

BEFORE THE RADNOR TOWNSHIP
BOARD OF COMMISSIONERS
DELAWARE COUNTY, PENNSYLVANIA

- - -

IN RE: Conditional Use Hearing of the Trustees
of Dorrance Hamilton 3/15/1996 Revocable
Agreement of Trust to Develop Properties at 208
and 228 Strafford Avenue and 18 Forrest Lane

- - -

Public hearing in the above matter
held pursuant to notice on Thursday, March 7,
2024, at the Radnor Township Municipal Building,
301 Iven Avenue, Wayne, Pennsylvania, commencing
at 6:35 p.m., before Norma Gerrity, Professional
Court Reporter.

- - -

BEFORE: MAGGY MYERS, President
MOIRA MULRONEY, Vice President
CATHERINE AGNEW, Member
JAMES COATES, Member
JACK LARKIN, Member
JIM RILEY, Member

JOHN RICE, ESQUIRE, Solicitor

APPEARANCES: GEORGE W. BROSEMAN, ESQUIRE,
for the Applicant

NOAH MARLIER, ESQUIRE,
Special Counsel for Radnor Township

ALSO PRESENT: PEGGY HAGAN, Executive Assistant
to Township Manager

- - -

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Professional Court Reporter
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FRANK TAVANI

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EXHIBITSAPPLICANT:MARKED RECD

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1 THE PRESIDENT: I think we'll get
2 started. I think Mr. Larkin just walked
3 in, and he'll be here in a minute. He just
4 texted me he'd be here in a minute.

5 I apologize for sitting over here.
6 I've had a COVID exposure. I'm negative as
7 of 15 minutes ago, but I just wanted to be
8 as safe as I could.

9 So welcome to the Board of
10 Commissioners conditional use hearing for
11 Thursday, March 7th, 2024.

12 Would you please join me for the
13 Pledge of Allegiance.

14 - - -

15 (Pledge of Allegiance)

16 - - -

17 THE PRESIDENT: Thank you. I am going
18 to turn it over to Mr. Rice to get us
19 started.

20 MR. RICE: Thank you. Okay. I think
21 where we are tonight, we know we had Mr.
22 Lambert testify.

23 He's coming back on the 20th of March
24 for cross-examination, so tonight we have

1 some new witnesses.

2 I see Mr. Tavani, who's the traffic
3 engineer, right here, and Mr. Broseman, are
4 you ready to proceed?

5 MR. BROSEMAN: Yes.

6 MR. RICE: Okay. After Mr. Tavani, do
7 you have other witnesses tonight, Mr.
8 Broseman?

9 MR. BROSEMAN: Yes, I do.

10 MR. RICE: Okay. Let's have him sworn
11 in.

12 - - -

13 APPLICANT'S EVIDENCE

14 - - -

15 FRANK TAVANI,

16 having been first duly sworn, was examined and
17 testified as follows:

18 - - -

19 THE WITNESS: Frank Tavani,

20 T-A-V-A-N-I.

21 - - -

22 DIRECT EXAMINATION

23 - - -

24

1 BY MR. BROSEMAN:

2 Q. Frank, would you please describe your
3 educational and professional background?

4 A. Certainly. I have a Bachelor of
5 Science in Civil Engineering from Rensselaer
6 Polytechnic Institute, graduated in 1993.

7 I've been in continuous practice as a
8 transportation professional since May of 1993, so
9 coming up on 31 years.

10 I've been employed by F. Tavani and
11 Associates, Incorporated for 20 years, and prior
12 to that, I was employed for ten years by Orth
13 Rogers and Associates.

14 Q. And are you a licensed professional
15 engineer in the Commonwealth of Pennsylvania?

16 A. Yes, since 1999.

17 Q. Do you have any other affiliations
18 with the Institute of Transportation Engineers?

19 A. I do. I have a Professional
20 Transportation Operations Engineer certification,
21 or PTOE. I've had that also for quite some time,
22 about 15 years.

23 MR. BROSEMAN: And I'm going to ask
24 that Exhibit A-19 be handed out, if I could

1 get a copy for Mr. Marlier.

2 - - -

3 (Applicant's Exhibit A-19 was marked
4 for identification.)

5 - - -

6 BY MR. BROSEMAN:

7 Q. Frank, is this a copy of a summary of
8 your professional and educational background?

9 A. Yes.

10 Q. Have you been recognized previously as
11 an expert witness in traffic or transportation
12 engineering before numerous municipal bodies,
13 including zoning hearing boards and governing
14 bodies like the board of commissioners?

15 A. Yes.

16 MR. BROSEMAN: I would like to offer
17 Mr. Tavani as an expert in traffic
18 transportation engineering.

19 MR. RICE: Okay. Just for the
20 residents, what Mr. Broseman is doing, he's
21 trying to qualify Mr. Tavani as an expert
22 in transportation engineering.

23 So Mr. Marlier may have some
24 questions, and either party can ask

1 questions, but just about his
2 qualifications.

3 And, Mr. Broseman, if you have
4 additional CVs of Mr. Tavani to make
5 available for any of the residents who
6 might want to look at it, that's where
7 we're at. He hasn't started any
8 substantive testimony yet.

9 So, Mr. Marlier, do you have any
10 questions about qualifications?

11 MR. MARLIER: I don't.

12 MR. RICE: Do any residents have any
13 questions about qualifications?

14 - - -

15 (No response.)

16 - - -

17 MR. RICE: Okay. Then Mr. Tavani will
18 be qualified as an expert in the field of
19 transportation engineering.

20 MR. BROSEMAN: Thank you.

21 BY MR. BROSEMAN:

22 Q. Mr. Tavani, are you the transportation
23 engineer for the applicant in connection with the
24 proposed density modification development that is

1 the subject of this conditional use application?

2 A. Yes.

3 Q. Are you generally familiar with the
4 subject property and the surrounding area?

5 A. I am.

6 Q. And are you familiar with the
7 conditional use plans that have been submitted
8 into the record for this proceeding?

9 A. Yes.

10 Q. Did you prepare a traffic impact
11 analysis for the proposed redevelopment of the
12 property in question?

13 A. Yes.

14 MR. BROSEMAN: A copy of the traffic
15 impact analysis was included in part of the
16 applicant's development impact statement,
17 which is at A-1, which we had already
18 submitted in the record, but for
19 convenience, we made another copy that we
20 could hand out, and I have marked that as
21 Exhibit A-20.

22 - - -

23 (Applicant's Exhibit A-20 was marked
24 for identification.)

1 - - -

2 MR. BROSEMAN: This is the same
3 document, but we just thought it would be
4 easier to hand it out rather than to have
5 you searching for A-1.

6 BY MR. BROSEMAN:

7 Q. Before we get into the study, and I
8 know it's in there, but can you describe the
9 existing roads that abut the subject property as
10 well as the adjoining intersection of Strafford
11 Avenue and Eagle Road?

12 A. Certainly. Strafford Avenue, which is
13 along the, along one of the site frontages, is
14 classified as a local street, according to the
15 township's ordinance, and Eagle Road, which is
16 the other frontage, is a major collector.

17 Q. I'm sorry. Did you say what the
18 classification of Eagle Road was?

19 A. A major collector.

20 Q. And in addition to the roads, are
21 there other modes of transportation in the
22 vicinity?

23 A. Yes. Very proximate to the site is a
24 SEPTA bus route, Route 106, along Lancaster

1 Avenue, and there is also a SEPTA regional rail
2 station to the west.

3 Q. And can you review the Traffic Impact
4 Analysis that was submitted at A-1, and we made
5 another copy at A-20.

6 Can you walk the board through the
7 analysis that you performed?

8 A. Certainly. A-20 is approximately 110
9 pages. It consists of about five pages of text,
10 a few pages of figures, and the remainder being
11 various appendix items.

12 As we've heard from other witnesses as
13 part of these proceedings, this is a proposed
14 attached housing community of 38 units. This is
15 shown in the description on page one of A-20.

16 The traffic investigation started out
17 no differently than any other traffic
18 investigation. It starts with data collection,
19 traffic counts.

20 And as shown on page two of A-20, we
21 performed traffic counts at the intersections of
22 Strafford Avenue and Eagle Road, Strafford Avenue
23 and Grant and Hedgerow, and also Eagle Road and
24 North Wayne Avenue.

1 Those counts were conducted last year
2 in April of 2023 during weekday commuter peak
3 periods, which are generally recognized as
4 between 7:00 and 9:00 a.m. and 4:00 and 6:00 p.m.
5 on a weekday.

6 Of course, we did these counts during
7 the school year, normal weather conditions, and
8 again on a typical weekday.

9 We identified what the existing peak
10 hours are, and that's because the majority of the
11 tools and resources used by a traffic engineer
12 focus on peak hourly flows, the theory being if
13 you can accommodate peak hourly flows on a
14 typical day, then at all other times when traffic
15 is less, either along the roads themselves, by
16 the site in terms of site trip generations, or
17 both, the impact will be less during those times.

18 So if you can demonstrate either
19 minimal impact or some impact that can be
20 mitigated during the peak hours, then you're in
21 pretty good shape.

22 We performed what's called level of
23 service investigations. That's a term I'm sure
24 the board is familiar with.

1 This is a way to relate the quality of
2 traffic flow to a letter grade, as well as an
3 estimate of delay.

4 What that means is if you went through
5 an intersection an infinite number of times, you
6 could expect on average to have this performance,
7 this level of delay.

8 So you could hear something like Level
9 of Service A, ten seconds.

10 That means that if you went through
11 that particular location making that particular
12 turning movement, you could expect on average to
13 wait about ten seconds before you can proceed.

14 With regard to the site itself, the
15 estimates of traffic for the site come from the
16 ITE Trip Generation Manual.

17 I actually brought one of the
18 publications with me tonight because I like to
19 take it out once in a while.

20 Q. And what does ITE stand for?

21 A. ITE is the Institute of Transportation
22 Engineers. It's an international think-tank that
23 essentially exists to collect empirical data and
24 decide how and when it can be used to help

1 professionals plan for yet-to-be-built
2 developments.

3 This is their biggest seller in terms
4 of their publications, the Trip Generation
5 Manual. It's currently in its 11th edition, I
6 believe, and it's updated every few years.

7 It's basically a collection of data
8 submitted by others to ITE for review and
9 consideration in future publications, so I had
10 nothing to do with this publication, probably
11 never will.

12 If you look on page three of A-20,
13 table one, which tells you ITE's estimate of how
14 much traffic 38 attached homes will generate, and
15 it's about 18 total trips during the a.m. peak
16 hour -- this is page three of A-20 -- 18 trips
17 during the morning and 22 in the afternoon, and
18 then as shown in page one of A-20, that's broken
19 down into inbound and outbound traffic. This is
20 over the course of an entire hour.

21 So if there was only one driveway, and
22 all the traffic went in one direction, and you
23 were standing there, you would have to wait about
24 two minutes for a car to come by, maybe even

1 longer than that, related to this development,
2 and again, that is based on the latest data from
3 ITE.

4 And just to kind of cut to the chase a
5 little bit, I may be asked a question later
6 about, well, you know, you have 38 units. You'll
7 probably have two cars and two people living
8 there.

9 Doesn't that mean you have 70 or 80
10 trips that are coming in and out of that home?
11 And the answer is perhaps, but the context is
12 important.

13 It's not going to be 80 trips in one
14 hour, at least not according to ITE, and
15 obviously there's an hour preceding the a.m. peak
16 hour. There's also an hour following the a.m.
17 peak hour, and there's an hour after that.

18 Some people leave or arrive home from
19 work during the peak hours. Some leave earlier.
20 Some leave later. So there may be more traffic
21 over the course of the day.

22 In fact, there probably will be. But
23 during the busiest times of day, according to
24 ITE, you can expect that amount of traffic for

1 this number of attached units.

2 So continuing with the methodology of
3 A-20 with existing conditions established through
4 the traffic counts and with a projection of how
5 much added traffic there will be due to the site,
6 one can prognosticate what the future volumes
7 will be like and continue with the level of
8 service investigation to see if there is any
9 meaningful impact from the development.

10 And we're going to skip ahead for the
11 moment to page eight of A-20, where there are
12 some handy tables called the Level of Service
13 Comparison Tables. They're right there.

14 So this is for each of the
15 intersections that were analyzed, plus the two
16 site driveways shown at the bottom of the page.

17 What we have here is a comparison
18 between the existing conditions and basically
19 future no-build or build conditions.

20 And if there's no change whatsoever in
21 the forecasted level of service letter grade or
22 the delay estimate, my convention is to simply
23 put a hyphen, really two hyphens, to show, to
24 allow the reader to very quickly inspect and see

1 that there's no meaningful, not even a measurable
2 really impact.

3 So you can see at the intersection of
4 Wayne and Eagle, there's a whole lot of those
5 lines. There's really no impact at all.

6 In fact, if you look on this entire
7 table, you see a couple of things. Firstly,
8 almost all of the delays are less than ten
9 seconds. They're all Level of Service A's, in
10 large part.

11 And in terms of the impact of the site
12 relative to the existing conditions, it's no more
13 than one added second of delay during the busiest
14 times of day in the morning and the afternoon.

15 So that means that the average
16 motorist probably won't even recognize a
17 difference in the quality of traffic flow as it
18 would relate to this site under peak conditions.

19 As I pointed out earlier, that there's
20 a nearby bus stop. There's a nearby rail
21 station.

22 And it is possible that some of the
23 residents here may make use of either of those
24 facilities, thereby reducing the potential of

1 automotive traffic, which is what we had
2 summarized in table one.

3 I took no credit for that potential
4 use at all, and that was simply to be
5 conservative.

6 In fact, and I may be getting a little
7 ahead of myself, but along that same line, if you
8 go back to page one of A-20, and I think as
9 testified by the first witness during his direct,
10 this site is not a vacant site. This site had
11 buildings on it.

12 In fact, it had apartments, it had a
13 greenhouse and a staff, all of which contributed
14 to some traffic, and none of which I attempted to
15 quantify or take any credit for, again hoping to
16 provide a conservative investigation for the
17 township's consideration.

18 There are a few other things that I
19 also did as noted on page four of A-20. This
20 included what are called Auxiliary Turn Lane
21 Analysis.

22 This is a PennDOT tool which doesn't
23 really demonstratively say thou shalt build a
24 turn lane if certain conditions are met, but it's

1 a good tool to use to see if you're at least
2 trending in that direction or not.

3 So we don't need separate left turn
4 lanes or right turn lanes at either proposed
5 driveway, for example, and again that was done in
6 accordance with PennDOT's methodology, which
7 doesn't necessarily apply here, but it is a
8 standard.

9 And finally, for what it's worth, I
10 did perform an accident history investigation in
11 the immediate area, and PennDOT defines --
12 there's a notion of reportable and non-reportable
13 accidents.

14 A reportable accident is generally
15 what one focuses on when doing a crash analysis.
16 Reportable means that either someone was injured
17 or at least one vehicle was essentially disabled
18 as a result of the crash.

19 So if it's just a fender-bender and
20 both parties are driving away, no one is injured,
21 that's non-reportable.

22 And the general rule of thumb with
23 PennDOT is you need to look for a crash
24 occurrence of five reportable and potentially

1 correctable accidents in one 12-month period
2 before you even really consider going any further
3 with your analysis and looking to see if there's
4 some physical change that can be made to try to
5 correct that situation.

6 So I looked at, at the time, the last
7 six years of available data and found out on
8 average there was only one reportable accident in
9 the general study area per year, whether it's
10 correctable or not, I didn't even investigate,
11 because again that's 20 percent of the threshold
12 before you even begin the investigation. So that
13 in large part is a summary of A-20.

14 Q. Frank, a couple more questions about
15 your study. Is it standard accepted practice for
16 transportation engineers to use the ITE data as
17 you have done in your analysis?

18 A. Indeed it is.

19 Q. And generally did you perform your
20 study in accordance with standard accepted
21 practice for transportation engineers?

22 A. Well, I can say that tonight, and I
23 will, and I will also make reference to a
24 township traffic engineer memorandum dated 1

1 August 2023 where he, in fact, says that same
2 very thing.

3 On the last page of that memo, the
4 first full comment on page three of three, the
5 sentence reads:

6 The Transportation Impact Study was
7 conducted in accordance with general traffic
8 engineering principles.

9 Q. And for the record, we had already put
10 this memo in the record. It's at A-9 B. It was
11 the Gilmore and Associates, Inc., which is the
12 township traffic engineer for the township, that
13 was their review memo.

14 In that letter, Mr. Tavani, did it
15 raise any questions with your studies, the
16 methodologies, or the conclusions?

17 A. No. In fact, it restates the
18 conclusion that I offered in the memorandum.

19 Q. I'd like to take you back, you may
20 have covered this, and if I missed it, I
21 apologize.

22 When you were discussing the level of
23 service, could you tell us the level of service
24 at the proposed site driveways that will

1 intersect with Strafford Avenue?

2 A. Yes. They are both Level of Service A
3 during both peak hours.

4 Q. And what does that mean practically as
5 far as the function of those driveways?

6 A. That means that there will essentially
7 never be a queue longer than one vehicle that
8 happens to arrive and waits to be processed,
9 waits for a gap in traffic to proceed.

10 And not only will that queue really
11 never exceed one vehicle in length, the delay
12 that motorists will encounter will be slight and
13 on the order of ten seconds or less.

14 Q. And then when you said how you didn't
15 take any credit for existing traffic that would
16 have been at the property under existing
17 conditions, you more or less treated this, for
18 purposes of your study, as an undeveloped site,
19 and you also said you didn't take a credit for
20 being near transit.

21 Is it true that you also didn't take
22 any credits for being right next to a shopping
23 center, the Eagle Village Shops, which there's
24 actually a direct path to on the proposed plan?

1 A. Correct.

2 Q. And would it be anticipated that being
3 that close to that shopping center and others,
4 would that tend to reduce traffic as a practical
5 matter?

6 A. Yes.

7 Q. But you didn't take any credit for
8 that in the study?

9 A. Correct.

10 MS. AGNEW: I'm sorry. Could you
11 repeat that question and that answer?

12 MR. BROSEMAN: Could you read the
13 question back, please?

14 - - -

15 (The Court Reporter read back as
16 follows:

17 "Question: And would it be
18 anticipated that being that close to that
19 shopping center and others, would that tend
20 to reduce traffic as a practical matter?

21 "Answer: Yes.

22 "Question: But you didn't take any
23 credit for that in the study?

24 "Answer: Correct.")

1

- - -

2

MR. BROSEMAN: Thank you.

3

BY MR. BROSEMAN:

4

Q. Frank, I'd like to draw your attention to the proposed site plan, talking about Exhibit 12, A-12, sheet four, which was the site plan that Mr. Lambert testified about. He testified about other things as well.

9

You said previously you're generally familiar with the proposed plan. Mr. Panzak has put it up there.

10

11

12

In your professional opinion, are the common internal driveways and the pedestrian access that are provided on this proposed plan adequate to properly serve the proposed development?

13

14

15

16

17

A. Yes. There are proposed internal sidewalks. In fact, there are proposed essentially external sidewalks as well. What we're looking at right now is actually figure three from A-20.

18

19

20

21

22

One of the things I did not mention during my earlier direct is the applicant is proposing providing sidewalks that do not

23

24

1 presently exist.

2 In fact, the sidewalks are proposed
3 along the entire length of the frontage on two
4 public streets, on Strafford Avenue, as indicated
5 on the screen right now, looking at A-12, and
6 also on Eagle Road. And, as I mentioned earlier,
7 there are internal sidewalks along the internal
8 drive also.

9 So what this does is provide a
10 pedestrian facility that doesn't exist which
11 would benefit not only the applicant but all of
12 the existing residents along both of those
13 streets. They're obviously public sidewalks that
14 can be used by all.

15 Q. And, in your professional opinion,
16 will the internal driveways that are proposed be
17 adequate to properly serve the proposed
18 development?

19 A. Yes.

20 Q. And have you seen the truck-turning
21 diagram that Mr. Lambert had gone over? I
22 believe it was sheet 12 of A-4.

23 A. Yes.

24 Q. And looking at both of those plans,

1 you're comfortable with the functioning of the
2 internal driveways?

3 A. Yes. The roads, the internal drives
4 which are proposed are 28 feet wide. This is
5 actually a very generous width.

6 Just as a point of reference, anyone
7 who might be familiar with, let's say, Montgomery
8 Avenue in Lower Merion Township, that consists of
9 four lanes, and they're each ten feet wide.

10 So this internal drive, being 28 feet
11 wide, is significantly wider, because it's two
12 lanes, than that significant arterial which
13 carries not only residential traffic but also
14 trucks, garbage trucks, and just about every kind
15 of vehicle you can imagine that goes along
16 Montgomery Avenue, school buses.

17 So these internal drives are certainly
18 adequate to address the functional needs of 38
19 attached homes.

20 Q. In your professional opinion, will the
21 adjacent streets and intersections efficiently
22 and safely handle the traffic generated by the
23 proposed development?

24 A. Yes.

1 Q. And in your professional opinion, is
2 the proposed use suitable with respect to traffic
3 and highways in the area?

4 A. Yes. It's an approved use. It's a
5 permitted use. It's conditional, but certainly
6 consistent with zoning.

7 Q. In your professional opinion, does the
8 proposed use provide for adequate access and
9 off-street parking arrangements in order to
10 protect major streets and highways from undue
11 congestion and hazard?

12 A. It certainly does.

13 Q. In your professional opinion, will the
14 proposed use generate more traffic than would
15 normally be expected from a townhome development
16 similar to the one proposed here?

17 A. It's no different than any other, with
18 the possible exception of being so close to the
19 transit opportunities I mentioned. If anything,
20 this might generate less traffic than a typical
21 townhouse community.

22 Q. In your professional opinion, would
23 the proposed townhome development cause any
24 impacts on the township or the regional

1 transportation system that would not normally be
2 expected from a townhome development that is
3 similar to the one proposed here?

4 A. There would be no difference.

5 MR. BROSEMAN: That's all I have for
6 Mr. Tavani at this time.

7 MR. RICE: Mr. Marlier?

8 MR. MARLIER: Yes, I have a few
9 questions, Mr. Rice, if I could have my
10 microphone.

11 - - -

12 CROSS EXAMINATION

13 - - -

14 BY MR. MARLIER:

15 Q. Mr. Tavani, I have a few questions
16 about your testimony, particularly regarding
17 driveways.

18 It's a little confusing, because the
19 road that is in the development is now marked as
20 Drive A and Drive B; correct?

21 A. Yes.

22 Q. Whereas previously in what I'll call
23 Hamilton-1, you were here for Hamilton-1, you
24 testified; correct?

1 A. Yes.

2 Q. These were not marked as Drive A or
3 Drive B; correct?

4 A. I believe you're correct, yes.

5 Q. Do you remember what they were marked
6 as?

7 A. I believe it was road.

8 Q. I just want to be clear. When you
9 were testifying a few minutes ago about the
10 adequacy of driveways, were you referring to
11 Drive A and Drive B and not specifically the
12 driveways into each unit?

13 A. Correct, not the individual driveways
14 to the units. The common internal drives.

15 Q. Seen on A-12 on the screen, A-12,
16 sheet four, Drive A and Drive B?

17 A. Yes.

18 Q. But you do indeed have driveways to
19 each private townhome; correct?

20 A. Yes.

21 Q. And these driveways are off of Drive A
22 and Drive B; correct?

23 A. Yes.

24 Q. And each connect to Drive A and Drive

1 B?

2 A. Yes again.

3 Q. Will each of these townhomes have an
4 individual address, sir?

5 A. Yes.

6 Q. And Drive A and Drive B would
7 obviously be used by these townhomes; correct?

8 A. All townhomes can access Drive A or
9 Drive B. Whether or not they always make use of
10 both drives is probably a function of the
11 location of the unit within the development
12 itself.

13 Q. And just for the record, and this may
14 be obvious, but either Drive A or Drive B would
15 be used for ingress or egress into the
16 development?

17 A. Maybe.

18 Q. Well, how else would you get in?

19 A. Well, I'm saying that the unit,
20 looking at A-12, the unit in the upper left
21 corner, I can't make out the number, that
22 motorist -- Unit 20, thank you -- that motorist
23 is probably more likely to make almost exclusive
24 use of Drive A in arriving or leaving the site,

1 although he or she may make use of Drive B.

2 Q. So they would either use Drive A or
3 Drive B for ingress or egress?

4 A. Yes.

5 Q. And you mentioned the parking in this
6 development. There would be no parking on Drive
7 A or Drive B outside of designated spaces;
8 correct?

9 A. Yes.

10 Q. And Drive A and Drive B would access
11 the more heavily traveled Strafford Avenue, more
12 heavily onto Strafford Avenue than Drive A and
13 Drive B are?

14 A. Yes.

15 Q. They lead into a more heavily
16 trafficked road, and we can call it a local
17 street?

18 A. That's how it is defined in the
19 ordinance, yes.

20 Q. Can you point out on A-12, sheet four,
21 if Drive B, the distance from Drive B to Eagle
22 Road, the intersection with Eagle and Strafford
23 is shown there?

24 A. Yes. It is 174 feet from the

1 centerline of Drive B to the centerline of Eagle
2 Road.

3 Q. Thank you. Can you state what the
4 grading is on Drive A?

5 A. The grade?

6 Q. The grade.

7 A. I cannot. That might be a better
8 question for Mr. Lambert.

9 Q. If I asked you about the grading of
10 Drive B, that would also be for Mr. Lambert?

11 A. Yes.

12 Q. The path down to the commercial
13 property, for lack of a better way of saying it,
14 the bottom of A-12, sheet four, is there an
15 easement for that along that path onto the other
16 property?

17 A. I believe that's more of a legal
18 question than a practical question, so I'll say I
19 don't know.

20 Q. Okay. If I can go to the parking you
21 referenced in your testimony, is it the plan for
22 this development to have garages for each
23 townhome?

24 A. That is my understanding.

1 Q. And how many cars will be in each
2 garage?

3 A. I believe the proposed width of the
4 garage is two cars.

5 Q. Do you know the proposed --

6 MR. BROSEMAN: I will note that Mr.
7 Lambert testified about this specifically,
8 so I would like to defer to his testimony.

9 Mr. Tavani didn't testify to those
10 specifics.

11 MR. MARLIER: He certainly testified
12 to driveways and vehicle traffic, and I
13 think he can answer the question if he's
14 able.

15 MR. RICE: He can either answer or say
16 he doesn't know.

17 BY MR. MARLIER:

18 Q. What is the width of each garage, Mr.
19 Tavani?

20 A. A-4 of -- sheet four of A-12 indicates
21 19 feet.

22 Q. Nineteen feet. And in your expert
23 opinion, would 19 feet be sufficient for two
24 vehicles?

1 A. Yes, absolutely. Typically a car is
2 about six or seven feet wide.

3 Q. Would you be able to open, if two
4 vehicles came into the garage at the same time,
5 would they both be able to open their doors
6 towards one another? Would there be enough width
7 for that?

8 A. Well, obviously that will vary with
9 the vehicle. But with 19 feet on the aprons, I
10 presume it might be slightly less in the garage.

11 Nevertheless, one does not need to
12 open one's vehicle door to its widest extent in
13 order to enter or exit the vehicle, and obviously
14 the length of the vehicle affects the length of
15 the door.

16 But this proposal is not any
17 different, in my experience, than what's
18 typically provided for a two-car garage, and I
19 think it will be functional.

20 Q. So let's talk about functional. I
21 don't think you answered my question, so I'll
22 repeat it.

23 A. Okay.

24 Q. If two vehicles, standard-sized

1 vehicles -- we all understand there are
2 different-sized vehicles and different-sized
3 doors, but you're certainly talking in
4 generalities throughout your testimony.

5 So if we can talk about generalities
6 here, you have two vehicles who both open their
7 doors at the same time. Would they be able to do
8 that in these garages?

9 A. Could you be a little bit more
10 specific as to which doors?

11 And I'm not being coy, but if you're
12 talking about two vehicles within the garage, and
13 one vehicle is opening the passenger's door
14 simultaneously as another vehicle next to it is
15 opening its driver's door, that is a different
16 situation than if they're both opening their
17 driver doors or they're both opening their
18 passenger doors.

19 Q. Correct. I'm talking about one
20 driver's and one passenger's, so they're opening
21 towards each other. Could they do it?

22 A. Again, you were not specific as to one
23 driver, one passenger in each car or in the same
24 car.

1 The worst-case scenario would be two
2 vehicles in this enclosed garage, and they're
3 both opening the interior doors, not the exterior
4 doors.

5 That would probably present a problem,
6 especially if they were similar in wheelbase and
7 they also stopped at the same location.

8 If one was a little shorter than the
9 other, if one stops a little bit deeper into the
10 garage so that the doors did not perfectly line
11 up, that would aid the situation.

12 But in that unlikely scenario where
13 they both open simultaneously and they're both
14 directly opposite one another and very similar,
15 then they probably would have to say, I'll get
16 out first and then you can get out.

17 Q. So your testimony is that it's more
18 likely people are going to coordinate to get
19 out --

20 MR. BROSEMAN: I'm going to object
21 again. I think Mr. Lambert testified about
22 this. He testified differently than --

23 MR. RICE: Mr. Broseman, he's an
24 expert. He can answer it or he cannot

1 answer it.

2 MR. BROSEMAN: Well, Mr. Lambert
3 testified differently about the sizes of
4 these garages, according to my
5 recollection.

6 His testimony was that the dimensions
7 shown on these plans were to show that
8 there would be space in the garages to meet
9 the Radnor Township code requirements.

10 MR. RICE: Time out, Mr. Broseman.

11 MR. BROSEMAN: Well, I'm going to ask
12 Mr. Tavani not to testify about things that
13 Mr. Lambert testified about.

14 MR. RICE: Mr. Broseman, your
15 objection is overruled.

16 MR. BROSEMAN: I wasn't finished
17 explaining.

18 MR. RICE: Your objection is
19 overruled.

20 MR. BROSEMAN: I wasn't finished.

21 MR. RICE: There's no explanation once
22 your objection gets overruled.

23 MR. BROSEMAN: Mr. Marlier interrupted
24 me.

1 MR. RICE: Pardon me?

2 MR. BROSEMAN: He interrupted me while
3 I was speaking.

4 MR. RICE: Yes, but your objection is
5 overruled. He's an expert witness.

6 MR. BROSEMAN: I was speaking, and he
7 interrupted me.

8 MR. RICE: He was testifying, so let
9 him ask his question. Okay? Your
10 objection is overruled. That means you
11 stop.

12 MR. BROSEMAN: I know, but he
13 interrupted me while I was making my point.

14 MR. RICE: I understand. I
15 understand.

16 Go ahead, Mr. Marlier.

17 BY MR. MARLIER:

18 Q. Mr. Tavani, is it your testimony that
19 it's more likely that people will coordinate
20 opening up their doors so that one can open first
21 and then the other will open, rather than two
22 people opening at the same time and bumping
23 doors?

24 A. That's a possible outcome if two

1 vehicles are in the garage and both operators are
2 attempting to open the internal doors
3 simultaneously, which I would think is a very
4 unlikely occurrence but nevertheless possible.

5 Q. Are there going to be restrictions on
6 the owners of these townhomes regarding the use
7 of their garage as anything but parking?

8 A. I don't know.

9 Q. So if somebody does use their garage
10 for storage, for example, those two parking
11 spaces are gone; correct?

12 A. Depending on the items stored. You
13 can certainly store some items in a garage and
14 still have space for vehicles, but it might be
15 possible to completely fill a garage so that a
16 vehicle could not fit as well.

17 Q. Do you know whether or not there's
18 going to be any, how it will be enforced, these
19 garages being used for parking?

20 A. I do not know.

21 Q. What are the dimensions of each
22 driveway, Mr. Tavani, and when I say "driveway,"
23 I don't mean Drive A and Drive B, but each
24 townhome's driveway?

1 A. Sheet four of A-12 has some of the
2 driveways' dimensions, and they are shown to be
3 20 feet deep.

4 Q. Are all of them 20 feet deep?

5 A. I did not measure all of them --

6 MR. BROSEMAN: I'm going to object.
7 Mr. Lambert testified about this specific
8 point.

9 I feel that Mr. Marlier is trying to
10 confuse the record by asking things that
11 Mr. Tavani did not testify about that Mr.
12 Lambert already did.

13 MR. MARLIER: Mr. Rice, if their two
14 witnesses conflict, that's not my problem.

15 MR. BROSEMAN: Mr. Tavani did not
16 testify about this.

17 MR. RICE: Gentlemen, the objection is
18 overruled. This is cross-examination.

19 Unless he starts asking him about
20 aerospace or something, he's a traffic
21 engineer.

22 If he doesn't know, Mr. Broseman, he
23 doesn't know, but he did refer to the plan
24 already during his testimony.

1 MR. BROSEMAN: I don't want the record
2 to be confused. I feel like Mr. Marlier is
3 trying to confuse the record.

4 MR. RICE: You will have the
5 opportunity to redirect this witness when
6 he's done cross-examining, so you can
7 un-confuse the record if you think it gets
8 confused at that point.

9 Mr. Marlier, go ahead.

10 BY MR. MARLIER:

11 Q. Are all of the driveways to the
12 townhomes, the individual driveways, 20 feet
13 deep?

14 A. No.

15 Q. What are the other lengths of the
16 driveways?

17 A. Well, not all of them are dimensioned,
18 but for purposes of discussion, if one were to
19 look at Unit 1 or Unit 2, it appears that is a
20 significantly longer curvilinear distance than
21 20 feet.

22 Q. Does it say specifically?

23 A. No, but they are longer.

24 Q. In your expert opinion, how many, in a

1 20-foot, if we could take the 20-foot-length
2 driveways -- and what is the width of the
3 driveways?

4 A. So I'll make reference again to sheet
5 four, A-12. Unit 29 is dimensioned 19 feet in
6 width.

7 Unit 30 is dimensioned 20 feet in
8 depth, and there is an offset between 30 and 31
9 that is two feet, so it appears that some of the
10 units are, in fact, two feet longer than 20 feet.

11 Q. So if it's 20 foot and 19 foot, 20
12 foot deep, 19 foot wide, how many cars could park
13 in the driveway?

14 A. Two.

15 Q. And would the same issue with the
16 garage that we just talked about, opening car
17 doors towards one another, so driver's side,
18 passenger's side, would that same issue be on the
19 driveway as well?

20 A. It's possible, but it's less likely.

21 Q. And when someone is getting out of the
22 driver's side in their driveway, would they be,
23 the driver's side that's parked on the left side
24 of the driveway, would they be getting out into

1 the driveway or onto grass?

2 A. I'm looking at Unit 31. If someone
3 pulls into that apron on the left side and opens
4 the driver door, they would be exiting pretty
5 much in the vicinity of the sidewalk leading to,
6 I presume, the front door of Unit 31, so I don't
7 think that would be a problem.

8 Q. Would that be different on each
9 townhome?

10 A. It could be. Part of the reason why,
11 as I said earlier, it's less of a problem on the
12 apron is because the apron doesn't have walls on
13 either side like a garage does.

14 So it's certainly possible that a
15 motorist might align his or her vehicle a little
16 closer to the respective edges of pavement to
17 create a wider effective distance between the
18 vehicles internally. I think I answered the
19 question.

20 Q. You talked about turning radius, Mr.
21 Tavani. When I look at this, I think of fire
22 trucks and whether they could have easy access
23 into this development.

24 Have you reviewed these plans with the

1 fire marshal for Radnor Township?

2 A. I did not. I did not prepare the
3 plans.

4 Q. Do you know if these plans were
5 reviewed by the fire marshal?

6 A. I will leave that to the testimony of
7 others.

8 Q. So you do not know, sir?

9 A. I do not know specifically.

10 Q. There's a fire truck shown on one of
11 the plans that was submitted, and you're familiar
12 with the plans; correct?

13 A. Yes.

14 Q. Do you know if that fire truck is the
15 largest fire truck in the Radnor fleet?

16 A. I don't.

17 Q. And what is the turn radius, and you
18 may have testified to this, and I apologize if I
19 missed it.

20 If you're looking at the bottom
21 right-hand corner of the development, when, for
22 lack of a better way of saying that when Drive A
23 turns into Drive B at the bottom right-hand
24 corner, what is that turn radius?

1 A. As I said previously, I did not
2 prepare these plans, so I was not intimate with
3 those details.

4 I'm looking through the sheets, and I
5 don't believe it's dimensioned, so I cannot
6 answer your question.

7 Q. So since you don't know the turn
8 radius on that specific turn, is it fair to say
9 you don't know the turn radius on the other curve
10 as well?

11 A. Again, I did not prepare the plans.
12 The situation is tantamount to asking the civil
13 engineer about level of service. He probably
14 would also say he doesn't have answers to those
15 questions.

16 Q. Well, you testified as to the turn
17 radius and the safety within, circulation within
18 the development; correct?

19 A. I testified as to familiarity with
20 the plans and that I believe the impact of this
21 development doesn't create a safety concern.

22 I'm not sure if I would characterize
23 my direct the way you did.

24 Q. Fair enough. Regarding the turn

1 radius, and you may not be able to answer, but
2 regarding the turn radius in that bottom
3 right-hand corner where it turns from Drive A to
4 Drive B, did you look at the largest possible
5 Amazon truck that would be coming through the
6 development?

7 A. I looked at no vehicles.

8 Q. No Fed Ex truck?

9 A. Correct.

10 Q. Okay. If we could just go to your
11 testimony regarding the traffic study, I
12 understand that these are more general, kind of
13 a general formula, correct, from the manual that
14 you brought with you this evening?

15 A. Could you clarify what you mean by
16 "more general"?

17 Q. Well, these are projections; correct?
18 So you can't take any real calculations, because
19 the development isn't here yet; correct?

20 A. I wouldn't characterize it that way.

21 Q. How would you characterize it?

22 A. I believe that I used ITE as a
23 reference in accordance with general traffic
24 engineering principles as stated by the township

1 traffic engineer in his memo.

2 Q. You did mention the memo from the
3 traffic engineer.

4 Have we received -- was there any memo
5 or did the traffic engineer for the township
6 opine as to the revised plans that were put into
7 the record on January 31st, 2024?

8 A. I don't know.

9 Q. Have you seen any opinions?

10 A. I have not.

11 Q. You did read my mind a little bit, but
12 I want to be very clear.

13 How many individuals would you say
14 will be living in each of these townhomes on
15 average?

16 A. I really don't know.

17 Q. How many drivers?

18 A. I have no way of guessing or
19 estimating how many adults or people will reside
20 in these units.

21 Q. You don't think knowing the number of
22 adult drivers in these units may have an impact
23 on the amount of traffic that's coming in and out
24 of this development?

1 A. It may.

2 Q. You've been with your company now for
3 20 years; is that correct, sir?

4 A. Yes.

5 Q. You've been a traffic engineer for
6 almost 30, you said?

7 A. Almost 31.

8 Q. In your 31 years as a traffic
9 engineer, have you ever had an experience where
10 the ITE Trip Generation Manual did not
11 appropriately capture the specific traffic issue
12 once development occurred?

13 A. In my experience, the ITE Trip
14 Generation Manual is rarely, if ever, contested.

15 I really have no reason to perform
16 any follow-up count after any type of land
17 development was constructed to check the actual
18 traffic against the ITE predictions.

19 Q. So your answer is that you've never
20 had a specific instance where the traffic that
21 ended up coming in and out and around the
22 development was more than what the projection
23 from the ITE was?

24 A. Never more or never less, for that

1 matter.

2 Q. You've never looked into it?

3 A. Correct. I spend my nights here.

4 Q. You mentioned the sidewalks within
5 the development, if we could go back to A-12, I
6 believe sheet four.

7 Are there sidewalks on both sides of
8 Drive A and Drive B?

9 A. No.

10 Q. Where would the sidewalks be, can you
11 describe?

12 A. They are shown in sort of a pale
13 yellow or tan color along the outer perimeter of
14 Drive A and Drive B on sheet four of A-12.

15 Q. So there's no sidewalks on the inner
16 loop of Drive A or Drive B; correct?

17 A. Correct.

18 Q. It would certainly increase the safety
19 of the development if there was sidewalks along
20 the inside; correct?

21 A. I don't know.

22 Q. Well, walkability certainly would make
23 the development safer, correct, safe walking
24 areas?

1 A. I believe that the process provides
2 safe walking areas.

3 Q. But if there was sidewalks on the
4 inner loop, these would be safer; correct?

5 A. I don't know that I would agree with
6 that. I'm not aware of any metric that says one
7 is safe and one is not safe.

8 Q. You're not aware of metrics about
9 safety?

10 A. Yes. I am not aware of any metric
11 that says having sidewalks on both sides of an
12 internal drive is more or less safe than just
13 having one sidewalk.

14 Q. What does your 31 years of experience
15 tell you?

16 A. In my experience, in my opinion,
17 given the relatively low volume at hand, if a
18 pedestrian were to cross from one side to the
19 next of Drive A or Drive B to use the sidewalk, I
20 don't think it's a meaningfully different
21 situation in terms of that pedestrian's safety.

22 Q. There's been, I'll call it, a by-right
23 plan or a single-home plan that's been put into
24 the record. Have you reviewed that document,

1 those plans?

2 A. I'm generally familiar with it. They
3 are both by-right, but as you said secondarily,
4 that is generally referenced as the single-family
5 or detached housing plan.

6 Q. In your expert opinion, would there be
7 less traffic with that plan?

8 A. No. There would actually be more.

9 Q. There would be less traffic if there
10 were less townhomes in the plan that's put forth,
11 the plan that's on A-12, sheet four; correct?

12 A. That's true, but that isn't what you
13 just asked.

14 Q. Correct. I was asking another
15 question. If you had 30 townhomes instead of 38,
16 there certainly would be less traffic; correct?

17 A. Yes.

18 Q. These townhomes are going to be
19 roughly 3,000 square feet; is that correct?

20 A. That number sounds familiar, but I'm
21 not certain.

22 Q. If that is correct, they're
23 3,000 square feet, and if they were, let's say,
24 2,000 square feet, you would most likely have

1 less people living in those townhomes; correct?

2 A. It's speculation, but it's possible.

3 Q. Well, in your experience, would there
4 be less people living in smaller houses?

5 A. It's possible. It doesn't necessarily
6 correlate. The size of a house depends on one's
7 affordability.

8 It's certainly possible to have six
9 people in a thousand square feet if that's all
10 they can afford or two people or one person in a
11 6,000-square-foot house.

12 Q. But you have no projections, just to
13 be clear, about how many people would live in
14 these homes?

15 A. The number of people in the homes is
16 not a variable in the ITE Trip Generation Manual
17 for traffic estimating.

18 Q. But in the real world, the number of
19 people in a home could correlate to the number of
20 drivers?

21 A. The ITE manual is based on real world
22 experience, and it's the standard all traffic
23 engineers use.

24 If I were to try and speculate as to

1 the traffic based on number of residents or any
2 other variable, I would be immediately called out
3 by this township's traffic engineer and virtually
4 all traffic engineers with whom I've dealt in the
5 past.

6 Q. Did you do a traffic count -- you may
7 have mentioned this. Which intersections did you
8 do traffic counts?

9 A. Reference was made in page two of
10 A-20. There are three bullet points:

11 Strafford Avenue and Eagle; Strafford
12 and Grant and Hedgerow; and Eagle and North
13 Wayne.

14 Q. Have you been to this site yourself,
15 sir?

16 A. Yes.

17 Q. You testified about -- what is at the
18 site currently, the existing conditions?

19 I think you mentioned apartments or
20 what's been there previously, apartments, a
21 greenhouse; correct?

22 A. Yes. There are existing residential
23 structures.

24 Q. And are those operational currently?

1 A. I don't know about currently.

2 Q. You testified as to the fact that you
3 did not take these existing conditions into
4 account, meaning you didn't take credit for it, I
5 think is the way you testified.

6 But you wouldn't take credit for
7 individuals driving in and off this -- on and
8 into this property from years ago; correct?

9 If there's no one there now, you
10 obviously wouldn't take credit for that; right?

11 A. False.

12 Q. Tell me why it's false.

13 A. What I was describing is the trip
14 generation estimates were based simply on the
15 proposed number of units.

16 If there are existing units, whether
17 they're occupied or not, if they're legal and
18 there is existing units on the property, it would
19 be reasonable to take a credit for those units
20 against the projected surcharge of new traffic,
21 because that is a condition that could generate
22 traffic in the future, whether it's occupied
23 presently or not.

24 So I think you might be conflating

1 existing traffic volume with the existing units.

2 What I was talking about is just the
3 trip generation potential, and I contend that it
4 would have been appropriate to diminish the ITE
5 projections to the extent that there is existing
6 activity on the site.

7 MR. RICE: Does the ITE manual address
8 that issue?

9 THE WITNESS: It may, but I -- this is
10 a common sense engineering issue, where if
11 you have an existing building, and you're
12 tearing it down, I'm sure you've heard this
13 argument before, you have --

14 MR. RICE: More times than I care to
15 mention. My only question, Mr. Tavani, is
16 the ITE manual addresses existing building
17 structure uses in their calculations.

18 I mean, you're saying it's a common
19 sense traffic engineering issue.

20 I just want to know whether the ITE
21 manual says you should take credit or you
22 can take credit for existing buildings,
23 which you testified to that you didn't do
24 that.

1 THE WITNESS: This manual is nothing
2 but basically data. So how you apply it is
3 based on what you've learned in practice,
4 what you've learned in college.

5 I'm not aware that there's a how-to
6 guide of how to implement this --

7 MR. RICE: For that issue?

8 THE WITNESS: Right. But there very
9 well may be.

10 MR. RICE: Okay. Sorry, Mr. Marlier.
11 I thought that was a question I wanted to
12 know, and I didn't want to forget about it.

13 MR. MARLIER: Understood.

14 BY MR. MARLIER:

15 Q. Mr. Tavani, you testified that you
16 would reduce traffic being near a shopping
17 center. Can you explain how that is?

18 A. So again, lucky sheet four of A-12 is
19 referenced, and you can see the proposed path to
20 a nearby shopping center.

21 It's certainly possible that some of
22 the traffic activity in a residential development
23 during peak hours is associated with trips to or
24 from retail opportunities, just like they could

1 be associated with trips to and from work.

2 So to the extent that you provide a
3 pedestrian or a bicycle facility, that would be a
4 direct link to opportunities like that, work
5 opportunities, shopping opportunities.

6 It's possible that some automotive
7 traffic will be reduced by virtue of the walking
8 trips that it fosters.

9 Q. So if I understand correctly, it's
10 less about it being a commercial property and
11 more about the walkability of the surrounding
12 neighborhood?

13 Is that what you're saying?

14 A. I don't know what you mean by it's
15 less about the commercial.

16 Q. I believe your testimony was that
17 being near the shopping center would reduce
18 traffic, and I'm just trying to figure out why
19 that is.

20 A. So if you have a nearby retail
21 opportunity, and the only way you can get there
22 is by driving, then you generate automotive
23 traffic.

24 If you have a facility, you can get to

1 that same shopping center by doing something
2 other than driving, like riding a bike or walking
3 or taking a bus, then that fosters a reduction in
4 automotive activity.

5 Q. I understand. Thank you. And the ITE
6 manual, when did it first come into publication?
7 Roughly, do you know? If you don't know the
8 year, it's fine.

9 A. I would imagine probably in the '70s,
10 maybe the '60s.

11 Q. You testified as to Montgomery Avenue
12 and the width; correct?

13 A. Yes.

14 Q. Was Montgomery Avenue built prior to
15 the '70s?

16 A. I don't know. I certainly would
17 imagine so.

18 Q. So obviously when you were talking
19 about Montgomery Avenue and comparing it to this
20 development, Montgomery Avenue was certainly
21 built well before a lot of the standards that we
22 have today; correct?

23 A. My testimony was relevant to how
24 Montgomery Avenue can accommodate different

1 vehicle types.

2 I'm not sure if the age that it was
3 constructed really relates to whether or not a
4 school bus can be accommodated by ten-foot-wide
5 lanes.

6 That was what I was attempting to
7 address. But I will concede that it was built
8 at a time when different standards existed.

9 Q. One last question. You talked about
10 the manual's facts and figures, but, of course,
11 you apply your knowledge and your expertise to
12 them; correct?

13 A. What the traffic engineer is tasked
14 with doing is finding the land use code, they
15 call it, that is the best fit for what an
16 applicant proposes.

17 Sometimes there isn't an exact
18 proposed fit, but in the case of detached or
19 attached housing, there is a rich database.

20 So I guess the expertise is really
21 limited to picking what's most appropriate to
22 utilize.

23 Q. Did you speak to any of the neighbors
24 about their experience with traffic around this

1 area?

2 A. No.

3 MR. MARLIER: I have no more
4 questions.

5 MR. RICE: So we'll go to the resident
6 parties. Remember the procedure.

7 You can ask Mr. Tavani about any of
8 his testimony, anything related to traffic.

9 - - -

10 CROSS EXAMINATION

11 - - -

12 MR. RICE: So let me start with Amber
13 Levy.

14 MS. LEVY: No questions at this time.

15 MR. RICE: Mr. Chawla?

16 - - -

17 (No response.)

18 - - -

19 MR. RICE: John Clemente? No?

20 - - -

21 (No response.)

22 - - -

23 MR. RICE: Mr. Curley?

24 MR. CURLEY: Brian Curley, 136

1 Fairfield Lane. I'm a Radnor resident.

2 Question, sir.

3 Does the ITE book guideline for
4 distance from the site in terms of the
5 intersections that you tested, is there a
6 distance number, you know, a thousand feet,
7 a mile, a half mile?

8 THE WITNESS: I'm not aware of an ITE
9 standard to that effect.

10 MR. CURLEY: Okay. So can I question
11 why the intersection at Eagle Road and
12 Lancaster Avenue was not part of the study?

13 THE WITNESS: At Eagle Road and
14 Lancaster. Okay, yes.

15 So, simply stated, most traffic
16 studies begin by conducting traffic counts
17 and subsequent analysis at the
18 intersections closest to the site, because
19 those are the ones most significantly
20 impacted in terms of the percentage of
21 traffic activity.

22 As you get further away, you might
23 have some traffic turning down this road or
24 some turning down that road.

1 As you get to further downstream
2 locations, you may find yourself having ten
3 percent of site traffic as opposed to a
4 hundred percent if you were immediately
5 adjacent to the site.

6 So if you can demonstrate that the
7 impact at the closest intersection was
8 negligible or not even measurable, then you
9 probably don't need to go any further away
10 to find out what those impacts are.

11 Furthermore, if an intersection is
12 even busier than the intersections that are
13 nearby, you have a larger denominator in
14 the fraction, and as the site traffic is
15 the numerator, all you're doing is diluting
16 the impact of the site on that location.

17 If you have an intersection that has a
18 hundred vehicles an hour going through and
19 you're adding ten trips related to the
20 site, okay, so maybe you have a ten percent
21 impact.

22 But if another intersection that's
23 essentially not far away has 2,000 vehicles
24 an hour, and now you're adding maybe five,

1 because some of the traffic goes in
2 different directions, it stands to reason
3 that the impact is going to be hardly
4 noticeable because it's a smaller
5 percentage of total activity.

6 MR. CURLEY: So that also applies to
7 the intersection of Strafford Avenue and
8 Old Eagle School Road by the Strafford
9 train station?

10 THE WITNESS: Essentially. I mean,
11 Grant and Hedgerow is the closest
12 intersection to the west, if you will, so
13 going any further west is going to
14 potentially have less impact, especially
15 if there's greater underlying traffic
16 activity.

17 MR. CURLEY: What's confusing is that
18 both those intersections appear to me to be
19 closer than the intersection that you
20 tested, which was Eagle Road and North
21 Wayne Avenue.

22 Eagle Road and North Wayne Avenue, I'm
23 going to say, is at least a quarter mile
24 away from the site.

1 Can you give me any rationale why you
2 tested that intersection and not the two
3 other intersections that would be closer?

4 THE WITNESS: The rationale was
5 probably best related to the second reason
6 that I gave you, which is that total
7 intersection volume plays a part, and the
8 total intersection volume at Wayne and
9 Eagle is certainly less than at Lancaster
10 and Eagle.

11 So it was less about linear distance
12 and more about applying some other
13 considerations.

14 MR. CURLEY: The other question I had
15 was, when you did the traffic study, I saw,
16 and again, I didn't get a chance to review
17 this one.

18 But in the previous traffic study, you
19 referenced the St. Honore traffic study, in
20 essence saying that because the St. Honore
21 traffic study had minimal impact, even that
22 minimal impact added to this traffic study
23 was not going to have any impact, yet at
24 the time the St. Honore project hadn't even

1 started.

2 So how could you justify that there
3 would have been no impact to that
4 particular traffic study?

5 THE WITNESS: I'll give this my best
6 shot. A traffic study should consider
7 other nearby developments that, usually
8 those that have been approved and stand a
9 likelihood of being built; indeed, even
10 some that have been approved and for
11 whatever economic reasons may never be
12 constructed.

13 But if there's a development that is
14 nearby that you have a reasonable
15 likelihood of knowing is going to add
16 traffic to your study area, you probably
17 should consider surcharging your study area
18 with that other development's traffic, and
19 for St. Honore, I actually did just that.

20 In fact, the slide in A-20 on page
21 three under the second paragraph under
22 Analysis of Transportation Impact, I point
23 out that, in fact, the potential maximum
24 traffic associated with that project when

1 fully constructed was layered into the
2 future build conditions of this traffic
3 study.

4 So I think I did what you're asking,
5 is essentially what I'm saying.

6 MR. CURLEY: Yeah. When you did the
7 St. Honore study, the traffic study, which
8 was completed in May 16th of 2019, there
9 was a note that there was no other known
10 approved land development projects in the
11 vicinity of the site, yet testimony from, I
12 recall, January 29th from Mr. Houder
13 indicating that this project has been
14 ongoing since 2018.

15 So how could you justify that there
16 was no other development projects in the
17 vicinity?

18 So, in essence, you're using the St.
19 Honore study to say it was minimum, yet you
20 didn't take into effect, into account this
21 particular project.

22 THE WITNESS: I might need help here.
23 I'm not sure I'm understanding.

24 As I attempted to testify, A-20, my

1 report dated May 2023, does reflect the
2 potential traffic associated with St.
3 Honore.

4 And for what it's worth, and as the
5 board may know, I actually did prepare the
6 traffic study for St. Honore as well, and
7 that was dated September 2022.

8 MR. CURLEY: September 14th.

9 THE WITNESS: That's right, which made
10 it that much easier for me to incorporate
11 it, which is why I did.

12 MR. CURLEY: Again, but it did not
13 address this project. That's my point of
14 order.

15 Next question is, are there guidelines
16 about sample selection, like what day of
17 the week you choose to do your traffic
18 studies?

19 Is it something in the ITE manual that
20 tells you? Do you pick it out of a hat, or
21 it's random?

22 THE WITNESS: The general rule of
23 thumb traffic engineers follow is to
24 conduct, for projects that impact weekday

1 traffic volume, you typically pick a
2 Tuesday, Wednesday, or Thursday, especially
3 as it's becoming warmer out when people
4 might take a three-day weekend, because
5 that could affect Monday or Friday traffic
6 volumes.

7 Obviously, you do counts in normal
8 weather conditions. Some light
9 precipitation is probably okay, but the
10 snow, we try to avoid that.

11 We try to stay away from nationally-
12 recognized holidays.

13 If there are schools nearby that could
14 affect underlying traffic, we try and do it
15 when school's in session. But I believe
16 we've met all of those marks.

17 MR. CURLEY: Yes, except I will point
18 out that both traffic studies for this
19 project and for the St. Honore project were
20 conducted on Thursdays.

21 People in the area will obviously tell
22 you --

23 MR. BROSEMAN: I'm going to object.
24 He keeps bringing up the St. Honore traffic

1 study. We're not here about that. Could
2 we focus on --

3 MR. CURLEY: It's part of -- it's
4 noted.

5 MR. RICE: Mr. Curley, just ask Mr.
6 Tavani a question. Okay?

7 MR. CURLEY: Sure.

8 MR. RICE: Instead of making
9 statements. Ask him a question about that.

10 MR. CURLEY: Okay. Why was Thursday
11 picked, because people in the neighborhood
12 will tell you, on Wednesdays, there's a
13 farmers market that's open, on Fridays,
14 there's a farmers market that's open, and
15 traffic is significantly higher.

16 So why was Thursday picked?

17 THE WITNESS: Well, I did attempt to
18 answer earlier about why Tuesday,
19 Wednesday, or Thursday is a typical day and
20 why it was chosen.

21 And I am aware there's a farmers
22 market nearby that's only open very limited
23 days per week. It's not like it's always
24 generating traffic.

1 I think it's only three days a week,
2 two of which, I believe, are on a weekend.
3 I believe it's Thursday, Saturday, and
4 Sunday?

5 MR. CURLEY: No. Thursday --
6 Wednesday, Friday, Saturday.

7 THE WITNESS: Wednesday, Friday,
8 Saturday. And I believe on certain days,
9 it closes at like 3:00 o'clock?

10 MR. CURLEY: 4:00.

11 THE WITNESS: 4:00 o'clock. So the
12 impact of the farmers market is virtually
13 nothing during the weekday p.m. commuter
14 peak period, which is from 4:00 to 6:00
15 p.m.

16 MR. RICE: We're talking about
17 Thursday though; right?

18 THE WITNESS: It doesn't really
19 matter. I mean, whenever the farmers
20 market is open during a particular day, if
21 it's closed by 4:00, it's not going to be
22 generating traffic.

23 So my contention would be, we're
24 halfway home. The traffic impact of the

1 farmers market on any of these developments
2 is really minimal, and in the morning, I do
3 believe it opens at 7:00?

4 MR. CURLEY: 6:00 a.m.

5 THE WITNESS: 6:00 a.m. I guess the
6 hours have changed in the last two years.
7 This came up in 2021.

8 I'm not sure if the farmers market is
9 really a hotbed of activity at 7:30 in the
10 morning on Thursday.

11 MR. CURLEY: Obviously, you don't live
12 here. Thank you. Thanks for answering my
13 questions.

14 MR. RICE: Okay. Mr. Gaeto?

15 - - -

16 (No response.)

17 - - -

18 MR. RICE: Hansen?

19 - - -

20 (No response.)

21 - - -

22 MR. RICE: Mr. Holloway?

23 - - -

24 (No response.)

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MR. RICE: Mr. Hymel?

UNIDENTIFIED SPEAKER: Wait, wait.

MR. RICE: Oh.

MS. HANSEN: Cindy Hansen. My question was, I missed the date. Is this traffic study a year old? Or was it done in August of 2023?

I'm asking, what date was the traffic study completed?

THE WITNESS: The publication was May of last year. The data was collected in April of last year.

MS. HANSEN: Okay. Thank you. And at that time, do you think that people were not going back to the office very much and that they have now increased their trips this year?

THE WITNESS: It sounds like you're speaking relative to the recent pandemic?

MS. HANSEN: Well, yes, because that was still -- and nobody was going back to work, and now everybody is being called back to work.

1 I mean, just, I mean, I can't like
2 make any comments. I'm asking a question.

3 Have you noticed that the train
4 station parking lot is now full every day,
5 rather than being empty as it was when you
6 did your study?

7 THE WITNESS: I did not survey the
8 train station parking recently or in the
9 past.

10 MS. HANSEN: Right. And I also, I
11 don't understand, I'm questioning why that
12 area was not -- well, it was.

13 You had Hedgerow and Grant Lane in
14 your study.

15 THE WITNESS: Yes.

16 MS. HANSEN: Would be affected by more
17 traffic at the train station now.

18 Thank you.

19 THE WITNESS: You're welcome.

20 MR. RICE: Catherine Lafarge?

21 - - -

22 (No response.)

23 - - -

24 MR. RICE: Mary Ann Mahoney?

1 MS. MAHONEY: No questions.

2 MR. RICE: Jennifer Pechet?

3 MS. PECHET: I'm Jennifer Pechet. I
4 live at 3 Madison Lane, and I'm
5 representing the HOA.

6 Looking at that map, if you look
7 right, we're the townhouse community right
8 on the corner there.

9 MR. RICE: Ms. Pechet, I don't know
10 whether you've asked questions before,
11 but --

12 MS. PECHET: I'm sorry.

13 MR. RICE: But tonight Mr. Tavani
14 testified. You need to ask him questions
15 about his testimony. If you have some
16 other statement --

17 MS. PECHET: No, I don't.

18 MR. RICE: -- that could be done
19 later. But ask him questions about his
20 testimony, please.

21 MS. PECHET: My questions concern, as
22 you did the traffic study and you were
23 talking about the walkability of the area
24 and putting sidewalks on the three outside

1 corners of the property, and I know that
2 there are sidewalks on the other side
3 across the street that have been put in or
4 are being put in, and in front of the
5 community where I live when it was
6 constructed sidewalks were put in.

7 I'm bringing that up because as you
8 were saying more sidewalks, more
9 walkability, having more people walk would
10 reduce the number of conceivably vehicles
11 on the street.

12 MR. RICE: Do you agree with that, Mr.
13 Tavani?

14 THE WITNESS: Yes.

15 MS. PECHET: So my question is, as I
16 laid my foundation for my question, I would
17 like to know, would it make it safer, would
18 it make it more walkable to continue the
19 sidewalks basically on the other side of
20 Strafford Avenue, like going down towards
21 Lancaster Avenue?

22 Does that make sense where I'm
23 describing?

24 THE WITNESS: Beyond the applicant's

1 frontage?

2 MS. PECHET: Yes. All I'm asking is,
3 would that make sense to you, in your
4 opinion as an expert, in terms of
5 walkability and safety, having sidewalks on
6 either side of Strafford Avenue heading
7 down towards Lancaster?

8 THE WITNESS: Sure, yes.

9 MS. PECHET: Great. That's my
10 question for tonight. Thank you very much.

11 MR. RICE: Steven Rocci?

12 MR. BROSEMAN: I thought we decided he
13 might have been the gentleman that moved
14 away.

15 MR. RICE: Oh, you're right.

16 MR. MARLIER: He may have moved back.

17 MR. RICE: No, no, no, no.

18 MR. BROSEMAN: He could have.

19 MR. RICE: I'll just mark him off of
20 my list.

21 Okay. Margaret Ruschmann?

22 - - -

23 (No response.)

24 - - -

1 MR. RICE: Mr. Sareen?

2 - - -

3 (No response.)

4 - - -

5 MR. RICE: David Satterfield?

6 - - -

7 (No response.)

8 - - -

9 MR. RICE: Steve Scheri?

10 MS. MEGAN SCHERI: No questions at
11 this time. Thank you.

12 MR. RICE: Megan Scheri?

13 Mr. Schuda?

14 MR. SCHUDA: Good evening. My name is
15 Joe Schuda, 14 Forrest Lane.

16 Mr. Tavani during your testimony, you
17 referenced the ITE manual, I believe,
18 several times; is that correct?

19 THE WITNESS: It is.

20 MR. SCHUDA: Okay. In that particular
21 manual, Mr. Marlier asked about the
22 accuracy of the ITE manual relevant to
23 completed projects, and you testified that
24 you never went back to confirm the accuracy

1 of a project once it was completed, but you
2 also said that the ITE manual is updated
3 approximately every two years, I believe
4 you said?

5 THE WITNESS: I think I said "few."

6 MR. SCHUDA: Okay. What, in
7 particular, are those updates? What do
8 they consist of when they're updated?

9 THE WITNESS: I am familiar with the
10 publication, but I'm not the author.

11 But my understanding is ITE welcomes
12 and always accepts real world empirical
13 data that it reviews and considers whether
14 or not it's worthy to include in its
15 databases and its analyses.

16 And once they get enough data, then
17 they decide to publish a new edition of the
18 manual so it stays current with motoring
19 trends.

20 MR. SCHUDA: Would that, in your
21 opinion as an expert, justify your review
22 of completed projects in order to
23 contribute to the accuracy of that manual?

24 THE WITNESS: I believe the answer is

1 no, but could you restate the question?

2 MR. SCHUDA: Okay. In other words, if
3 you were to reevaluate a project once it
4 was completed, or several projects, in
5 light of your affiliation or membership in
6 a unique group of engineers, would that not
7 contribute to a more accurate and precise
8 manual, so that when it's utilized by your
9 counterparts, that would also help
10 situations like this to reflect accuracy so
11 you're not speculating on what something
12 could be or should be?

13 THE WITNESS: I appreciate your
14 implied importance of my role with updating
15 the ITE manual, but I will say while I may
16 not have done it, there are professionals
17 who do this routinely enough that the 12th
18 edition is currently in the works.

19 And I really do like what I do for a
20 living, but I don't know if I've gotten to
21 the point yet where I go and after the fact
22 perform traffic counts of existing sites.

23 MR. SCHUDA: And relevant to that,
24 there was a question about the number of

1 potential drivers that could be associated
2 with the new development, and at that
3 point, I believe you said you had no idea,
4 but you also said that the ITE manual
5 references, in cases where this occurs,
6 whether something's going on similar to the
7 site, I assume are establishing the number
8 of people.

9 So do you have an idea of how many
10 people in this development would be
11 drivers? Because you told Mr. Mahoney that
12 you didn't.

13 THE WITNESS: That was a long
14 question.

15 MR. SCHUDA: Yes, it is.

16 THE WITNESS: Could you perhaps break
17 it down into maybe a simple question?

18 MR. SCHUDA: Okay. How many people do
19 you believe will be driving in this
20 development?

21 THE WITNESS: I have no idea.

22 MR. SCHUDA: Okay. But you said the
23 manual references the number of people.

24 THE WITNESS: I don't believe I said

1 that.

2 MR. SCHUDA: Okay. Maybe I -- does
3 that sound right, Mr. Marlier? Did he
4 reference that?

5 MR. MARLIER: He referenced a lot.

6 MR. SCHUDA: Okay. Well, if I
7 misunderstood you, then I missed it, but I
8 thought there was some reference to the
9 fact that you said you did not know how
10 many drivers would be there, I agree there,
11 but the reference was that the manual had
12 reference to similar developments that had
13 developments of this nature could tell you
14 you would have 2.1 drivers or whatever the
15 number would be.

16 THE WITNESS: So I can clarify the
17 record. It really does not work like that.

18 For certain land use codes, ITE may
19 make available different variables that you
20 can choose to input into the model to get
21 an output of number of trips.

22 And, for example, if you have a large
23 industrial site, that might be expressed in
24 thousands of square feet of floor area or

1 acres.

2 So they might make both of those
3 variables available, but if you really look
4 at the data, the number of empirical
5 studies backing up either approach is
6 usually different.

7 So one is typically more robust and
8 probably a better predictor of total trips.

9 In my experience, for residential
10 developments, it's number of units that is
11 most commonly the variable that is chosen
12 to predict the traffic associated with a
13 residential development.

14 And whatever the number of bedrooms
15 is, whatever the number of residents,
16 however many cars they own or don't,
17 however many Amazon trips or garbage truck
18 trips, it's all baked into the data.

19 It's all in the observed traffic
20 counts that is then compared to whatever
21 the unit count is of that existing
22 community, bundled up and submitted to ITE
23 for them to review and consider.

24 So I really don't know. I don't

1 believe ITE prognosticates.

2 But even if they did, it really
3 doesn't matter, because the variable that
4 has the most robust number of studies is
5 typically unit count, and that's it.

6 MR. SCHUDA: So unit count, in other
7 words, will give you 38 units. There is no
8 associated number of drivers with 38 units.
9 Is that what I'm hearing?

10 THE WITNESS: No.

11 MR. SCHUDA: No what?

12 THE WITNESS: No, that is not what you
13 are hearing.

14 MR. SCHUDA: What am I hearing then?
15 Maybe I'm just missing the point here. I
16 don't know if others question this as well.

17 THE WITNESS: Well, the hour's getting
18 late. So the number of units is usually
19 the variable entered into ITE models to
20 produce a predicted number of trips during
21 these peak hours. That's the only thing
22 that's entered.

23 You don't enter the number of adults
24 driving. ITE does not give an output of

1 the number of adults driving. It just says
2 38 attached single-family homes, 20 peak
3 hour trips. That's it.

4 MR. SCHUDA: That's a very broad
5 assumption.

6 THE WITNESS: It's not an assumption.
7 It's based on, in some cases, hundreds of
8 real world empirical data that others
9 submit to ITE for their impartial
10 consideration.

11 They have no affiliation with
12 applicants. They have no affiliation with
13 builders.

14 MR. SCHUDA: I understand. Is that a
15 public document?

16 THE WITNESS: It is. It's not cheap.
17 I could lend you --

18 MR. SCHUDA: No, no. But, I mean, is
19 it, like if I went to the library, could I
20 access that?

21 THE WITNESS: I don't know. I doubt
22 it. You could go to ITE.org.

23 MR. SCHUDA: Okay. Thank you.

24 THE WITNESS: Anyone can order it.

1 MR. SCHUDA: Okay. I appreciate it.
2 No more questions.

3 MR. RICE: Kaitlin Silver?

4 - - -

5 (No response.)

6 - - -

7 MR. RICE: Gregory Szary?

8 MR. SZARY: Yes. Gregory Szary,
9 S-Z-A-R-Y, Forrest Lane, 6 Forrest Lane.

10 I have several questions for you, and
11 most of them are going to focus on
12 Strafford Avenue and its relationship to
13 the traffic in and out of the development.

14 So at this point, the plan we're
15 looking at has two driveways for this loop
16 road, the internal drive; is that correct?

17 THE WITNESS: Yes.

18 MR. SZARY: And those enter and exit
19 on Strafford Avenue only; correct?

20 THE WITNESS: Yes.

21 MR. SZARY: So people coming and going
22 to this site on Strafford Avenue have a
23 choice of going east on Strafford or west
24 on Strafford when they leave?

1 THE WITNESS: East or west, yes.

2 MR. SZARY: And when they're arriving,
3 they're coming from the east or the west;
4 correct?

5 THE WITNESS: Yes.

6 MR. SZARY: Okay. If we follow
7 Strafford Avenue to the west, it intersects
8 Hedgerow Road; correct?

9 THE WITNESS: Yes.

10 MR. SZARY: And that's where you
11 conducted one of your traffic studies?

12 THE WITNESS: Correct.

13 MR. SZARY: Is Hedgerow Road a through
14 street?

15 THE WITNESS: No.

16 MR. SZARY: So the traffic heading
17 down Strafford Avenue going west would not
18 likely turn onto Hedgerow unless they were
19 visiting somebody who lived on Hedgerow?

20 THE WITNESS: Correct.

21 MR. SZARY: Okay. The next
22 intersection is Strafford and Grant, and
23 you did a traffic study at that location;
24 correct?

1 THE WITNESS: Yes.

2 MR. SZARY: Is Grant a through street?

3 THE WITNESS: No.

4 MR. SZARY: So the same scenario.

5 Only people that would be visiting someone
6 on Grant Street would be turning down Grant
7 Street; correct?

8 THE WITNESS: You're batting a
9 thousand.

10 MR. SZARY: Okay. So that all of the
11 traffic leaving the site heading west on
12 Strafford continue to the next available
13 road, which is Old Eagle School Road;
14 correct?

15 THE WITNESS: Yes.

16 MR. SZARY: And you did not do a study
17 considering Old Eagle School Road; correct?

18 THE WITNESS: It's not part of the
19 township. That's correct.

20 MR. SZARY: Is the township a
21 definitive line that you're not allowed to
22 cross for these studies?

23 THE WITNESS: In my experience, when
24 you prepare an application in a township,

1 you do tend to focus on that township, but
2 not always.

3 MR. SZARY: Not always. So a property
4 such as this that literally borders the
5 township line may consider an intersection
6 that is outside of the township if it is
7 one of the two possible paths leading away
8 from the site; correct?

9 THE WITNESS: That's correct. And as
10 you probably heard earlier during my cross,
11 I pointed out that it's the closeness of
12 the next downstream intersection that is
13 one of the variables traffic engineers use
14 to decide whether or not to include it.

15 The second variable is whether or not
16 those subsequent downstream intersections
17 have more total traffic or possibly have
18 more total traffic than the nearer
19 intersections, because all that does is
20 serve to further dilute the impact of the
21 site and make it that much less likely that
22 the impact of those intersections will be
23 measurable.

24 MR. SZARY: I understand.

1 THE WITNESS: Okay. Good.

2 MR. SZARY: Thank you. So then the
3 other end of Strafford Avenue, Strafford
4 Avenue intersects Eagle Road, and you did a
5 study at that location; correct?

6 THE WITNESS: I did.

7 MR. SZARY: Okay. And Strafford
8 Avenue continues on and intersects
9 Lancaster Avenue.

10 Did you do a traffic study at that
11 location?

12 THE WITNESS: No.

13 MR. SZARY: Okay. So a majority of
14 the traffic heading east on Strafford
15 Avenue have an option of turning onto Eagle
16 Road or going straight to Lancaster Avenue.

17 So 50 percent of the people leaving
18 Strafford Avenue on average may drive
19 through the intersection of Eagle to
20 Lancaster Avenue; correct?

21 THE WITNESS: That's possible.

22 MR. SZARY: Wouldn't that have a
23 consideration on traffic flow and
24 evaluation of traffic counts?

1 THE WITNESS: I don't know what you
2 mean by "consideration."

3 MR. SZARY: Well, the efficiency of
4 the roadway relative to the added number of
5 vehicles generated by this property.

6 THE WITNESS: As I just testified,
7 which was a repeat of an earlier
8 cross-examination, I've given the best
9 answer I can as to why I chose the study
10 areas.

11 You may keep asking me these
12 questions, but I'm not sure I'll give you a
13 better answer.

14 MR. SZARY: Okay. Thank you. Does
15 the traffic study consider existing through
16 traffic on Strafford Avenue?

17 THE WITNESS: Of course.

18 MR. SZARY: And as you've stated
19 earlier, you did not consider the retail
20 activity generated by, say, the farmers
21 market for added traffic onto Strafford
22 Avenue?

23 THE WITNESS: It appears the farmers
24 market was closed during the traffic counts

1 and would have been not contributing to at
2 least one of the peak hours, even if it
3 were open.

4 MR. SZARY: Okay. A lot of people
5 answered, already asked these questions, so
6 I'm going to filter through these. Bear
7 with me a moment, please.

8 THE WITNESS: Of course.

9 MR. SZARY: When traffic flows
10 through --

11 THE WITNESS: While we're on the
12 notion of the farmers market, I have not
13 been to the farmers market, but Google
14 Maps, as well as the farmers market's own
15 website, says they're open three days:

16 Wednesday, from 6:00 to 4:00; Friday,
17 6:00 to 4:00; and Saturday, 6:00 to 4:00.

18 MR. RILEY: Yes. Everybody knows
19 that.

20 THE WITNESS: Well, earlier one of the
21 residents pointed out other days.

22 UNIDENTIFIED SPEAKER: No, they
23 didn't.

24 THE WITNESS: Yes, he did. Okay. It

1 will be in the record.

2 MR. RILEY: Thank you.

3 MR. SZARY: Now, let's see. That
4 can't be the last.

5 You had indicated that you did not
6 take credit for traffic, I'm trying to
7 recall the words, but people leaving the
8 site and visiting some of the adjacent
9 retail.

10 I believe you were alluding to the
11 fact that they may do it on foot rather
12 than vehicular.

13 THE WITNESS: Well, I specifically
14 said I took no credits for the existing
15 residential activity on the site, and I
16 took no credits for potential mass transit
17 patronage relative to the nearby SEPTA
18 Route 106 and the nearby regional rail.

19 I think later during the course of my
20 direct we just happened to point out that
21 sheet four of A-12 shows that there is a
22 proposed pedestrian connection to a retail
23 opportunity to the south, and it is
24 possible that what may be some automotive

1 traffic could instead become a pedestrian
2 trip and utilize that path to patronize the
3 shops to the south.

4 MR. SZARY: All right. So conversely
5 to that, there may be additional traffic on
6 Strafford Avenue related to, and we talked
7 already about the potential for the farmers
8 market, but the train station as well,
9 people accessing the parking lot for the
10 SEPTA train station, the entrances off of
11 Strafford Avenue.

12 The only entrance is off of Strafford
13 Avenue for that southern side of the train
14 station. So in the morning --

15 MR. RICE: Mr. Szary, is there a
16 question there?

17 MR. SZARY: Yes. I'm asking if he
18 considered the fact that in the morning
19 that there will be additional cars on
20 Strafford Avenue trying to get into the
21 parking lot not only to park the car and
22 get on a train, but also to drop people
23 off.

24 So there's going to be a greater

1 number of vehicles using Strafford Avenue
2 than what the train station parking lot may
3 indicate. Was that taken into
4 consideration?

5 THE WITNESS: The short answer is,
6 yes, we conducted traffic counts along
7 Strafford Avenue, obviously, some of that
8 activity going to and from the train
9 station, so it was baked into the traffic
10 counts that were done.

11 MR. SZARY: Okay. Thank you. The
12 traffic counts identified in ITE, the
13 variables, those variables are a
14 conglomeration of input derived by other
15 professionals such as yourself submitting
16 to ITE; is that correct?

17 THE WITNESS: That's my understanding,
18 yes.

19 MR. SZARY: Okay. And those are sort
20 of, so they took all those numbers and
21 create an average number to be able to
22 generate this variable?

23 THE WITNESS: Depending on how robust
24 the data is, they will offer a linear

1 fitted curve and a nonlinear fitted curve.

2 MR. SZARY: Okay. So those numbers
3 can vary from what their projections are.
4 It could be higher, and it could be lower;
5 correct?

6 THE WITNESS: Are you asking me if
7 real world counts?

8 MR. SZARY: Real world counts.

9 THE WITNESS: Yes. All things are
10 possible.

11 MR. SZARY: Okay. So given a
12 particular scenario and neighborhood
13 structure, it's possible that the numbers
14 could, in fact, be different, the actual
15 numbers could, in fact, be different than
16 what ITE, the figures that you're using for
17 your calculation?

18 THE WITNESS: As I said, it's
19 possible.

20 MR. SZARY: Thank you. For internal
21 traffic flow, let's take a look at the
22 internal road now.

23 Do we know, do you know how mail will
24 be delivered to the residences on this

1 road, on the internal drive?

2 THE WITNESS: As we are at conditional
3 use, I have not gotten into that minutiae
4 of detail.

5 MR. SZARY: If the mail is delivered
6 to a central location -- I'm speculating,
7 and I want to ask your opinion about this.

8 If the mail is delivered to a specific
9 location within the property and residents
10 are required to go to that location to pick
11 up their mail or drop off outgoing mail,
12 could that affect how your numbers are
13 calculated based on how people use the
14 Drive A and Drive B?

15 In other words, if that mail center
16 was closer to Drive B, would people tend to
17 use Drive B more frequently to stop at the
18 mail center in the mornings to drop off and
19 the evenings to pick up?

20 THE WITNESS: Well, we're certainly
21 getting in the weeds now, but it's
22 certainly possible that the internal road
23 activity could be different if the mail was
24 delivered that way.

1 Whether or not it would have any
2 meaningful impact at the internal drive
3 intersections with Strafford, I think,
4 remains to be seen. Probably not.

5 MR. SZARY: Okay. I question that,
6 but we can't get into the weeds at this
7 point in time till we know more. I'll
8 leave that alone for the moment.

9 The last question for you is, the
10 existing site contains some dwelling units
11 currently; is that correct?

12 THE WITNESS: Yes.

13 MR. SZARY: Looking at an aerial
14 photograph, it looks like there may be two
15 or three residential units in addition to
16 greenhouses, garages, and other uses on the
17 site.

18 So if the existing site had, let's
19 say, three dwelling units, and those
20 dwelling units had the average number of
21 vehicles and people based on the ITE
22 requirements and the proposed development
23 has 38 units, we're looking at almost three
24 times the number of vehicles, vehicle

1 traffic leaving or entering Strafford
2 Avenue than currently.

3 Is that a correct statement?

4 THE WITNESS: I disagree with that
5 statement.

6 MR. SZARY: Can I ask for an
7 explanation?

8 THE WITNESS: Certainly. I believe
9 there's actually a total of six residential
10 units or dwellings. I think you're looking
11 just at the buildings.

12 My understanding, the, what's
13 referenced as the German house has four
14 apartments and that there are one or two
15 other apartments as well, one above the
16 garage, I believe, and in addition to that
17 activity, there was a greenhouse.

18 This was a working estate at one
19 point. There were staff that were coming
20 and going and generating employee-type
21 traffic, if you will.

22 So I think you may have
23 under-represented the potential
24 relationship. I don't think it's

1 tripling.

2 MR. SZARY: So it would be a factor,
3 an increase by some number?

4 THE WITNESS: Yes, um-hum.

5 MR. SZARY: That's all I needed to
6 ask. Thank you very much.

7 THE WITNESS: Sure.

8 MR. RICE: Sharon and David Willis?

9 MS. WILLIS: Sharon Willis. You made
10 reference, quite a few references to
11 pedestrian traffic in your testimony.

12 Did your study include pedestrian
13 traffic or safety?

14 THE WITNESS: Can you explain a little
15 bit more about what you mean by --

16 MS. WILLIS: Well, you've clarified.
17 You counted cars going by.

18 Did you make any counts of pedestrian
19 traffic during your study, pedestrians
20 walking up and down the street?

21 THE WITNESS: My recollection is
22 that, we have cameras that are programmed
23 to collect data, and I believe they were
24 programmed to collect bicycle and

1 pedestrian data as well, but there's
2 simply, there was very low or not any at
3 all.

4 MS. WILLIS: Okay.

5 THE WITNESS: You need a lot of
6 pedestrian activity for it to have a
7 meaningful impact on level of service.

8 You can certainly say there's five
9 pedestrians an hour walking along Strafford
10 Avenue, and it would be an interesting
11 comment, but it doesn't really impact the
12 conclusions.

13 MS. WILLIS: And does the ITE have
14 any data on pedestrian traffic, like any
15 references for pedestrians?

16 THE WITNESS: Indeed they do. This
17 whole notion of active transportation has
18 gathered a lot of steam in the last two
19 decades.

20 And whereas all of these nomographs
21 were previously really just vehicles, ITE
22 is now really refining their data, and for
23 certain land use codes, it does offer
24 predictions about bicycle trip generation,

1 pedestrian trip generation.

2 It's still relatively new, and numbers
3 are usually quite small, especially for
4 units that are, you know, two or three
5 dozen residential houses might be three or
6 four pedestrian trips.

7 MS. WILLIS: So last question. So a
8 previous neighbor asked about continuing
9 sidewalks to Lancaster Avenue, and I do
10 appreciate the sidewalks that are going
11 around the development. I think that's
12 wonderful.

13 But coming down Strafford Avenue
14 towards the direction where I live, the
15 sidewalk ends, and it doesn't connect with
16 any sidewalk.

17 And my concern, well, my question is,
18 do you think pedestrians can safely walk to
19 the public transportation you referenced?

20 THE WITNESS: Well --

21 MS. WILLIS: If there's not contiguous
22 sidewalks?

23 THE WITNESS: An applicant can only
24 contribute what the applicant controls.

1 (No response.)

2 - - -

3 MR. RICE: Okay. That's the resident
4 parties.

5 Mr. Schuda?

6 MR. SCHUDA: I just want to redirect
7 one more question.

8 MR. RICE: Well, let's hold that for a
9 minute.

10 MR. SCHUDA: Okay.

11 MR. RICE: And the board had
12 questions. Okay?

13 And maybe one of your questions,
14 whatever that is, might get asked by
15 somebody else.

16 So let's go with, we'll start all the
17 way to the left.

18 - - -

19 CROSS EXAMINATION

20 - - -

21 THE PRESIDENT: Sure. I'll start. I
22 have very few simple questions, I think.
23 Who decides which intersections to study on
24 a traffic study?

1 Is it you or your company, or is it
2 suggested that these are busy intersections
3 around? Or how is that determined?

4 THE WITNESS: So there's really no
5 one-size-fits-all answer to that question,
6 because you might have a study area where
7 the intersections are very widely spaced.
8 It could be a mile apart from one another.

9 So to say you should look at every
10 intersection in a half mile radius could be
11 meaningless in a case like that.

12 Likewise, you could be in really an
13 urban environment where you have incredible
14 density.

15 So the general rule is, as I believe I
16 stated earlier, obviously look at the
17 intersections that are closest and most
18 impacted, and then you have to exercise
19 some engineering judgment about how far
20 you're going.

21 A traffic engineer would probably love
22 to look at a hundred intersections in every
23 study. They could be very busy.

24 But the reality is, if you don't have

1 meaningful impact at the closest
2 intersections, you probably don't have to
3 go much further.

4 Anyone can reasonably think maybe I
5 have a problem with bias because I'm here
6 representing the applicant, and the only
7 thing I can say to that is, those persons
8 could take some comfort in knowing that the
9 township traffic engineer formerly
10 acknowledged that this was conducted in
11 accordance with general traffic engineering
12 principles.

13 He went so far as to restate the
14 conclusion in Exhibit A-20. So I believe
15 the study area is reasonable, and that's
16 essentially how it was decided.

17 MR. RICE: But who decided? I think
18 that was the question.

19 THE WITNESS: It was my decision.

20 THE PRESIDENT: Yes. He alluded to
21 that. Let me think how to phrase this next
22 question.

23 I think that what you've heard from
24 some of the residents is that there are, in

1 fact, much busier, more complicated
2 intersections close or closer than the ones
3 you've studied.

4 Did you have any look at those at
5 all, the ones at Eagle, I mean, Strafford
6 and Lancaster?

7 THE WITNESS: No.

8 THE PRESIDENT: Okay. Is there a
9 crosswalk at the intersection of Eagle and
10 Strafford, a pedestrian crosswalk? Sorry.
11 I believe I know the answer.

12 THE WITNESS: I believe there is.
13 The markings are very faded. This is an
14 all-way stop controlled intersection.

15 THE PRESIDENT: Correct.

16 THE WITNESS: So every approach has to
17 stop. There are stop signs. There are
18 stop bars.

19 And there is only -- there are only
20 two sidewalks and two ADA ramps, and they
21 are on the northwest corner where those new
22 homes were built.

23 As I'm sure you know, townships
24 usually do a piecemeal approach.

1 THE PRESIDENT: Sure. No, I get that.
2 Can you tell me if Eagle Road is a PennDOT
3 road or a township road, and the same with
4 Strafford.

5 THE WITNESS: Strafford is not. I
6 believe Eagle is, but I would need to check
7 that.

8 THE PRESIDENT: Okay. That's it for
9 me.

10 MS. AGNEW: Hi. Did you take into
11 account that the traffic from the shopping
12 center empties onto Strafford Avenue, the
13 ingress and egress onto Strafford Avenue?

14 THE WITNESS: Essentially, yes. Any
15 driveway along Strafford, along Eagle that
16 is contributing traffic was reflected in
17 the traffic counts.

18 MS. AGNEW: But not for Saturday or
19 Wednesday or Friday.

20 THE WITNESS: Correct. That is
21 correct.

22 MS. AGNEW: What year is the manual
23 that you use? What year is that published?

24 THE WITNESS: Well, in my haste to

1 come here tonight, I actually, just for
2 visual purposes, grabbed the 10th edition,
3 I'm noticing now, which was published
4 September 2017.

5 A-20 actually makes reference to the
6 11th edition, which I believe was published
7 2020 or 2021.

8 MS. AGNEW: It's 2021. That was two
9 years before the traffic study?

10 THE WITNESS: Yes.

11 MS. AGNEW: And is that taken into
12 consideration, the change in traffic
13 because of COVID, because of people working
14 from home?

15 THE WITNESS: It's certainly
16 potentially possible, depending on, as I
17 said, ITE is always receiving data, and
18 since the pandemic really had its greatest
19 effect in 2020, if something was published
20 two or three years later, it's potentially
21 possible that some empirical data was
22 included.

23 If anything, as I believe maybe some
24 of the residents may have alluded to, some

1 traffic seems to be going down.

2 People tend to be working hybrid days
3 and not always commuting every day like
4 maybe they did in 2019.

5 There may be an increase in online
6 shopping activity, which could have the
7 effect of reducing traffic as well.

8 The Amazon van in my neighborhood
9 doesn't just come to my house. They stop
10 at several locations.

11 And instead of having several people
12 make individual shopping trips, now you
13 have one van replacing all of those
14 individual trips.

15 So, if anything, I think you could
16 offer an argument that the most recent
17 editions of the trip generation manual
18 could overstate the traffic activity.

19 MS. AGNEW: And it could understate
20 as well, couldn't it? Because you're
21 speculating one way or the other.

22 THE WITNESS: I am speculating, but
23 I'm not sure how I would speculate the
24 converse.

1 I also have with me tonight other
2 traffic studies that were performed by
3 other traffic engineers in this township
4 relatively recently, and they, too, made
5 use of the 11th edition of the trip
6 generation manual, for example.

7 MS. AGNEW: And when you visited St.
8 Honore, which you referred to in your
9 testimony, was there going to be a problem
10 with traffic, increased traffic from the
11 St. Honore development?

12 THE WITNESS: Was there going to be a
13 problem?

14 MS. AGNEW: Yes. Was there going to
15 be more traffic because of St. Honore?

16 THE WITNESS: St. Honore, you know,
17 being about ten single-family homes, will
18 contribute, it will contribute some
19 traffic, but it's not going to have a
20 meaningful impact in terms of making things
21 significantly worse.

22 It was included in A-20 as other
23 development traffic. And as the Level of
24 Service Comparison Tables show, the needle

1 didn't even move.

2 I mean, the predicted delays, the
3 predicted letters, level of service, didn't
4 change. That's with the addition of this
5 applicant's traffic and St. Honore's
6 traffic.

7 MS. AGNEW: And so that's taken from
8 an estimate that's in the book, or is that
9 actual counts that you did?

10 In other words, put it this way. How
11 many houses? Is it ten houses in St.
12 Honore? Fourteen houses?

13 THE WITNESS: Yes. My report dated 14
14 September 2022 does reference 14 units.

15 MS. AGNEW: Fourteen units. Okay.
16 With regard to the train station, the
17 Strafford Avenue train station, that would
18 reduce traffic if people use the train?

19 THE WITNESS: It's possible.

20 MS. AGNEW: Possible or probable?

21 THE WITNESS: If people use the train
22 station instead of taking their cars, say,
23 to center city, then certainly some
24 intersections between their home and center

1 city will not have that automotive traffic.

2 Of course, there will still be some
3 automotive traffic along Strafford between
4 their home and the rail station.

5 MS. AGNEW: It would increase -- it
6 would, therefore, it would then increase
7 the traffic on Strafford Avenue going to
8 the train station?

9 THE WITNESS: If they chose to drive
10 there.

11 MS. AGNEW: Could they walk to the
12 station?

13 THE WITNESS: They could.

14 MS. AGNEW: Would it be safe?

15 THE WITNESS: As a pedestrian, you're
16 allowed to walk to anyplace.

17 MS. AGNEW: That's not my question.
18 Could they walk safely?

19 THE WITNESS: It would be safer if
20 there were sidewalks, sidewalks beyond the
21 applicant's frontage, sure. That could be
22 built today, irrespective of this
23 application.

24 MS. AGNEW: Thank you.

1 THE WITNESS: You're welcome.

2 MR. LARKIN: Do you know if Drive A
3 and B will receive street names?

4 THE WITNESS: I really -- I'm
5 typically not involved in that, so I don't
6 know. I mean, that's probably more land
7 development.

8 MR. LARKIN: Would it be normal for
9 them to receive street names?

10 Are these homes all going to be 123
11 Eagle Road, 223 Eagle Road, 323, or are
12 they going to have some street name?

13 THE WITNESS: I really don't know.

14 MR. LARKIN: Who would know that?

15 THE WITNESS: It might be a better
16 question for the civil engineer, I mean,
17 but I have never gotten into that in my
18 experience.

19 MR. BROSEMAN: I would suggest that's
20 a question for land development and
21 permitting, not a conditional use.

22 There's many communities like this in
23 Pennsylvania, and they, the units get
24 addresses. It's usually worked out at the

1 time of permitting, in my experience.

2 MR. LARKIN: Okay. I'm hearing I
3 don't know, so I'll address the question to
4 someone else.

5 Is there going to be a speed limit for
6 Drive A and Drive B?

7 THE WITNESS: It's possible.

8 MR. LARKIN: Do you know what the
9 speed limit would be?

10 THE WITNESS: No.

11 MR. LARKIN: How would the speed limit
12 be signed?

13 THE WITNESS: I imagine with standard
14 post-mounted signs.

15 MS. MULRONEY: Can you move your hand?

16 THE WITNESS: I imagine with standard
17 post-mounted speed limit signs.

18 MR. LARKIN: How would the speed limit
19 be policed?

20 THE WITNESS: I don't know.

21 MR. LARKIN: Would it be the police?

22 THE WITNESS: I don't know.

23 MR. LARKIN: Are there going to be any
24 crosswalks across Drive A or across B to

1 get from the side without sidewalks to the
2 side with sidewalks and vice versa?

3 THE WITNESS: Possibility.

4 MR. LARKIN: As a traffic engineer, do
5 you think that they would be a good idea?

6 THE WITNESS: Perhaps.

7 MR. LARKIN: Is there a reason why you
8 don't have an answer for that other than
9 "perhaps"?

10 THE WITNESS: Because there are
11 situations where you have driveways that do
12 not have striped crosswalks, and you have
13 sidewalks on either side.

14 MR. LARKIN: Keeping up page four of
15 17 on A-12 and turning to page 11 of your
16 report, I see on sheet four of 17 in
17 Exhibit A-12 what looks to be like one,
18 two, three, four, five parking spaces in
19 the southeastern parking area and what look
20 to me like nine spaces in the southeastern
21 parking area on page 11 of your report.

22 Can you explain the difference?

23 THE WITNESS: The evolution of the
24 site plans from when my report was

1 published to the present.

2 MR. LARKIN: Okay. Page four of 17 in
3 sheet A-12 has 38 townhomes, I believe; is
4 that correct?

5 THE WITNESS: It sounds correct.

6 MR. LARKIN: And your report on page
7 11 describes a 38-townhome development; is
8 that correct?

9 THE WITNESS: I'll take you at your
10 word.

11 MR. LARKIN: When I look at the image
12 on page 11, I count 39 townhomes.

13 Is the image on page 11 an older
14 version of the plan that you relied on
15 while you were creating your report?

16 THE WITNESS: Yes.

17 MR. LARKIN: Is there a reason why you
18 used the older version of the plan and not
19 the newer version of the plan?

20 Or perhaps since we're getting a
21 little bit late in the evening, I'll just
22 cut to the heart of it.

23 In evaluating the plan and reaching
24 the conclusions that you did, did you rely

1 on the older plan, which is depicted on
2 page 11, or the newer plan, which is
3 depicted on sheet four of 17 of Exhibit
4 A-12?

5 THE WITNESS: So page 11 of A-20 is
6 meant to aid the reader in giving some
7 illustrative sense of what the project is
8 about.

9 It's not intended to be a substitute
10 for the plan set. And obviously, as I said
11 earlier, plans do have an evolutionary
12 nature.

13 The extent to which I relied on this
14 figure in my work product was very little,
15 if anything, because again, this was an
16 instrument just to benefit the reader in
17 orienting him or herself as to the project.

18 As you correctly pointed out, I
19 believe, this may have been showing
20 39 units.

21 So if I did rely on this plan to any
22 extent, it is actually conservative and
23 overstated the trip generation potential.

24 MR. LARKIN: Okay. This image calls

1 the drive Road A and Road B. Sheet four of
2 17 on Exhibit A-12 calls them Drive A and
3 Drive B.

4 They look to me, with the exception
5 of the number of parking spaces in the
6 southern, southeastern parking area, to be
7 substantively identical.

8 What is the difference between the two
9 from a traffic engineering standpoint?

10 THE WITNESS: Nomenclature.

11 MR. LARKIN: Could you expand on that?

12 THE WITNESS: Yes. There really is no
13 difference. It's just strictly
14 nomenclature.

15 MR. LARKIN: So if we called it a
16 street, it would be a street, and if we
17 called it a drive, it would be a drive?

18 THE WITNESS: If you chose to do that,
19 sure.

20 MR. LARKIN: Do driveways typically
21 have speed limits?

22 THE WITNESS: I believe if you have a
23 residential community with internal drives,
24 it's possible there might be posted speed

1 limits, depending on the size of that
2 community.

3 MR. LARKIN: When you say "internal
4 drives," those are not the drives that lead
5 to houses though; right?

6 I don't want to testify too much, but
7 there's no speed limit in my driveway.

8 It's like 30 feet long, but if you
9 think you can do a hundred miles per
10 30 feet, you're welcome to do so.

11 THE WITNESS: I'm not talking about
12 individual driveways. I'm talking about
13 common drives.

14 MR. LARKIN: Okay. That's all I've
15 got. Thank you.

16 MS. MULRONEY: Hi. Just picking up a
17 little bit on drive versus street, I have a
18 different question.

19 When I look at any of the plans, it
20 looks like it starts from one point and
21 circles all the way around to another.

22 Why is it two names, whether it's
23 Road A or Road B or Drive A or Drive B?

24 Is there any division of those two

1 drives that create two different drives
2 that require two different nomenclatures,
3 or is it one path through?

4 THE WITNESS: I really don't know. I
5 did not prepare the plans as to why they
6 have different designations.

7 MS. MULRONEY: Thank you. Are you
8 seeing the plans the same way I am, that
9 it's a full throughway?

10 You can start at one end, make it all
11 the way to the other without hitting any
12 divisions?

13 THE WITNESS: I understand what you're
14 saying, yes.

15 MS. MULRONEY: Okay. Are there -- so
16 we talked a lot about how many cars could
17 be side to side on the individual
18 driveways.

19 So at the length -- the numbers are
20 really small. I'm trying to remember.

21 The length is 20, and the width is 19
22 for the smallest, and then there's some
23 longer ones on the corner.

24 THE WITNESS: Exactly. It appears

1 some are 22 feet deep and some are maybe 60
2 or 80 feet deep over a curvilinear
3 distance.

4 MS. MULRONEY: On the shorter ones,
5 the 20, how many cars could be parked end
6 to end, nose to tail, behind one another?

7 We talked about side to side. I get
8 that. Can you park two cars in front of a
9 garage?

10 THE WITNESS: Only if they were very
11 small cars.

12 MS. MULRONEY: Small cars. So it's a
13 possibility, doing the math, two cars in
14 the garage, four cars in the driveway per
15 unit for parties, visitors, residents,
16 whoever, but potentially on the smaller
17 ones, you could get six cars, do you
18 believe?

19 THE WITNESS: It would be a stretch.

20 MS. MULRONEY: Six small cars.

21 THE WITNESS: I have --

22 MS. MULRONEY: When I drove in,
23 somebody has a Smart Car out there.

24 THE WITNESS: That's mine.

1 MS. MULRONEY: Is it?

2 THE WITNESS: I shouldn't say that,
3 because now I'm a target. But I could fit
4 four of those, for sure.

5 MS. MULRONEY: Yes.

6 THE WITNESS: It's a great car, by the
7 way.

8 MS. MULRONEY: I have heard good
9 things. So is there -- are there other
10 parking spots in the plan that aren't
11 driveways in front of a house?

12 Are there visitor spots? Are there --
13 is there parking along the drive?

14 THE WITNESS: Yes, I believe there
15 are.

16 MS. MULRONEY: Do you know how many?

17 THE WITNESS: I think it's ten.

18 MS. MULRONEY: I won't hold you to it,
19 but about ten?

20 THE WITNESS: Ten.

21 MS. MULRONEY: And I think, I'm
22 looking at the plans, there's a bump-out
23 on, I don't know the direction, but I'm
24 going to call it the lower right, depending

1 on which plan you're looking at, there's a
2 few cars there, and then also on that other
3 curve on the lower left, there would be
4 parallel parking around that curve.

5 Is that -- are we reading the same?

6 THE WITNESS: Yes. We're looking --
7 the projector shows sheet four of A-12, the
8 bottom center, there's a parking summary
9 table.

10 The parking is code compliant, and
11 it's actually broken down by units and the
12 overflow parking spots.

13 MS. MULRONEY: So I notice that your
14 office is in Wynnewood.

15 Do you do plans in your work or maybe
16 in your firm, do you work locally here? Is
17 most of your work on the Main Line?

18 Are most of the studies you do in the
19 Main Line area, Radnor and beyond?

20 THE WITNESS: I would say most of my
21 effort, most of my process, I book about 30
22 jobs a year, so I've done about 600 on my
23 own for the last 20 years, and most of them
24 are probably within a 30-mile radius.

1 MS. MULRONEY: Have you ever been
2 hired to come back and -- I've heard
3 someone speak, I think it was in cross,
4 about doing a post-development study.

5 Have you, in your experience, ever
6 been hired by either a developer or a
7 township to look again after a development
8 has been built to kind of compare your
9 studies and see accuracy, changes, that
10 sort of thing?

11 THE WITNESS: That's actually a very
12 common, or at least at one time was a
13 common requirement in Lower Merion
14 Township.

15 They actually would require an
16 applicant to escrow for a post-development
17 traffic study, and often enough I was asked
18 to do that. So, yes.

19 MS. MULRONEY: And what is your
20 success rate? Anecdotally, do you think
21 that your post studies kind of jive with
22 what you had presented to start with?

23 THE WITNESS: Well, so first, to be
24 clear, the post-development traffic study

1 is never a quantification of driveway
2 activity to compare it to the ITE
3 predictions.

4 MS. MULRONEY: No, I'm not talking
5 driveway now. We're off driveways. Road
6 traffic.

7 THE WITNESS: So usually the
8 requirement is if there's one, two, three
9 intersections that were studied, that you
10 go back, after everything is built and
11 occupied, and do new counts and see whether
12 or not things are better or worse or
13 similar to what you predicted.

14 It's never been significantly worse.
15 It's never been significantly better. It's
16 always pretty much been in that range.

17 And it's not entirely surprising,
18 because there's other contributions to the
19 traffic picture. It's not just this one
20 application.

21 So if you're doing a count on
22 Montgomery Avenue, I'm picking on
23 Montgomery Avenue, I mean, you've got 2,000
24 vehicles an hour going in two directions.

1 If you have a 60-unit attached
2 housing condos, it sounds like a lot. In
3 the big scheme of things, it doesn't really
4 have much impact, and it's always been
5 proven, in my experience.

6 MS. MULRONEY: I think all of my other
7 questions were asked by others. Thank you
8 very much.

9 THE WITNESS: You're welcome.

10 MR. RILEY: Hi.

11 THE WITNESS: Hello.

12 MR. RILEY: Are you from this area? I
13 guess you just said that. Nearby.

14 THE WITNESS: I was born and raised in
15 southwest Philadelphia.

16 MR. RILEY: So I know in the traffic
17 study, certain ones you didn't do. You
18 didn't do Strafford down to Old Eagle.

19 That road is used as a cut-through,
20 Strafford, to get to Old Eagle to get away
21 from Lancaster Pike.

22 Also, people have mentioned where
23 Eagle Road hits Lancaster Avenue, there's a
24 Wayne Farmers Market.

1 I think a better weekday would have
2 been Wednesday or Friday, Saturday also
3 works, if you want to see traffic.

4 I know the study that you did, you
5 projected 274 trips, daily trips.

6 I know those two spots I just
7 mentioned are outside your study, but they
8 already are bad, so it's certainly going to
9 add to that.

10 Also, I think somebody mentioned
11 sidewalks. It would be nice to have
12 sidewalks leaving the place to get to the
13 train station, so then people would be
14 using it more, don't you think?

15 THE WITNESS: Certainly. I mean, that
16 could certainly be pursued. It has nothing
17 to do with this application. It has
18 nothing to do with any of the existing
19 residents along Strafford Avenue.

20 That's a facility that can be pursued
21 at any time by any entity, whether it's the
22 township, PennDOT, whoever wants to do the
23 work.

24 An applicant can only do what the

1 applicant can control. And again, we're
2 really getting more into land development,
3 in my opinion, than conditional use.

4 This proposal generates less traffic
5 than what the single family -- 31 single-
6 family homes, according to ITE, will
7 generate meaningfully more traffic than 38
8 attached homes.

9 It's not my opinion. I didn't come up
10 with that. That's what ITE says.

11 So if you're really deciding whether
12 or not this is better for the community
13 versus the single-family homes, forgetting
14 the sidewalk issue, this generates less
15 traffic, and the applicant is offering to
16 provide what appear to be desperately-
17 needed pedestrian facilities to the extent
18 the applicant can.

19 MR. RILEY: Thank you.

20 MR. COATES: Hey, how are you doing?

21 THE WITNESS: Fine, thank you.

22 MR. COATES: I know it's been a long
23 day, so I'll try to be fast. My questions
24 are more just to help me understand your

1 report.

2 So in page three, you talked about the
3 peak trip generation, and then in the
4 conclusion, it says there's no measurable
5 change in performance, like this won't have
6 really any meaningful impact.

7 What would be "measurable"?

8 THE WITNESS: So to answer your
9 question, I made reference to page eight of
10 A-20.

11 Something measurable would be
12 something that doesn't generate those
13 little double hyphens, something where I
14 can actually use my computer program and
15 see that there's an increase in delay.

16 And even then, you know, 20 versus 21
17 or 20 versus 24 seconds, just like in your
18 own experience.

19 If you go through an intersection and
20 you happen to wait 20 seconds, and then the
21 next day you go through and you wait
22 20 percent longer, which is four additional
23 seconds, no one is going to notice that.

24 MR. COATES: I'm trying to understand.

1 Twenty-four seconds is a long time. Let's
2 just use p.m. peak as an example, right,
3 the 22 trips.

4 Does that need to be 50 to be
5 measurable, or does that need to be a
6 hundred, or does it need to be like 26?

7 THE WITNESS: I mean, I didn't do the
8 analysis that you're asking, but looking in
9 the context of what I'm seeing, the level
10 of service, I think it's probably closer to
11 a hundred really.

12 MR. COATES: Closer to a hundred.
13 Thank you. Like 20 percent to goal.
14 That's the way people in my world think
15 about it.

16 So second question. The study is
17 based on this A-12 document, is that
18 correct, the A-12 plan?

19 And the picture on page 11, for
20 example, appears irrelevant. The A-12 plan
21 is what you used as the basis for the
22 study?

23 THE WITNESS: The study is largely
24 hinged on unit count and driveway number,

1 driveway placement.

2 When you get into little details like
3 the sidewalks and the off-street parking,
4 it doesn't really affect A-20 as much.

5 MR. COATES: The reason I'm asking,
6 there's multiple plans submitted, so it's
7 hard to keep track of like what's what.

8 So there is a plan with access to
9 Eagle Road. Would that change the outcome
10 of your report at all?

11 THE WITNESS: That's a very good
12 question. So the only result from having a
13 driveway directly onto Eagle is any traffic
14 that is, for example, exiting Drive A or
15 Drive B and turning right and going toward
16 Eagle and it then also turns right to head
17 south toward Lancaster, that traffic would
18 more than likely reassign itself to the
19 shortest path, mainly that Eagle Road
20 driveway.

21 So if that traffic is going to
22 Lancaster anyway, the only real difference
23 is going to be the impact at Eagle and
24 Strafford, because you're removing a trip

1 from that location.

2 MR. COATES: Right.

3 THE WITNESS: So, first of all, not
4 all of the traffic is going that way.
5 Maybe 20 percent, 25 percent might be doing
6 that.

7 We're talking about 20 total trips in
8 both directions. The long and short of it
9 is, it's not going to have a meaningful --

10 MR. COATES: Not meaningful, because
11 we need to be at a hundred; right?

12 We talked about the difference between
13 the 20s and the hundred, and then the
14 impact of an extra driveway probably
15 wouldn't have an effect.

16 THE WITNESS: Well, you're probably
17 teaching me a lesson tonight that maybe I
18 overused the word "meaningful."

19 MR. COATES: Don't give me that much
20 credit.

21 THE WITNESS: Again, I'm making
22 reference to the Level of Service
23 Comparison Table in A-20.

24 If there's no difference with the

1 traffic all being added, with this traffic
2 all being added to that intersection,
3 obviously subtracting some of it is not
4 going to have any impact either.

5 It's still going to be no -- that's
6 the only way I can answer it.

7 MR. COATES: No, I understand. Thank
8 you. And then I guess I had one other
9 question, and this is just to educate me.

10 You mentioned that 31 singles would
11 bring significantly more traffic based on
12 the handbook. Why is that?

13 THE WITNESS: Again, I didn't publish
14 it, so I'm just speculating. But, you
15 know, it really is significant. I ran the
16 calculations. They're not in A-20.

17 But instead of 18 trips in the
18 morning, it's 26 with 31 detached houses,
19 so it's a 50 percent increase, enough to be
20 meaningful.

21 But it's 50 percent more. In the
22 afternoon, it's 38 instead of 22.

23 And my only speculation is that
24 perhaps single-family detached houses are

1 larger than attached houses; maybe they
2 are, therefore, more expensive.

3 Maybe it is less likely that a single
4 occupant would buy one. Maybe it's more
5 likely to host a family that has multiple
6 drivers. I'm just speculating, but that is
7 what the answer is.

8 MR. COATES: Well, I appreciate the
9 answer, and I appreciate your time. Thank
10 you. That's all I have.

11 THE WITNESS: You're welcome.

12 MR. RICE: Mr. Tavani, I've got a
13 couple of questions.

14 - - -

15 CROSS EXAMINATION

16 - - -

17 MR. RICE: You referenced Gilmore's
18 traffic engineering review letter. I think
19 you have it here with you somewhere.

20 What's the date on that letter?

21 THE WITNESS: August 1st. I believe
22 it's marked as A-9 B.

23 MR. RICE: August 1st?

24 THE WITNESS: August 1, 2023.

1 MR. RICE: Okay. And do you have A-12
2 there in front of you, too?

3 THE WITNESS: I sure do.

4 MR. RICE: So sheet 12, if you go to
5 sheet 12, you were asked some questions
6 about truck-turning template plans.

7 Is that sheet 12; right?

8 THE WITNESS: Yes. I'm looking at
9 sheet 12 of A-12.

10 MR. RICE: Did you have any input on
11 these turning template plans, or was that
12 all Mr. Lambert?

13 THE WITNESS: It was really all Mr.
14 Lambert. Occasionally, the traffic
15 engineer and the civil engineer talk about
16 this, and if there's a problem that needs
17 to be addressed, then there might be some
18 more --

19 MR. RICE: Have you looked at this?

20 THE WITNESS: I looked at it, but I
21 didn't prepare it. I didn't consult with
22 any township personnel about the vehicles
23 that were chosen.

24 MR. RICE: Okay. But you don't have

1 an opinion whether it's accurate or it's a
2 safe turning plan at this point; is that
3 right?

4 THE WITNESS: I really don't. My
5 hands are full with just the traffic study.

6 MR. RICE: All right. And then you
7 were asked, and I'm still curious, because
8 this is the second application, and this
9 paved area has been called a road, even as
10 of August of last year, as of your May 15,
11 2023, you call it a road.

12 Who made the decision to call this a
13 drive from a road, do you know?

14 THE WITNESS: I believe it was a team
15 decision. I don't know. I can't recall
16 specifically who.

17 MR. RICE: Do you know whether a drive
18 has different construction standards in
19 Radnor Township under their ordinances than
20 if it's a road?

21 THE WITNESS: I believe that streets
22 have different standards than driveways.

23 MR. RICE: Okay. In the township's
24 ordinances; is that right?

1 THE WITNESS: I believe that's the
2 case. Again, I'm getting a little bit out
3 of my wheelhouse.

4 Even though it sounds like it's
5 related to traffic, I'm really a very
6 specialized person.

7 But it's my understanding that like
8 streets have 60-foot right-of-way and they
9 have other --

10 MR. RICE: Right. Okay. But you
11 didn't look at that.

12 When the change in nomenclature was
13 made, you didn't, you weren't involved in
14 the change in nomenclature, because that's
15 when Mr. --

16 MR. BROSEMAN: I'm going to object.
17 Mr. Rice seems to be cross-examining our
18 witness.

19 MR. RICE: I'm just trying to clarify
20 some inconsistencies, Mr. Broseman. I
21 think I have the right to do that. I'm not
22 cross-examining Mr. Tavani. I just --

23 MR. BROSEMAN: I'm objecting for the
24 record. I feel that you're cross-examining

1 the witness.

2 MR. RICE: I got it.

3 THE WITNESS: I didn't prepare the
4 plans.

5 MR. RICE: Okay. So the sidewalks,
6 just another question came up from some of
7 the residents' questions.

8 The internal sidewalks or the internal
9 sidewalk, it's on one side at this point,
10 and I think you said it would be safer if
11 there were more sidewalks for pedestrians.

12 That was, I think, your general
13 opinion. Whether onsite or offsite, you
14 thought it would be safer.

15 MR. BROSEMAN: I'd object. I don't
16 think he said that as to this plan. I
17 thought he said that the traffic was very
18 low.

19 MR. RICE: He can answer.

20 THE WITNESS: I was going to clarify.
21 That statement that I believe you're
22 referring to I believe I made later just in
23 terms of general context in the township,
24 that "more" term.

1 I think I testified differently as to
2 the internal sidewalk benefit.

3 MR. RICE: There's some traffic safety
4 in this internal paved area, because you
5 have a lot of what I'll call curb cuts,
6 right, on the outer perimeter, the curb
7 cuts being the individual driveways that
8 are hitting the big paved area, and then
9 you have a sidewalk on the same side.

10 Do you have any concerns about
11 pedestrian safety with that number of
12 driveways into the large paved area and
13 pedestrians walking along there, cars get
14 parked, and do you have any concern about
15 pedestrian safety?

16 THE WITNESS: I really don't. Your
17 characterization is not inaccurate. Along
18 the common internal drive there are
19 numerous curb cuts to the individual
20 driveway aprons.

21 I don't really know that there is
22 going to be hundreds of people walking
23 along the sidewalk, and I also don't know
24 that people exiting or entering individual

1 driveway aprons are going to be doing so at
2 very high speeds or that they have
3 conflicted lines of sight.

4 You can see very clearly that it won't
5 be difficult for, I believe, any motorist
6 navigating these internal driveway aprons
7 to see what's in front of them or behind
8 them.

9 So I don't believe just the number of
10 curb depressions constitutes a safety
11 concern.

12 MR. RICE: Okay. I don't have any
13 other questions.

14 Mr. Schuda, did you have anything
15 else?

16 MR. SCHUDA: Yes.

17 MR. RICE: Okay. Go ahead. A
18 question. Go ahead.

19 - - -

20 CROSS EXAMINATION

21 - - -

22 MR. SCHUDA: Joe Schuda, 14 Forrest
23 Lane. I want to beat the horse one more
24 time.

1 I think at least three times in your
2 testimony you referenced the ITE and 31
3 single homes versus 38 townhomes.

4 The impact of 31 single homes would
5 generate much more traffic; is that
6 correct?

7 THE WITNESS: According to ITE, yes.

8 MR. SCHUDA: Okay. What data and how
9 does that present itself in the ITE manual
10 that you can make, you know -- what are
11 they using to determine that?

12 I know you said units were the
13 townhomes, so how is the unit of one single
14 home different than the unit of one
15 townhome?

16 THE WITNESS: I attempted to speculate
17 to this earlier. I pointed out that
18 single-family detached homes, I believe,
19 are typically larger and have a different
20 price point perhaps and for that reason
21 might have a different occupant
22 constituency.

23 But I'm just speculating, because
24 really -- and I'm not trying to throw ITE

1 under the bus here. I really respect them
2 as an institution.

3 But essentially what they do is they
4 collect traffic count data, and they
5 correlate it to a variable, and it's a
6 scatter plot, you know, it's a dot.

7 So you have the X axis and the number
8 of units, and the Y axis and the a.m. peak
9 hour traffic, and boom, for single-family
10 detached homes, and then they get another
11 one.

12 And they say, do these people know
13 what they're doing? Did they do this study
14 correctly? Okay. We'll include it, and
15 then they try to fit curves, depending on
16 what their investigative set is.

17 Whatever the cause is, I don't know.
18 I mean, whatever is causing one type of
19 house to generate more or less trips per
20 unit is God's own private mystery. In
21 fact --

22 MR. SCHUDA: Is there a glossary in
23 that book that says single-unit homes on
24 average have 1.2 residents, whereas

1 townhomes have 1.1?

2 THE WITNESS: There might be. I mean,
3 this is one of three volumes, believe it or
4 not, so I don't really go through this.

5 I just look at it and apply a
6 variable, get a result, and then I take
7 that as the truth.

8 And most traffic engineers who review
9 my work for protestants, for townships,
10 have never rebuffed it.

11 MR. SCHUDA: To Commissioner Myers'
12 point, you know, oh, Commissioner Agnew may
13 have been the one that referenced what
14 edition that was.

15 The updating and the input to improve
16 the accuracy of the data, I would think
17 that the data set that would make up those
18 statistics would be available to determine,
19 because for us, as residents, or for the
20 township, as a governing body, it's
21 important to understand how many cars are
22 going to be on the road, not just some dart
23 throw into the wind.

24 So that's all I need to say.

1 MR. RICE: Thank you, Mr. Schuda.

2 MR. SCHUDA: Thank you.

3 MR. RICE: Mr. Broseman, do you have
4 any redirect?

5 MR. BROSEMAN: I have some questions.

6 - - -

7 REDIRECT EXAMINATION

8 - - -

9 BY MR. BROSEMAN:

10 Q. Frank, you were asked a lot of
11 questions. We've been going for a long time
12 here, so I'm going to try to hit some of the
13 topics.

14 You were asked about parking spaces
15 in the garage and in the driveway, and as you're
16 familiar with Radnor Township ordinances, is a
17 parking space required to be nine and a half feet
18 by 20 feet?

19 A. Yes.

20 Q. And is there anything in the
21 ordinances that you're aware of that you need
22 extra space as was suggested for opening of car
23 doors and things like that?

24 A. I am not.

1 Q. Assuming parking lots in the township
2 are following the code provision of nine and a
3 half by 20, I suppose some could be larger, some
4 could be nonconforming and be smaller.

5 But assuming there are striped parking
6 lots that comply with the township regulations,
7 is there any extra spaces between the
8 individually striped spaces that are striped out
9 at that size?

10 A. No. It's my understanding that
11 typically a parking aisle is just a repeat of
12 that parking space footprint.

13 In fact, you can see one on sheet four
14 of A-12 just below the units in the lower right
15 corner for the retail shopping center.

16 Q. And even here in the township's own
17 parking lot, I haven't measured the size of some
18 of the spaces, but if the striped parking spaces
19 out there were nine and a half by 20, you'd have
20 cars, if they were full, they would be filled up
21 with all of the spaces and they'd be next to one
22 another?

23 A. Yes.

24 Q. And you see that at shopping centers

1 and other uses?

2 A. Yes.

3 Q. Do you see problems with them
4 functioning properly and people being able to
5 open doors and such?

6 A. No.

7 Q. There were certainly some implications
8 by some of the questions that Strafford Avenue is
9 a busy road.

10 You mentioned that it's classified by
11 the township as a local street. Do you recall
12 that?

13 A. Yes.

14 Q. And in the Subdivision and Land
15 Development Ordinance, which is Chapter 255,
16 255-27 B is classification of streets, three, I
17 have a copy here.

18 Is there a hierarchy of street
19 classifications that the township uses in that
20 provision by type?

21 A. There is. It starts with
22 "expressway," and it ends with "local street."

23 Q. And does this code provision
24 specifically name streets that are roadways, that

1 are expressways, arterials, major collectors,
2 minor collectors?

3 It actually lists out every road which
4 is one of those; is that correct?

5 A. Correct.

6 Q. And for local streets, it says all the
7 other streets that aren't referenced above.

8 So in reviewing this list, Strafford
9 Avenue is not in any of these specific
10 classifications, so it's local; correct?

11 A. Yes.

12 Q. And in the hierarchy, that's the
13 lowest-traveled street, the lowest-traffic
14 street. Is that fair to say?

15 A. In that subsection, yes.

16 Q. There were questions about having one
17 sidewalk on the side of the internal drive.

18 Are you familiar with attached
19 dwelling communities or any kind of community to
20 either have no sidewalks at all or one sidewalk
21 on the side of the street?

22 Is that a common occurrence?

23 A. It certainly is.

24 Q. You were asked a question, something

1 to the effect that if you reduced the number of
2 townhomes from 38 to 30, would that tend to
3 affect traffic.

4 Do you recall that question?

5 A. I'm not sure that I do actually.

6 Q. Well, there was a question like
7 that --

8 A. Oh, I do recall it.

9 Q. My question would be, is it necessary
10 in this case to reduce the units from 38 to 30 or
11 any reduction for your opinions that you gave
12 that the traffic would function efficiently in
13 accordance with your report? Is a reduction
14 necessary?

15 A. No.

16 Q. You were asked about an older
17 iteration of the plan that was in your study had
18 an additional unit.

19 You may not have been here at all of
20 Mr. Lambert's testimony, but you can see on
21 Exhibit, the current version of Exhibit A -- the
22 current version of the plan at A-12, sheet four,
23 there was a home, a unit, a dwelling unit
24 proposed on the part of the property that is 18

1 Forrest Lane; is that correct?

2 A. Yes.

3 Q. And in the current plan, that was
4 removed, and now that's been made green space,
5 place for additional stormwater management; is
6 that correct?

7 A. Yes.

8 Q. You were asked questions about the
9 number of occupants that could live in the
10 dwellings, and you confirmed that that's not done
11 that way, and if you were to do the study based
12 on that, your opinion is that township traffic
13 engineering consultants would not accept that; is
14 that correct?

15 A. Yes.

16 Q. Going down that type of road, however,
17 there was speculation perhaps that several people
18 could live in a unit and there could be traffic.

19 Is it possible that units could be
20 occupied by one person, two people, instead of
21 many people?

22 A. It is.

23 Q. Is it possible, especially in units
24 like these, that they could be empty for large

1 periods of the year while people are away at
2 other homes or other locations?

3 A. That is possible.

4 Q. Is it possible some of the occupants
5 of the units could be elderly and either don't
6 drive at all or drive in a very limited fashion?

7 A. Also possible.

8 Q. And there's, of course, possibilities
9 that units could be occupied by more people along
10 the lines that people were speculating.

11 That's possible as well, I think you
12 said?

13 A. I did.

14 Q. But given those examples, does that
15 help illustrate why you don't do it that way,
16 because there is such variation, and you follow
17 the ITE standards instead?

18 A. That is certainly one of the reasons.
19 It's also because the number of studies is very
20 robust.

21 In some cases, you have a more robust
22 data set for a particular variable. And for
23 homes, dwelling units is typically the best
24 indicator.

1 Q. You mentioned you did the St. Honore
2 study. That was submitted to the township as
3 part of a land development process, I take it?

4 A. Yes.

5 Q. And did you use an ITE manual in that
6 case to estimate the trip generation?

7 A. I did.

8 Q. And was that accepted by the township
9 when they approved that development?

10 A. It was.

11 Q. And in St. Honore, those were
12 single-family detached dwellings; correct?

13 A. Yep.

14 Q. You mentioned that ITE says that
15 there's generally higher traffic for single-
16 family detached dwellings; is that right?

17 A. Yes. The trip generation rate per
18 unit is greater than for attached homes.

19 Q. And did you use that, and was that
20 accepted by the township in the St. Honore
21 study?

22 A. Yes and yes.

23 Q. You were asked about if certain
24 driveways have speed limits or speed limit signs.

1 Aren't there plenty of private
2 facilities, they could be clubs, hospitals,
3 hotels, that do have speed limit signs on private
4 driveways?

5 A. Yes.

6 Q. And you've seen many of those?

7 A. I am familiar with many locations
8 where you have privately-owned cartways that have
9 posted speed limits to benefit residents or
10 patrons.

11 Q. You were asked about the farmers
12 market, and it was suggested, I believe, by one
13 of the speakers that Friday would have been a
14 better day than the Thursday.

15 I think you testified to this, and
16 solely because the farmers market is open, starts
17 opening up at 6:00 a.m. on a Friday.

18 To clarify, however, can you
19 reiterate, Friday is not a recommended day to do
20 a study; is that correct?

21 A. Yes. Part of the reason is for the
22 potential that somebody might elect to take a
23 three-day weekend, and that could actually serve
24 to reduce traffic activity, and you get lower

1 traffic counts on a Monday or a Friday.

2 MR. BROSEMAN: That's all I have at
3 this time.

4 MR. MARLIER: I have some brief follow
5 up.

6 MR. RICE: Brief, emphasis on brief.

7 - - -

8 RECROSS EXAMINATION

9 - - -

10 BY MR. MARLIER:

11 Q. I'd like to correct the record. I
12 think I was making Mr. Tavani, I think I was
13 adding an "R" to your name a couple of times. I
14 apologize.

15 A. I don't recall it that way.

16 Q. I believe I did. Mr. Broseman asked
17 you about the parking spaces and specifically the
18 ordinance requirements here in Radnor; correct?

19 A. Yes.

20 Q. But just to be clear, when you're
21 looking at the trip generation, you're not
22 looking at the ordinance. You're looking at the
23 ITE manual; correct?

24 A. Yes.

1 Q. And when you're looking at traffic
2 flow, you're looking at the ITE manual; correct?

3 A. I'm not sure the distinction between
4 what you just said. Can you -- what do you mean
5 by "traffic flow" versus "trip generation"?

6 Q. Traffic flow, to me, I'm thinking of
7 the way traffic moves throughout the development
8 and beyond, so maybe not the counts, but the
9 rates.

10 A. I'm really not sure how to answer
11 that, but I agree with the first part.

12 There is a very antiquated trip
13 generation table in the ordinance that dates from
14 the 1970s, and I did not use that because in my
15 experience in the township, the township traffic
16 engineers, even the one preceding Mr. Drummond,
17 have always suggested using the latest edition of
18 the ITE Trip Generation Manual rather than that
19 table, if that's what you're referencing.

20 Q. Speaking of the manual and the
21 different editions, the St. Honore development, I
22 am probably the only person in this room who does
23 not know. When was that done?

24 A. September 2022.

1 Q. Fair enough. Okay. I'm glad we
2 circled back to the sidewalks internally, because
3 you have stated a number of times that obviously
4 sidewalks external to the property would make
5 things safer going down Strafford, for example,
6 down to the train station; correct?

7 A. In that context, there is no sidewalk
8 that exists on either side of the road, yes.

9 Q. But just to be clear, it would be
10 safer if there were sidewalks internally both on
11 the outside and the inside of Drive A and Drive
12 B; correct?

13 A. You know, one of the things I really
14 dislike about the word "safe" is that I'm aware
15 of no ordinance or even rule of thumb in ITE that
16 gives any really definable metric about when you
17 cross the line from safe to unsafe.

18 I mean, we could offer that I would
19 be safer if I was wearing a helmet right now,
20 because there's a possibility that when I stand
21 up, I'm going to fall down and hit my head.

22 It's a very small chance, but it's
23 nevertheless possible, and I guess it would be
24 safer if I had a helmet on.

1 I believe that, given the context of
2 Drive A, Drive B, the internal volume that 38
3 homes would generate, that one sidewalk on one
4 side of the street is sufficient to convey
5 pedestrian activity.

6 You correctly note that I did say
7 earlier that in other locations in the township,
8 adding sidewalks would be a benefit.

9 But what I was really referencing were
10 locations where sidewalks did not exist on either
11 side of the street. That's the best way I can
12 answer.

13 Q. Fair enough. You mentioned -- just a
14 couple more questions here.

15 You were asked by Mr. Broseman, if
16 it's necessary to reduce the number of units,
17 would that change your analysis, and I believe
18 your answer was no, is that correct, when you're
19 looking at reducing the number of townhomes?

20 A. I believe the question was aimed at
21 would reducing the number of units change the
22 conclusions of my study, and the answer was no.

23 Q. I believe you also testified, I just
24 want to get this out, that the variable you used

1 here was the number of units; correct?

2 A. Yes.

3 Q. In fact, when we were talking about, I
4 was asking you two hours ago now about the number
5 of people in each townhome, that was of no
6 moment; correct? It was number of units?

7 A. Yes.

8 Q. And the size of the houses didn't
9 matter. It's the number of units; correct?

10 A. Yep.

11 Q. But you testified as to single-family
12 homes a little while ago and the number of folks,
13 you opined, you said you speculated that the
14 number of people living in those houses might be
15 different and that can have an impact.

16 Do you remember testifying that way?

17 A. Yes. I was trying to reconcile why
18 ITE offered that 31 detached single-family homes
19 generates more traffic than 38 attached
20 single-family homes, and I offered under the
21 guise of speculation that it could be the number
22 of units.

23 It could also, for that matter, be
24 just the driving habits of the residents of

1 detached houses versus attached.

2 I really have no way of knowing, but
3 I do know that the non-conditional use plan
4 generates more traffic than what the applicant
5 would like to build.

6 Q. So in coming to your conclusions when
7 doing your traffic studies, you're choosing the
8 variables that you would like to focus on?

9 A. Oh, yes. Sure.

10 Q. One last question.

11 A. And then, just to be clear, not all
12 land use categories even give you a choice. In
13 some cases, there is only one variable, but in
14 other cases, there might be more variables.

15 Q. You mentioned that it is possible
16 that a single elderly person could purchase one
17 of these 3,000-square-foot homes.

18 But the distinction between probably
19 and possible and probable, is it probable that a
20 single elderly person would buy one of these
21 3,000-square-foot homes?

22 A. I don't know how you would define
23 "probable." I mean, we're in a pretty nice area.
24 You could have, unfortunately, a widow or a

1 widower who is well to do and still has ties in
2 the area, may no longer need a 5,000-square-foot
3 single-family home and downsizes, likes the
4 appeal of the community.

5 I certainly think it's possible.
6 Maybe it's not likely that all of the units will
7 be populated that way, but I think there's a
8 possibility, for sure.

9 Q. I think we all agree that we would
10 love to downsize from a 5,000 to a
11 3,000-square-foot house. I have no further
12 questions.

13 MR. BROSEMAN: I had a follow up.

14 MR. RICE: Well, time out. We had
15 direct, we have cross-examination, we have
16 redirect, and we have recross. That's it.

17 MR. BROSEMAN: Mr. Marlier got a
18 follow up. I don't get that?

19 MR. RICE: That was recross, I think.
20 But go ahead, Mr. Broseman.

21 MR. BROSEMAN: Thank you. I'll be
22 brief. The hour is late.

23 - - -

24 REDIRECT EXAMINATION

1

- - -

2

BY MR. BROSEMAN:

3

Q. I just wanted to ask, with the ITE study, there's been talk about the attached homes, townhomes versus singles.

4

5

6

It's my understanding that ITE, they do studies of actual townhomes and actual single-family detached dwellings to come to their data; correct?

7

8

9

10

A. To be clear, they don't.

11

Q. They gather them?

12

A. My understanding, they gather them,

13

yes.

14

Q. So isn't it fair to say that the reason the numbers are different is because they studied actual ones, and that's the way it came out?

15

16

17

18

A. Yes, precisely.

19

MR. BROSEMAN: That's all I have.

20

MR. RICE: Okay. Let's go off the

21

record for a minute.

22

- - -

23

(Discussion off the record.)

24

- - -

1 MR. RICE: So we are scheduled for
2 March 20th. I just want to make sure that
3 everybody is aware of that.

4 Mr. Lambert is going to be here
5 finishing up on cross-examination.

6 And I guess, Mr. Broseman, you will
7 have some other witnesses. I see you have
8 a couple witnesses that are sitting
9 patiently by.

10 But then we'll pick up with one or
11 both of those witnesses; right?

12 MR. BROSEMAN: Yes. Mr. Lambert will
13 be back on the 20th. Everybody is
14 available on the 20th, so we'll all be here
15 again. We'll be optimistic we'll get
16 through everyone.

17 MR. RICE: We have Mr. Panzak and Mr.
18 Hetzel, who did the fiscal impact analysis,
19 so they'll both be here on the 20th. Okay.

20 So the hearing is concluded for
21 tonight. It will be continued to March
22 20th at 6:30, same place.

23 And Mr. Lambert will be here to finish
24 up on cross-examination, and then we'll

1 have two additional witnesses that night.

2 Hopefully, we'll complete those two
3 witnesses that night, but don't hold your
4 breath over that.

5 MR. BROSEMAN: To state the obvious,
6 that's 6:30 p.m.?

7 MR. RICE: 6:30 p.m. on March 20th.
8 Any questions from anybody, parties or
9 otherwise?

10 - - -

11 (No response.)

12 - - -

13 MR. RICE: Okay. Thank you very much.

14 THE PRESIDENT: Can I get a motion to
15 adjourn?

16 MR. LARKIN: So moved.

17 THE PRESIDENT: Is there a second?

18 MS. MULRONEY: Second.

19 - - -

20 (Proceedings concluded at 9:25 p.m.)

21 - - -

22

23

24

1
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3 CERTIFICATE OF REPORTER
4
5

6 I, Norma Gerrity, a Professional Court
7 Reporter, do hereby certify that the foregoing
8 record is a true and accurate transcript of my
9 stenographic notes in the above-captioned matter.

10
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13 Norma Gerrity
14 Professional Court Reporter
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