 00-03-56 12 MR. PINGAR: So you have never
 00-03-55 13 seen the plan that the township has on file
 00-03-53 14 that shows how those two roads would
 00-03-51 15 interconnect at West Pleasant Grove?
 00-03-47 16 THE WITNESS: No.
 00-03-43 17 MR. PINGAR: That's all the
 00-03-43 18 questions I have. Thank you.
 00-03-38 19 MR. MCKENNA: Mr. Semon, any
 6 20 redirect?
 00-03-36 21 MR. ADELMAN: Mr. Adelman.
 00-03-35 22 MR. MCKENNA: Excuse me. I'm
 00-03-34 23 looking --
 00-03-33 24 MR. ADELMAN: That's fine.

00-03-32 1 MR. MCKENNA: I'm looking at
 00-03-30 2 Andrew. I apologize. Any redirect, Mr.
 00-03-27 3 Adelman?
 00-03-27 4 MR. ADELMAN: Thank you, Pat.
 00-03-25 5 RE-EXAMINATION
 00-03-25 6 BY MR. ADELMAN:
 00-03-25 7 Q. Just a couple of questions, Nicole.
 00-03-23 8 Supervisor Haws asked you some questions about
 00-03-19 9 the AADT, the average annual daily traffic; is
 00-03-15 10 that correct?
 00-03-15 11 A. Yes.
 00-03-15 12 Q. Is it standard engineering, traffic
 00-03-13 13 engineering practice to use AADT figures in
 00-03-10 14 your calculations?
 00-03-09 15 A. Yes.
 00-03-08 16 Q. I'm handing back to you what I believe
 00-02-56 17 has been marked as Exhibit B-19. It is the
 00-02-53 18 police chief's impact analysis report. I
 00-02-48 19 believe it has been testified to, correct?
 00-02-47 20 A. Yes.
 00-02-47 21 Q. Did the police chief have a
 00-02-45 22 recommendation with respect to whether a
 00-02-44 23 connector road between West Pleasant Grove and
 00-02-40 24 926 should be provided?

00-02-38 1 A. Yes, they did. Their recommendation,
 00-02-37 2 as stated in the impact analysis, was that the
 00-02-34 3 Department strongly recommends against the
 00-02-31 4 inclusion of a direct connector road between
 00-02-29 5 the two roadways.
 00-02-27 6 MR. ADELMAN: Thank you. I have
 00-02-26 7 nothing further.
 00-02-23 8 MR. MCKENNA: Thank you, Mr.
 00-02-21 9 Adelman.
 00-02-21 10 MS. DEWOLF: Question. The
 00-02-19 11 police chief isn't an engineer or traffic
 00-02-16 12 person, correct?
 00-02-14 13 MR. ADELMAN: I object.
 00-02-11 14 MR. MCKENNA: I think we can
 00-02-10 15 stipulate to that. Any objection to that, Mr.
 00-02-06 16 Adelman?
 00-02-06 17 MR. ADELMAN: I'll stipulate to
 00-02-05 18 that. But I don't understand why it was a
 00-02-02 19 question.
 00-02-02 20 MR. MCKENNA: Understood.
 00-02-00 21 MS. DEWOLF: And her position,
 00-01-58 22 are you familiar with why she took that
 00-01-55 23 particular comment and placed it there in that
 00-01-52 24 letter?

00-01-52 **1** MR. ADELMAN: Again, I object.
 00-01-51 **2** The document speaks for itself.
 00-01-49 **3** MR. MCKENNA: Understood. But I
 17 **4** don't know if she knows. So, Ms. Kline, if you
 00-01-45 **5** can answer that.
 00-01-40 **6** MR. HAWS: Can I ask one
 00-01-39 **7** additional question?
 00-01-38 **8** MR. MCKENNA: Hang on.
 00-01-34 **9** THE WITNESS: The recommendation
 00-01-33 **10** does go on to say that although this would
 00-01-31 **11** reduce traffic on 202 and provide an alternate
 00-01-28 **12** route for motorists to use to avoid 202
 00-01-26 **13** back-ups, it would encourage more traffic to
 00-01-23 **14** cut through residential areas, a problem that
 00-01-20 **15** has traditionally brought complaints of traffic
 00-01-18 **16** violation from Westtown Township residents.
 00-01-15 **17** So I would speak to something
 00-01-13 **18** similar that I had testified to earlier, that a
 00-01-10 **19** connector road providing for cut-through
 00-01-08 **20** traffic is generally not appropriate for a
 00-01-06 **21** residential development and it would seem to
 00-01-04 **22** speak to that.
 00-01-02 **23** MS. DEWOLF: Okay. I'm going to
 01 **24** ask you again, though, for the residents on the

00-00-59 **1** west side, it is the only second option to 926
 00-00-55 **2** and 202 to do a northbound traffic movement.
 00-00-51 **3** That is why it is in the Comprehensive Plan,
 00-00-48 **4** our Growth Management Plan. That is why it has
 00-00-45 **5** been a part of every requirement for every
 00-00-43 **6** development.
 00-00-41 **7** Why do you not feel that that
 00-00-39 **8** would be an enhancement, rather than a
 00-00-36 **9** detriment, to this particular traffic system in
 00-00-32 **10** the plan you are looking at?
 00-00-31 **11** MR. ADELMAN: I'm going to object
 00-00-30 **12** to the initial part of the statement made by
 00-00-27 **13** Supervisor DeWolf, but I won't object to the
 00-00-25 **14** question.
 00-00-24 **15** MR. MCKENNA: I'm sorry, which
 00-00-23 **16** portion are you objecting to, Gregg?
 00-00-22 **17** MR. ADELMAN: The statement prior
 00-00-21 **18** to the question.
 00-00-19 **19** MR. MCKENNA: I don't know what
 20 **20** that is.
 00-00-15 **21** MR. ADELMAN: I could have the
 00-00-15 **22** record be read back, please.
 23 **23** MR. MCKENNA: Please.
 00-00-20 **24**

1 (The record was read:
 00-01-02 **2** Ms. DeWolf: Okay. I'm going to
 00-01-01 **3** ask you again, though, for the residents on the
 00-00-59 **4** west side, it is the only second option to 926
 00-00-55 **5** and 202 to do a northbound traffic movement.
 00-00-51 **6** That is why it is in the Comprehensive Plan,
 00-00-48 **7** our Growth Management Plan. That is why it has
 00-00-45 **8** been a part of every requirement for every
 00-00-43 **9** development.)
 00-00-20 **10** MR. ADELMAN: So I object to the
 00-00-21 **11** basis of what is in the Comprehensive Plan and
 00-00-23 **12** why it is in the Comprehensive Plan. It is a
 00-00-25 **13** document that speaks for itself.
 00-00-26 **14** MR. MCKENNA: Fair enough. But
 00-00-27 **15** since the Board adopted it, she is familiar
 00-00-30 **16** with it, I understand the objection.
 00-00-32 **17** MR. ADELMAN: I'm objecting to
 00-00-33 **18** the statement as if it is conclusive.
 00-00-35 **19** MR. MCKENNA: Understood. It
 00-00-36 **20** will be overruled.
 00-00-38 **21** MS. DEWOLF: No problem. We will
 00-00-39 **22** have later testimony on that fact.
 00-00-41 **23** MR. MCKENNA: Ms. Kline, can you
 00-00-42 **24** answer the question, please.

00-00-43 **1** THE WITNESS: Certainly. So in
 00-00-46 **2** order to provide an alternative for traffic to
 00-00-48 **3** turn left to travel on northbound Route 202,
 00-00-51 **4** the connection that's needed is between West
 00-00-55 **5** Pleasant Grove Road and Skiles Boulevard,
 00-00-56 **6** because access to another traffic signal along
 00-00-59 **7** 202 is necessary in order to facilitate that
 00-01-04 **8** maneuver.
 00-01-05 **9** So I would say that the
 00-01-08 **10** connection between West Pleasant Grove Road and
 00-01-10 **11** Skiles Boulevard is what would provide that
 00-01-12 **12** connection to another traffic signal on 202
 00-01-16 **13** that would allow the northbound left.
 00-01-23 **14** MR. MCKENNA: Okay?
 00-01-23 **15** MS. DEWOLF: It is not okay. But
 00-01-25 **16** I'm not asking anymore questions of her. Thank
 00-01-27 **17** you.
 00-01-27 **18** MR. HAWS: I'm sorry, I just have
 00-01-29 **19** one question. If a collector road were to be
 00-01-32 **20** put onto this plan, would homes be allowed to
 00-01-38 **21** egress off of that collector road or would it
 00-01-42 **22** change the site configuration?
 00-01-43 **23** THE WITNESS: It would depend on
 00-01-44 **24** the nature of that connector road and the

00:01:46 1 design of it.
 00:01:49 2 MR. HAWS: If it was a
 00:01:50 3 continuous, as you were saying before, like
 3 4 direct shot between East Pleasant -- West
 00:01:57 5 Pleasant Grove Road and 926, would
 00:02:02 6 single-family homes or carriage homes be
 00:02:04 7 allowed to have direct access off of that?
 00:02:10 8 THE WITNESS: More evaluation
 00:02:11 9 would be needed. But certainly with a
 00:02:15 10 connector road without any turns, without any
 00:02:19 11 stops along the way would be less desirable for
 00:02:22 12 direct access to driveways as opposed to a
 00:02:25 13 circuitous route which slows traffic and keeps
 00:02:28 14 the volume of traffic lower.
 00:02:30 15 MR. HAWS: Thank you.
 00:02:32 16 MR. MCKENNA: Anything further
 00:02:33 17 from the Board?
 00:02:35 18 All right. Any recross, back to
 00:02:40 19 the Planning Commission and Mr. Gill.
 00:02:43 20 MR. GILL: Thank you. Thank you
 00:02:44 21 very much.
 22 RECROSS-EXAMINATION
 23 BY MR. GILL:
 45 24 Q. Ms. Kline, I want to make sure I

00:02:47 1 understand your testimony with regard to this
 00:02:49 2 connector road or collector road. It has been
 00:02:53 3 referred to in both ways during your testimony.
 00:02:57 4 What is your understanding of a collector road,
 00:03:01 5 with two Ls, in Westtown Township?
 00:03:05 6 A. A collector road would be a
 00:03:07 7 classification of roadway which would
 00:03:13 8 facilitate the collection of traffic from
 00:03:17 9 multiple local roadways.
 00:03:20 10 Q. And what is a connector road as you
 00:03:25 11 understand the term to be used during your
 00:03:26 12 testimony?
 00:03:28 13 A. A connector road would, in terms of the
 00:03:31 14 use of it in my testimony, would refer to a
 00:03:34 15 roadway that is providing a connection between
 00:03:37 16 two other roadways.
 00:03:41 17 Q. Is there any minimum width in Westtown
 00:03:47 18 Township for a collector road?
 00:03:50 19 A. I'm not familiar with that specific
 20 requirement within the ordinance.
 00:03:54 21 Q. Nevertheless, is it your testimony here
 00:03:56 22 this evening that the plan for which the
 00:03:59 23 applicant seeks conditional use approval,
 00:04:02 24 Exhibit A-6, does not provide a collector road?

00:04:10 1 Is that your testimony?
 00:04:11 2 A. That is correct. It does not provide a
 00:04:14 3 collector road, nor have I seen any request for
 00:04:18 4 a collector road. Everything in writing is
 00:04:21 5 referring to a connector road that I'm familiar
 00:04:23 6 with.
 00:04:23 7 Q. Okay. So during your testimony, I want
 00:04:26 8 to be sure I understand, you have drawn a
 00:04:28 9 distinction between a connector road and a
 00:04:30 10 collector road. You are not using those terms
 00:04:32 11 interchangeably, correct?
 00:04:34 12 A. No, I am not.
 00:04:34 13 Q. Okay. Your testimony back in May with
 00:04:41 14 regard to, in response to my question about
 00:04:50 15 your response to the Kimley Horn review letter,
 00:04:54 16 Exhibit A-35, was that the proposed internal
 00:04:58 17 roadways do provide a connection between 926
 00:05:01 18 and West Pleasant Grove Road that is
 00:05:04 19 appropriate through a residential development
 00:05:07 20 and for use by local traffic, which is
 00:05:10 21 generally consistent with the Growth Management
 00:05:14 22 Plan.
 00:05:15 23 Does the Growth Management Plan
 00:05:16 24 require or suggest a collector road or simply a

00:05:20 1 point, a connection between two points on West
 00:05:23 2 Pleasant Grove and 926?
 00:05:25 3 A. Based on my recollection, it calls for
 00:05:27 4 a connection.
 00:05:28 5 Q. Okay. So your testimony is that you do
 00:05:31 6 provide a connector road, but, to your
 00:05:35 7 understanding, Toll Brothers does not propose
 00:05:39 8 development of a collector road?
 00:05:41 9 A. That is correct, to my knowledge, they
 00:05:42 10 are not proposing a collector road.
 00:05:44 11 Q. Could the internal roadway shown on
 00:05:47 12 Exhibit A-6 be designed to be a collector road?
 00:05:54 13 A. A collector road would not be
 00:05:56 14 appropriate through a residential development.
 00:05:59 15 So I'm not sure -- again, based on all of the
 00:06:03 16 written comments received, a collector road has
 00:06:05 17 never been requested.
 00:06:07 18 Q. What is your understanding of what is
 00:06:09 19 requested or required under the Growth
 00:06:12 20 Management Plan?
 00:06:12 21 A. As I just said, I believe the Growth
 00:06:15 22 Management Plan refers to a connection through
 00:06:17 23 this property between West Pleasant Grove Road
 00:06:19 24 and 926.

00:06:21 1 Q. Okay.

00:06:22 2 A. **And all the written comments received**

00:06:24 3 **to date refer to a connector road.**

00:06:31 4 Q. This point has been asked of you a

00:06:33 5 number of times, but I want to make sure I

00:06:36 6 understand it completely. The only plan for

00:06:39 7 which your client, the applicant, is seeking

00:06:43 8 approval from this Board is the plan marked as

00:06:44 9 Exhibit A-6, correct?

00:06:49 10 A. **Correct.**

00:06:58 11 Q. I'm not sure to whom you were

00:07:02 12 responding to questions about transit. But you

00:07:06 13 testified that you thought it would be, that

00:07:09 14 the use of transit by people residing at this

00:07:12 15 development would be negligible, if existent at

00:07:14 16 all. Was that your testimony?

00:07:17 17 A. **Yes, in terms of the existing bus**

00:07:21 18 **transit that's provided in the region.**

00:07:24 19 Q. So the residents of a future, as yet

00:07:27 20 unbuilt development, will not use transit

00:07:30 21 because people who currently live in Westtown

00:07:32 22 Township don't use transit; is that correct?

00:07:34 23 A. **That is certainly the trend.**

00:07:36 24 Q. Did you do any studies to determine

00:07:37 1 whether individuals who typically purchase

00:07:40 2 these types of homes use transit facilities?

00:07:43 3 A. **As I spoke to earlier, it was just**

00:07:45 4 **based on my expert opinion. At this time we**

00:07:48 5 **have not completed a detailed evaluation.**

00:07:50 6 Q. What is that expertise?

00:07:53 7 A. **Based on looking at the use of bus,**

00:07:56 8 **public transit in this region on many other**

00:08:00 9 **projects similar to this.**

00:08:02 10 Q. No studies. Can you show me where the

00:08:08 11 internal, on Exhibit A-6, where the internal

00:08:11 12 pedestrian facilities connect out to pedestrian

00:08:18 13 facilities on New Street, Pleasant Grove Road,

00:08:20 14 926 or 202?

00:08:23 15 A. **There are no existing pedestrian**

00:08:26 16 **facilities surrounding the site today, in terms**

00:08:30 17 **of sidewalk, along 202, West Pleasant Grove**

00:08:34 18 **Road or 926.**

00:08:37 19 Q. Well, I'll agree with that statement.

00:08:47 20 But your client -- you would agree that the

00:08:50 21 current development or use of the property is

00:08:53 22 rather minimal in terms of intensity of

00:08:55 23 residential occupancy, correct?

00:08:55 24 A. **Correct.**

00:08:56 1 Q. Okay. So is it a surprise to you that

00:08:58 2 there are no sidewalks along any of the

00:08:59 3 roadways of which the property has frontage?

00:09:02 4 A. **Along the property frontage itself,**

00:09:05 5 **perhaps not.**

00:09:06 6 Q. Okay. Do you have an opinion as a

00:09:10 7 traffic engineer on the value of pedestrian

00:09:14 8 facilities in residential settings?

00:09:19 9 A. **Certainly walking communities are**

00:09:25 10 **desirable by residents.**

00:09:26 11 Q. Given that opinion, do you have a

00:09:29 12 recommendation with regard to extending the

00:09:32 13 pedestrian facilities in this community out to

00:09:35 14 the existing road network?

00:09:38 15 A. **It will extend to the existing road**

00:09:41 16 **network and along state roadways. PennDOT will**

00:09:45 17 **provide input and requirements in terms of the**

00:09:49 18 **pedestrian connections to the state roadways**

00:09:52 19 **abutting this property.**

00:09:53 20 Q. Okay. You might have just answered

00:09:56 21 this question, but is it your expectation that

00:09:59 22 PennDOT will require sidewalks along the state

00:10:02 23 highways on which the property has frontage?

00:10:04 24 A. **They may.**

00:10:06 1 Q. Is it your expectation that they will?

00:10:08 2 A. **I do not know at this time what PennDOT**

00:10:12 3 **will require in terms of pedestrian**

00:10:13 4 **connections.**

00:10:14 5 Q. Have you worked on other applications

00:10:16 6 which have frontage along state highways?

00:10:19 7 A. **Yes.**

00:10:19 8 Q. Did PennDOT require pedestrian

00:10:21 9 facilities along those highways?

00:10:22 10 A. **In some cases they did and in some**

00:10:24 11 **cases they did not.**

00:10:25 12 Q. Okay. If the township as part of the

00:10:27 13 HOP process suggested that PennDOT should

00:10:29 14 require that, is that something that you would

00:10:31 15 support as the applicant's traffic consultant,

00:10:34 16 or is that something you would oppose, given

00:10:37 17 your earlier statement about the value of

00:10:39 18 pedestrian facilities?

00:10:42 19 A. **Certainly, if it is a requirement of**

00:10:45 20 **PennDOT along the state roadways, then that**

00:10:49 21 **would be a requirement of the application.**

00:10:50 22 Q. That was not my question. My question

00:10:52 23 was: If the township as part of the HOP

00:10:55 24 process asks that PennDOT require it, is that a

00:11:00 1 request in which you will join, given your
 00:11:03 2 earlier statement about the value of pedestrian
 00:11:05 3 connectivity, or is that a request which you
 17 4 would oppose?
 00:11:08 5 **A. I would need to do a full evaluation of**
 00:11:11 6 **the pedestrian needs and the ability to provide**
 00:11:14 7 **those accommodations in connection.**
 00:11:19 8 **Ou typically don't want to**
 00:11:20 9 **provide what we would call sidewalks to**
 00:11:22 10 **nowhere, and the applicant only has control**
 00:11:25 11 **over their own property. So as I stated, there**
 00:11:27 12 **are no existing facilities along the property**
 00:11:31 13 **frontages and even beyond in this area, along**
 00:11:34 14 **many of the roadways. So we would want to do a**
 00:11:36 15 **full evaluation of all the connections, not**
 00:11:39 16 **just within the property, to determine if the**
 00:11:44 17 **facilities that were being requested by the**
 00:11:46 18 **township were appropriate. So we would need to**
 00:11:49 19 **do a full evaluation.**
 00:11:50 20 **Q.** Okay. What about if the township, if
 00:11:52 21 this Board were to impose a condition on
 00:11:54 22 conditional use approval requiring pedestrian
 00:11:56 23 facilities along New Street and West Pleasant
 70 24 Grove Road, is that something that you would

00:12:03 1 recommend that your client agree to?
 00:12:06 2 **A. Again, we need to look beyond the**
 00:12:08 3 **property borders and determine where those**
 00:12:11 4 **connections go to and what they connect, to**
 00:12:14 5 **insure that we are not providing, like I said,**
 00:12:16 6 **a sidewalk to nowhere, or it ends at a point**
 00:12:21 7 **and then where do pedestrians go.**
 00:12:23 8 **We want to be very conscientious**
 00:12:25 9 **of safety. So if pedestrian connections are**
 00:12:29 10 **requested then a full evaluation would be**
 00:12:31 11 **needed to determine where they go and where**
 00:12:34 12 **they begin and end.**
 00:12:38 13 **Q.** Are there any facilities nearby the
 00:12:52 14 Crebilly Farm property where you would expect
 00:12:55 15 residents to walk, destinations to which they
 00:13:01 16 would walk?
 00:13:06 17 **A. Given the lack of pedestrian facilities**
 00:13:08 18 **currently and the challenges with crossing**
 00:13:12 19 **pedestrians safely across 202, certainly the**
 7 20 **west side of 202 where this site is located is**
 00:13:19 21 **primarily residential in nature, and may not**
 00:13:25 22 **have as much of a pedestrian generation due to**
 00:13:30 23 **the difficulty in crossing 202. But certainly**
 00:13:35 24 **there are existing locations that people may**

00:13:40 1 **want to walk to.**
 00:13:41 2 **Q.** Is one of those potentially the church?
 00:13:44 3 **A. Potentially, yes.**
 00:13:45 4 **Q.** Okay. Given that, and given what you
 00:13:47 5 know about the site, and given the fact that
 00:13:50 6 West Pleasant Grove Road is a township road, if
 00:13:53 7 the township were to at a minimum suggest the
 00:13:56 8 inclusion of sidewalk along the West Pleasant
 00:13:59 9 Grove Road frontage, is that something that you
 00:14:02 10 would recommend your client agree to?
 00:14:10 11 **A. Providing sidewalks along the property**
 00:14:13 12 **frontage certainly have merit. But we need to**
 00:14:17 13 **give consideration to where they begin and end.**
 00:14:20 14 **So I would agree that providing sidewalks along**
 00:14:23 15 **the property frontage is something that should**
 00:14:26 16 **be considered, but it has to be more than that.**
 00:14:28 17 **It has to be a holistic evaluation to look at,**
 00:14:32 18 **at the connections, and where it begins and**
 00:14:34 19 **ends.**
 00:14:35 20 **Q.** Okay. We can keep going at this.
 00:14:44 21 These townhouses up on the north side of the
 00:14:46 22 property on Exhibit A-6, the westernmost units
 00:14:53 23 of townhomes, if an individual lives there and
 00:15:01 24 finds themselves desirous, desiring to go to

00:15:05 1 the Presbyterian Church, given what you know
 00:15:09 2 about the proposed development, given what you
 00:15:15 3 know about the geometry of West Pleasant Grove
 00:15:18 4 Road, given what you know about the topography
 00:15:20 5 of the site and the post-construction
 00:15:22 6 condition, would you find it or would you make
 00:15:26 7 a recommendation to your client that it accept
 00:15:28 8 a condition that the applicant provide a
 00:15:32 9 sidewalk from that group of townhouses down to
 00:15:35 10 the church, along West Pleasant Grove Road,
 00:15:38 11 understanding that that sidewalk would have a
 00:15:40 12 beginning point and an end point and,
 00:15:43 13 therefore, not a sidewalk to nowhere?
 00:15:49 14 It is a pretty specific question,
 00:15:51 15 Ms. Kline.
 00:15:51 16 **A. No, it is. You did reference based on**
 00:15:58 17 **the site topography and the site design. This**
 00:16:02 18 **site is not fully designed yet, so I can't**
 00:16:04 19 **speak to those design elements.**
 00:16:06 20 **Certainly, if it is feasible, it**
 00:16:08 21 **would make sense, if there was a desire and a**
 00:16:12 22 **need to provide a pedestrian connection, to**
 00:16:14 23 **provide it in that way, where you have defined**
 00:16:16 24 **a clear beginning and end, and it would connect**

00:16:23 1 residents directly from their homes to an
00:16:29 2 adjacent use that may be desirable for walking.

00:16:32 3 Q. It may. You can't say for sure,
00:16:44 4 notwithstanding your earlier statement about
00:16:36 5 the value of pedestrian connectivity?

00:16:39 6 A. The value of safe pedestrian
00:16:42 7 connectivity, absolutely.

00:16:43 8 Q. What additional information will you
00:16:44 9 require in order to determine whether or not
00:16:46 10 the sidewalk that I have suggested is safe or
00:16:48 11 unsafe? Specifically, what additional
00:16:51 12 information will you require?

00:16:55 13 A. Detailed design of that sidewalk and
00:16:59 14 that connection.

00:16:59 15 Q. What would have to be shown in that
00:17:01 16 detailed design that you don't know right now?

00:17:04 17 A. Vertical geometry, for example.

00:17:07 18 Q. Okay.

00:17:07 19 A. Drainage design.

00:17:09 20 Q. Has the applicant presented any
00:17:11 21 preliminary grading or stormwater plans as part
00:17:15 22 of the conditional use application?

00:17:16 23 A. That is not part of my testimony, nor
00:17:21 24 is it part of my expertise or involvement in

00:17:24 1 this project.

00:17:24 2 Q. Assuming that the sidewalk can be run
00:17:26 3 in a relatively flat way and assuming that
00:17:29 4 there are no drainage considerations that would
00:17:31 5 prevent the safe walking from the townhouses
00:17:34 6 down to the church, is there any other
00:17:37 7 information which you would require in order to
00:17:38 8 answer my question yes or no, Ms. Kline?

00:17:42 9 A. I believe that would suffice as the
00:17:45 10 information that would be necessary, along with
00:17:47 11 an assessment of the pedestrian needs for that
00:17:49 12 connection.

00:17:50 13 Q. Okay. Hopefully it won't be as painful
00:17:54 14 with my next line of questioning. But what if
00:17:56 15 somebody who lives in this community wants to
00:17:58 16 visit CVS pharmacy at the intersection of 926
00:18:02 17 and 202, given what you earlier told me about
00:18:05 18 the desirability of pedestrian connectivity,
00:18:09 19 other than with regard to the vertical run or
00:18:16 20 the topography and site drainage, is there any
00:18:18 21 additional information which you will require
00:18:21 22 in order to recommend to your client whether or
00:18:21 23 not it run a sidewalk or pedestrian connection
00:18:24 24 out to the CVS?

00:18:27 1 A. Yes, additional information would be
00:18:28 2 needed. Certainly, detailed information and
00:18:32 3 coordination with PennDOT would be required,
00:18:34 4 particularly as it relates to the 202/926
00:18:37 5 intersection project, which does include
00:18:41 6 pedestrian, consideration for pedestrian
00:18:44 7 facilities, which the details are unknown at
00:18:48 8 this time.

00:18:48 9 Q. Okay. So other than drainage,
00:18:50 10 topography and coordination with PennDOT on the
00:18:53 11 926/202 project, there is no additional
00:18:56 12 information required in order for you to
00:18:58 13 recommend a sidewalk be run to the CVS?

00:19:01 14 A. That would --

00:19:02 15 Q. Correct?

00:19:02 16 A. That would be the information that
00:19:05 17 would be required to assess that.

00:19:06 18 Q. Thank you. I don't want to belabor
00:19:18 19 this point too much, but one of the members of
00:19:21 20 the Board asked you -- I'm sorry, I don't
00:19:25 21 remember which at this point in time -- but
00:19:27 22 that as a result of the elimination of the 202
00:19:30 23 access, the results of the traffic study
00:19:34 24 changed, a traffic study which you have done

00:19:38 1 but you haven't submitted to anybody, correct?

00:19:41 2 A. Updated analysis has been completed,
00:19:43 3 but a formal study has not been completed and
00:19:45 4 submitted for review.

00:19:46 5 Q. It hasn't been submitted to PennDOT?

00:19:49 6 A. No.

00:19:49 7 Q. It hasn't been submitted to the
00:19:50 8 township?

00:19:52 9 A. No.

00:19:52 10 Q. Does it reside in your office?

00:19:56 11 A. Again, we completed additional
00:19:59 12 analysis, revised analysis to assess that
00:20:01 13 condition. But a formal report has not been
00:20:04 14 finalized or submitted.

00:20:05 15 Q. Why not?

00:20:07 16 A. It is not the subject of the
00:20:10 17 application at this time, so it has not been
00:20:13 18 prepared for submission.

00:20:14 19 Q. That's because the only plan for which
00:20:15 20 the applicant seeks approval in this hearing is
00:20:18 21 the one marked as Exhibit A-6?

00:20:19 22 A. This is the plan that has been
00:20:21 23 submitted, correct.

00:20:23 24 MR. GILL: Thank you. I don't

00:20:24 1 have any other questions on recross.
00:20:26 2 MR. MCKENNA: Birmingham
00:20:27 3 Township, Mr. Crawford, do you have any further
8 4 recross?

5 RECCROSS-EXAMINATION

6 BY MR. CRAWFORD:
00:20:30 7 Q. A couple questions if I might just to
00:20:32 8 revisit the connector. My understanding is
00:20:35 9 that the philosophy or the approach that you
00:20:37 10 would like to take is to enable local traffic
00:20:41 11 to traverse through the community between
00:20:45 12 Street Road and West Pleasant Grove Road, but
00:20:48 13 not in a manner that would attract traffic off
00:20:52 14 of 202. Is that a fair statement?

00:20:54 15 A. Yes, that's a fair statement, that it
00:20:56 16 would provide for a local connection rather
00:21:00 17 than a more regional connection.

00:21:02 18 Q. And as far as defining local, would
00:21:05 19 that include residents not within this
00:21:08 20 community but in proximity to the west side of
00:21:13 21 202 and north of 926 in other communities?

00:21:16 22 A. Yes, it would.

00:21:18 23 Q. Okay. Do you think that the design
24 that you proposed in A-6 would accomplish that?

00:21:26 1 A. The design as shown in the plan marked
00:21:45 2 as A-6 certainly does show a connection between
00:21:48 3 West Pleasant Grove Road and 926 through the
00:21:51 4 site. I would say it is more for access for
00:21:54 5 this property than anything in that
00:21:55 6 configuration.

00:21:57 7 Q. So that it is rather circuitous for
00:22:02 8 someone outside of this community to use that
00:22:04 9 connector as it is currently designed, fair to
00:22:07 10 say?

00:22:07 11 A. It is, yes.

00:22:08 12 Q. And would you be willing to consider
00:22:13 13 lessening the circuitry of that connection?

00:22:17 14 A. The applicant has indicated, and we did
00:22:20 15 refer to the minutes of the meeting between
00:22:25 16 PennDOT and Westtown and Thornbury, that they
00:22:29 17 have looked at a potentially modified roadway
00:22:33 18 through the site that would provide a
00:22:34 19 connection, although not a straight connection,
9 20 still circuitous but less circuitous than what
00:22:43 21 is shown on the plan currently.

00:22:44 22 Q. And that design has not been detailed
00:22:47 23 at this point; is that a fair statement?

00:22:49 24 A. Yes.

00:22:51 1 MR. CRAWFORD: Thank you. That's
00:22:52 2 all I have.
00:22:53 3 MR. MCKENNA: Thank you, Mr.

00:22:53 4 Crawford.
00:22:54 5 Thornbury, Ms. Labrum, any
00:22:56 6 recross?

00:22:57 7 MS. LABRUM: Just one question.
8 RECCROSS-EXAMINATION

9 BY MS. LABRUM:

00:22:59 10 Q. Good evening, Ms. Kline. In your
00:23:02 11 testimony in May you noted that if the
00:23:05 12 continuous connector route was provided through
00:23:07 13 the site, the average daily traffic volume
00:23:10 14 would increase to 2200 vehicles at the
00:23:12 15 intersection of 926 and Bridlewood. How did
00:23:15 16 you arrive at that number?

00:23:23 17 A. We did include an evaluation of that
00:23:32 18 connector road concept in our traffic impact
00:23:35 19 study. That was submitted as part of this
00:23:39 20 application. It was referred to earlier that
00:23:42 21 we had looked at three different alternative
00:23:44 22 plans, A, B and C. C included that connector
00:23:48 23 road. So we do have a detailed traffic
00:23:52 24 evaluation of the potential additional traffic

00:23:56 1 that could be drawn by such a connector road.
00:23:59 2 So those numbers were from the
00:24:00 3 study as part of the, is a subject of the
00:24:03 4 record.

00:24:03 5 Q. I'm sorry. What I was really asking
00:24:07 6 was what assumptions were underlying that
00:24:09 7 conclusion of 2200 vehicles.

00:24:13 8 A. It assumes additional local traffic
00:24:15 9 will use the connection that is not generated
00:24:19 10 specifically by this development. So as part
00:24:21 11 of our study we evaluated intersections
00:24:24 12 surrounding the site, and with that connector
00:24:26 13 road we made some estimates and assumptions
00:24:30 14 based on the existing traffic patterns and
00:24:32 15 volumes in the area of the additional traffic
00:24:35 16 that would be drawn to such a connection,
00:24:37 17 traffic that is generated outside of the
00:24:39 18 development.

00:24:41 19 Q. That assumption is logical. But how do
00:24:46 20 we get the number, assign a number to the
00:24:49 21 people who are going to be drawn off of 202 to
00:24:53 22 use this connector road? Is it just a
00:24:56 23 guesstimate?

00:24:56 24 A. It is certainly an engineering

00:24:58 1 estimate. So we looked at the movements of
 00:25:01 2 existing volume that would be interested in
 00:25:04 3 using such a connection, and you can imagine
 00:25:11 4 that with that connection the primary movement
 00:25:13 5 that would be drawn to it from 202 would be
 00:25:16 6 traffic today that is traveling south on 202
 00:25:20 7 and turning right onto 926 to travel west.
 00:25:24 8 That would be the most obvious traffic. And
 00:25:27 9 also the traffic that's currently traveling
 00:25:31 10 south on 202 and turning right onto West
 00:25:34 11 Pleasant Grove Road to New Street, and then
 00:25:36 12 either continuing on New Street or continuing
 00:25:40 13 west on 926.

00:25:36 14 Those are the movements that can
 00:25:38 15 be drawn by such a connection. So we looked at
 00:25:40 16 those particular movements and assumed a
 00:25:42 17 percentage of that traffic would utilize this
 00:25:45 18 new connection.

00:25:47 19 They could still, some of the
 00:25:48 20 traffic could and would likely still use the
 00:25:51 21 route they are using today, but some of the
 00:25:53 22 traffic would be redistributed to such a new
 00:25:56 23 connection.

00:25:56 24 But the opposite traffic

00:27:10 1 traffic study at that time and so was not
 00:27:12 2 included in that evaluation.

00:27:14 3 Q. So Alternative C was based on the
 00:27:17 4 access being 1400 feet back from Route 202 and
 00:27:21 5 intersecting 926, where cars would probably be
 00:27:24 6 queued up at the 926/202 intersection?

00:27:29 7 A. It was located as it is located on the
 00:27:32 8 conditional use plan, yes.

00:27:35 9 MS. LABRUM: Thank you.

00:27:40 10 MR. MCKENNA: Any further
 00:27:41 11 questions, Ms. Labrum?

00:27:43 12 MS. LABRUM: No. I'm sorry.

00:27:43 13 MR. MCKENNA: Thank you. I just
 00:27:44 14 wanted to make sure.

00:27:46 15 Neighbors for Crebilly, Mr.

00:27:47 16 Thompson, any questions?

00:27:48 17 RECROSS-EXAMINATION

00:27:49 18 BY MR. THOMPSON:

00:27:49 19 Q. Ms. Kline, is there any particular
 00:27:51 20 reason why you are not showing any access to
 00:27:53 21 South New Street from the development?

00:27:55 22 A. It was not my decision on where to put
 00:27:58 23 accesses. We were asked to evaluate the plan
 00:28:01 24 based on the accesses that were provided, and

00:26:00 1 traveling east along 926 wishing to travel
 00:26:02 2 north on 202, with just this connection, would
 00:26:06 3 not have another option because there is no
 00:26:08 4 additional traffic signal that would allow a
 00:26:10 5 left turn north on 202. That would have to be
 00:26:15 6 completed, that movement could be impacted
 00:26:18 7 should the connector road be built between West
 00:26:21 8 Pleasant Grove and Skiles Boulevard, but that,
 00:26:23 9 of course, is not a part of this application so
 00:26:25 10 we did not include that connection.

00:26:27 11 Q. Your Alternative C, how many cars did
 00:26:32 12 you anticipate going through Thornbury using
 00:26:36 13 Bridlewood Boulevard?

00:26:38 14 A. In this study we did not have the
 00:26:43 15 access located along 926 opposite Bridlewood.
 00:26:48 16 So being that the access configuration along
 00:26:51 17 926 under that scenario was, per the
 00:26:54 18 conditional use plan, being offset from
 00:26:57 19 Bridlewood, we did not feel that there would be
 00:27:02 20 a significant draw with that access
 00:27:04 21 configuration to Bridlewood. But certainly if
 00:27:07 22 the access is located opposite that was one of
 00:27:09 23 our concerns.

00:27:09 24 But that was not a part of the

00:28:03 1 based on our analysis, the accesses provided
 00:28:07 2 adequately serve the development, so that's
 00:28:08 3 what I can speak to.

00:28:09 4 Q. Generally, are more connections to the
 00:28:14 5 surrounding roadways better to serve the
 00:28:17 6 development? Or you are saying that the
 00:28:21 7 connection, the current connections are
 00:28:23 8 sufficient; is that correct?

00:28:25 9 A. Yes, based on our analysis, the current
 00:28:28 10 accesses provided to the property are adequate.

00:28:31 11 Q. Would more connections or such as a
 00:28:34 12 connection to South New Street provide better
 00:28:36 13 access to the property?

00:28:38 14 A. That certainly, number of accesses is
 00:28:41 15 not the only consideration. As soon as you
 00:28:43 16 introduce a new access you are introducing a
 00:28:46 17 new intersection with potential vehicle
 00:28:48 18 conflicts. So there has to be a balance, and
 00:28:50 19 you have to look at more than just number of
 00:28:52 20 accesses to say that it is better or worse.

00:28:54 21 Q. So you are saying the applicant
 00:28:56 22 developed these accesses, and you analyzed
 00:28:57 23 them, but you did not, you were not involved in
 00:29:00 24 the process whereby it was determined where the

00:29:03 1 accesses would be located?
 00:29:04 2 **A. That's correct.**
 00:29:05 3 MR. THOMPSON: Thank you.
 00:29:07 4 MR. MCKENNA: Anything further,
 00:29:10 5 Mr. Thompson?
 00:29:11 6 MR. THOMPSON: No.
 00:29:12 7 MR. MCKENNA: Mr. DuFault, for
 00:29:14 8 Brandywine Thornbury HOA, any questions?
 00:29:16 9 MR. DUFAULT: Good evening. Let
 00:29:36 10 me know if I'm close enough to the mike, Mr. --
 00:29:41 11 MR. MCKENNA: You sound okay to
 00:29:42 12 me. Is the court reporters okay with that?
 00:29:43 13 Sounds okay. Go ahead, Mr. DuFault.
 00:29:46 14 MR. DUFAULT: Nicole, was
 00:29:47 15 Exhibit 29, which was submitted to the Board of
 00:29:49 16 Supervisors on May 23, the initial
 00:29:53 17 Transportation Impact Study that was dated
 00:29:55 18 October 13th, 2016 and prepared and reviewed by
 00:29:59 19 the Township Planning Commission?
 00:30:13 20 THE WITNESS: Yes, it is.
 00:30:16 21 MR. DUFAULT: Was Exhibit A-6,
 00:30:19 22 which was displayed during the entire May
 00:30:24 23 testimony, the initial site plan prepared for
 00:30:26 24 the Planning Commission hearings?

00:30:28 1 THE WITNESS: Yes, I believe it
 00:30:32 2 was.
 00:30:32 3 MR. DUFAULT: Was A-6 prepared by
 00:30:34 4 your firm?
 00:30:35 5 THE WITNESS: No, it was not.
 00:30:36 6 MR. DUFAULT: Which firm prepared
 00:30:38 7 A-6?
 00:30:39 8 THE WITNESS: The site engineer
 00:30:40 9 prepared the plan.
 00:30:43 10 MR. DUFAULT: Was that ESE?
 00:30:45 11 THE WITNESS: Correct.
 00:30:45 12 MR. DUFAULT: A-6 shows a
 00:30:49 13 connection to 202, correct?
 00:30:52 14 THE WITNESS: Yes, it does.
 00:30:54 15 MR. DUFAULT: But, okay, that has
 00:30:59 16 since been removed, but a plan has not been
 00:31:03 17 submitted for it?
 00:31:04 18 THE WITNESS: A preliminary
 00:31:06 19 assessment of the potential for removal of that
 00:31:08 20 access has been evaluated at this time. That's
 00:31:12 21 all.
 00:31:13 22 MR. DUFAULT: But no plan has
 00:31:14 23 been prepared?
 00:31:15 24 THE WITNESS: No plan has been

00:31:17 1 submitted, no.
 00:31:18 2 MR. DUFAULT: Thank you. Did A-6
 00:31:20 3 depict the roads at intersections as discussed
 00:31:22 4 in Exhibit 29?
 00:31:24 5 THE WITNESS: No.
 00:31:27 6 MR. DUFAULT: All right. Did A-6
 00:31:30 7 show a site access road onto State Route 926
 00:31:33 8 which was 1400 feet west of the US 202/State
 00:31:37 9 Route 926 intersection?
 00:31:38 10 THE WITNESS: Yes.
 00:31:39 11 MR. DUFAULT: Did it show any
 00:31:41 12 other site access roads onto 926?
 00:31:44 13 THE WITNESS: No, it did not.
 00:31:45 14 MR. DUFAULT: When reviewing your
 00:31:47 15 responses to my questions re the location of
 00:31:50 16 the site access and Bridlewood Boulevard in
 00:31:53 17 relation to the US 202 intersection, there was
 00:31:56 18 some confusion and the distance from the
 00:31:58 19 intersection to Bridlewood was never
 00:32:01 20 established. Can you tell me now what the
 00:32:03 21 distance is from the US 202/926 intersection to
 00:32:08 22 Bridlewood Boulevard?
 00:32:51 23 THE WITNESS: I do not have that
 00:32:52 24 distance with me at this time.

00:32:57 1 MR. DUFAULT: All right. I have
 00:32:58 2 reviewed a set of plans entitled "Roadway
 00:33:00 3 Improvements to Street Road for Bridlewood
 00:33:04 4 Farms, Thornbury Township," prepared for
 00:33:07 5 Hovnanian Companies by Orth-Rodgers &
 00:33:11 6 Associates, dated October, August 22nd, 1996,
 00:33:14 7 last revised 12/30/96. Note 3 on page 5 of 23
 00:33:21 8 states: "The distance from Bridlewood
 00:33:24 9 Centerline to the nearest intersections are -
 00:33:26 10 East - 2,350 feet to Route 202, West - 2,450
 00:33:33 11 feet to New Street."
 00:33:35 12 Would you agree that's an
 00:33:36 13 approximate distance?
 00:33:40 14 THE WITNESS: It sounds
 00:33:41 15 reasonable, without completing the
 00:33:42 16 measurements.
 00:33:44 17 MR. DUFAULT: I can also refer to
 00:33:46 18 a PennDOT letter of January 10th, 2008 by Mr.
 00:33:49 19 Hanney, who suggested that the route be -- that
 00:33:55 20 the distance, in connection with an earlier
 00:33:58 21 submission by another developer, that the
 00:34:02 22 proposed connector road parallel, I mean,
 00:34:06 23 applicant must investigate relocating the
 00:34:09 24 connector road to create a four-leg

00:34:11 1 intersection opposite Bridlewood Boulevard
 00:34:13 2 approximately 2300 feet west of State Route
 00:34:18 3 202.
 9 4 With these two factors, would you
 00:34:21 5 agree that 2300 feet is, or 2350 is a
 00:34:25 6 reasonable assumption?
 00:34:26 7 THE WITNESS: Yes, I would agree
 00:34:27 8 that sounds, that sounds to be in the general
 00:34:31 9 range of the distance, yes.
 00:34:33 10 MR. DUFAULT: Thank you. Exhibit
 00:34:37 11 29, including Exhibit A-6, were submitted to
 00:34:40 12 both Kimley Horn and PennDOT, correct?
 00:34:42 13 THE WITNESS: Yes.
 00:34:44 14 MR. DUFAULT: For review. And
 00:34:46 15 you testified you had received, reviewed and
 00:34:50 16 responded to three reviews from Kimley Horn; is
 00:34:53 17 that correct?
 00:34:53 18 THE WITNESS: Yes.
 00:34:54 19 MR. DUFAULT: And did one of
 00:34:55 20 those responses include a revised traffic
 00:34:59 21 study?
 00:35:00 22 THE WITNESS: Yes, it did.
 00:35:02 23 MR. DUFAULT: Is this the traffic
 24 study that was first submitted to the Board on

00:35:07 1 at the May 23 meeting as Exhibit 33?
 00:35:09 2 THE WITNESS: Yes.
 00:35:14 3 MR. DUFAULT: All right. In
 00:35:16 4 there you further testified that you had
 00:35:18 5 analyzed relocating 926 access intersection to
 00:35:22 6 be located opposite Bridlewood Boulevard, which
 00:35:25 7 was a requirement from PennDOT. Is that
 00:35:27 8 correct?
 00:35:28 9 THE WITNESS: Yes, we evaluated
 00:35:31 10 the access at both locations.
 00:35:34 11 MR. DUFAULT: All right. Did
 00:35:34 12 your analysis indicate any obstacles that would
 00:35:38 13 not allow and/or would make it more costly to
 00:35:40 14 connect the 926 access at this location,
 00:35:42 15 meaning Bridlewood Boulevard?
 00:35:44 16 THE WITNESS: At this time we
 00:35:46 17 have not identified anything.
 00:35:48 18 MR. DUFAULT: Would you consider
 00:35:49 19 the presence of steep slopes, close to the
 20 proposed intersection, to be a deterrent to
 00:35:55 21 building an access road at that location?
 00:35:57 22 THE WITNESS: We have not
 00:36:07 23 evaluated the slopes on the property in that
 00:36:10 24 area, but, as I said, at this time we have not

00:36:12 1 identified anything that could not be overcome
 00:36:15 2 to locate the access opposite Bridlewood.
 00:36:18 3 MR. DUFAULT: Are you familiar
 00:36:19 4 with the township requirements for developing
 00:36:22 5 in the areas of slopes in excess of 25 percent?
 00:36:25 6 THE WITNESS: I am familiar with
 00:36:27 7 that requirement.
 00:36:28 8 MR. DUFAULT: Are you aware that
 00:36:30 9 there is a large amount of slope in that area
 00:36:35 10 that is graded at 25 percent or better?
 00:36:36 11 THE WITNESS: I cannot speak to
 00:36:39 12 what the slope is in that area. That would be
 00:36:42 13 a determination by the site engineer.
 00:36:45 14 MR. DUFAULT: Okay. On the
 00:36:48 15 previously mentioned Orth-Rodgers plans for
 00:36:51 16 "Roadway Improvements to Street Road," page 8
 00:36:55 17 of 23 shows the center line of the intersection
 00:36:57 18 to be at elevation 320, which is 30 feet below
 00:37:01 19 the crest of the hill, which is approximately
 00:37:04 20 700 feet to the east. Would you consider this
 00:37:06 21 to be a deterrent to locating the access road
 00:37:08 22 at this location?
 00:37:10 23 THE WITNESS: I can't speak to
 00:37:12 24 information in a study that I have not prepared

00:37:14 1 nor reviewed.
 00:37:15 2 MR. DUFAULT: Okay. You had
 00:37:18 3 testified -- it is understandable.
 00:37:22 4 You had testified that at times
 00:37:23 5 the eastbound queue on State Route 926
 00:37:27 6 sometimes extends as far back as Bridlewood,
 00:37:30 7 which I think we have now agreed upon is about
 00:37:32 8 2350 feet. Is that correct?
 00:37:35 9 THE WITNESS: Yes.
 00:37:35 10 MR. DUFAULT: Okay. So that
 00:37:38 11 would mean approximately 100 cars in the queue,
 00:37:43 12 taking your standard of 25 feet per car?
 00:37:46 13 THE WITNESS: Yes.
 00:37:47 14 MR. DUFAULT: All right. How
 00:37:48 15 long is a complete cycle for all movements at
 00:37:51 16 the 926/202 intersection?
 00:37:53 17 THE WITNESS: Existing cycle
 00:38:38 18 length in the morning is 165 seconds.
 00:38:43 19 MR. DUFAULT: 165 seconds.
 00:38:45 20 THE WITNESS: And in the
 00:38:46 21 afternoon as well, yes.
 00:38:47 22 MR. DUFAULT: Okay. What is the
 00:38:48 23 length of a cycle for eastbound traffic during
 00:38:51 24 the peak morning hour?

00:38:52 1 THE WITNESS: Well, that phase is
 00:38:55 2 going to vary depending on the traffic.
 00:39:00 3 MR. DUFAULT: Well, we have kind
 2 4 of established that it is at a high queue at
 00:39:04 5 that point, peak hour.
 00:39:08 6 THE WITNESS: You are asking for
 00:39:08 7 the length of the phase on which approach?
 00:39:12 8 MR. DUFAULT: Eastbound,
 00:39:13 9 eastbound crossing from, from Bridlewood to
 00:39:18 10 going east, toward, on 926.
 00:39:23 11 THE WITNESS: So traveling east
 00:39:24 12 on 926 in the afternoon --
 00:39:26 13 MR. DUFAULT: No, in the morning.
 00:39:28 14 THE WITNESS: In the morning,
 00:39:36 15 currently that phase is 38 seconds.
 00:39:38 16 MR. DUFAULT: How many cars in
 00:39:42 17 the eastbound queue would clear the
 00:39:45 18 intersection in one cycle?
 00:39:46 19 THE WITNESS: I can't speak to
 00:39:59 20 how many vehicles would clear a cycle on that
 00:40:04 21 approach of the intersection. It is going to
 00:40:08 22 vary each cycle how many vehicles will be able
 00:40:12 23 to travel through the intersection.
 4 24 MR. DUFAULT: All right. So

00:40:15 1 roughly how long do you think it would take a
 00:40:17 2 hundred cars to clear the cycle?
 00:40:19 3 THE WITNESS: It will certainly
 00:40:20 4 take multiple cycles, and that's why there is
 00:40:23 5 delay at the intersection.
 00:40:24 6 MR. DUFAULT: As much as 20
 00:40:25 7 minutes?
 00:40:26 8 THE WITNESS: Again, it would
 00:40:33 9 take multiple cycles. But it is very difficult
 00:40:36 10 to pinpoint to that level of specificity how
 00:40:39 11 many vehicles are going to clear on every cycle
 00:40:41 12 because each cycle, the phase is going to vary
 00:40:45 13 in terms of time, depending on the other
 00:40:48 14 movements at the intersection.
 00:40:51 15 MR. DUFAULT: Okay. At the last
 00:40:56 16 meeting I asked you if the applicant had
 00:40:57 17 accepted that portion of the Planning
 00:40:59 18 Commission's recommendation No. 14, dealing
 00:41:02 19 with traffic calming measures for Bridlewood
 5 20 Boulevard. Your response was: "The applicant
 00:41:08 21 is in discussion with Thornbury to discuss
 00:41:11 22 potential traffic calming."
 00:41:12 23 Do you recall that statement?
 00:41:13 24 THE WITNESS: Yes.

00:41:14 1 MR. DUFAULT: Who represented
 00:41:16 2 Toll Brothers in those discussions?
 00:41:17 3 THE WITNESS: We referenced the
 00:41:22 4 minutes from the meeting that included
 00:41:25 5 Thornbury at PennDOT in April of 2017, and the
 00:41:29 6 attendees of Toll Brothers are listed on those
 00:41:32 7 meeting minutes.
 00:41:36 8 MR. DUFAULT: And with whom did
 00:41:37 9 you have the discussion?
 00:41:38 10 THE WITNESS: The Township
 00:41:40 11 Manager for Thornbury was in attendance at that
 00:41:44 12 meeting.
 00:41:44 13 MR. DUFAULT: Do you know the
 00:41:45 14 outcome of those discussions?
 00:41:46 15 THE WITNESS: We left the meeting
 00:41:48 16 and referenced the action item in the meeting
 00:41:50 17 minutes earlier this evening, that Thornbury
 00:41:54 18 was going to appoint a special traffic engineer
 00:41:58 19 to study that neighborhood and potential
 00:42:02 20 traffic calming master plan which they would
 00:42:05 21 share with Toll Brothers in ongoing
 00:42:07 22 discussions.
 00:42:08 23 MR. DUFAULT: Thank you. Does
 00:42:11 24 the applicant accept this condition of the

00:42:14 1 Planning Commission recommendation?
 00:42:17 2 THE WITNESS: Pending
 00:42:18 3 coordination with Thornbury Township, the
 00:42:22 4 applicant has indicated that they will
 00:42:24 5 coordinate with Thornbury Township on that
 00:42:26 6 specific item.
 00:42:28 7 MR. DUFAULT: Thank you. During
 00:42:34 8 your testimony in May, I'm sorry, last month, I
 00:42:39 9 believe you mentioned that Exhibit 33 contains
 00:42:42 10 several changes to the site configurations,
 00:42:45 11 including possible removal of the 202
 00:42:48 12 ingress/egress, changes to other access points,
 00:42:53 13 etcetera. Did you prepare any plans or
 00:42:55 14 sketches of those proposed changes?
 00:42:57 15 THE WITNESS: No, we did not
 00:42:59 16 prepare a plan.
 00:43:01 17 MR. DUFAULT: All right. So no
 00:43:04 18 changes were made to the site plans with
 00:43:05 19 respect to the alignment of the 926 access to
 00:43:08 20 Bridlewood Boulevard?
 00:43:10 21 THE WITNESS: We did not prepare
 00:43:12 22 a plan. Our role in this project is to prepare
 00:43:14 23 the traffic study and traffic analyses.
 00:43:17 24 MR. DUFAULT: All right. You

00:43:21 1 testified a few minutes ago that with the
00:43:27 2 elimination of the 202 access, ingress/egress,
00:43:33 3 you redid your analysis for the traffic
00:43:33 4 turning, traffic movements through the proposed
00:43:43 5 Bridlewood intersection. You referenced A, B
00:43:47 6 and C.

00:43:50 7 THE WITNESS: I testified that
00:43:53 8 with -- those are two separate items that I
00:43:56 9 testified to. The A, B and C plans were
00:43:59 10 included in the first iteration of the traffic
00:44:01 11 impact study, which included all of the
00:44:05 12 elements of the plan that's the subject of the
00:44:07 13 conditional use, all of the access points.

00:44:10 14 And I also testified earlier that
00:44:12 15 we have completed updated traffic analysis to
00:44:14 16 evaluate the conditions were the 202 access to
00:44:20 17 be removed, but a formal study has not been
00:44:23 18 prepared and submitted in that regard.

00:44:24 19 MR. DUFAULT: Okay. Thank you.
00:44:26 20 And A, scenario A as the plan shows, there are
00:44:30 21 319 units?

00:44:32 22 THE WITNESS: Correct.

00:44:33 23 MR. DUFAULT: Did B and C also
00:44:36 24 contain 319 units, or was that based on a bonus

00:44:41 1 configuration?

00:44:42 2 THE WITNESS: B and C included
00:44:45 3 additional units.

00:44:46 4 MR. DUFAULT: Included the bonus
00:44:48 5 units?

00:44:49 6 THE WITNESS: We evaluated the
00:44:53 7 plans that were provided to us. Why the units
00:44:56 8 and how the plan was configured is not, was not
00:45:00 9 completed by me or my office. We were just
00:45:02 10 asked to evaluate other plans. B and C did
00:45:05 11 include some additional units.

00:45:08 12 MR. DUFAULT: Is that total 395?
00:45:13 13 I believe that's the number.

00:45:20 14 THE WITNESS: Yes, it did include
00:45:21 15 395 units.

00:45:23 16 MR. DUFAULT: Those plans have
00:45:27 17 not been reviewed by PennDOT and/or the
00:45:30 18 township?

00:45:31 19 THE WITNESS: That is correct,
00:45:34 20 they are not a part of the conditional use --

00:45:34 21 MR. DUFAULT: Okay.

00:45:35 22 THE WITNESS: -- application.

00:45:37 23 MR. DUFAULT: Has Toll Brothers
00:45:38 24 agreed to any of the proposed changes that were

00:45:40 1 discussed at your April meeting?

00:45:47 2 THE WITNESS: At this time it is
00:45:52 3 my understanding, again, as I had testified to
00:45:55 4 earlier, that the applicant wishes to hear and
00:45:58 5 go through this conditional use process before
00:46:01 6 making changes to the plan, so that they are
00:46:05 7 being respectful of the process and the
00:46:10 8 comments received through the process.

00:46:12 9 MR. DUFAULT: Okay.

00:46:13 10 MR. MCKENNA: Mr. DuFault, I want
00:46:14 11 to give the court reporter a break very soon.
00:46:16 12 How many more minutes of questions do you think
00:46:18 13 you are going to have?

00:46:19 14 MR. DUFAULT: I just have a
00:46:20 15 couple more, maybe five more.

00:46:23 16 MR. MCKENNA: All right. Let's
00:46:24 17 try to get through.

00:46:25 18 MR. ADELMAN: I'm sorry, Mr.
00:46:26 19 McKenna, I wanted to interject, I believe we
00:46:28 20 are on recross. I kind of let this go. It is
00:46:31 21 continuing to go. I had two questions on
00:46:33 22 redirect. I believe recross has to be limited
00:46:35 23 to my redirect, not starting anew as if we are
00:46:38 24 starting again on cross-examination.

00:46:39 1 So I'm going to lodge an
00:46:40 2 objection, to at least put it on the record, if
00:46:43 3 people keep coming up and starting again with
00:46:45 4 all of their questions.

00:46:46 5 MR. MCKENNA: Understood. Since
00:46:47 6 that time the Board has asked additional
00:46:49 7 questions and there has been additional
00:46:50 8 recross. So I think based upon that, it is not
00:46:53 9 just limited to your two questions. So I'll
00:46:55 10 overrule the objection.

00:46:56 11 And I understand it. It is noted
00:46:58 12 for the record. I want to get it done as fast
00:47:00 13 as I can, Mr. DuFault, and take our break. I
00:47:03 14 didn't expect it to go quite this long. Why
00:47:04 15 don't you ask your five remaining questions so
00:47:06 16 we can take our break.

00:47:08 17 MR. DUFAULT: All right. I'll
00:47:11 18 cut a couple of them out then. You have stated
00:47:16 19 that PennDOT has required 926 access be aligned
00:47:20 20 with Bridlewood Boulevard, and you have given
00:47:23 21 two reasons for that request. One was to
00:47:25 22 reduce the number of intersections along 926
00:47:29 23 and the second one was to move the intersection
00:47:31 24 further away from 202. Is that correct?

00:47:33 1 THE WITNESS: That was the
 00:47:34 2 reasoning from PennDOT.
 00:47:37 3 MR. DUFAULT: Can you think of
 00:47:40 4 any other reasons why it should be moved?
 00:47:40 5 THE WITNESS: No. I think those
 00:47:43 6 are the primary reasons why the intersection,
 00:47:47 7 PennDOT indicated they wanted the intersection
 00:47:49 8 moved.
 00:47:49 9 MR. DUFAULT: All right. In the
 00:47:51 10 preliminary review letter from PennDOT in
 00:47:54 11 December of 2016, do you recall item 2 of that
 00:47:59 12 review letter?
 00:48:02 13 Well, I'll read you the part of
 00:48:04 14 that that I'm concerned with. Mr. Hanney, who
 00:48:07 15 also wrote a similar letter in 2008, said: As
 00:48:11 16 a regional roadway network improvement, the
 00:48:14 17 Department has interest in the provision of a
 00:48:17 18 connector road through the subject parcel to be
 00:48:21 19 constructed as part of the development. The
 00:48:23 20 road should provide a direct connection between
 00:48:25 21 Street Road and West Pleasant Grove Road. The
 00:48:28 22 Department strongly encourages the Developer
 00:48:31 23 and the Township to work toward this goal.
 00:48:34 24 Have you submitted a plan that

00:48:37 1 shows that connector road as requested? You
 00:48:40 2 have not, correct?
 00:48:41 3 THE WITNESS: The plan that is
 00:48:43 4 part of the conditional use application is the
 00:48:45 5 plan that has been submitted.
 00:48:48 6 MR. DUFAULT: Why did you address
 00:48:53 7 and comply with relocating the 926 access but
 00:48:57 8 did not add the connector road?
 00:48:59 9 THE WITNESS: At this time we
 00:49:02 10 have shown both locations of the 926 access in
 00:49:05 11 the studies, until a final decision is reached
 00:49:09 12 on those elements. So it has been included to
 00:49:13 13 provide a comprehensive analysis of both
 00:49:15 14 locations.
 00:49:16 15 MR. DUFAULT: All right. My last
 00:49:18 16 question is a little -- when PennDOT issued a
 00:49:23 17 preliminary review in 2008 for this site
 00:49:26 18 related to a continued care retirement
 00:49:28 19 community it contained the following statement,
 00:49:35 20 which I read in a few minutes ago, about
 00:49:37 21 investigating, about relocating the connector
 00:49:40 22 road to create a four-leg intersection. The
 00:49:43 23 reason was the relocation would provide
 00:49:43 24 additional relief to the congested State Route

00:49:46 1 202 intersection by diverting traffic to
 00:49:49 2 Bridlewood Boulevard.
 00:49:51 3 Your client is Toll Brothers, who
 00:49:53 4 seeks to build a residential development of
 00:49:55 5 nearly 400 up-scale homes. Do you, as a
 00:49:59 6 licensed traffic engineer, believe it is proper
 00:50:02 7 for PennDOT to seek to impose this burden on
 00:50:05 8 your client, the cost of this road, and also
 00:50:08 9 subject the future residents to the ongoing
 00:50:10 10 problems of highway traffic being diverted
 00:50:13 11 through their neighborhood, as well as through
 00:50:16 12 adjoining neighborhood, for the purpose of
 00:50:19 13 relieving PennDOT of its responsibilities to
 00:50:21 14 fix the underlying problem?
 00:50:25 15 THE WITNESS: In my opinion, in
 00:50:27 16 my experience, PennDOT has jurisdiction over
 00:50:30 17 state roadways and they do not have
 00:50:31 18 jurisdiction out of, jurisdiction outside of
 00:50:33 19 state roadways. That would be my response.
 00:50:38 20 MR. DUFAULT: I'm not sure that
 00:50:39 21 answers the question. Would you recommend that
 00:50:45 22 they accept or fight PennDOT's request?
 00:50:51 23 THE WITNESS: Your question is
 00:50:54 24 whether I would recommend that the applicant

00:50:55 1 fight PennDOT's request?
 00:50:57 2 MR. DUFAULT: To put a connector
 00:50:59 3 road through an up-scale residential community.
 00:51:02 4 THE WITNESS: As I have testified
 00:51:03 5 to earlier tonight, a connection through the
 00:51:07 6 property could be acceptable if it is designed
 00:51:12 7 properly, given the proposed development and
 00:51:15 8 use surrounding it.
 00:51:19 9 MR. DUFAULT: All right. That's
 00:51:21 10 all I have.
 00:51:22 11 MR. MCKENNA: Thank you, Mr.
 00:51:23 12 DuFault. We are going to take a ten-minute
 00:51:25 13 recess at this point. Thank you.
 00:51:26 14 (Recess taken.)
 01:07:55 15 MR. MCKENNA: Mr. Adelman, are
 01:07:59 16 you ready?
 01:08:00 17 MR. ADELMAN: Yes.
 01:08:00 18 MR. MCKENNA: Thank you. We will
 01:08:02 19 go back on the record. We are going to go
 01:08:05 20 through our list of parties.
 01:08:06 21 Radley Run 3 HOA, Mr. Bertinetti
 01:08:09 22 or Mr. Martin?
 01:08:11 23 No one here from Radley Run.
 01:08:14 24 Arborview HOA, William Hoffman?

01:08:18 **1** West Glen HOA, Gary Bevilacqua?
 01:08:24 **2** West Chester Area School
 01:08:28 **3** District, Gary Bevilacqua or Mr. Scanlon? Not
4 present.
 01:08:32 **5** Westminster Presbyterian Church,
 01:08:34 **6** Mr. McFalls?
 01:08:35 **7** MR. MCFALLS: No question.
 01:08:37 **8** MR. MCKENNA: The Quarry Swimming
 01:08:39 **9** Association, Mr. Feryo?
 01:08:49 **10** MR. FERYO: Ms. Kline, I just
 01:08:53 **11** wanted to confirm -- can you hear me? Okay.
 01:08:57 **12** MR. MCKENNA: Hang on one second.
 01:08:58 **13** It appears that microphone is not working.
 01:09:04 **14** That would be why. Thank you,
 01:09:10 **15** Mr. Federico.
 01:09:12 **16** MR. FERYO: My wife does the same
 01:09:13 **17** thing. Unplugs it.
 01:09:17 **18** MR. MCKENNA: There we go. Go
 01:09:18 **19** ahead, Mr. Feryo.
 01:09:19 **20** MR. FERYO: Ms. Kline, I just
 01:09:20 **21** wanted to confirm your testimony in reference
 01:09:22 **22** to the Quarry Swimming Association and widening
 01:09:25 **23** New Street. You said that it would be your
24 recommendation that if there was any widening

01:09:31 **1** of New Street that it would be on the east
 01:09:33 **2** side, and it would not impact the swim club in
 01:09:35 **3** any way; is that correct?
 01:09:36 **4** THE WITNESS: I was referring to
 01:09:37 **5** the historic property at the corner of 926 and
 01:09:40 **6** New Street in that testimony, that we would not
 01:09:43 **7** be able to impact that property.
 01:09:45 **8** MR. FERYO: That is the quarry
 01:09:47 **9** house you are referring to?
 01:09:48 **10** THE WITNESS: Yes, that is
 01:09:49 **11** correct.
 01:09:49 **12** MR. FERYO: So what about the
 01:09:51 **13** Quarry Swimming Association, which is also an
 01:09:53 **14** historic property?
 01:09:55 **15** THE WITNESS: We would not be --
 01:09:56 **16** if it is -- excuse me. If it was an historic
 01:10:01 **17** property we would not be able to impact it.
 01:10:03 **18** That would go for any historic property on the
 01:10:05 **19** register.
 01:10:09 **20** MR. FERYO: Which register?
 01:10:09 **21** THE WITNESS: That is designated
 01:10:10 **22** as such.
 01:10:11 **23** MR. FERYO: Which register?
 01:10:12 **24** THE WITNESS: The PHMC, as well

01:10:14 **1** as National Historic Registry.
 01:10:17 **2** MR. FERYO: So if it is
 01:10:18 **3** considered an historic resource of the
 01:10:20 **4** township, then does that count?
 01:10:23 **5** THE WITNESS: We would have to
 01:10:25 **6** discuss the specifics of that. It would not be
 01:10:28 **7** up to me, to me to determine if a resource is
 01:10:34 **8** historic or not, so --
 01:10:36 **9** MR. FERYO: So would it be your
 01:10:38 **10** recommendation, knowing that the quarry
 01:10:39 **11** swimming club is an historic resource of
 01:10:42 **12** Westtown Township, would it be your
 01:10:44 **13** recommendation from a traffic planning
 01:10:45 **14** standpoint that the property in no way be
 01:10:48 **15** impacted?
 01:10:49 **16** THE WITNESS: That is not
 01:10:53 **17** something that I have evaluated at this point.
 01:10:56 **18** And we would be required to follow state and
 01:11:00 **19** municipal requirements in terms of any impact
 01:11:03 **20** to a property.
 01:11:05 **21** MR. FERYO: Okay. I think you
 01:11:08 **22** have answered the question.
 01:11:09 **23** MR. MCKENNA: Thank you, Mr.
 01:11:09 **24** Feryo.

01:11:11 **1** Thornbury Farm Trust, Mr.
 01:11:12 **2** Spackman?
 01:11:13 **3** Bradley or Amy Harkins?
 01:11:20 **4** MS. HARKINS: I'm here. I don't
 01:11:28 **5** know what exhibit number it is, but on the
 01:11:30 **6** transportation, the revised study, on the
 01:11:32 **7** executive summary just on the first page, it
 01:11:36 **8** says Alternative A does not -- it says: This
 01:11:39 **9** development alternative does not provide a
 01:11:41 **10** public connector road. Tonight you have
 01:11:44 **11** testified that it is not a direct connector
 01:11:48 **12** between the West Pleasant and 926, but you have
 01:11:50 **13** said it is a connector road. The studies says
 01:11:54 **14** otherwise. I guess I'm wondering which is it.
 01:11:56 **15** THE WITNESS: What I testified to
 01:11:57 **16** is that it does provide a roadway connection
 01:12:00 **17** between West Pleasant Grove Road and 926. So
 01:12:04 **18** the plan as indicated in the study Alternative
 01:12:08 **19** A, which is, which matches the plan submitted
 01:12:11 **20** under the conditional use, I testified that it
 01:12:13 **21** does provide a roadway connection between West
 01:12:17 **22** Pleasant Grove Road and 926, although it is
 01:12:18 **23** circuitous.
 01:12:21 **24** MS. HARKINS: So on page 1 of the

01:12:22 1 executive summary here, where it says: This
 01:12:24 2 development alternative does not provide a
 01:12:26 3 public connector road --
 .7 4 THE WITNESS: Yes, that's what it
 01:12:28 5 says, and that is correct, it does not provide
 01:12:30 6 a public connector road. It provides a
 01:12:33 7 connection internal through the development,
 01:12:36 8 but, clearly, based on the circuitous route and
 01:12:39 9 the design of it, it is intended to serve as
 01:12:41 10 access for the development.
 01:12:42 11 MS. HARKINS: So your
 01:12:44 12 clarification is public versus just the local
 01:12:46 13 connection then?
 01:12:47 14 THE WITNESS: The clarification
 01:12:48 15 is a connection versus what is intended to be a
 01:12:51 16 connector road for use other than development
 01:12:54 17 traffic.
 01:12:55 18 MS. HARKINS: Okay. You had also
 01:12:58 19 mentioned that in your opinion you think it is
 01:13:02 20 kind of inappropriate for a more direct
 01:13:05 21 connection road to go from West Pleasant to 926
 01:13:08 22 in a residential neighborhood; is that correct?
 01:13:10 23 THE WITNESS: My testimony was
 12 24 that it would certainly be less desirable to

01:13:14 1 provide a direct connection that would allow
 01:13:17 2 for higher speeds and higher volumes through a
 01:13:19 3 residential development.
 01:13:20 4 MS. HARKINS: Okay. But a lower
 01:13:23 5 speed roadway just connecting the two for local
 01:13:26 6 traffic would not be as undesirable; is that
 01:13:28 7 correct?
 01:13:28 8 THE WITNESS: That would be more
 01:13:29 9 appropriate for a residential development to
 01:13:31 10 provide a roadway connection that incorporates
 01:13:36 11 a design and intersection controls that would
 01:13:40 12 keep speeds and volumes at a reasonable level
 01:13:43 13 through a residential development.
 01:13:46 14 MS. HARKINS: Thank you.
 01:13:47 15 MR. MCKENNA: Thank you, Ms.
 01:13:48 16 Harkins. Mr. Mammucari?
 01:13:51 17 Mr. Gadaletto?
 01:13:57 18 Phillip Jones?
 01:13:59 19 MR. JONES: No questions.
 20 MR. MCKENNA: Mr. Moscharis?
 01:14:10 21 Allison Corcoran?
 01:14:13 22 Benjamin Skupp?
 01:14:16 23 Diana Leraris?
 01:14:21 24 MS. LERARIS: Not at this time.

01:14:22 1 MR. MCKENNA: Thank you, ma'am.
 01:14:23 2 Ed Boyer?
 01:14:26 3 MS. BOYER: Not at this time.
 01:14:27 4 MR. MCKENNA: I'm sorry, Mr.
 01:14:28 5 Boyer?
 01:14:29 6 MS. BOYER: No.
 01:14:30 7 MR. MCKENNA: Okay. Amy Murnane?
 01:14:36 8 Kirk Wolter?
 01:14:39 9 Mr. Corgnale?
 01:14:42 10 Robert Daul?
 01:14:46 11 MR. DAULL: I have a question.
 01:14:57 12 With regard to the traffic light at the
 01:14:59 13 intersection of 926 and South New Street, I
 01:15:07 14 believe it was in February before the Planning
 01:15:09 15 Commission, I don't know if it was you that
 01:15:10 16 testified, but somebody from traffic testified
 01:15:14 17 that they actually elicited a series of
 01:15:17 18 recommendations, one of which was to change the
 01:15:19 19 timing of the light at 926 and South New Street
 01:15:23 20 to facilitate the flow of traffic. Do you
 01:15:26 21 recall that?
 01:15:27 22 THE WITNESS: I don't recall
 01:15:29 23 exactly. The presentation that was made to the
 01:15:32 24 Planning Commission was made by the township's

01:15:33 1 traffic engineer. But our study, we do
 01:15:36 2 recommend that the applicant retime the signal
 01:15:39 3 of 926 and New Street.
 01:15:41 4 MR. DAULL: Okay, good. Located
 01:15:43 5 about four-tenths of a mile west of New Street
 01:15:46 6 is Birmingham Road, where there is another
 01:15:50 7 traffic light. Located at the halfway point
 01:15:53 8 between South New Street and Birmingham Road is
 01:15:57 9 Lake Drive. And we have -- it is almost
 01:16:02 10 impossible for us to make a left-hand turn
 01:16:06 11 during the prime rush in the morning and in the
 01:16:08 12 evening from Lake Drive onto 926 to go
 01:16:10 13 eastbound.
 01:16:11 14 And the thought occurred to me
 01:16:15 15 that -- let me ask it this way: Can you make a
 01:16:21 16 recommendation that the timing of the light at
 01:16:24 17 South New Street be coordinated with the timing
 01:16:26 18 of the light at South Birmingham -- at
 01:16:29 19 Birmingham Road so that they are both red at
 01:16:31 20 the same time, at least in the morning and
 01:16:33 21 evening rush? So we would have -- so that
 01:16:37 22 would create a gap for us to make a left-hand
 01:16:39 23 turn off of Lake Drive onto 926?
 01:16:43 24 And complicating our turn onto

01:16:47 **1** 926 is there is a big dip on 926, the crest of
 01:16:52 **2** which crests right, about 70 feet west of Lake
 01:16:58 **3** Drive, so that traffic is out of view for
 1 **4** several seconds. So between the volume of
 01:17:05 **5** traffic coming from -- that's not a problem now
 01:17:08 **6** because the bridge is closed at Creek Road.
 01:17:11 **7** But come September 1st that flow of traffic is
 01:17:14 **8** going to increase a thousand-fold.
 01:17:17 **9** But my question to you is: Can a
 01:17:19 **10** recommendation be made to PennDOT so that the
 01:17:23 **11** timing of the two lights can be changed to
 01:17:27 **12** allow them to be red at the same time, which
 01:17:31 **13** would create a gap for us to make the left-hand
 01:17:33 **14** turn?
 01:17:34 **15** THE WITNESS: At this time in our
 01:17:35 **16** scoping process, in our submissions to both the
 01:17:37 **17** township and PennDOT, we have not been asked to
 01:17:40 **18** look at that intersection as part of this
 01:17:41 **19** project.
 01:17:43 **20** MR. DAULL: Well, is that a
 01:17:44 **21** possibility that it can? Because it is a very
 01:17:46 **22** dangerous situation.
 01:17:50 **23** THE WITNESS: What you are
 1 **24** referring to is an existing condition, and at

01:17:53 **1** this time we have not been asked to look at
 01:17:55 **2** that intersection as part of this development.
 01:17:57 **3** MR. DAULL: Okay. I understand.
 01:17:59 **4** But I was allowed to be a party of interest
 01:18:03 **5** because of our close proximity to the Toll
 01:18:06 **6** Brothers project. And it would just seem to me
 01:18:11 **7** that it would be feasible for that to be
 01:18:17 **8** considered.
 01:18:18 **9** And if it isn't, now my question
 01:18:21 **10** is: Can it be in the near future, assuming
 01:18:26 **11** that the Toll Brothers project is approved?
 01:18:28 **12** THE WITNESS: The applicant has
 01:18:28 **13** to follow the requirements of the township and
 01:18:30 **14** PennDOT in terms of the evaluation for the
 01:18:33 **15** development.
 01:18:34 **16** MR. DAULL: Okay. All right.
 01:18:36 **17** I'll address that with -- is that something
 01:18:38 **18** that can be addressed to the township?
 01:18:42 **19** MR. MCKENNA: Directly with them?
 4 **20** MR. DAULL: Yes.
 01:18:45 **21** MR. MCKENNA: No, you have to
 01:18:46 **22** make your request here at the hearing itself.
 01:18:49 **23** I think what you are hearing from the applicant
 01:18:51 **24** is that it is not required, so at least right

01:18:54 **1** now they are not looking at that intersection.
 01:18:56 **2** MS. DEWOLF: The timing of the
 01:18:58 **3** lights you can bring to the township, and we
 01:18:59 **4** can support you by talking with PennDOT on that
 01:19:01 **5** right away.
 01:19:03 **6** MR. DAULL: Okay. Understood.
 01:19:05 **7** Thank you. Thank you, ma'am.
 01:19:06 **8** MR. MCKENNA: Scott Sobers?
 01:19:09 **9** Mr. Pavelchek?
 01:19:13 **10** MR. PAVELCHEK: No questions.
 01:19:14 **11** MR. MCKENNA: Phillip Jaeger?
 01:19:16 **12** Mr. Cahill?
 01:19:22 **13** Mr. Pryze? He was here earlier,
 01:19:24 **14** but I believe he has left.
 01:19:26 **15** Jennifer or Jeffrey Kramer?
 01:19:30 **16** MS. KRAMER: No questions.
 01:19:31 **17** MR. MCKENNA: Megan Bruns?
 01:19:33 **18** Ed Skros?
 01:19:35 **19** MR. SKROS: No questions. Thank
 01:19:38 **20** you.
 01:19:38 **21** MR. MCKENNA: Eileen Carey?
 01:19:41 **22** Jim McDermott?
 01:19:45 **23** Dennis or Patricia McFadden?
 01:19:52 **24** Carol Weller?

01:19:54 **1** MS. WELLER: No questions.
 01:19:55 **2** MR. MCKENNA: Linda and Matt
 01:19:57 **3** Reichert?
 01:20:00 **4** All right. Does the Board have
 01:20:01 **5** any further follow-up based on what you heard?
 01:20:04 **6** All right. Anything further, Mr.
 01:20:07 **7** Adelman?
 01:20:07 **8** MR. ADELMAN: Nothing further.
 01:20:08 **9** MR. MCKENNA: Okay. Thank you,
 01:20:11 **10** Ms. Kline. Appreciate it again. Thank you for
 01:20:13 **11** coming back here in July.
 01:20:15 **12** (Witness excused.)
 01:20:16 **13** MR. MCKENNA: Mr. Adelman,
 01:20:18 **14** anything further from you this evening?
 01:20:19 **15** MR. ADELMAN: No. I don't
 01:20:21 **16** believe it is my case at this point.
 01:20:27 **17** MR. GILL: Mr. McKenna, I believe
 01:20:32 **18** under the prior discussions that the Planning
 01:20:35 **19** Commission would now proceed with its case in
 01:20:37 **20** chief. Is that correct?
 01:20:39 **21** MR. MCKENNA: That was my
 01:20:40 **22** understanding, correct.
 01:20:41 **23** MR. GILL: Mr. Adelman, do I
 01:20:43 **24** understand correctly that you are resting your

01:20:45 1 case in chief?
 01:20:46 2 MR. ADELMAN: Yes, it was my
 01:20:48 3 final remaining portion of the last outstanding
 0 4 witness.
 01:20:51 5 MR. GILL: Okay. With the
 01:20:52 6 applicant having rested its case in chief, the
 01:20:55 7 Planning Commission is prepared to proceed
 01:20:58 8 again, I suppose. So we will call as our
 01:21:02 9 first, I guess our next witness, Al Federico.
 01:21:16 10 MR. MCKENNA: Mr. Federico, I'm
 01:21:18 11 going to ask you to come on up so everybody can
 01:21:21 12 see you.
 01:21:32 13 MR. GILL: Mr. McKenna, members
 01:21:33 14 of the Board, I'm going to pass up some
 01:21:35 15 additional exhibits that I have pre-marked as
 01:21:37 16 Exhibits PC-10 through PC-13 and a revised
 01:21:41 17 exhibit index.
 01:21:48 18 MR. MCKENNA: Eleanor, we will go
 01:21:49 19 off the record for a minute.
 01:21:51 20 (Discussion off the record.)
 01:22:48 21 MR. GILL: What I have handed up
 01:22:50 22 as PC-10, I have pre-marked, it is CV a of Mr.
 01:22:54 23 Federico.
 5 24 PC-11 is a copy of the

01:22:56 1 conditional use application.
 01:22:57 2 PC-12 is the minutes of the
 01:22:59 3 February 13th, 2007, Planning Commission
 01:23:02 4 meeting, Township Planning Commission meeting.
 01:23:04 5 PC-13 I have PennDOT's letter
 01:23:06 6 dated March 3rd, 2017.
 01:23:09 7 Mr. Federico, would you please go
 01:23:10 8 ahead and be sworn.
 9 ALBERT FEDERICO,
 10 the witness herein, having first been
 11 duly sworn on oath, was examined and
 01:23:17 12 testified as follows:
 01:23:17 13 DIRECT EXAMINATION
 01:23:20 14 BY MR. GILL:
 01:23:20 15 Q. Mr. Federico, would you please state
 01:23:22 16 your name and spell your last name for the
 01:23:23 17 record.
 01:23:24 18 A. Albert Federico, F-E-D-E-R-I-C-O.
 01:23:31 19 Q. And Al, are you employed -- so Al is
 20 ok?
 01:23:39 21 A. That works.
 01:23:40 22 Q. Al, are you employed by any business
 01:23:42 23 entity?
 01:23:43 24 A. Yes.

01:23:44 1 Q. What is the name of that business?
 01:23:45 2 A. Kimley Horn.
 01:23:47 3 Q. And what is Kimley Horn?
 01:23:49 4 A. Kimley Horn is an engineering
 01:23:53 5 consulting firm.
 01:23:54 6 Q. What is your position with them?
 01:23:56 7 A. I'm a project manager.
 01:23:59 8 MR. ADELMAN: Mr. Gill, are you
 01:24:00 9 planning to offer Mr. Federico as an expert in
 01:24:03 10 traffic engineering?
 01:24:04 11 MR. GILL: Yes, I am.
 01:24:05 12 MR. ADELMAN: I would stipulate
 01:24:05 13 to his qualifications as such.
 01:24:08 14 MR. MCKENNA: Any objection from
 01:24:08 15 any other counsel or parties?
 01:24:11 16 He will be accepted as an expert
 01:24:12 17 in traffic engineering. Thank you, Mr.
 01:24:14 18 Adelman.
 01:24:14 19 MR. ADELMAN: Thank you.
 01:24:16 20 BY MR. GILL:
 01:24:16 21 Q. Al, are you presently retained by the
 01:24:20 22 township of Westtown in any capacity?
 01:24:22 23 A. Yes.
 01:24:22 24 Q. What is that capacity?

01:24:24 1 A. For the review and consultation
 01:24:27 2 regarding the Crebilly Farm development.
 01:24:30 3 Q. Okay. I'm going to ask you to take a
 01:24:32 4 look at what has been pre-marked as
 01:24:34 5 Exhibit PC-11. Do you have that there?
 01:24:36 6 A. Give me a moment. I need to get some
 01:24:41 7 more space here. Yes.
 01:24:44 8 Q. Have you seen that prior to your
 01:24:45 9 testimony here this evening?
 01:24:47 10 A. Yes.
 01:24:48 11 Q. What is that?
 01:24:50 12 A. The conditional use application.
 01:24:53 13 Q. Do you understand that is the
 01:24:55 14 application that's the subject of this
 01:24:57 15 evening's hearing?
 01:24:58 16 A. Yes.
 01:24:59 17 Q. What do you understand to be the nature
 01:25:02 18 and scope of what it is that the applicant is
 01:25:04 19 seeking pursuant to that application?
 01:25:06 20 A. Use approval for the development of 317
 01:25:10 21 new homes.
 01:25:12 22 Q. And are you familiar with the property
 01:25:14 23 that's the subject of that application?
 01:25:16 24 A. Yes.

01:25:17 **1 Q.** Can we bring up Exhibit A-6.
 01:25:29 **2** Al, you have the binder there.
 01:25:30 **3** Would you please turn to Exhibit A-6. Have you
 9 **4** seen that document prior to your testimony here
 01:25:41 **5** this evening?
 01:25:46 **6 A. Yes.**
 01:25:46 **7 Q.** And is that the property depicted on
 01:25:50 **8** Exhibit A-6 that is the subject of the
 01:25:52 **9** conditional use application marked as
 01:25:54 **10** Exhibit PC-11?
 01:25:56 **11 A. Yes, it is.**
 01:25:56 **12 Q.** Have you personally visited that
 01:25:58 **13** property?
 01:26:00 **14 A. I have observed the property. I have**
 01:26:03 **15 not been on the site.**
 01:26:04 **16 Q.** When you say you have observed it, was
 01:26:06 **17** that from the public rights-of-way adjacent to
 01:26:08 **18** it?
 01:26:08 **19 A. Yes.**
 01:26:09 **20 Q.** Are you familiar with the public
 01:26:10 **21** roadway network in the surrounding and in the
 01:26:14 **22** vicinity of the subject property?
 01:26:16 **23 A. Yes, I am.**
 7 **24 Q.** Can you tell us, generally speaking,

01:26:19 **1** your understanding of that roadway network?
 01:26:23 **2 A. The property is bounded by four public**
 01:26:26 **3 roadways, two state roadways, two township**
 01:26:29 **4 roadways, US 202 is an arterial roadway, PA 926**
 01:26:38 **5 is also an arterial roadway, New Street is a**
 01:26:42 **6 collector roadway, and West Pleasant Grove Road**
 01:26:45 **7 is a local distributor roadway.**
 01:26:47 **8** Other than 202, all of them are
 01:26:49 **9** primarily two-lane roadways. There are some
 01:26:55 **10** other local streets that intersect those roads,
 01:26:58 **11** such as Dunvegan Road, Hidden Pond Way,
 01:27:03 **12** Bridlewood Road.
 01:27:05 **13 Q.** Okay. Is your understanding of that
 01:27:07 **14** road network informed by anything other than
 01:27:09 **15** your personal visit to the roads or your use of
 01:27:13 **16** the roads?
 01:27:15 **17 A. Review of the materials submitted on**
 01:27:18 **18 behalf of this applicant, previous applicants,**
 01:27:21 **19 other work that I have completed on behalf of**
 2 **20 the township.**
 01:27:23 **21 Q.** Okay. In that regard you served as the
 01:27:25 **22** township traffic engineer of record for a
 01:27:27 **23** number of years, correct?
 01:27:28 **24 A. Yes, I did.**

01:27:29 **1 Q.** And during the course of that work you
 01:27:30 **2** reviewed many applications by proposed
 01:27:34 **3** developers?
 01:27:35 **4 A. Yes, I have.**
 01:27:35 **5 Q.** Okay. Could you, using A-6 as you see
 01:27:43 **6** necessary, describe for us your understanding
 01:27:45 **7** of the roadway, I'm sorry, of the
 01:27:48 **8** traffic-related aspects of the proposed
 01:27:50 **9** development as you understand them to be
 01:27:54 **10** proposed by the developer?
 01:27:55 **11 A. Generally I would consider those in**
 01:27:59 **12 three separate aspects, access, circulation and**
 01:28:03 **13 impact.**
 01:28:04 **14** If we were looking at A-6, there
 01:28:07 **15** are four access points, primary access points
 01:28:11 **16** proposed on that plan, an intersection to US
 01:28:25 **17** 202, located approximately 2,000 feet north of
 01:28:28 **18** PA 926, an intersection, new intersection with
 01:28:33 **19** PA 926 located generally between Bridlewood
 01:28:38 **20** Boulevard and Caleb, and two intersections to
 01:28:44 **21** West Pleasant Grove Road.
 01:28:45 **22 Q.** Okay. Have you been present throughout
 01:28:47 **23** the entirety of this hearing, including prior
 01:28:50 **24** sessions of it?

01:28:51 **1 A. Yes.**
 01:28:51 **2 Q.** Did you hear the testimony by Ms.
 01:28:54 **3** Kline, the applicant's traffic consultant?
 01:28:56 **4 A. I apologize. I was present for Ms.**
 01:28:58 **5 Kline's testimony, not the other parts of the**
 01:29:01 **6 hearing.**
 01:29:01 **7 Q.** But you did hear Ms. Kline's testimony?
 01:29:03 **8 A. Yes, I did.**
 01:29:04 **9 Q.** Did you hear reference to alternatives
 01:29:06 **10** to access to the proposed development that the
 01:29:09 **11** applicant has examined?
 01:29:11 **12 A. Yes.**
 01:29:13 **13 Q.** In your capacity as the township's
 01:29:15 **14** traffic consultant for this particular project,
 01:29:20 **15** have you seen any other plans other than the
 01:29:22 **16** one shown as Exhibit A-6 submitted for your
 01:29:26 **17** review and analysis?
 01:29:29 **18 A. Not submitted for review and analysis.**
 01:29:32 **19 The initial traffic study included an**
 01:29:36 **20 illustration of something that was considered**
 01:29:39 **21 concept or Alternatives B and C. However,**
 01:29:43 **22 based on our understanding from the township is**
 01:29:47 **23 that we were reviewing Alternate A.**
 01:29:51 **24 Q.** Okay. I want to come back for a moment

01:29:53 1 to the existing road network before we get into
 01:29:57 2 the particulars of the development. Is it your
 01:30:00 3 understanding that PennDOT is considering
 01:30:04 4 roadway improvements in the vicinity of the
 01:30:07 5 subject property?
 01:30:08 6 **A. Yes.**
 01:30:09 7 **Q.** And what is your understanding of the
 01:30:11 8 nature of those improvements?
 01:30:13 9 **A. The primary improvements that is being**
 01:30:19 10 **evaluated or worked on are improvements to US**
 01:30:24 11 **202 and PA 926 to provide a southbound right**
 01:30:28 12 **turn lane on US 202, and to provide another**
 01:30:32 13 **eastbound lane such that the split-phasing for**
 01:30:35 14 **the signal can be removed. It would also**
 01:30:37 15 **include pedestrian enhancements at the**
 01:30:39 16 **intersection.**
 01:30:41 17 There has also recently been
 01:30:43 18 discussion of some signal enhancements along
 01:30:46 19 the corridor that are progressing.
 01:30:50 20 **Q.** Okay. When you say "progressing" what
 01:30:53 21 is the status of that project?
 01:30:56 22 **A. The status of the intersection project,**
 01:31:00 23 **at 202 and PA 926, is in preliminary**
 01:31:04 24 **engineering. Based on my most recent**

01:31:09 1 **conversation with PennDOT's consultant project**
 01:31:11 2 **manager, they are still going through the**
 01:31:14 3 **environmental clearance phase and have yet to**
 01:31:17 4 **proceed to final design.**
 01:31:18 5 **Q.** We will come back to that in a moment.
 01:31:25 6 As part of your review of the traffic-related
 01:31:29 7 aspects of the proposed development on A-6, did
 01:31:33 8 Kimley Horn issue any comment letters?
 01:31:35 9 **A. Yes, we did.**
 01:31:36 10 **Q.** Are those what is marked in the binders
 01:31:38 11 you have with you as Exhibits A-30, 31 and 32?
 01:31:43 12 **A. Yes, they are.**
 01:31:53 13 **Q.** Are there any other review letters or
 01:31:55 14 memoranda other than those three which Kimley
 01:31:58 15 Horn issued with regard to this matter?
 01:32:01 16 **A. No.**
 01:32:01 17 **Q.** And can you describe for us the scope
 01:32:03 18 of materials which you reviewed which led to
 01:32:06 19 your issuance of those review letters?
 01:32:16 20 **A. The initial December 27 review looked**
 01:32:19 21 **at traffic, Transportation Impact Study**
 01:32:21 22 **prepared by McMahon Associates, dated October**
 01:32:24 23 **13th, 2016, and conditional use subdivision**
 01:32:24 24 **plan for the Crebilly Farm prepared by ESE**

01:32:29 1 **Consultants, revised December 8th, 2016.**
 01:32:34 2 The second review, A-31, dated
 01:32:37 3 February 6th, 2017, reviewed resubmission
 01:32:42 4 correspondence prepared by McMahon Associates,
 01:32:44 5 dated January 20th, and a Transportation Impact
 01:32:48 6 Study revised January 20th.
 01:32:50 7 The third review, marked A-32,
 01:32:56 8 dated April 3rd, 2017, looked at additional
 01:32:59 9 resubmission correspondence and attachments
 01:33:01 10 prepared by McMahon Associates, dated March
 01:33:04 11 3rd, 2017.
 01:33:07 12 **Q.** Did you also review the conditional use
 01:33:14 13 site plan, Exhibit A-6?
 01:33:17 14 **A. Yes.**
 01:33:18 15 **Q.** Have you participated in any meetings
 01:33:22 16 with regard to the traffic-related aspects of
 01:33:24 17 this development with PennDOT?
 01:33:26 18 **A. Yes, I have.**
 01:33:27 19 **Q.** And was one of those meetings on
 01:33:29 20 December 2nd, 2016?
 01:33:31 21 **A. Yes, I believe so.**
 01:33:32 22 **Q.** Are the minutes of that meeting the
 01:33:35 23 ones that are marked in the exhibit binder as
 01:33:36 24 Exhibit A-36?

01:33:44 1 **A. Yes.**
 01:33:51 2 **Q.** And was another one of those meetings
 01:33:55 3 one which occurred on April 17th, 2017?
 01:34:00 4 **A. Yes.**
 01:34:00 5 **Q.** Are the minutes of that, what is marked
 01:34:02 6 as Exhibit PC-3, do you have that there?
 01:34:08 7 **A. I do not have that with me. But I do**
 01:34:10 8 **see that listed as Exhibit A -- PC-3.**
 01:34:14 9 **Q.** Okay. Let me ask you to turn to what
 01:34:18 10 is marked as Exhibit PC-13. Do you have that
 01:34:22 11 there?
 01:34:22 12 **A. Yes.**
 01:34:23 13 **Q.** Have you seen that letter prior to your
 01:34:26 14 testimony here this evening?
 01:34:28 15 **A. Yes, I have.**
 01:34:28 16 **Q.** And what is that letter?
 01:34:31 17 **A. That is a PennDOT review of the traffic**
 01:34:35 18 **study submitted by the applicant.**
 01:34:38 19 **Q.** Other than the minutes of the two
 01:34:40 20 PennDOT meetings and this letter from PennDOT,
 01:34:43 21 are you aware of any other comments or reviews
 01:34:47 22 from PennDOT with regard to this matter?
 01:34:49 23 **A. I believe there was an earlier review**
 01:34:51 24 **of the scoping materials.**

01:34:54 **1 Q.** But other than that, nothing else?

01:34:56 **2 A.** **Not that I'm aware of, no.**

01:34:58 **3 Q.** Okay. Throughout the meetings that you

01:35:02 **4** have attended, the materials which you

01:35:04 **5** reviewed, and the prior sessions of this

01:35:08 **6** hearing, the applicant has made reference to

01:35:11 **7** different iterations of the plan, of the -- I'm

01:35:12 **8** sorry -- of the project, correct?

01:35:13 **9 A.** **Yes.**

01:35:17 **10 Q.** Okay. Again, as you said, the only

01:35:19 **11** plan which you have reviewed is the one marked

01:35:23 **12** Exhibit A-6, correct?

01:35:26 **13 A.** **I would like to amend that. The**

01:35:32 **14** **revised traffic study included the concept that**

01:35:35 **15** **realigned one of the West Pleasant Grove Road**

01:35:40 **16** **accesses, and also realigned the 926 access**

01:35:41 **17** **opposite of Bridlewood Boulevard.**

01:35:45 **18 Q.** Okay. Other than your answer as

01:35:50 **19** amended, have you seen any other submissions to

01:35:54 **20** the township or formally to PennDOT which shows

01:35:57 **21** access other than as depicted on A-6?

01:36:00 **22 A.** **No other formal submissions to PennDOT**

01:36:03 **23** **or the township, no.**

01:36:06 **24 Q.** At the April 17th, 2017, meeting did

01:36:10 **1** the applicant express a willingness to

01:36:13 **2** eliminate the 202 access that's depicted on

01:36:17 **3** Exhibit A-6?

01:36:21 **4 A.** **It was my impression that the applicant**

01:36:23 **5** **was willing to discuss it further, and may be**

01:36:27 **6** **inclined to remove it, yes.**

01:36:29 **7 Q.** Did the applicant make any statements

01:36:31 **8** at that meeting as to what additional factors

01:36:36 **9** would lead them to eliminate the access?

01:36:40 **10 A.** **Not that I recall.**

01:36:44 **11 Q.** Okay. It was just something that they

01:36:45 **12** were willing to consider?

01:36:47 **13 A.** **Yes.**

01:36:48 **14 Q.** Do you support elimination of the Route

01:36:50 **15** 202 access?

01:36:53 **16 A.** **Yes.**

01:36:54 **17 Q.** Why?

01:36:55 **18 A.** **Currently traffic traveling south along**

01:37:01 **19** **US 202 queues back extensively to the north,**

01:37:09 **20** **well past, particularly in the evening, where**

01:37:12 **21** **the access is proposed to be located.**

01:37:15 **22** Based on the materials submitted

01:37:19 **23** by the applicant, the traffic study, those

01:37:22 **24** queues are expected to increase over time to

01:37:25 **1** the point that, in my opinion, during the peak

01:37:29 **2** periods that were evaluated in the study

01:37:31 **3** vehicles will not use that access because

01:37:34 **4** vehicles traveling south will run into stopped

01:37:38 **5** traffic before they get to it, and vehicles

01:37:40 **6** attempting to exit via that egress would be

01:37:44 **7** exiting into stopped traffic.

01:37:46 **8** And I would suggest that the

01:37:50 **9** majority of vehicles that are traveling to the

01:37:54 **10** site from 202 south or exiting the site to 202

01:38:00 **11** south would seek alternate routes.

01:38:05 **12 Q.** Nevertheless, to your knowledge, as you

01:38:09 **13** testified a moment ago, the applicant has not

01:38:12 **14** provided any analysis or update to the TIS,

01:38:14 **15** Traffic Impact Study, to show you, as the

01:38:17 **16** township's traffic consultant for this matter,

01:38:20 **17** the impact of eliminating of the 202 access,

01:38:22 **18** correct?

01:38:23 **19 A.** **Correct.**

01:38:24 **20 Q.** Were you present, AI, at the meeting of

01:38:36 **21** the February 13th -- were you present at the

01:38:39 **22** February 13th, 2017, meeting of the Township

01:38:43 **23** Planning Commission?

01:38:43 **24 A.** **Yes, I believe so.**

01:38:44 **1 Q.** I'm going to ask you to take a look at

01:38:46 **2** what has been marked as Exhibit PC-12. Do you

01:38:49 **3** recognize that document?

01:38:50 **4 A.** **Yes.**

01:38:51 **5 Q.** Have you had the opportunity to review

01:38:53 **6** it prior to your testimony here this evening?

01:38:55 **7 A.** **Yes, I have.**

01:38:56 **8 Q.** What is it?

01:38:57 **9 A.** **These are the minutes of the Planning**

01:38:59 **10** **Commission meeting.**

01:39:00 **11 Q.** Okay. I'll ask you to take a look at

01:39:08 **12** page 12. According to those minutes did the

01:39:16 **13** Planning Commission make a recommendation to

01:39:19 **14** the Board of Supervisors with regard to

01:39:22 **15** disposition of this conditional use

01:39:23 **16** application?

01:39:25 **17 A.** **Yes.**

01:39:26 **18 Q.** What is that recommendation?

01:39:29 **19 A.** **That they approve the conditional use**

01:39:33 **20** **to allow the flexible development, subject to**

01:39:36 **21** **the applicant's compliance to conditions as**

01:39:42 **22** **discussed by the Planning Commission.**

01:39:45 **23 Q.** Okay. Was that recommendation

01:39:48 **24** predicated upon an assumption that the

01:39:51 1 applicant would demonstrate compliance with
01:39:53 2 certain Zoning Ordinance standards as set forth
01:39:56 3 above the recommendation?

7 4 **A. It is my understanding, yes.**

01:39:59 5 **Q.** Okay. Are you familiar with the
01:40:03 6 township's Zoning Ordinance?

01:40:04 7 **A. I am.**

01:40:05 8 **Q.** The cited sections of the Zoning
01:40:08 9 Ordinance on page 12 of Exhibit PC-12, do any
01:40:12 10 one or more of those have to do with traffic?

01:40:18 11 **A. Yes.**

01:40:20 12 **Q.** Based on your review of the materials
01:40:27 13 to which you made reference earlier, have you
01:40:29 14 formed a conclusion as to whether the applicant
01:40:32 15 has, during the course of this hearing,
01:40:37 16 demonstrated compliance with the sections of
01:40:40 17 the Zoning Ordinance that are referenced in the
01:40:42 18 PC recommendation?

01:40:45 19 **A. Yes, I have.**

01:40:46 20 **Q.** And what is that conclusion?

01:40:49 21 **A. That they are not in compliance with**
01:40:51 22 **all of them.**

01:40:51 23 **Q.** Would you please explain the bases for
53 24 your conclusion?

01:40:54 1 **A. The ordinance has referenced compliance**
01:41:02 2 **or development consistent with the**
01:41:03 3 **Comprehensive Plan. The Comprehensive Plan**
01:41:08 4 **specifies a connector road between 926 and West**
01:41:15 5 **Pleasant Grove Road. The submitted A-6 does**
01:41:18 6 **not illustrate the road that would be**
01:41:20 7 **considered generally consistent with that.**

01:41:24 8 The submitted code also
01:41:26 9 references "that does not result in or
01:41:29 10 substantially add to traffic hazard." The
01:41:34 11 scope of improvements that have been proposed
01:41:39 12 specifically to date do not include turn lanes
01:41:45 13 that the applicant is adding traffic to to
01:41:49 14 contribute to that congestion at those
01:41:51 15 locations.

01:41:53 16 Additionally, the previously
01:41:55 17 mentioned access to Route 202 does not provide,
01:42:01 18 in my opinion, during peak periods safe or
01:42:05 19 efficient access.

5 20 **Q.** Okay. I would like to go back and
01:42:08 21 unpack some of that if you don't mind, Al. Did
01:42:14 22 you hear Ms. Kline's testimony that the
01:42:16 23 internal drive aisle depicted on A-6 provides a
01:42:20 24 point of connection between or a means of

01:42:24 1 connection, excuse me, between West Pleasant
01:42:27 2 Grove Road and 926?

01:42:29 3 **A. Yes.**

01:42:30 4 **Q.** But you just testified a moment ago
01:42:31 5 that A-6 doesn't provide a connector road,
01:42:34 6 correct?

01:42:35 7 **A. I would not consider that a connector**
01:42:38 8 **road consistent with the Comprehensive Plan or**
01:42:42 9 **the Township Growth Management Plan.**

01:42:44 10 **Q.** Why not?

01:42:45 11 **A. The Growth Management Plan presumes a**
01:42:48 12 **more direct, continuous connection between**
01:42:51 13 **those two roads.**

01:42:54 14 Additionally, the Zoning
01:42:56 15 Ordinance for the underlying property
01:43:01 16 references a continuous collector road, and
01:43:06 17 what is provided I would not consider a
01:43:09 18 collector road.

01:43:11 19 **Q.** Okay. You would not consider. Is that
01:43:16 20 based on your own personal preference, or is it
01:43:19 21 based on something other than, or is it based
01:43:23 22 on your expertise, excuse me, as a traffic
01:43:26 23 engineer?

01:43:27 24 **A. A little of both. It does not appear**

01:43:31 1 **to provide the width of a collector road as**
01:43:34 2 **defined in the Township's Subdivision**
01:43:38 3 **Ordinance.**

01:43:38 4 Also, as defined in the code, a
01:43:41 5 collector road provides a means of access to
01:43:44 6 local minor streets to travel between
01:43:49 7 neighborhoods. This would appear to be just a
01:43:54 8 series of local streets connected together.

01:43:57 9 **Q.** The internal drive aisles that are
01:44:01 10 depicted on A-6, is it your opinion that those
01:44:06 11 would be required to service the development
01:44:09 12 that is proposed by the applicant, regardless
01:44:11 13 of whether they also provide indirect
01:44:15 14 connections between Pleasant Grove and 926?

01:44:20 15 **A. Some vehicular access to serve the**
01:44:22 16 **development would be required, yes.**

01:44:23 17 **Q.** Okay. You mentioned that the traffic
01:44:29 18 aspects of the plan also prevent a traffic
01:44:32 19 hazard, in your opinion. Would you please
01:44:35 20 elaborate on that?

01:44:37 21 **A. The traffic study references accidents**
01:44:44 22 **along southbound 202 potentially associated**
01:44:47 23 **with the congestion. By introducing that**
01:44:50 24 **access at that location that could be a**

01:44:55 **1 contributing factor.**
 01:44:56 **2** Additionally, there are several
 01:44:59 **3** locations where the traffic generated by this
 6 **4** site would contribute to locations where turn
 01:45:10 **5** lanes are already warranted, further
 01:45:14 **6** perpetuating what is an undesirable situation,
 01:45:18 **7** potentially unsafe.
 01:45:19 **8 Q.** Okay. Staying with those turn lanes,
 01:45:21 **9** where would those turn lanes be located?
 01:45:24 **10 A. One location would be on southbound 202**
 01:45:29 **11 at West Pleasant Grove Road. Another would be**
 01:45:34 **12 at the intersection of New Street and 926.**
 01:45:36 **13 Q.** Did you hear Ms. Kline's testimony that
 01:45:40 **14** those turn lanes are warranted under existing
 01:45:44 **15** conditions?
 01:45:45 **16 A. Yes, I did.**
 01:45:46 **17 Q.** And her statement or her position that,
 01:45:48 **18** therefore, those are not the responsibility of
 01:45:50 **19** the applicant, did you hear that?
 01:45:52 **20 A. I did hear that.**
 01:45:53 **21 Q.** What is your opinion on that point, if
 01:45:57 **22** any?
 01:45:57 **23 A. I would agree with her that turn lanes**
 10 **24 at these locations are currently warranted**

01:46:02 **1 under existing conditions.**
 01:46:04 **2** However, the length of the turn
 01:46:06 **3 lane required is increased by the traffic**
 01:46:10 **4 associated with the development, thereby**
 01:46:13 **5 contributing to the congested condition.**
 01:46:15 **6 Q.** Okay. So is it fair to say then, Mr.
 01:46:20 **7** Federico, that if the applicant does not
 01:46:23 **8** provide the turn lanes or contribute toward the
 01:46:27 **9** turn lanes that the traffic generated by the
 01:46:30 **10** development will not be able to be safely and
 01:46:33 **11** efficiently managed on the existing road
 01:46:35 **12** network --
 01:46:36 **13 A. Yes.**
 01:46:36 **14 Q.** -- or the road network as modified or
 01:46:41 **15** upgraded by the applicant?
 01:46:42 **16 A. Yes.**
 01:46:43 **17 Q.** Okay. Of course, you mentioned that
 01:46:48 **18** the access to 202 presents an unsafe or
 01:46:52 **19** inefficient access, correct?
 5 **20 A. Yes.**
 01:46:56 **21 Q.** Okay. Staying with 202 for a moment,
 01:47:01 **22** you mentioned earlier the PennDOT project and
 01:47:05 **23** the current status of that project. In your
 01:47:07 **24** opinion, can the applicant's proposed

01:47:11 **1** development proceed in the absence of the
 01:47:14 **2** improvements which are part of the so-called
 01:47:17 **3** PennDOT project?
 01:47:19 **4 A. In my opinion, and as presented in the**
 01:47:23 **5 applicant's traffic study, the traffic**
 01:47:25 **6 associated with this project will have an**
 01:47:29 **7 impact at that intersection that will require**
 01:47:32 **8 mitigation.**
 01:47:32 **9** If the PennDOT improvements are
 01:47:34 **10** made, whether by the applicant or by PennDOT,
 01:47:39 **11** then they would satisfy the requirement for
 01:47:42 **12** mitigation at that intersection.
 01:47:44 **13 Q.** When you say "mitigation," the
 01:47:47 **14** improvements at the intersection would result
 01:47:53 **15** in a level of service which is not degraded by
 01:47:56 **16** the development, correct?
 01:47:59 **17 A. Correct. The level of service**
 01:48:03 **18 following the improvements would be consistent**
 01:48:07 **19 generally with the future condition without the**
 01:48:09 **20 development.**
 01:48:10 **21 Q.** Okay. What is the level of service at
 01:48:14 **22** that intersection now, if you know?
 01:48:17 **23 A. I don't recall specifically. I'm going**
 01:48:36 **24 to look this up a moment.**

01:48:38 **1 Q.** Take your time.
 01:48:39 **2 A. Level of service F.**
 01:48:43 **3 Q.** What is the level of service in the
 01:48:45 **4** post-development condition with the
 01:48:47 **5** improvements?
 01:48:49 **6 A. F.**
 01:48:51 **7 Q.** So whether it is by the PennDOT project
 01:48:55 **8** or by the applicant completing the
 01:48:57 **9** improvements, that intersection will remain in
 01:48:59 **10** a failing condition, correct?
 01:49:01 **11 A. Yes, it will.**
 01:49:02 **12 Q.** Okay. To be clear, if PennDOT does not
 01:49:10 **13** complete the improvements by the time that the
 01:49:12 **14** applicant is ready to proceed with the
 01:49:14 **15** development, in your opinion, is it appropriate
 01:49:16 **16** for the applicant to be tasked with completing
 01:49:18 **17** those improvements as a condition of its
 01:49:20 **18** development?
 01:49:21 **19 A. I would expect that PennDOT will**
 01:49:23 **20 require them to complete those improvements as**
 01:49:25 **21 a condition of their access permits, yes.**
 01:49:29 **22 Q.** In your opinion as the township's
 01:49:31 **23** traffic consultant for this matter, would it be
 01:49:33 **24** appropriate for the township to impose that

01:49:35 1 condition regardless of what PennDOT does?
 01:49:38 2 **A. Yes.**
 01:49:39 3 **Q.** And would that be necessary in order to
 3 4 satisfy the ordinance requirement, the
 01:49:45 5 ordinance requirements, excuse me, to which you
 01:49:48 6 made reference earlier?
 01:49:48 7 **A. Yes, it would.**
 01:49:50 8 **Q.** Do you have there -- no, I don't think
 01:50:04 9 you do -- Exhibit B-21?
 01:50:07 10 **A. I don't believe so.**
 01:50:12 11 **Q.** I'll bring it up to you.
 01:50:37 12 Would you please take a look at
 01:50:41 13 Exhibit B-21.
 01:50:42 14 **A. Yes.**
 01:50:42 15 **Q.** Have you seen that letter prior to your
 01:50:44 16 testimony here this evening?
 01:50:46 17 **A. Yes, I have.**
 01:50:47 18 **Q.** What is that?
 01:50:50 19 **A. This is, these are the Planning**
 01:50:57 20 **Commission recommendations associated with this**
 01:50:59 21 **project.**
 01:50:59 22 **Q.** Okay. So earlier in reference to
 01:51:02 23 Exhibit PC-12 you said that the Planning
 15 24 Commission recommended that the Board approve

01:51:06 1 the project subject to conditions, provided
 01:51:08 2 that the applicant can demonstrate compliance
 01:51:10 3 with the Zoning Ordinance standards to which
 01:51:12 4 you made reference, correct?
 01:51:14 5 **A. Yes.**
 01:51:15 6 **Q.** And then you testified that the
 01:51:16 7 applicant, in your opinion the applicant hasn't
 01:51:18 8 demonstrated compliance. Assuming that the
 01:51:20 9 applicant can demonstrate compliance, is it
 01:51:23 10 your understanding that these, what is
 01:51:26 11 reflected in Exhibit B-21, are the conditions
 01:51:29 12 that the Planning Commission recommends the
 01:51:31 13 Board impose?
 01:51:31 14 **A. Yes.**
 01:51:32 15 **Q.** All right. Are some of those
 01:51:35 16 conditions related to the traffic aspects of
 01:51:38 17 the proposed development?
 01:51:39 18 **A. Yes, they are.**
 01:51:39 19 **Q.** And what role, if any, did Kimley Horn
 2 20 play in developing those conditions?
 01:51:45 21 **A. We provided consultation with the**
 01:51:48 22 **Planning Commission as they developed the**
 01:51:49 23 **conditions.**
 01:51:50 24 **Q.** Okay. I would like to run through

01:51:55 1 those conditions, if you want to turn to
 01:51:59 2 condition No. 5, I believe is the first one.
 01:52:05 3 **A. Yes.**
 01:52:06 4 **Q.** Now, there the Planning Commission, to
 01:52:13 5 be clear, Exhibit B-21 is a letter to the Board
 01:52:17 6 from my partner, Ms. Camp, correct?
 01:52:19 7 **A. Yes.**
 01:52:20 8 **Q.** On behalf of the Planning Commission,
 01:52:22 9 is that your understanding?
 01:52:23 10 **A. Yes, it is.**
 01:52:23 11 **Q.** So starting with condition No. 5, the
 01:52:29 12 Planning Commission's proposal, proposed
 01:52:32 13 condition is that the applicant satisfactorily
 01:52:34 14 address comments raised in review letters dated
 01:52:39 15 December 27, 2016, and February 6, 2017.
 01:52:44 16 Are those review letters the ones
 01:52:45 17 which you previously made reference to as
 01:52:47 18 pre-marked exhibits?
 01:52:48 19 **A. Yes.**
 01:52:49 20 **Q.** Are there any other review letters that
 01:52:50 21 you have issued?
 01:52:53 22 **A. No.**
 01:52:53 23 **Q.** Have you formed a conclusion as to
 01:52:59 24 whether or not the applicant has satisfactorily

01:53:02 1 addressed the comments raised in your review
 01:53:04 2 letters?
 01:53:04 3 **A. Yes, I have.**
 01:53:04 4 **Q.** What is that conclusion?
 01:53:05 5 **A. That there are still some outstanding**
 01:53:07 6 **items.**
 01:53:08 7 **Q.** Are any of those outstanding items in
 01:53:11 8 addition to the ones that you mentioned earlier
 01:53:13 9 with regard to ordinance compliance?
 01:53:29 10 **A. They are ordinance compliance, yes.**
 01:53:31 11 **Q.** So there is no -- there is overlap
 01:53:33 12 between condition No. 5 and the ordinance
 01:53:36 13 compliance issues that you raised a moment ago?
 01:53:39 14 **A. Yes.**
 01:53:39 15 **Q.** Okay. The next condition is with
 01:53:44 16 regard to the connector road, correct?
 01:53:48 17 **A. Yes, it is.**
 01:53:48 18 **Q.** Can I presume from your testimony a
 01:53:54 19 moment ago that you reached the conclusion that
 01:53:57 20 the applicant has not demonstrated an ability
 01:54:00 21 to comply or a willingness, excuse me, to
 01:54:03 22 comply with condition No. 6, at least so far as
 01:54:12 23 shown an Exhibit A-6?
 01:54:14 24 **A. A-6 does not comply with this**

01:54:17 **1 requirement.**
 01:54:21 **2 Q.** Has the applicant expressed to you in
 01:54:26 **3 your role as the township traffic consultant**
4 whether or not the applicant is willing to
 01:54:30 **5 dedicate to the township either the internal**
 01:54:33 **6 drive aisle shown on Exhibit A-6 or any**
 01:54:37 **7 connector or collector road which it might**
 01:54:38 **8 construct at the property?**
 01:54:40 **9 A. I don't recall.**
 01:54:48 **10 Q.** I'm going to ask you to jump ahead to
 01:54:53 **11 the condition with regard to the drive aisle at**
 01:54:58 **12 Route 926 and Bridlewood Boulevard. Do you see**
 01:55:01 **13 that there?**
 01:55:03 **14 A. As part of condition 6?**
 01:55:05 **15 Q.** No, I'm sorry.
 01:55:07 **16 A. Condition 8.**
 01:55:08 **17 Q.** This is condition 8.
 01:55:10 **18 A. Yes.**
 01:55:10 **19 Q.** As shown on Exhibit A-6, the applicant
 01:55:14 **20 is not proposing to align the internal drive**
 01:55:19 **21 aisle with Route 926 and Bridlewood Boulevard,**
 01:55:22 **22 correct?**
 01:55:23 **23 A. Correct.**
 01:55:24 **24 Q.** Does the configuration of the internal

01:55:29 **1 drive aisle with 926 as offset from Bridlewood**
 01:55:32 **2 Boulevard present any traffic problems, in your**
 01:55:38 **3 opinion?**
 01:55:38 **4 A. Based on the coordination with PennDOT**
 01:55:42 **5 today, it is my understanding that PennDOT will**
 01:55:45 **6 not approve a traffic signal at this location,**
 01:55:48 **7 and my understanding that a traffic signal**
 01:55:52 **8 would be warranted at the full build-out.**
 01:55:53 **9 Q.** Moving, taking a step back from
 01:55:56 **10 signalization of an aligned intersection,**
 01:55:58 **11 however, does the configuration as shown on**
 01:56:01 **12 Exhibit A-6 present any traffic-related**
 01:56:04 **13 problems?**
 01:56:05 **14 A. I would say that it is undesirable. In**
 01:56:10 **15 my opinion, if it were constructed this way,**
 01:56:13 **16 there would still be some through traffic**
 01:56:15 **17 between Bridlewood and the proposed new road,**
 01:56:18 **18 and offsetting it as it is shown would**
 01:56:21 **19 introduce unnecessary left turns.**
 01:56:21 **20 Q.** Unnecessary left turns from 926 into
 01:56:29 **21 the site?**
 01:56:29 **22 A. From -- into the site and into**
 01:56:32 **23 Bridlewood, yes.**
 01:56:32 **24 Q.** Okay. What about queuing of vehicles

01:56:36 **1 along 926, given the location of the site**
 01:56:40 **2 access on 926 as shown on Exhibit A-6?**
 01:56:44 **3 A. There would be times when queues on**
 01:56:47 **4 eastbound 926 from 202 would extend to a point**
 01:56:51 **5 that they would impact the functionality of**
 01:56:53 **6 that access.**
 01:56:54 **7 Q.** Do you mean eastbound queues to 202?
 01:56:57 **8 You said from.**
 01:56:57 **9 A. Eastbound queues from 202, along 926.**
 01:57:02 **10 Q.** Okay, I understand. If the applicant
 01:57:11 **11 does present a revised plan showing alignment**
 01:57:15 **12 of, alignment of the internal drive aisle with**
 01:57:18 **13 Bridlewood Boulevard and 926, does the Planning**
 01:57:22 **14 Commission recommend signalization of that**
 01:57:24 **15 access?**
 01:57:25 **16 A. Yes, they do.**
 01:57:25 **17 Q.** I'm sorry, that intersection?
 01:57:27 **18 A. Yes, they do.**
 01:57:27 **19 Q.** You mentioned a moment ago your opinion
 01:57:31 **20 that PennDOT would not warrant that signal**
 01:57:35 **21 under, until full build-out, correct?**
 01:57:40 **22 A. PennDOT, if I recall correctly, has**
 01:57:43 **23 indicated that there may need to be some**
 01:57:47 **24 monitoring of the signal -- of the intersection**

01:57:50 **1 until signal warrants are met, due to the**
 01:57:56 **2 occasionally protracted build-out and**
 01:57:59 **3 associated, traffic associated with the**
 01:58:01 **4 residential development such as this.**
 01:58:03 **5 Q.** But to be clear, at initial build-out,
 01:58:07 **6 initial construction, a signal at an aligned**
 01:58:10 **7 intersection would not be warranted?**
 01:58:13 **8 A. Probably not.**
 01:58:14 **9 Q.** Okay. The Planning Commission made a
 01:58:17 **10 recommendation with regard to monitoring and**
 01:58:20 **11 the placement of funds into escrow to pay for a**
 01:58:24 **12 traffic signal, correct?**
 01:58:26 **13 A. Yes.**
 01:58:27 **14 Q.** Why is that important, in your opinion
 01:58:29 **15 as the traffic consultant for this project, if**
 01:58:33 **16 it is?**
 01:58:36 **17 A. I just want it clear that funds for the**
 01:58:42 **18 signal should be set aside. It is one of those**
 01:58:45 **19 issues that occasionally falls through the**
 01:58:47 **20 cracks when development escrows, PennDOT does**
 01:58:52 **21 not always collect escrows for signals.**
 01:58:54 **22 Townships occasionally will consider that it is**
 01:58:57 **23 a PennDOT issue and it just gets missed**
 01:59:01 **24 sometimes.**

01:59:01 1 Further, if the developer, not
 01:59:03 2 that we foresee Toll Brothers going anywhere,
 01:59:06 3 but if the developer did default after they had
 9 4 started, the township would want to have those
 01:59:12 5 funds available to provide the traffic signal.
 01:59:16 6 Q. One moment. Ready?
 01:59:59 7 A. Good.
 01:59:59 8 Q. Okay. Thanks. So moving on to
 02:00:04 9 condition No. 12 on Exhibit B-21 with regard to
 02:00:10 10 the improvements to the cartway of West
 02:00:15 11 Pleasant Grove Road, have you formed an opinion
 02:00:16 12 as to whether the Board of Supervisors, should
 02:00:21 13 it approve this conditional use application,
 02:00:24 14 should impose condition No. 12 as suggested by
 02:00:27 15 the Planning Commission?
 02:00:29 16 A. Yes.
 02:00:30 17 Q. What is that opinion?
 02:00:31 18 A. That they should.
 02:00:32 19 Q. And why is that?
 02:00:34 20 A. As traffic has increased on West
 02:00:39 21 Pleasant Grove Road, the width is not compliant
 02:00:41 22 with the current code, and it would be a better
 02:00:47 23 condition from the mobility perspective to
 9 24 provide the additional width.

02:00:52 1 Additionally, there have been
 02:00:53 2 concerns for some time within the township
 02:00:55 3 about speeds along West Pleasant Grove Road,
 02:00:58 4 particularly when it is used as a bypass,
 02:01:02 5 introducing two additional accesses along its
 02:01:06 6 road has further conflict points, and the
 02:01:09 7 potential for traffic calming not only would
 02:01:12 8 make those accesses safer, it could be used as
 02:01:17 9 a means to address the sight distance
 02:01:19 10 deficiency that was noted for the eastern
 02:01:22 11 access that was illustrated in A-6.
 02:01:29 12 Q. All right. Are the turn lanes that are
 02:01:34 13 referenced in Exhibit A-13 the same as the turn
 02:01:38 14 lanes to which you made reference earlier as in
 02:01:42 15 relation to Ms. Kline's testimony about
 02:01:44 16 existing conditions versus development-related
 02:01:46 17 impacts?
 02:01:47 18 A. Yes. The turn lanes identified
 02:01:51 19 recommendations, A-13, the distance or length
 20 of those turn lanes is the increased length
 02:02:00 21 that is warranted over and above the existing
 02:02:03 22 conditions.
 02:02:04 23 Q. Okay. I'm sorry, you say A-13. You
 02:02:06 24 mean proposed condition No. 13?

02:02:08 1 A. Proposed condition No. 13, yes.
 02:02:10 2 Q. Okay. Would you please take a look
 02:02:14 3 then at proposed condition No. 14.
 02:02:17 4 A. Yes.
 02:02:17 5 Q. Are you familiar with that one?
 02:02:19 6 A. Yes, I am.
 02:02:20 7 Q. Have you formed an opinion as to
 02:02:22 8 whether the Board of Supervisors should impose
 02:02:25 9 a condition, impose condition No. 14 should it
 02:02:28 10 grant this conditional use approval?
 02:02:30 11 A. Yes.
 02:02:30 12 Q. What is that conclusion?
 02:02:32 13 A. It should be imposed.
 02:02:34 14 Q. And why is that?
 02:02:36 15 A. The traffic generated and associated by
 02:02:46 16 this development has the potential to increase
 02:02:53 17 traffic along some of the ancillary local roads
 02:02:57 18 in the immediate proximity of the site, as well
 02:03:02 19 as Jacqueline Drive, which is a known
 02:03:04 20 cut-through in this area. And while these sort
 02:03:09 21 of issues are not well quantified in your
 02:03:12 22 typical Transportation Impact Study, there is
 02:03:15 23 general acceptance within the traffic
 02:03:17 24 engineering community that these can have, this

02:03:21 1 additional traffic can have a potentially
 02:03:23 2 negative impact on the adjacent residential
 02:03:26 3 areas and calming associated with this will
 02:03:31 4 lessen that potential impact.
 02:03:36 5 Q. To be clear, it is your opinion that
 02:03:38 6 the traffic calming measures which are
 02:03:43 7 recommended under proposed condition No. 14 are
 02:03:46 8 related to the development proposed by the
 02:03:49 9 applicant?
 02:03:50 10 A. Yes.
 02:03:52 11 Q. Proposed condition No. 14 -- I'm
 02:03:55 12 sorry -- 15, do you see that there?
 02:03:57 13 A. Yes.
 02:03:57 14 Q. It calls for elimination of the
 02:03:59 15 easternmost access onto West Pleasant Grove
 02:04:03 16 Road, correct?
 02:04:04 17 A. Yes.
 02:04:04 18 Q. Is that access still shown on
 02:04:08 19 Exhibit A-6?
 02:04:09 20 A. Yes, it is.
 02:04:10 21 Q. Why is it important, in your opinion,
 02:04:14 22 if at all, for that access to be removed or
 02:04:17 23 relocated?
 02:04:18 24 A. As referenced in some of the previous

02:04:25 **1 questions by the Township Manager, there has**
 02:04:28 **2 been a concept developed to connect this**
 02:04:35 **3 section of the collector roadway through the**
 7 **4 Crebilly Farm site with the northern section**
 02:04:41 **5 that's extending through another development of**
 02:04:44 **6 the Fairshare property.**

02:04:47 **7** And in order to provide a greater
 02:04:49 **8 level of continuity, having this access located**
 02:04:54 **9 as far east as possible is desirable. It is**
 02:04:58 **10 understood that they cannot be perfectly**
 02:05:00 **11 aligned without encroaching into the church**
 02:05:03 **12 property. But the concept that the township**
 02:05:07 **13 had developed previously anticipates that and**
 02:05:11 **14 provides it with as much continuity as**
 02:05:16 **15 possible.**

02:05:16 **16 Q.** So Ms. Kline's testimony that
 02:05:19 **17 compliance with the condition is impossible**
 02:05:21 **18 because of the fact that the applicant doesn't**
 02:05:25 **19 own the church property, that doesn't**
 02:05:28 **20 necessarily preclude compliance with proposed**
 02:05:30 **21 condition No. 15, correct?**

02:05:32 **22 A. Correct.**

02:05:33 **23 Q.** Turning your attention back to
 5 **24 Exhibit PC-13, the letter from PennDOT.**

02:05:57 **1 A. Yes.**

02:05:57 **2 Q.** Do you have any understanding of what
 02:06:00 **3 it was that PennDOT was reviewing when it says:**
 02:06:04 **4 "PennDOT has reviewed your application for**
 02:06:07 **5 completeness, consistency and compliance with**
 02:06:10 **6 applicable Department Regulations"?**

02:06:12 **7 A. Yes.**

02:06:13 **8 Q.** What is that understanding?

02:06:15 **9 A. PennDOT was reviewing the traffic**
 02:06:18 **10 impact study that was submitted on behalf of**
 02:06:21 **11 the applicant.**

02:06:22 **12 Q.** Would PennDOT have also been reviewing
 02:06:28 **13 a plan of the property?**

02:06:32 **14 A. I do believe a site plan was included,**
 02:06:36 **15 if not included with the submission, it was**
 02:06:38 **16 included as an appendix, as a figure in the**
 02:06:42 **17 study.**

02:06:42 **18 Q.** Is it your understanding that that site
 02:06:45 **19 plan that was submitted to PennDOT is the site**
 3 **20 plan that we see here as Exhibit A-6?**

02:06:51 **21 A. I don't recall.**

02:06:55 **22 Q.** Okay. So you are unable to say whether
 02:06:57 **23 what PennDOT is reviewing is the same as what**
 02:07:00 **24 the township is being asked to review, correct?**

02:07:05 **1 A. Give me a moment.**

02:07:07 **2 Q.** Take your time.

02:07:29 **3 A. The study included Figure 1 A, which**
 02:07:32 **4 does appear to be Exhibit A-6, and 1 B, which**
 02:07:37 **5 was Alternatives B and C.**

02:07:39 **6 Q.** Okay. Alternative A is the proposal
 02:07:44 **7 for which the applicant is seeking conditional**
 02:07:46 **8 use approval, to your understanding, correct?**

02:07:47 **9 A. Yes.**

02:07:48 **10 Q.** Okay. So to your knowledge, like the
 02:07:56 **11 township, PennDOT has not been asked to or been**
 02:08:02 **12 given the opportunity to review the**
 02:08:06 **13 alternatives or, sorry, the modified traffic**
 02:08:12 **14 accesses and improvements that Ms. Kline**
 02:08:15 **15 testified about, correct?**

02:08:20 **16 A. The study -- one moment.**

02:08:26 **17 Q.** Please, take your time.

02:09:01 **18 A. The study did include an alternative**
 02:09:03 **19 analysis with the 926 access aligned with**
 02:09:07 **20 Bridlewood.**

02:09:07 **21 Q.** But not a plan showing that alignment,
 02:09:10 **22 correct?**

02:09:11 **23 A. That is correct.**

02:09:13 **24 Q.** Have you had the opportunity to review

02:09:19 **1** Exhibit PC-13 in its entirety prior to these
 02:09:24 **2 questions?**

02:09:24 **3 A. Yes.**

02:09:26 **4 Q.** The requirements imposed by PennDOT in
 02:09:30 **5 PC-13, how, if at all, do those differ from the**
 02:09:37 **6 Planning Commission's proposed or recommended**
 02:09:40 **7 conditions?**

02:09:42 **8 A. There is a good deal of overlap and**
 02:09:46 **9 consistency between the two.**

02:09:51 **10 Q.** Is it your expectation, therefore, that
 02:09:53 **11 as a condition of the applicant obtaining**
 02:09:56 **12 PennDOT approval for its project it would need**
 02:09:59 **13 to comply in substance with the traffic-related**
 02:10:05 **14 conditions suggested by the Planning**
 02:10:08 **15 Commission?**

02:10:08 **16 A. As presented in the PennDOT review**
 02:10:15 **17 letter, I would agree as it relates to the**
 02:10:18 **18 PennDOT improvements within the PennDOT**
 02:10:22 **19 right-of-way, yes.**

02:10:23 **20 Q.** In order for you as the township's
 02:10:25 **21 traffic consultant for this matter to complete**
 02:10:28 **22 your review of the traffic-related aspects of**
 02:10:32 **23 the development, what, if any, additional**
 02:10:36 **24 information would you expect the applicant, or**

02:10:41 1 any applicant, to present in the normal course
 02:10:44 2 of a conditional use application?
 02:10:49 3 **A. At a minimum, a revised analysis**
 2 4 **showing the elimination of the, or showing**
 02:10:58 5 **traffic operations without vehicles using the**
 02:11:01 6 **202 access during peak periods.**
 02:11:03 7 **Q. Okay. Would you also expect a revised**
 02:11:06 8 **site plan to accompany that analysis?**
 02:11:09 9 **A. I would expect a revised site plan,**
 02:11:12 10 **yes.**
 02:11:12 11 **Q. Nevertheless, did you hear Ms. Kline's**
 02:11:15 12 **testimony that at least from a traffic**
 02:11:18 13 **perspective it is her expectation that the**
 02:11:20 14 **applicant will not be submitting such material**
 02:11:23 15 **as part of the conditional use hearing?**
 02:11:27 16 **A. I recall her saying that there has been**
 02:11:30 17 **preliminary analysis done but not submitted.**
 02:11:34 18 **MR. GILL: Okay. Thank you.**
 02:11:34 19 **That's all I have for Mr. Federico on direct.**
 02:11:41 20 **MR. MCKENNA: Mr. Adelman,**
 02:11:42 21 **cross-examine.**
 02:11:43 22 **CROSS-EXAMINATION**
 02:11:43 23 **BY MR. ADELMAN:**
 28 24 **Q. Good evening, Al.**

02:11:59 1 **A. Good evening.**
 02:12:01 2 **Q. I just want to clarify some of your**
 02:12:06 3 **statements in your testimony. I believe in the**
 02:12:10 4 **beginning of your testimony you had talked**
 02:12:13 5 **about a requirement that has been discussed**
 02:12:16 6 **with PennDOT regarding signal enhancement along**
 02:12:20 7 **the corridor; is that correct? You had**
 02:12:21 8 **testified that PennDOT was considering signal**
 02:12:24 9 **enhancement along the corridor?**
 02:12:27 10 **A. It is my understanding that there is**
 02:12:30 11 **signal enhancements being projected --**
 02:12:34 12 **A VOICE: Can't hear you back**
 02:12:35 13 **here.**
 02:12:41 14 **MR. MCKENNA: Al, can you get a**
 02:12:42 15 **little closer to the mike, please.**
 02:12:44 16 **THE WITNESS: Better?**
 02:12:44 17 **MR. MCKENNA: A little bit**
 02:12:46 18 **closer. Get right up in there.**
 02:12:49 19 **THE WITNESS: Is that better?**
 20 **I have recently been made aware**
 02:12:56 21 **that there is a PennDOT project to do signal**
 02:12:59 22 **enhancements along the corridor.**
 02:13:02 23 **BY MR. ADELMAN:**
 02:13:02 24 **Q. Which corridor specifically? Is it**

02:13:04 1 202?
 02:13:04 2 **A. I believe 202. I'm not aware of the**
 02:13:06 3 **specifics of the project.**
 02:13:08 4 **Q. Is it 926 as well, or not?**
 02:13:10 5 **A. I do not recall.**
 02:13:12 6 **Q. Most of your testimony regards PennDOT**
 02:13:20 7 **controlled roadways or intersections; isn't**
 02:13:24 8 **that correct?**
 02:13:24 9 **A. There were portions of it relative to**
 02:13:26 10 **West Pleasant Grove Road, but a lot did address**
 02:13:29 11 **PennDOT roads, yes.**
 02:13:30 12 **Q. Specifically 202/926, that**
 02:13:33 13 **intersection, that's a PennDOT-controlled**
 02:13:35 14 **roadway and intersection, correct?**
 02:13:36 15 **A. That is the intersection of PennDOT**
 02:13:40 16 **roads. It is also adjacent to the property**
 02:13:43 17 **being developed.**
 02:13:43 18 **Q. Correct. How about the intersection of**
 02:13:46 19 **926 and South New Street, is that also a**
 02:13:49 20 **PennDOT intersection?**
 02:13:51 21 **A. That is an intersection of two state**
 02:13:53 22 **roads, yes.**
 02:13:54 23 **Q. And the proposed access, wherever it**
 02:13:57 24 **may be along 926, whether it is aligned with**

02:14:00 1 **Bridlewood or whether it is staggered, that**
 02:14:02 2 **would also be a PennDOT intersection, correct?**
 02:14:05 3 **A. That would be an access to a PennDOT**
 02:14:07 4 **roadway, yes.**
 02:14:08 5 **Q. And how about traffic signal design and**
 02:14:13 6 **engineering, is that also controlled by**
 02:14:15 7 **PennDOT?**
 02:14:17 8 **A. That area is joint jurisdiction.**
 02:14:20 9 **Traffic signals are currently owned and**
 02:14:22 10 **maintained by the municipality. However,**
 02:14:25 11 **PennDOT has review and approval authority for**
 02:14:27 12 **permitting.**
 02:14:27 13 **Q. So PennDOT issues that permit?**
 02:14:29 14 **A. PennDOT issues the permit, but the**
 02:14:31 15 **township owns the signal.**
 02:14:33 16 **Q. Okay. Do you know who would own, if**
 02:14:36 17 **there is a signal warranted and constructed at**
 02:14:40 18 **the access along 926, do you know who would own**
 02:14:43 19 **that signal?**
 02:14:45 20 **A. Specifically, no. It would either be**
 02:14:50 21 **Westtown or Thornbury.**
 02:14:53 22 **Q. Could it be a combination of both?**
 02:14:55 23 **Have you seen that?**
 02:14:55 24 **A. Yes.**

02:14:58 **1** Q. In your testimony you stated that the
 02:15:02 **2** proposed conditional use plan doesn't comply
 02:15:05 **3** with a couple of Zoning Ordinance requirements,
 02:15:07 **4** and if I'm correct you stated, one, it doesn't
 02:15:10 **5** comply with the comp plan because you don't
 02:15:12 **6** believe the connector road complies with the
 02:15:14 **7** comp plan; is that correct?

02:15:16 **8** **A. Correct.**

02:15:16 **9** Q. And then the other was dealing with
 02:15:19 **10** traffic hazard. Is your testimony that the
 02:15:22 **11** proposed conditional use plan creates a traffic
 02:15:25 **12** hazard?

02:15:26 **13** **A. The Zoning Ordinance requires the use**
 02:15:31 **14 will not result in or substantially add to a**
 02:15:34 **15 significant traffic hazard or significant**
 02:15:37 **16 traffic congestion. I would offer that this**
 02:15:40 **17 does not comply with that.**

02:15:41 **18** Q. What was the basis for that opinion,
 02:15:43 **19** again?

02:15:44 **20** **A. The impacts or the nonability to use**
 02:15:52 **21 the 202 access during peak periods, and**
 02:15:56 **22 contributing to the need for turn lanes at**
 02:15:58 **23 certain locations.**

02:15:59 **24** Q. Okay. And who would be the

02:16:02 **1** jurisdictional -- strike that.

02:16:04 **2** Who would have jurisdictional
 02:16:05 **3** authority over the design of the turn lanes
 02:16:06 **4** that you specified?

02:16:09 **5** **A. PennDOT.**

02:16:12 **6** Q. With respect to the Route 202 access,
 02:16:16 **7** is that shown on the Growth Management Plan for
 02:16:20 **8** this property?

02:16:21 **9** **A. It is.**

02:16:22 **10** Q. So how do you reconcile requiring that
 02:16:27 **11** to be removed if the project is proposed or,
 02:16:30 **12** sorry, is required to comply with the Growth
 02:16:34 **13** Management Plan?

02:16:34 **14** **A. I would defer to legal counsel to**
 02:16:35 **15 address the specifics of how that would work.**

02:16:38 **16** Q. So you are arguing that it shouldn't
 02:16:41 **17** comply with the Growth Management Plan?

02:16:45 **18** **A. We have a situation where literal**
 02:16:50 **19 compliance there may be in conflict with other**
 02:16:54 **20 sections of the ordinance.**

02:16:54 **21** Q. So would that or could that also be
 02:16:58 **22** true then with the proposed connector road that
 02:17:00 **23** is shown on the Growth Management Plan, as you
 02:17:01 **24** testified to, if there is a conflict it might

02:17:03 **1** not be warranted for the project?

02:17:06 **2** **A. I'm not aware of a conflict in the**
 02:17:08 **3 ordinance for that section.**

02:17:08 **4** Q. It wasn't my question. If there was a
 02:17:10 **5** conflict for the connector road, based upon
 02:17:13 **6** your testimony with respect to the Route 202
 02:17:15 **7** access, could that also be removed from the
 02:17:17 **8** plan?

02:17:18 **9** MR. GILL: Objection, calling for
 02:17:19 **10** a legal conclusion.

02:17:21 **11** MR. ADELMAN: He just testified
 02:17:22 **12** that the Route 202 access could be removed from
 02:17:24 **13** the plan, if there is a conflict.

02:17:26 **14** MR. MCKENNA: Yeah, I agree. I'm
 02:17:27 **15** going to overrule that. Mr. Federico, if you
 02:17:30 **16** can answer that.

02:17:31 **17** BY MR. ADELMAN:

02:17:31 **18** Q. So if there is a conflict with the
 02:17:33 **19** connector road could it be removed from the
 02:17:36 **20** plan?

02:17:37 **21** **A. I would expect so.**

02:17:38 **22** Q. Okay. One of your bases for stating
 02:17:50 **23** why there is a traffic hazard at the proposed
 02:17:53 **24** 202 access was the potential for increased

02:17:57 **1** accidents; is that correct?

02:18:01 **2** **A. Yes.**

02:18:08 **3** Q. Did you do any analysis at that
 02:18:11 **4** location, did you review any accident data with
 02:18:16 **5** respect to accidents at the proposed location
 02:18:19 **6** in the existing condition?

02:18:21 **7** **A. I was reviewing the materials provided**
 02:18:23 **8 in the applicant's traffic study.**

02:18:26 **9** Q. Did that have any accident data on
 02:18:28 **10** Route 202, at the proposed 202 access?

02:18:32 **11** **A. It did discuss accidents along that**
 02:18:34 **12 section of 202.**

02:18:35 **13** Q. Did it have any specific data with
 02:18:37 **14** respect to where the location of the proposed
 02:18:40 **15** 202 access is to be constructed?

02:18:49 **16** **A. One moment.**

02:19:27 **17** Q. Sure.

02:20:06 **18** **A. I would reference page 6 of the January**
 02:20:13 **19 20 Traffic Impact Study.**

02:20:16 **20** Q. What does that indicate to support your
 02:20:20 **21** opinion?

02:20:25 **22** **A. The majority of midblock crashes along**
 02:20:30 **23 202 were rear-end incidents. Ten of the**
 02:20:32 **24 rear-end incidents occurred along southbound US**

02:20:37 **1 202, which is likely associated with the**
 02:20:38 **2 congestion experienced at the signalized**
 02:20:41 **3 intersection of 202 and 926.**
 02:20:46 **4 Q.** Is that further south than the proposed
 02:20:51 **5 access to the development on 202?**
 02:20:53 **6 A. They did not specify.**
 02:20:54 **7 Q.** Okay. So you don't have any specific
 02:20:56 **8 data at that location?**
 02:20:58 **9 A. I did not review any specific data.**
 02:21:03 **10 Q.** Okay. If the proposed access to 202
 02:21:05 **11 was permitted by PennDOT, what configuration**
 02:21:07 **12 would it likely be in?**
 02:21:10 **13 A. I would expect that only right turns in**
 02:21:13 **14 and right turns out would be permitted.**
 02:21:15 **15 Q.** Do you know if PennDOT would require
 02:21:16 **16 acceleration and deceleration lanes in**
 02:21:18 **17 connection with that access?**
 02:21:19 **18 A. I would expect a deceleration lane. I**
 02:21:24 **19 don't know about an acceleration lane.**
 02:21:25 **20 Q.** Would an acceleration lane help
 02:21:28 **21 mitigate or prevent your concern that accidents**
 02:21:32 **22 could occur at that opening or intersection?**
 02:21:36 **23 A. During peak periods when traffic is**
 02:21:38 **24 queued all the way to 926, no, I don't expect**

02:21:40 **1 that an acceleration lane would help.**
 02:21:43 **2 MR. MCKENNA:** Hold on, Mr.
 02:21:44 **3 Federico. Would you get again a little closer**
 02:21:46 **4 to the microphone. The Board is having a**
 02:21:48 **5 little bit of difficulty hearing you. I**
 02:21:50 **6 apologize.**
 02:21:50 **7 MR. ADELMAN:** Would you like me
 02:21:51 **8 to repeat the question?**
 02:21:54 **9 THE WITNESS:** During the peak
 02:21:55 **10 periods I don't expect that an acceleration**
 02:21:58 **11 lane would help.**
 02:22:01 **12 MR. ADELMAN:** Hold on. I think
 02:22:02 **13 we are going to get some technical assistance.**
 02:22:09 **14 THE WITNESS:** Better? Have to
 02:22:20 **15 put the brakes on.**
 02:22:24 **16 BY MR. ADELMAN:**
 02:22:24 **17 Q.** How about during non-peak hours when it
 02:22:26 **18 is not completely congested, would an**
 02:22:30 **19 acceleration lane help mitigate your concern**
 02:22:36 **20 for accidents along 202 coming from the right**
 02:22:42 **21 out?**
 02:22:42 **22 A. My concern is more with vehicles**
 02:22:48 **23 approaching the site along southbound 202, not**
 02:22:53 **24 exiting the site.**

02:22:54 **1 Q.** Isn't there currently a right out from
 02:22:57 **2 West Pleasant Grove onto southbound 202?**
 02:23:02 **3 A. There is, yes.**
 02:23:05 **4 Q.** Are you aware of any accidents that
 02:23:08 **5 have occurred at that location or any**
 02:23:09 **6 propensity to have accidents at that location?**
 02:23:14 **7 A. I don't recall.**
 02:23:23 **8 Q.** I believe there was some testimony, and
 02:23:45 **9 I just want to make sure I understood it**
 02:23:47 **10 correctly, with respect to the Route 202 and**
 02:23:50 **11 926 improvements, is it your testimony that all**
 02:23:56 **12 of the improvements would have to be**
 02:23:57 **13 constructed in order for the applicant to**
 02:23:59 **14 mitigate its impact, or just the ones that have**
 02:24:04 **15 been specified in the applicant's traffic**
 02:24:07 **16 studies? Because I believe the PennDOT project**
 02:24:11 **17 involves multiple improvements near that**
 02:24:13 **18 intersection.**
 02:24:17 **19 A. The improvements that I'm aware that**
 02:24:20 **20 are required for mitigation are the eastbound**
 02:24:22 **21 lane and the southbound right turn lane.**
 02:24:49 **22 Q.** I believe Mr. Gill asked you some
 02:24:52 **23 questions regarding the existing levels of**
 02:24:56 **24 service at the 926/202 intersection and then**

02:24:59 **1 the levels of service post-development; is that**
 02:25:03 **2 correct?**
 02:25:03 **3 A. Yes.**
 02:25:04 **4 Q.** And your testimony was that existing it
 02:25:08 **5 is a level of service F, and then**
 02:25:10 **6 post-development with the improvements it is**
 02:25:13 **7 still a level of service F; is that correct?**
 02:25:15 **8 A. Yes.**
 02:25:16 **9 Q.** Notwithstanding that it is the same
 02:25:18 **10 level of service letter grade, do the**
 02:25:21 **11 improvements actually improve the level of**
 02:25:24 **12 service at the intersection?**
 02:25:29 **13 A. The improvements will reduce the**
 02:25:32 **14 overall delay at the intersection.**
 02:25:36 **15 Q.** Would you consider that an improvement?
 02:25:38 **16 A. That would be an improvement.**
 02:25:39 **17 Q.** But it is still the same letter grade?
 02:25:42 **18 A. It is still a level of service F.**
 02:25:43 **19 Q.** Understood. Turning to the Planning
 02:25:56 **20 Commission's conditions of approval,**
 02:25:59 **21 Exhibit B-21, I think you testified that there**
 02:26:03 **22 were two review letters. Let me see if I**
 02:26:07 **23 can -- talking about item No. 5, condition No.**
 02:26:10 **24 5, and I think you answered that was it. There**

02:26:14 1 is a December 26th, 2016, and a February 6th,
 02:26:17 2 2017, letter.
 02:26:19 3 Isn't there one other, April 3rd,
 2 4 2017, letter? There is three review letters
 02:26:25 5 that you issued, correct?
 02:26:27 6 **A. Yes.**
 02:26:27 7 **Q.** Okay. Because the Planning Commission
 02:26:30 8 only references two. So there is three,
 02:26:33 9 correct? Right?
 02:26:36 10 **A. Yes.**
 02:26:39 11 **Q.** And then with respect to conditions No.
 02:26:49 12 6 and 7, you had opined that the proposed
 02:26:53 13 connection on A-6 is insufficient to satisfy
 02:26:58 14 what you considered to be the required
 02:27:00 15 connector road; is that correct?
 02:27:02 16 **A. Yes.**
 02:27:03 17 **Q.** What is the design of the connector
 02:27:07 18 road as you see it? What is its proposed
 02:27:10 19 right-of-way?
 02:27:12 20 **A. As a collector road, I don't recall**
 02:27:16 21 **what the specific required right-of-way is.**
 02:27:20 22 **Q.** 50 feet, somewhere in that range?
 02:27:23 23 Larger? Smaller?
 4 24 **A. I don't recall specifically.**

02:27:26 1 **Q.** You are familiar with the Township's
 02:27:28 2 Subdivision and Land Development Ordinance?
 02:27:30 3 **A. Yes.**
 02:27:30 4 **Q.** And the roadway standards, correct?
 02:27:32 5 **A. Yes. I don't have them with me,**
 02:27:34 6 **though.**
 02:27:35 7 **Q.** So you can't say offhand?
 02:27:38 8 **A. No. Yeah.**
 02:27:42 9 **Q.** Is it true that your concept of a
 02:27:46 10 connector road design is specifically designed
 02:27:49 11 to handle traffic not coming from the proposed
 02:27:52 12 development?
 02:27:57 13 **A. I'm sorry, could you repeat that,**
 02:28:00 14 **please.**
 02:28:01 15 **Q.** Sure. Is it true that your concept or
 02:28:04 16 design of a connector road, collector road in
 02:28:07 17 this case, is specifically designed to handle
 02:28:10 18 traffic not coming from this proposed
 02:28:13 19 development?
 20 **A. No, I would not agree with that.**
 02:28:17 21 **Q.** Is the road specifically designed to
 02:28:20 22 handle traffic congestion on Route 202?
 02:28:25 23 **A. No.**
 02:28:25 24 **Q.** What is the purpose of the road?

02:28:28 1 **A. My understanding of the road is to**
 02:28:30 2 **provide a community connection for this**
 02:28:33 3 **development or the development of this property**
 02:28:36 4 **and the adjacent properties, to provide those**
 02:28:39 5 **residents along the western side of the**
 02:28:42 6 **township and the adjacent township a means to**
 02:28:46 7 **make local trips without accessing 202.**
 02:28:51 8 **Q.** Local trips from where to where?
 02:28:54 9 **A. Between neighborhoods and up to the**
 02:28:56 10 **school.**
 02:28:58 11 **Q.** Has that been dependent on the further
 02:29:00 12 connection north of West Pleasant Grove?
 02:29:04 13 **A. To access the school it would be, yes.**
 02:29:06 14 **Q.** Without that connection, does the
 02:29:09 15 collector or connector road on this property
 02:29:11 16 serve a purpose?
 02:29:13 17 **A. I would think it does, yes.**
 02:29:15 18 **Q.** Would that purpose be any different
 02:29:17 19 than traveling north and south on South New
 02:29:20 20 Street, if there is no connection to the
 02:29:21 21 school?
 02:29:26 22 **A. I think there would be additional**
 02:29:31 23 **purpose, to promote the interconnectivity and**
 02:29:34 24 **cohesiveness of the neighborhoods, yes.**

02:29:36 1 **Q.** Which neighborhoods?
 02:29:37 2 **A. This proposed neighborhood, the**
 02:29:39 3 **Bridlewood neighborhood, Arborview.**
 02:29:42 4 **Q.** With the proposed roadway network on
 02:29:45 5 Exhibit A-6, wouldn't this neighborhood have
 02:29:47 6 the same access to West Pleasant Grove and 926
 02:29:50 7 that your proposed road would provide?
 02:29:53 8 **A. I don't believe so.**
 02:29:54 9 **Q.** Why not?
 02:29:55 10 **A. The number of separate roadway links**
 02:29:59 11 **and required turns make it less desirable to**
 02:30:04 12 **serve that function.**
 02:30:05 13 **Q.** Does your proposed roadway, being a
 02:30:08 14 straight roadway, result in higher speeds of
 02:30:13 15 vehicles?
 02:30:15 16 **A. I don't believe I ever proposed a**
 02:30:18 17 **straight roadway.**
 02:30:19 18 **Q.** What kind of roadway have you proposed,
 02:30:21 19 then?
 02:30:22 20 **A. I'm suggesting that there should be a**
 02:30:26 21 **connector designed to collector standards that**
 02:30:30 22 **connects from 926 to West Pleasant Grove Road.**
 02:30:35 23 **Q.** And what dimension?
 02:30:37 24 **A. 28-foot-wide paved.**

02:30:48 1 MR. MCKENNA: Mr. Adelman, I want
02:30:50 2 to give you a heads-up, we are at a five minute
02:30:53 3 notice. I don't know if you think you can
02:30:56 4 finish in that time period or if you want to
02:30:56 5 continue at the next hearing.

02:30:57 6 MR. ADELMAN: I can't finish.
02:30:58 7 But can I finish my five minutes?

02:31:00 8 MR. MCKENNA: Absolutely. I just
02:31:01 9 wanted to give you the heads-up of where we
02:31:04 10 were.

02:31:04 11 MR. ADELMAN: Absolutely. I
02:31:05 12 appreciate that.

02:31:05 13 MR. MCKENNA: Sure.

02:31:06 14 BY MR. ADELMAN:

02:31:08 15 Q. In your concept of the connector road,
02:31:11 16 where would it intersect with 926?

02:31:15 17 A. Opposite Bridlewood.

02:31:17 18 Q. Would that then increase the amount of
02:31:20 19 traffic that would then go through Bridlewood?

02:31:24 20 A. I would expect that, yes, some traffic
02:31:27 21 from this neighborhood would travel through
02:31:28 22 Bridlewood, yes.

02:31:29 23 Q. Have you quantified that?

02:31:29 24 A. No, I have not.

02:31:32 1 Q. Has the township?

02:31:34 2 A. I don't believe so.

02:31:35 3 Q. But this has been part of the
02:31:37 4 Township's Growth Management Plan for a long
02:31:39 5 time; isn't that correct?

02:31:40 6 A. Yes, it has.

02:31:41 7 Q. So no analysis has been done on the
02:31:43 8 impacts that the township is proposing with
02:31:46 9 respect to this connector road?

02:31:47 10 A. Which impacts are you referring to?

02:31:49 11 Q. Impacts to the surrounding
02:31:50 12 neighborhoods.

02:31:53 13 A. I'm not aware of that type of analysis.

02:31:56 14 Q. Okay. You testified with respect to
02:32:03 15 the construction of a signalization, if it is
02:32:06 16 warranted at that intersection at 926,
02:32:09 17 Bridlewood, and driveway or connector road,
02:32:13 18 correct?

02:32:13 19 A. Yes.

02:32:17 20 Q. And you stated that money would need to
02:32:20 21 be placed into escrow because sometimes it gets
02:32:23 22 missed. Did I recite that correctly?

02:32:23 23 A. That's the gist of it. That's one of
02:32:25 24 the items.

02:32:25 1 Q. How does something like that get
02:32:27 2 missed, in your experience?

02:32:29 3 A. When PennDOT establishes the escrow,
02:32:32 4 they look at the traffic signal as being owned
02:32:35 5 by the municipality, so they may not collect
02:32:38 6 escrow for it.

02:32:41 7 Similarly, the municipality may
02:32:42 8 look at the traffic signal and feel that since
02:32:46 9 PennDOT was responsible for the permitting,
02:32:48 10 they would have collected escrow for it.

02:32:50 11 Q. So are you saying that potentially it
02:32:52 12 is just a miscommunication?

02:32:54 13 A. Potentially.

02:32:54 14 Q. So if the applicant were to include
02:32:57 15 that in the overall financial security for a
02:33:00 16 project, would that resolve your concern about
02:33:02 17 it being missed?

02:33:03 18 A. Yes.

02:33:04 19 Q. Okay. I just wanted to make sure. It
02:33:06 20 doesn't have to be a separate escrow?

02:33:09 21 A. No.

02:33:09 22 Q. No, okay. With respect to condition
02:33:16 23 No. 12 in the Planning Commission's letter,
02:33:22 24 Exhibit B-21, we are dealing with the

02:33:25 1 improvements of the cartway of West Pleasant
02:33:31 2 Grove Road. It refers to two sections in
02:33:34 3 there, comply with Section 149-903.A(2) for
02:33:39 4 width and 149-910.D for paving. Are those
02:33:45 5 sections from the Subdivision and Land
02:33:47 6 Development Ordinance in the township?

02:33:48 7 A. Yes.

02:33:50 8 Q. So wouldn't that be handled at land
02:33:52 9 development anyway?

02:33:55 10 MR. GILL: Objection. That calls
02:33:57 11 for a legal conclusion.

02:34:00 12 MR. ADELMAN: He is the engineer
02:34:01 13 and I'm asking him a question. He is familiar
02:34:03 14 with the subdivision and land development
02:34:05 15 process.

02:34:05 16 MR. MCKENNA: Understood. I'm
02:34:06 17 going to overrule and ask for that one to be
02:34:09 18 answered, please. And we are down to our last
02:34:11 19 minute.

02:34:11 20 MR. ADELMAN: Okay. I'm
02:34:12 21 pressured.


02:34:13 22 THE WITNESS: I'm sorry, was I
02:34:14 23 asked to answer that or not?

02:34:15 24 MR. ADELMAN: Yes. I think you

02:34:16 1 overruled the objection.
 02:34:17 2 MR. MCKENNA: Correct.
 3 BY MR. ADELMAN:
 4 Q. Correct. So would that be being
 02:34:20 5 ordinarily handled at land development anyway?
 02:34:22 6 A. It would be addressed at land
 02:34:24 7 development, but the applicant would have the
 02:34:26 8 opportunity to request a waiver from that
 02:34:27 9 requirement.
 02:34:32 10 Q. The township doesn't have to grant the
 02:34:34 11 waiver, correct?
 02:34:39 12 A. No.
 02:34:39 13 MR. ADELMAN: Am I done, Pat?
 02:34:39 14 MR. MCKENNA: If you don't mind,
 02:34:41 15 Mr. Adelman, how about we leave it there.
 02:34:43 16 MR. ADELMAN: I didn't hear a
 02:34:44 17 bell.
 02:34:44 18 MR. MCKENNA: Trust me, it went
 02:34:46 19 off. We are at 10:00 o'clock so we are going
 02:34:48 20 to stand in recess. We are going to continue
 02:34:51 21 the hearing this evening until Tuesday, August
 02:34:54 22 29th. The hearing will be at 6:00 o'clock. It
 02:34:57 23 will be back here at Rustin in the auditorium.
 3 24 Mr. Federico, I'm hoping you are

02:35:06 1 available on August 29th.
 02:35:09 2 THE WITNESS: I got to go get my
 02:35:11 3 phone. Stretching over there.
 02:35:13 4 MR. MCKENNA: Mr. Federico will
 02:35:14 5 be back to finish his testimony.
 02:35:16 6 The township will send out
 02:35:18 7 LISTSERV about any additional witnesses that
 02:35:22 8 the Planning Commission intends to present that
 02:35:23 9 evening.
 02:35:25 10 Anything else, gentlemen?
 02:35:26 11 Hearing nothing, we will stand in continuance.
 02:35:29 12 Thank you.
 02:35:31 13 (Proceedings conclude at 10:00
 02:35:34 14 p.m.)
 02:35:34 15 -----
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1 Commonwealth of Pennsylvania)
)
 2 Chester County)
 3
 4
 5 CERTIFICATE OF REPORTER
 6
 7 I, Eleanor J. Schwandt, Registered
 8 Merit Reporter and Notary Public, do hereby
 9 certify that the foregoing record, pages 996 to
 10 1186 inclusive, is a true and accurate
 11 transcript of my stenographic notes taken on
 12 July 25, 2017, in the above-captioned matter.
 13
 14 IN WITNESS WHEREOF, I have hereunto
 15 set my hand and seal this 2nd day of August,
 16 2017.
 17
 18
 19 
 20 Eleanor J. Schwandt
 21
 22
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