

WESTTOWN TOWNSHIP PLANNING COMMISSION MEETING

Stokes Assembly Hall
1039 Wilmington Pike, Westtown Township
June 4, 2014 – 7:30PM

Call to Order

Mr. Pomerantz called the meeting to order at 7:30 and led those present in the Pledge of Allegiance.

Present

Commissioners – Whitig, Adler, Pomerantz, Hatton, Lees and Criddle. Rodia was absent. Also present were Township Planning Director Chris Patriarca, Township Manager Rob Pingar, Township Traffic Engineer Al Federico and those mentioned below.

Adoption of Agenda

The Agenda was adopted and approved as amended unanimously (JL/RH).

Approval of Minutes

The minutes of the Planning Commission (PC) meeting of May 21, 2014, were approved unanimously (DC/EA).

Reports

Mr. Pomerantz noted the June 2 Board of Supervisors (BOS) meeting was canceled.

Announcements

Mr. Patriarca stated Tom Comitta is confirmed to speak before the Planning Commission at their June 18 meeting about planning/fiscal/community impacts. He next stated that he reached out to John Snook at the request of the PC about presenting to the PC at their July 9 meeting. He noted that Mr. Snook may have a conflict and not be able to attend this meeting, but that efforts will be made to have him present to the PC in the future.

Mr. Patriarca next spoke about the July 23 meeting with Bozzuto and what may happen moving forward with the application and the timing of the PC recommendation. He noted if the hearing is closed prior to the meeting on the 23, the PC recommendation will need to be made no later than the first meeting in August. However, if the hearing remains open, further deliberation may continue on the application.

Mr. Pomerantz next asked if the 45 days after the hearings are closed are for the PC to make their recommendation. Mr. Patriarca responded the 45 days are for the BOS to make their recommendation, not the PC. Next was asked about the status of Mr. Streten as the council for the SCOWT group to which Mr. Patriarca indicated he was no longer an involved party. This was followed with a discussion on party-status for the citizens who requested it, to which Mr. Patriarca indicated he did not believe status has been granted. A discussion was next had on how interested parties will be notified of party status to which Mr. Patriarca stated that is a process better explained by the solicitor but that all proper and applicable codes will be followed to address this.

Mr. Pomerantz then disclosed a telephone conversation with Carol De Wolf in reference to

many matters currently facing the PC.

Non-agenda Public Comment

Mr. Whitig indicated he will not be in attendance for either the July 9 or 23 meetings and Mr. Lees indicated he will not be in attendance for the June 18 meeting.

New Business

Traffic Impact Analysis (TIA)

Mr. Pomerantz introduced the Township Traffic Engineer Al Federico and noted the presentation was for informational purposes only, not specific to current projects. Mr. Federico first noted the purpose of a TIA is to evaluate traffic impacts based on new development, and that provides a basis to quantify and mitigate traffic issues. He also noted TIAs have become more contentious and typically involve PennDOT and other agencies at times.

From the municipal perspective, Mr. Federico noted TIAs identify if the access will work, if it will be safe, how will it impact surrounding areas and how it will address concerns of impacted parties. It was noted a TIA is scoped differently based on the overall size and impact a proposed development may have. Further, he noted the limitations placed on local municipalities for requiring off-site road improvements per the MPC. Further, what are deemed as off-site road improvements is usually determined by the Solicitor, but are generally defined as any improvement not directly fronting the property or at their access point. However, PennDOT does have the authority to require off-site road improvements.

TIAs are required by PennDOT when the project will result in an additional 3,000 trips in a day or 100 new trips in the peak hour. Westtown code requires a TIA if more than 250 new trips are generated in a day. Trips in a TIA are defined as an arrival or departure to a particular location. A TIA should include a description of the project, the proposed access, an existing conditions analysis, and both a future pre and post development analysis of future conditions followed with a conclusion. The future pre and post development analysis, and comparisons of both determine what types of mitigation may be required. Developers must not make the future conditions of traffic any worse than what is projected.

Next discussed were turning movement counts and how they are carried out. Standard practice and accepted methodology among traffic professionals are for counts to be made once during the period of a single day, mid-week during normal conditions per intersection. These counts are completed using established methodologies in the *Highway Capacity Manual*. From these methodologies the levels of service (LOS) are identified. LOS is a determined by how delay is interpolated from user satisfaction, and as such is different between urban and rural areas. The PennDOT preferred LOS is D for a municipality such as Westtown.

Most traffic engineers use the conservative count, or highest count, when doing their analysis. Others try balanced or systematic approaches. As long as the methodology is consistent, the outcomes can reasonably be taken as appropriate. Once all the existing data is collected, future traffic projections are developed. Regional growth factors are included from PennDOT for development outside of Westtown as well as potential traffic from future, proposed developments. From this, this is where the future traffic without development is calculated. At times, developing the TIA in the worst case is not always advisable as an applicant can make the argument that their additional traffic is not a significant contributor to overall future traffic

impacts. With the worst case scenario, the actual traffic impacts generated from the proposed development gets more marginalized.

Post-development trip generation is calculated from the *Trip Generation Manual* that is a compilation of numerous traffic studies from throughout the country. The manual lists trips generated from a wide variety of differing uses, and an estimate of potential traffic is generated from the proposed use and manual. Next a determination as to what direction the estimated traffic will travel, and this is generally based on the overall size of the proposed development. These estimates are not meant to be precise, but rather serve as a comparative analysis for future traffic issues. TIA's are not exact, but they are the best tool available to estimate future traffic issues. Safety issues such as sight distance, driveway access, traffic lights, etc. are also factored in.

All of this data is then utilized to give the proposed traffic a LOS grade of A to F. If the future estimate without development is a C and the future estimate with development is an F, a plan to mitigate traffic issues is developed. If the future estimate without development is a C and the future estimate with development is a C, additional plans to mitigate traffic issues are not necessary. The Township should also develop a relationship with PennDOT so they can potentially use their influence to assist in securing traffic improvements for the Township.

Next discussed with the relatively new PennDOT rule called the "ten-second variance." This variance gives leeway to developers in areas already experiencing congestion in that if an applicant can show that their impact is less than ten-seconds of additional delay, mitigations to address their traffic is not required by PennDOT. Township code requires all traffic impacts to be discussed at a minimum. Finally discussed were traffic counts at the 202/926 intersection that shows the relative flat growth of the amount of traffic going through the intersection. Reasons for additional delay at the intersection can possibly be explained through issues such as light timing or a determination as to if the intersection is beyond its maximum capacity.

Mr. Hatton noted the perception issue of the 202/926 intersection and many drivers travel Concord Road to avoid it altogether. Next was asked what the Highway Capacity Manual is to which Mr. Federico noted it is developed by the NTSB that provides the basis for evaluating all modes of transportation as part of studies. Mr. Hatton next asked about how Chester County and/or DVRPC are incorporated into TIAs. Mr. Federico indicated the DVRPC are not generally involved in Westtown TIAs and Chester County does review TIAs as part of Act 247 reviews.

Mr. Criddle asked about have previous TIAs been evaluated to see if they were accurate in their assumptions. Mr. Federico indicated this has not generally been undertaken unless it is done as part of a previous analysis. Additionally he indicated that a future evaluation could potentially be included as part of condition associated with a conditional use application.

Mr. Pomerantz followed with a question about the TIP and how projects are funded. Mr. Federico indicated that the first four years of projects identified in the TIP are the only ones likely to receive funding on the 12-year plan. Applicants may at times use the information available in the TIP as a factor when conducting their TIA. In the Bozzuto TIA, they did not include any proposed improvements in the TIP as part of their analysis. Mr. Pomerantz followed with a hypothetical question about how to reconcile PennDOT and Westtown regulations regarding TIAs, to which Mr. Federico indicated the Township regulation would need to either be

addressed or a formal request for a waiver made as part of the SALDO process. It was further noted that although TIA counts are typically done on a school day due to public perception, traffic can be more intense during the summer months. Next Mr. Pomerantz asked about if there is a time limit on when the assumptions of a TIA become invalid to which Mr. Federico indicated PennDOT states three years is the limit. Finally, the question was raised about cumulative uses when conducting a TIA and if they should be included to which the response was the applicant is only responsible for their traffic, not that from an undefined, potential use. The final question from Mr. Pomerantz asked about what are some of the tells for the PC to detect a bad traffic study. Mr. Federico responded generally, the Township Traffic Engineer will be the best person to determine this. As far as a “tell” for a dubious study, if the future developed condition is better without any improvement, the study may be flawed.

Bob Dilullo, of 1004 Supplee Way – Mr. Dilullo asked about vehicle counts and LOS and if the LOS would have been grater if the counts were taken on a Friday, not a mid-week day. Mr. Federico noted that as long as the counts are reasonable and used consistently, the LOS will be adequately reflected. Mr. Dilullo then asked about if pedestrians are included as part of a TIA to which the response was the Township ordinance does not require pedestrian facilities, but the PennDOT does allow for them.

Ken Lawson, of 904 Shetland Court (Pennsbury Township) – Mr. Lawson asked about confidence intervals and variability of data collected on a single day for use in TIA projections. Mr. Federico noted a single count on a single day is the generally accepted practice. However, he did also note PennDOT does allow for seasonable adjustment factors counted by PennDOT to be included as part of an analysis to account for other high traffic events. Mr. Lawson noted the influence of sporting events on traffic to which Mr. Federico responded they are generally not included as part of a TIA unless they are adjacent to facilities where sporting events occur.

Bob Mastrovito, of 825 Sharon Circle – Mr. Mastrovito presented a hypothetical about the South New/926 intersection with a stop sign decades ago, and that a signal was only added after traffic fatalities occurred. He wanted to know if there is a way that the Township can require a post-development study to address safety concerns after the project is completed to assess traffic risks. Mr. Federico indicated if the access is from a driveway, the Township may require an additional study. As for a traffic light, PennDOT will not allow one to be implemented unless specific warrants are met even if the Township will pay for its construction.

Public comment

There was no public comment.

Adjournment

9:30 pm (EA/DC)

Respectfully submitted,

Chris Patriarca
Planning Commission Secretary