

| Quoted language or cited proposition from the brief(s) | Speaker and date of the testimony | Page number of the transcript (Page from the trial court record) |
|--|--|---|
| Note also that the Planning Commission of Leet Township directed Counsel for QVSD to submit a Geotechnical Report to the Zoning Hearing Board. | Dan Gramc, June 28, 2021 | p. 17 |
| Though it is not in their present plan, it is a logical certainty that QVSD intends to construct a stadium at the same site as the school. “A stadium is typically close to a high school.” | Jon Thomas, June 28, 2021 | pp. 57-58 |
| Counsel for QVSD misleadingly argues that the failure of Leet to specifically identify a school among the types of special exceptions to be considered means that the usage must be permitted so long as the proposed school is no more onerous than any other “school.” | Dan Gramc, June 28, 2021 | p. 114 p. 119 |
| The ridge of the site is capped with hard sandstone. Plans call for the removal of 30 feet of this cap. | Jon Thomas, June 30, 2021 | p. 21 |
| The proposed site is a hilltop ridge with steeply sloped wooded hillsides. | Jon Thomas, June 30, 2021 | p. 21 p. 127 |
| Camp Meeting Road cannot be designated as a school zone because there are no sidewalks along its length now and no plan to place any there. | Jon Thomas, June 30, 2021 | p. 57 |

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| Given that the school’s auditorium will seat 800 and its main gymnasium will seat 1,200, it is likely that the traffic increase will be even more pronounced than Wooster’s study would suggest. | Jon Thomas, June 30, 2021 | pp. 60-62 |
| He further stated that although the present plan does not have a sports stadium, it is designed so as “not to preclude building one in the future. The basic infrastructure, earthwork, power consumption, sewer loads, and storm water needs are baked in.” | Jon Thomas, June 30, 2021 | p. 66 |
| Indeed, Leet is a known high-risk landslide area | Jon Thomas, June 30, 2021 | p. 91 p. 117 |
| Camp Meeting Road cannot be designated as a school zone because there are no sidewalks along its length now and no plan to place any there. | Charles Wooster, June 30, 2021 | p. 97 pp. 102-103 |
| Everyone agrees that the root system of trees help keep the earth from moving. | Jon Thomas, June 30, 2021 | p. 114 p. 125 |
| QVSD’s construction manager Jon Thomas testified that approximately 47 acres will have to be clear cut. | Jon Thomas, June 30, 2021 | p. 135 |
| Both Mr. Thomas and Mr. Wooster agree that it is dangerous to walk or bike on Camp Meeting Road. | Jon Thomas, July 8, 2021 | p. 32 |
| QVSD’s construction manager Jon Thomas testified that approximately 47 acres will have to be clear cut. | Jon Thomas, July 8, 2021 | pp. 80-82 |

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| Mr. Thomas testified that the planned 550 parking spaces will be sufficient at present, but that “they have room to expand if they need to for stadium parking.” | Jon Thomas, July 8, 2021 | p. 93 |
| This number also does not reflect the stated goal of QVSD to make the site a community resource, which inherently means even more visitors, during both daylight and evening hours. | Jon Thomas, July 8, 2021 | p. 121 |
| In fact, more than 200 students drive to school each day. | Jon Thomas, July 15, 2021 | p. 32 (0539) |
| As Jon Thomas, QVSD’s school feasibility expert testified, the new school would be ¾ of a mile farther away from the Leetsdale Police Department than the current school, one mile farther from the Edgeworth Police Department, and one mile farther from the Sewickley Police Department. | Jon Thomas, July 15, 2021 | p. 53 (0560) |
| Mr. Thomas testified that he had not investigated how these distances would affect response times, or how much additional damage an active shooter could cause as a result of these potential delays. | Jon Thomas, July 15, 2021 | p. 56 (0563) |

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| Although QVSD has presented a plan showing turning lanes at the primary access on Camp Meeting Road, Charles Wooster has stated they are not required, and he is uncertain that they will be part of the ultimate plan. | Charles Wooster, July 15, 2021 | p. 73 (0580) |
| Wooster's Study found that if the proposed high school is built, the daily volume of vehicle trips on Camp Meeting Road would increase by 1,792. | Charles Wooster, July 15, 2021 | p. 84 (0591) p. 237 (0744) |
| A landslide or an automobile accident requiring a road closure would significantly affect persons coming and going from the school or other Camp Meeting Road locations. | Charles Wooster, July 15, 2021 | p. 91 (0598) p. 138-139 (0645-0646) |
| Mr. Wooster testified that at the posted speed limit, he believed the road was safe. | Charles Wooster, July 15, 2021 | p. 92 (0599) p. 93 (0600) p. 101 (0608) |
| Both Mr. Thomas and Mr. Wooster agree that it is dangerous to walk or bike on Camp Meeting Road. | Charles Wooster, July 15, 2021 | p. 97 (0604) pp. 102-103 (0609-0610) |
| Note that this count does not reflect any additional traffic for school events, such as theatre or sporting events. | Charles Wooster, July 15, 2021 | p. 131 (0638) p. 217 (0724) p. 254 (0761) |
| The upper end of Camp Meeting Road was closed at the time of Wooster's study, and Little Sewickley Creek Road was open, so the number is likely even higher. | Charles Wooster, July 15, 2021 | p. 138 (0645) |

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| Saying this another way, 36 mph is the speed at which the majority of vehicles traveled, and Fifteen per cent of the vehicles were traveling faster than that. | Charles Wooster, July 15, 2021 | pp. 144-145 (0651-0652) |
| Both Mr. French and Mr. Wooster testified as to the nature and condition of Camp Meeting Road. They agree that it is steep and curvilinear. | Charles Wooster, July 15, 2021 | p. 190 (0697) |
| The Planning Commission must therefore agree that the ZHB should consider matters beyond strict land usage, including, but not limited to, geotechnical aspects and their impact on the proposed construction. See testimony of Charles Wooster in response to this same question by Teri Soster, agreeing that traffic impacts are rightfully considered by the ZHB. | Charles Wooster, July 15, 2021 | p. 206 (0713) |
| Mr. Wooster was satisfied that this count, conducted on September 19, 2019, was reflective of normal road usage. | Charles Wooster, July 15, 2021 | p. 236 (0743) |
| However, his breakdown of when traffic comes and goes shows that 500 vehicles enter the school site and 600 vehicles exit the school site, during non-peak hours. | Charles Wooster, July 15, 2021 | pp. 238-239 (0745-0746) |
| The intersection of Camp Meeting Road and Beaver Road has a present Level of Service rating of "C." | Charles Wooster, July 15, 2021 | p. 239 (0746) |

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| The Traffic Study found that the proposed high school will cause the LOS rating of the Camp Meeting Road/Beaver Road intersection to decrease from “C” to “F.” | Charles Wooster, July 15, 2021 | p. 239 (0746) |
| There will therefore be 1,100 additional vehicle trips on Camp Meeting Road, which will not have the benefit of a traffic officer. | Charles Wooster, July 15, 2021 | p. 239 (0746) |
| There is also no plan to aid traffic flow with a traffic officer at the primary or the secondary access to the school. | Charles Wooster, July 15, 2021 | p. 242 (0749) |
| The contemplated solution of this “unacceptable” traffic congestion is to place a traffic officer at that intersection during peak times. Mr. Wooster testified that this would account for less than one hour in the morning and less than one hour in the afternoon. | Charles Wooster, July 15, 2021 | p. 269 (0776) |
| QVSD’s engineer, Geoffrey Philips, agreed that blasting can go wrong. | Geoffrey Phillips, August 2, 2021 | p. 26 |
| The Property, which is situated at the top of a steep hill consisting in part of landslide-prone Pittsburgh Red Bed clay, is served by only one road: Camp Meeting Road. | Geoffrey Phillips, August 20, 2021 | pp. 14-17 (0845-0848) |
| According to Mr. Philips the colluvial soils “safety factor has been decreased, due to wind, water and erosion, to be less than one.” | Geoffrey Phillips, August 20, 2021 | p. 14 (0845) p. 70 (0901) pp. 79-80 (0910-0911) |

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| “They are in active movement. Every time it rains, they move a little more.” | Geoffrey Phillips, August 20, 2021 | p. 24 (0855) |
| Preliminary plans for the site indicated that blasting would be necessary | Geoffrey Phillips, August 20, 2021 | pp. 24-25 (0855-0856) pp. 97-98 (0928-0929) |
| Leet has only the assurances of Mr. Philips and Mr. Boward that they, or whomever is hired, will design and then perform the work safely. | Geoffrey Phillips, August 20, 2021 | p. 30 (0861) |
| They have not explained how Camp Meeting Road, which is already sliding, will be supported, or how the benching will be accomplished given the poor state of the site. | Geoffrey Phillips, August 20, 2021 | p. 30 (0861) p. 74 (0905) |
| Even if it were, there are still problems of time limitations and burden of proof upon the injured. | Geoffrey Phillips, August 20, 2021 | p. 41 (0872) |
| Borings indicate there is subsurface water. | Geoffrey Phillips, August 20, 2021 | p. 64 (0895) |
| Mr. Philips and Mr. Boward admit that cracks in foundations may occur, water may make its way into dwellings and that landslides themselves may cause damage or injury. | Geoffrey Phillips, August 20, 2021 | pp. 65-68 (0896-0899) |
| Indeed, Leet is a known high-risk landslide area | Geoffrey Phillips, August 20, 2021 | p. 69 (0900) |
| This water may cause or contribute to landslides, but in and of itself, may also invade downhill homes. | Geoffrey Phillips, August 20, 2021 | p. 70 (0901) pp. 72-75 (0903-0906) |

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| Further, the site is ringed with Pittsburgh Redbed, a “slippery clay layer on top of a shale layer . . . that’s prone to movement.” | Geoffrey Phillips, August 20, 2021 | p. 73 (0904) |
| QVSD’s own engineers testified that the site is metastable, with an average safety factor of 1, meaning that “[i]t doesn’t take much to cause it to begin to be unstable and potentially begin to move.” | Geoffrey Phillips / Joseph Boward, August 20, 2021 | pp. 76-78 (0907-0909) |
| “where forces resisting ground movement are equal to the forces which tend to cause slope movement, ...the slope is right on the verge... It doesn’t take much to cause it to begin to be unstable and potentially begin to move” | Joseph Boward, August 20, 2021 | pp. 77-79 (0908-0910) |
| According to Mr. Philips the colluvial soils “safety factor has been decreased, due to wind, water and erosion, to be less than one.” | Joseph Boward, August 20, 2021 | pp. 79-80 (0910-0911) |
| They have not explained how Camp Meeting Road, which is already sliding, will be supported, or how the benching will be accomplished given the poor state of the site. | Joseph Boward, August 20, 2021 | p. 79 (0910) pp. 83-84 (0914-0915) p. 210 (1041) |
| “They are in active movement. Every time it rains, they move a little more.” | Joseph Boward, August 20, 2021 | p. 80 (0911) p. 176 (1007) |

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| QVSD made much of its plan to rehabilitate and improve the slope in their application and testimony, but the benching plan involves less than one-third of the dangerous Redbed slopes, and QVSD intends to work only the southern and western side of the ridge. | Joseph Boward, August 20, 2021 | p. 82 (0913) pp. 176-177 (1007-1008) |
| The ridge of the site is capped with hard sandstone. Plans call for the removal of 30 feet of this cap. | Geoffrey Phillips, August 20, 2021 | p. 232 (1063) |
| QVSD made much of its plan to rehabilitate and improve the slope in their application and testimony, but the benching plan involves less than one-third of the dangerous Redbed slopes, and QVSD intends to work only the southern and western side of the ridge. | Geoffrey Phillips, August 20, 2021 | p. 234 (1065) p. 259 (1090) |
| Mr. Philips and Mr. Boward admit that cracks in foundations may occur, water may make its way into dwellings and that landslides themselves may cause damage or injury. | Geoffrey Phillips, August 20, 2021 | p. 252 (1083) |
| Everyone agrees that the root system of trees help keep the earth from moving. | Geoffrey Phillips, August 20, 2021 | p. 265 (1096) |
| AAA Residential Zoning Areas are inhabited by families who value the peace and rural nature of their area within the Township. | Mark Zappala, September 13, 2021 | p. 99 (1241) pp. 101-102 (1243-1244) |

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| See Mr. Soman’s statement that it would take eleven minutes to get a fire truck to the site. This amount of time, which he said was “a very long time,” is without the complication of any closed road. | Chuck Soman, September 17, 2021 | p. 114 (1426) |
| Both Mr. French and Mr. Wooster testified as to the nature and condition of Camp Meeting Road. They agree that it is steep and curvilinear. | James French, September 17, 2021 | pp. 128-129 (1440-1441) |
| “Embankments and/or vegetation on the inside of horizontal curves obstruct visibility. The consequences of inadequate sight distance are an increased risk of hitting objects in the road, including other vehicles, such as those that might be moving slow or queued due to congestion.” | James French, September 17, 2021 | pp. 131-132 (1443-1444) |
| In addition to the difficulties of steepness, curves, and inadequate sight distances, Mr. French was concerned about the hazard of fixed objects occurring by the roadside. | James French, September 17, 2021 | pp. 134-139 (1446-1451) |
| Moreover, “[r]oadside hazards cause or worsen a crash by a vehicle leaving the traveling lane.” | James French, September 17, 2021 | pp. 134-139 (1446-1451) |

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| As further illustration that there many aspects of Camp Meeting Road “that need to be maintained” the testimony of both experts reveals that there are inadequate and damaged guide rails, that there are trees in close proximity behind the guide rails, and that there are guide rails where the earth is falling away behind them. | James French, September 17, 2021 | pp. 137-139 (1449-1451) |
| Mr. French stated that the condition of the road combined with increased traffic and teen drivers increases the risk of crashes and may also elevate their severity. | James French, September 17, 2021 | p. 147 (1459) p. 148 (1460) p. 185 (1497) |
| Other reasons include distracted driving, nighttime and weekend driving, not wearing seat belts, speeding, and alcohol or drug use. | James French, September 17, 2021 | p. 152 (1464) |
| AAA Residential Zoning Areas are inhabited by families who value the peace and rural nature of their area within the Township. | John Bunce, September 17, 2021 | p. 211 (1523) |
| Numerous witnesses testified to the dangers of the road, whether from black ice or snow. | Marilyn Vettorazzi, October 26, 2021 | p. 72 (1658) |
| | Thomas Weber, October 26, 2021 | p. 80 (1666) |
| | Mark Connelly, October 26, 2021 | pp. 85-86 (1671-1672) |
| | Suzanne Hyjek, October 26, 2021 | pp. 100-101 (1685-1686) |
| The possibility of car accidents on the road or a landslide coming from the | Mark Connelly, October 26, 2021 | p. 85 (1671) |

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| hillside above the road necessitating the closing of the road are both events which have occurred in the past. | Suzanne Hyjek, October 26, 2021 | p. 111 (1697) |
| AAA Residential Zoning Areas are inhabited by families who value the peace and rural nature of their area within the Township. | Mark Connelly, October 26, 2021 | p. 87 (1673) |
| | Thomas Weber, October 26, 2021 | p. 76 (1662) |
| Mr. Wooster did agree that there was an encroachment. | Charles Wooster, November 2, 2021 | pp. 27-29 (1764-1766) |
| Mr. Wooster testified that at the posted speed limit, he believed the road was safe. | Charles Wooster, November 2, 2021 | pp. 27-28 (1764-1765) |
| The posted speed limit of Camp Meeting Road is 25 mph. | Charles Wooster, November 2, 2021 | pp. 27-28 (1764-1765) |
| Saying this another way, 36 mph is the speed at which the majority of vehicles traveled, and Fifteen per cent of the vehicles were traveling faster than that. | Charles Wooster, November 2, 2021 | pp. 66-67 (1803-1804) |
| It would also create a health and safety hazard if it affects the ability of emergency vehicles to access the school or other nearby locations. | Dr. H. Jordan Garber, November 2, 2021 | p. 118 (1855) p. 120 (1857) |
| Numerous witnesses testified to the dangers of the road, whether from black ice or snow. | Dr. H. Jordan Garber, November 2, 2021 | pp. 130-131 (1867-1868) |
| The possibility of car accidents on the road or a landslide coming from the hillside above the road necessitating the closing of the road are both events which have occurred in the past. | Dr. H. Jordan Garber, November 2, 2021 | pp. 130-131 (1867-1868) |

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| <p>Wooster likewise did not conduct a study on, nor would he render an opinion on, how much time it would take or how emergency access vehicles would access the school under normal conditions or in the event of a closure on Camp Meeting Road.</p> | <p>Charles Wooster, November 9, 2021</p> | <p>pp. 12-13 (1915-1916) p. 23 (1926)</p> |
| <p>Mr. Wooster and Mr. French also agree there is a hairpin turn close to the secondary access and curves where sight distance is currently inadequate.</p> | <p>Charles Wooster, November 9, 2021</p> | <p>p. 83 (1986)</p> |
| <p>According to safety experts, a school should be built with multiple access points.</p> | <p>Kim Gatesman, November 16, 2021</p> | <p>p. 36 (2098)</p> |

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LEET TOWNSHIP
ZONING HEARING BOARD
194 Ambridge Avenue
Fair Oaks, PA 15003-1248

Thursday, July 15, 2021
9:00 a.m.

- - -

SPECIAL EXCEPTION APPLICATION

QUAKER VALLEY SCHOOL DISTRICT

- - -

Reported by:

CAVALIERE COURT REPORTING
Leaette Cavaliere, Court Reporter
162 Cobblestone Drive
Pittsburgh, PA 15237
(412-508-0035)

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A P P E A R A N C E S

3

4 LEET TOWNSHIP ZONING HEARING BOARD:

5

Terry Soster, Chairman

6

Chuck Soman

7

David Kovacs

Tony Tirimacco (alternate)

8

Brandon Prus (tech/6-30-21)

TJ Luck (tech/7-8-21)

9

10 ON BEHALF OF ZONING HEARING BOARD:

11

VINCENT RESTAURI, ESQUIRE

240 Executive Drive

12

P.O. Box 1806

Cranberry Township, PA 16066

13

14 ON BEHALF OF QUAKER VALLEY SCHOOL DISTRICT:

15

DANIEL F. GRAMC, ESQUIRE

DONALD PALMER, ESQUIRE

16

Goehring, Rutter & Boehm

Waterfront Corporate Park

17

2100 Georgetowne Drive, Suite 300

Sewickley, PA 15143-8762

18

19 ON BEHALF OF LEETSDALE BOROUGH:

20

GRETCHEN MOORE, ESQUIRE (6-30-21)

Strassburger McKenna Gutnick Gefsky

21

Four Gateway Center, Suite 2200

444 Liberty Avenue

22

Pittsburgh, PA 15222

23

MEGAN M. TURNBULL, ESQUIRE (7-8-21)

Weiss Burkhardt Kramer

24

445 Fort Pitt Boulevard, Suite 503

Pittsburgh, PA 15219

25

1 APPEARANCES, Continued

2

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9 ON BEHALF OF CITIZEN OBJECTORS:

10 LOU DePAUL, ESQUIRE
11 Eckert Seamans
12 U.S. Steel Tower, 44th Floor
13 600 Grant Street
14 Pittsburgh, PA 15219

13

14

15 ON BEHALF OF PROPERTY OWNER THOMAS MICHAEL:

16 THOMAS J. MICHAEL, ESQUIRE
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18 Pittsburgh, PA 15220

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1 A. There is information as part of the due
2 diligence study, information that was prepared
3 by Mr. Phillips and his team. And again, I
4 think if you want to talk about risks and
5 their analysis of those risks, they would be
6 much better to ask than me.

7 MR. RESTAURI: We have the other
8 experts coming so if you have questions that,
9 as Mr. Thomas has indicated, are probably more
10 directed to those experts, would you mind
11 holding them until the experts and we can move
12 on with Mr. Thomas, please?

13 MS. TURNBULL: I would be happy
14 to.

15 MR. RESTAURI: Thank you.

16 BY MS. TURNBULL:

17 Q. Then, finally, in a completely different
18 direction, a couple questions about student
19 drivers. Do you know how many students drive?

20 A. I do not. I don't know exactly. I think it's
21 more than 200, yeah.

22 Q. And in terms --

23 A. I think the parking lot now holds about 200,
24 and it seems to me that a lot of the kids that
25 park in the lower lot -- a lot of the kids

1 Meeting and Beaver to the front doors of the
2 school, it appears that for the Leetsdale
3 Police Department it's about three-quarters of
4 a mile longer, Edgeworth is going to be a mile
5 longer, Sewickley, it's another mile. Would
6 that affect the response times to get to our
7 school?

8 A. I can't tell you one way or the other.

9 Q. And lastly, in the case of an emergency, why
10 isn't there another egress point closer to the
11 school as opposed to like getting into
12 Edgeworth or Leetsdale or to somewhere that
13 they could go as opposed to running through
14 the woods?

15 A. I don't understand your question, ma'am.

16 Q. Like there is no sidewalk plan for the safety
17 of the kids that would go directly to say
18 Leetsdale and get onto Oak Drive or go into
19 Edgeworth and somehow get down to some other
20 egress method.

21 A. Currently, in this plan there is a sidewalk
22 going from the school to Camp Meeting Road.

23 Q. Right, but I have to pass a pinch point in
24 order to get to that sidewalk. I'm talking
25 one that would go into, directly from the

1 there. But if you're asking me have I looked
2 at this to prevent a serial killer from being
3 able to take advantage of shooting all the
4 students in the school, no, I haven't looked
5 at that.

6 MR. RESTAURI: Isn't the question
7 I think -- maybe we can short circuit this as
8 we will be at ten o'clock. The question is,
9 you have places where kids could be held by
10 police or others that are safe, they could be
11 held there until the emergency is over?

12 THE WITNESS: I believe so.

13 MR. RESTAURI: What you're asking,
14 Kim, is rather than hold them there, is there
15 a way they could be trickled out into the
16 community? And the answer is, right now, no.

17 MS. GATESMAN: Okay.

18 THE WITNESS: I do think -- let's
19 say you picked this area here (indicating).

20 BY MS. GATESMAN:

21 Q. No, it's really this area (indicating).

22 A. Let's say I pick the area to evacuate the kids
23 to this lot. And this is slightly lower here
24 than it is here. So I think you could take
25 the kids down this road to get out.

1 of improvements would have to be made?

2 A. Although not specifically warranted as a
3 result of our analyses, we are assuming and
4 would recommend to the school board that the
5 main entrance be revised to include auxiliary
6 turn lanes into and out of the school. Camp
7 Meeting Road is curved linear. In order to
8 provide for adequate corner and stopping
9 distances at the intersection, we proposed a
10 redesign of Camp Meeting Road to accommodate
11 that new driveway on a slightly different
12 alignment to provide those distances and those
13 auxiliary lanes.

14 Q. And the school district owns sufficient
15 property to allow that to happen; is that
16 correct?

17 A. Yes, we were able to provide that alignment
18 back onto school district property.

19 Q. Could you address Camp Meeting Road and Beaver
20 Street and how you would mitigate any traffic
21 -- how long would any traffic impact occur at
22 that intersection and how would it be
23 mitigated?

24 A. We found that we have very short term delay
25 increases at the school during their peak hour

1 Q. Was Mr. Thomas lying when he said that 200
2 cars would drive to and from the high school
3 on a daily basis?

4 A. I'm sure he was giving the answer that he
5 thought was correct.

6 Q. I will ask you as the traffic expert, how many
7 cars will drive to and from the high school on
8 a daily basis?

9 A. Specifically, consistent with our report, you
10 want me to get that number out?

11 Q. Yes, sir.

12 A. The trip generation we used in the report
13 would be an average daily traffic of 1,792,
14 representing 896 entering and 896 exiting at
15 the morning peak traffic hour, 390 additional
16 vehicles, 261 entering and 129 exiting. In
17 the evening peak hour of generation, 281
18 additional vehicles during the p.m. peak hour,
19 90 entering and 191 exiting.

20 Q. So I am just taking bits and pieces of what
21 you said, but the record will reflect sort of
22 what your opinion is of how many cars come in
23 and out of the high school on a daily basis.
24 Am I correct in your report and what you've
25 read from is a description of the number of

1 Road.

2 A. Sure.

3 Q. I have a question for you, sir. If I may, can
4 I approach the --

5 MR. RESTAURI: Sure.

6 Q. There has been testimony, sir, about
7 landslides and other things that have happened
8 on Camp Meeting Road, and this goes to your
9 792 trip ends. If there is a landslide on
10 Camp Meeting Road that prohibits egress and
11 ingress from these two spots here, how did the
12 1,792 trip ends get to and from the high
13 school?

14 A. If there is a landslide, as you just pointed
15 between here and here, couldn't they use this
16 (indicating)?

17 Q. What is that?

18 A. This is the secondary access to the school.

19 Q. What if it's just below the secondary access?

20 A. There would be a problem.

21 Q. So if there was a landslide or Camp Meeting
22 Road was closed between the secondary access
23 and the bend above the primary access, there
24 would be a problem, to use your own language.

25 A. Sure.

- 1 Q. And there would be no way to get to and from
2 school, would there?
- 3 A. Oh, I'm sure there are ways to get to and from
4 school. I'm sure the school could be
5 evacuated.
- 6 Q. If this road was closed in the points I just
7 described for any significant period of time,
8 you couldn't have school, could you?
- 9 A. Probably not. That would be a fairly
10 catastrophic event.
- 11 Q. Are you aware of the conditions on Camp
12 Meeting Road and how often there have been
13 landslides and different repair issues that
14 have had to take place on this one windy road
15 up a hill?
- 16 A. Yes, I'm from Western Pennsylvania. We have
17 lots of these roads.
- 18 Q. Right, and there are lots of issues that arise
19 from these types of roads, aren't there?
- 20 A. Sure.
- 21 Q. Your report is solely focused on congestion.
22 Am I right about that?
- 23 A. It's solely focused on traffic impact.
- 24 Q. It's not focused on safety, is it?
- 25 A. Sure. It's included.

- 1 Q. And what portion of your report discusses
2 safety?
- 3 A. Safety is inherent with capacity and
4 operation. So an intersection operates and
5 roadways operate with a level of service.
6 When you have incredibly poor levels of
7 service, that impacts on safety.
- 8 Q. So your analysis of the safety was solely
9 focused on the number of cars that would be on
10 Camp Meeting Road.
- 11 A. No, it's going to look at lane widths and
12 other aspects of the roadway, site distance.
13 All of those are enumerated in the report.
- 14 Q. So as you sit here today, is it your testimony
15 that the site distance and pathways that
16 currently exist on Camp Meeting Road are safe?
- 17 A. For the posted speed limit and the geometry,
18 yes.
- 19 Q. Does your report at all consider the age and
20 experience of the drivers that would be
21 driving up and down Camp Meeting Road, given
22 that there will be a new high school there?
- 23 A. Can you rephrase your question, ask me
24 something specific?
- 25 Q. Sure. I've read your report. There is

1 traffic expert, would it be advisable or even
2 feasible to walk from Sewickley Village to the
3 high school up Camp Meeting Road?

4 A. Is it feasible? Yes. You can walk that
5 roadway. Is it advisable to bicycle or walk
6 on that roadway? I wouldn't necessarily
7 suggest it.

8 Q. Do I hear your testimony correctly the only
9 mitigation tactic, the traffic mitigation
10 tactic that you've suggested is to put a
11 traffic director at the intersection of Camp
12 Meeting Road and Beaver during peak traffic
13 hours?

14 A. That, along with the geometric improvements
15 we're doing at the front door on Camp Meeting
16 Road. Those were the recommended
17 improvements, that's correct.

18 Q. And those are the only two improvements?

19 A. That's correct.

20 Q. So other than those two improvements, there
21 are no other recommended improvements anywhere
22 all the way up and down the long and windy
23 steep Camp Meeting Road?

24 A. That's correct. We don't own Camp Meeting
25 Road. That's an existing road owned and

1 Q. But you answered it even though you thought it
2 was hypothetical. And I don't mean to be
3 argumentative with you. I'm the one that's
4 going to ask the questions.

5 So left-hand turn could be more
6 dangerous under certain circumstances than a
7 right-hand turn.

8 A. I don't know specifically what you're asking.
9 It takes slightly longer to make a left-hand
10 turn than it does a right-hand turn, but it
11 all depends on a number of factors. Regarding
12 traffic volume on the Main Street, once you're
13 entering, if there are no cars entering,
14 they're essentially equal.

15 Q. Have you analyzed those factors and the
16 potential risks associated with making a
17 left-hand turn onto Camp Meeting Road and a
18 left-hand turn onto Beaver Street?

19 A. We've taken into account all of those turns
20 and looked at the levels of service and the
21 operational efficiency of those intersections
22 to determine whether there is an impact as a
23 result of additional turns.

24 Q. Whether there is a traffic impact.

25 A. That's what we're analyzing is traffic.

- 1 Q. Not whether there is a safety impact.
- 2 A. No, it involves safety as well. We have
3 sufficient site distance for a motorist to be
4 able to make an adequate decision to make a
5 turn, and with adequate capacity, and we've
6 analyzed that and reported that.
- 7 Q. But that analysis does not take into account
8 the age or experience of the drivers.
- 9 A. I think we have to assume that we're dealing
10 with the average driver. There are factors
11 used in our analyses that do take into account
12 the average response of a driver. There is
13 some variability and that is taken into
14 account in the analyses, but I didn't
15 specifically look at an ill-equipped driver or
16 somebody having an issue with driving. We
17 have to assume that the motorist driving a
18 vehicle is a properly licensed motorist that
19 is able to operate a motor vehicle in average
20 conditions.
- 21 Q. Would you agree with me that it would be
22 difficult to get Camp Meeting Road designated
23 as a school zone?
- 24 A. Yes, it would be probably impossible because
25 the primary reason for a school zone is if

- 1 there are school children present. And
2 because it is not equipped currently with
3 pedestrian facilities along its length, there
4 would likely not be a school zone.
- 5 Q. So you couldn't put lights or signs or the
6 things that you see sometimes when you drive
7 by a school, you couldn't put those on Camp
8 Meeting Road, could you?
- 9 A. Potentially, if there is a crossing at the
10 entrance, you could put in school crossing
11 areas if -- we can certainly identify where
12 the school entrance is. So there are some
13 signs that can go up that would bring about
14 that there is a school.
- 15 Q. But as you sit here today, there is no present
16 intention to do that, is there?
- 17 A. We have not designed that. So that's
18 incorrect.
- 19 Q. You have not designed it, right?
- 20 A. No, you said that there is no intention. I
21 said that's incorrect. There is intention to
22 put up whatever signing is necessary based on
23 the ultimate design of this access.
- 24 Q. But you have not made those decisions or made
25 that design, have you?

1 A. You would have to make application for a
2 traffic signal.

3 Q. Okay, make application, ask them, however you
4 want to phrase it.

5 A. Sure.

6 Q. We talked about the number of cars that are
7 going to be in school, 200 some. You'll agree
8 with me there are instances during the year,
9 events that occur at the school in which there
10 is a large student body participation plus
11 participation from the community in general.
12 We have a very prominent, very fine high
13 school musical event that occurs every year
14 for upwards of a week, if maybe not longer.
15 We have concerts and events, graduation
16 events, and things like that that have added
17 people coming to the school.

18 Did you estimate in your report anywhere
19 what these increased events would do to the
20 traffic conditions on Camp Meeting Road or at
21 Beaver Road?

22 A. We did not specifically identify any events at
23 this point. Somewhat premature until the
24 facility is actually designed and you can
25 identify through programming what events would

1 out into Bell Acres and wherever it goes.

2 Q. And you would agree with me, won't you, that
3 Camp Meeting Road is a main access to the
4 northern part of Allegheny County from the
5 river here at Leetsdale?

6 A. It is certainly an access.

7 Q. And you'll agree with me, won't you, that at
8 present Camp Meeting Road is closed. Excuse
9 me, not Camp Meeting, but Little Sewickley
10 Creek is closed so that the traffic that would
11 go up Little Sewickley Creek may now be
12 required to go up Camp Meeting.

13 A. Yes, it is. It's certainly another alternate
14 access to Little Creek.

15 Q. Well, Little Sewickley Creek isn't available
16 anymore so that traffic may go up Camp
17 Meeting. Let me ask you this, cause nobody
18 addressed it. I have to walk over here again.

19 At any time of the day -- but let's pick
20 -- by that, I mean morning rush or afternoon
21 rush -- let's assume that somebody is coming
22 down here, you see this very sharp bend.
23 Let's say it's the wintertime and they're not
24 the best of drivers and they cause an accident
25 right here at the bend, the hairpin bend.

1 Somebody is hurt, you've got Valley Ambulance
2 on the way, you've got the responders from the
3 Leetsdale or Leet Township Fire Department
4 right here, you've got Leetsdale police, Leet
5 Township police, maybe a fire truck, all right
6 here on the roadway.

7 A. Uh-huh.

8 Q. And, well, right here on the roadway
9 (indicating). How do people and buses from
10 here get past this point?

11 A. They would potentially be delayed for an
12 unusual event, like everything is delayed in
13 an unusual event.

14 Q. But that would cut off access to the school,
15 would it not?

16 A. It would cut off access --

17 Q. This part would be done.

18 A. It wouldn't be done. It really depends on --
19 there could be a time constraint where traffic
20 may have to be delayed. Depending on the
21 event, if -- it is an unusual event that would
22 be handled by emergency management, yeah. And
23 that can occur anywhere, any time, for
24 anything.

25 Q. And the same would be true up here

1 Q. And did you have a measure of what the speed
2 is actually on the road?

3 A. Yes.

4 Q. And how fast are they going down the street
5 or up the street?

6 A. We measure -- there is a very specific
7 measurement that we're looking for in traffic
8 engineering referred to as the 85th percentile
9 speed. The 85th percentile speed is a speed
10 at which 85 percent of the people are
11 traveling at or below. And we measured the
12 85th percentile speed specifically on Camp
13 Meeting Road near the secondary access to make
14 sure we can have sufficient site distance
15 based on that 85th percentile speed.

16 Q. And it is?

17 A. I believe -- it might be best if I just read
18 it. It doesn't have it in this particular
19 table. We did measure it. Probably in the
20 appendix. I want to say 34 miles an hour.

21 Q. If your report was smaller, we could find it
22 faster.

23 A. Well, that's a problem. So on Camp Meeting
24 Road we identified 85th percentile speed
25 northbound of 36 miles per hour and

1 southbound, higher of the two, at 34 miles per
2 hour.

3 Q. Higher of the two?

4 A. Yeah, we measured on what we call the far
5 curve and the near curve, we measured 34 and
6 31 to give you the higher of the two.

7 Q. And where was that located?

8 A. Within the environs of the secondary access.

9 Q. So around the secondary access. I got it.
10 And that's coming around the sharp curve.

11 A. Well, for southbound it would be -- it's in
12 this location right here (indicating).

13 Q. So they had to come down, take the sharp
14 curve, and then hopefully slow down for it and
15 then go into the area where your measurement
16 device was.

17 A. Yes, we use radar. So we were getting
18 instantaneous speeds at those locations.

19 Q. And by the 85th percentile, that means that at
20 least 15 out of 100 were going faster than
21 that.

22 A. That's correct, yes. The 85th percentile
23 speed has been empirically identified as being
24 fairly near the design speed which is why the
25 85th percentile speed is used actually to

1 design of the road controls the speed.

2 We've been asked to actually design
3 geometry to control speed. You can do that.
4 You know, if you take a very straight section
5 of roadway and don't put any impedances on it
6 whatsoever, the design speed is very, very
7 high. But you can design, call them traffic
8 calming into a road, so a road has its own
9 speed. The curved linear aspect of this does
10 not concern me. It controls speed.

11 The steepness of the road is inherent.
12 We live in Western Pennsylvania. No matter
13 what, you have a piece of road that's likely
14 going to have a grade. We have to take that
15 into account because -- and when we measure
16 site distance and we measure speeds, we take
17 grade into account in determining how far you
18 need to be able to see because it takes -- I
19 need to be able to see if traffic is
20 approaching down a hill, I need to see them
21 further because between perception reaction
22 time, the gradient of the roadway and the
23 friction factor of the roadway, it takes them
24 longer to stop sliding down a hill than if
25 they slid up the hill.

1 similar that school buses throughout the
2 county and this whole area have to traverse.
3 There is nothing that unique about Camp
4 Meeting Road that a bus can't travel it.

5 Q. And in your work as a traffic expert in
6 schools, do you think land use, where you site
7 schools at, traffic should be given
8 consideration in terms of access, egress?

9 A. Yes, I would assume that that was done when
10 this was permitted as a special -- schools are
11 permitted as a special exception in the
12 district. It was contemplated because it was
13 included.

14 Q. Do you do any work where, when people are
15 developing land use ordinances or zoning
16 ordinances, where they consult you to say,
17 should we make special exceptions in this area
18 for a school? Have you ever done that kind of
19 work?

20 A. We have been -- yes, I've been consulted by
21 land planners when they consider uses because
22 of their potential traffic impact. Because,
23 you know, with zoning you have to account for
24 and anticipate any and all development. So
25 what happens if.

1 homeowner who's heard the construction
2 vehicles for other projects, been behind the
3 buses both up and down for regular school use,
4 is avoid peak times. That's what you said.

5 A. Not necessarily avoid peak times.

6 Q. Something to that effect. Maybe I misquoted.

7 A. I think the way I characterized it, there are
8 times if I leave in the morning and I happen
9 to be right --

10 Q. I go up the hill to work, I come down the
11 hill, I go several times a day and have for
12 all these decades, and there are times
13 obviously it takes longer. Your estimate is
14 it might be a ten second delay at the bottom
15 of the hill of Camp Meeting and Beaver Street.

16 A. I didn't say that specifically.

17 Q. It does say that in the report. It says -- I
18 guess your estimate is ten second delay per
19 vehicle. So I understand sometimes it's more
20 than that.

21 But you don't have any information for
22 us today on what off peak events might do to
23 the traffic at off peak times like evenings,
24 weekends, or early morning practices, games,
25 things like that? Because it's just not part

- 1 their way up to school? It's outside --
- 2 A. I'm not dealing with environmental issues.
- 3 Q. Thank you very much.

4 MR. RESTAURI: Thank you,
5 Dr. Garber. Who else? Janet?

6

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7

EXAMINATION

8

- - -

9 BY MS. INNAMORATO:

- 10 A. I'm Janet Innamorato. I am a resident of
11 Sewickley Heights. Good afternoon. Thank you
12 for appearing here, giving us testimony.

13 I read in your report on September 19 of
14 2019, 2800 vehicles were counted up and down
15 Camp Meeting Road. Do you remember that
16 number? Is that familiar to you from your
17 report.

- 18 A. I'd have to review the numbers.

19 Q. Appendix A, page 71. So what I'm wondering is
20 if that number 2800 takes into account that at
21 that time the upper end of Camp Meeting was
22 closed and so perhaps certain people could not
23 use Camp Meeting that would otherwise use it.
24 Did you take that into account or just
25 actually count the number of vehicles?

1 Q. Okay.

2 A. So remember you have volume coming in from
3 this side of Camp Meeting, some from this
4 side. So it's not going to be total volume
5 increase. Depends where you are on Camp
6 Meeting, which side of the driveway you might
7 be on.

8 Q. Okay.

9 A. So I wanted to be specific that that number is
10 total generation in a 24 hour period, ins and
11 outs to a high school with 750 students.

12 Q. Okay. So you broke that down -- and this is
13 where I thought it was confusing -- you broke
14 it down at the peak a.m. hour of 390 vehicles
15 of which 261 enter and 129 leave at peak a.m.
16 hours. And at peak p.m. hours --

17 A. Not hours, excuse me, it's one hour. Sixty
18 minutes.

19 Q. Okay, one hour. And your peak p.m. hour, 281
20 vehicles of which 90 enter and 191 leave.

21 A. Uh-huh.

22 Q. So using the best modern math, I've determined
23 that 500 vehicles must enter the property but
24 not at peak hour and 600 vehicles must leave
25 the property but not at peak hour. Does that

- 1 seem right to you?
- 2 A. Yes.
- 3 Q. Okay. So that means when you say at the
4 bottom of Camp Meeting at Beaver you are
5 possibly -- although you appear to be breaking
6 it back a little bit today -- that maybe you
7 want a traffic officer, that the 500 in the
8 morning and the 600 in the evening will not
9 have -- excuse me, throughout the day, morning
10 and evening, will not have the benefit of a
11 traffic officer at the bottom of Camp Meeting,
12 1100 people.
- 13 A. Uh-huh.
- 14 Q. Okay.
- 15 A. Yes.
- 16 Q. When I look at your report, I read for level
17 of service that the decrease at Camp Meeting
18 Road and Beaver went from a C, which it is
19 now, to an F.
- 20 A. Uh-huh.
- 21 Q. Is that correct?
- 22 A. I would have to check but I believe, yes.
- 23 Q. That was the basis for your recommending that
24 a traffic officer be there.
- 25 A. Correct.

1 said you didn't calculate winter icy
2 conditions. But if we wanted to calculate the
3 winter icy conditions, could you do that for
4 an average driver?

5 A. You say, could you do that? I'm sure I could
6 play with a whole lot of math and identify
7 some potential increased risk based on age of
8 drivers. Is that normal and customary for
9 traffic impact analysis? Not likely. So, no,
10 we did not do that. And I can't answer your
11 question of what is the anticipated likelihood
12 of an increase in number of accidents caused
13 by high school drivers.

14 Q. And you didn't specifically address the after
15 school time which at night is going to have a
16 highest -- the coldest portion of our day and
17 ice conditions, we didn't address that at all.

18 A. No.

19 Q. That's it. Thank you.

20 MR. RESTAURI: Thank you. Anyone
21 else in the room who wishes to question the
22 witness? Anyone on zoom who wishes to
23 question the witness, please?

24 MR. LENCH: Yes, I do.

25 MR. RESTAURI: Mr. Lench.

1 Camp Meeting. That number would increase but
2 total volumes at Beaver decrease.

3 Part of the purpose of not decreasing
4 the number to account for the existing high
5 school was precisely for that, to make sure
6 that we had more than sufficient capacity on
7 those roadways. It really -- my gut is that
8 it wouldn't make a difference, but I'm
9 certainly going to go back and vary those
10 percentages to determine if there is any
11 sensitivities there. I doubt that there is.
12 The sensitivity is predominantly the peak hour
13 factor, the fact that everything happens in
14 about 15 minutes.

15 Q. Okay.

16 A. And the volume exiting Camp Meeting onto
17 Beaver. It wouldn't be the Beaver Road,
18 Beaver Street that will be impacted.

19 Q. So it's Camp Meeting Road coming down the hill
20 southbound and turning left or right onto
21 Beaver Street.

22 A. That's correct, and the cuing associated with
23 those delays, which is what we've tried to
24 mitigate.

25 Q. I think that's primarily my questions. Let me

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LEET TOWNSHIP
ZONING HEARING BOARD
194 Ambridge Avenue
Fair Oaks, PA 15003-1248

Friday, August 20, 2021
9:00 a.m.

- - -

SPECIAL EXCEPTION APPLICATION

QUAKER VALLEY SCHOOL DISTRICT

- - -

Reported by:

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Leaette Cavaliere, Court Reporter
162 Cobblestone Drive
Pittsburgh, PA 15237
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A P P E A R A N C E S

LEET TOWNSHIP ZONING HEARING BOARD:

Terry Soster, Chairman
Chuck Soman
David Kovacs
Tony Tirimacco (alternate)

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ON BEHALF OF QUAKER VALLEY SCHOOL DISTRICT:

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Goehring, Rutter & Boehm
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1 property, evaluating all environmental aspects
2 of the property, and preparing preliminary
3 grading plans for the stipulation of whether
4 the school district could build -- there was
5 enough property here that was able to create a
6 buildable pad of at least 50 acres which at
7 the time that was the criteria we had been
8 given that the school district in their
9 planning, very preliminary planning needed to
10 construct the high school campus which
11 included all amenities for the district.

12 Q. In your report you referred to colluvial soils
13 and red beds. Could you explain those
14 conditions?

15 A. Yeah, I'll keep it in brief terms. Joe Boward
16 could be more technically oriented with it.
17 But colluvium is where gravity pulls down the
18 soils to a lower part of the slope. That's
19 where the soils have -- their safety factor
20 has been decreased due to wind, water,
21 erosion, to be less than one. So the soils,
22 by gravity, go to the tow of the slope.

23 Now the red beds which are used is the
24 terminology that's generally in industry of
25 engineering and geotechnical that describes

1 the material that has slid from claystone.
2 Claystone is throughout the whole district.
3 It's throughout all of the township, other
4 than down along the flood plain areas where
5 the creeks are. It's a claystone that is
6 throughout the whole district.

7 There isn't any part of Leet Township or
8 the school district that doesn't encounter
9 this type soils if you do any kind of
10 development here. All the homes, all the
11 hillsides up here has that in it.

12 Q. Can you safely build on colluvial soils or red
13 beds?

14 A. You don't build on the colluvial soil. What
15 we do is remove it -- because it's not
16 compacted, it's unconsolidated material, so
17 you go in and remove that material down to the
18 claystone or rock layer or substantial
19 material and then you build up from that. So
20 you remove that material that has already
21 slid.

22 Q. And that would also involve the red beds and
23 the colluvial soils would all be removed to
24 get you to a stable base?

25 A. That's correct.

- 1 Q. And was that your recommendation to the school
2 district, that this site could be safely --
3 you could safely build a high school on this
4 site by engaging in that activity, by removing
5 the troublesome soils?
- 6 A. Right. As you see on the site plan that is
7 before the board, the area where any slopes
8 are being proposed, you can see it's
9 extensively taken down to the lowest part of
10 the slope where we take all the colluvial
11 material out, onto stable material, then we
12 build the slope back up. Sort of when you
13 look at it in a cross-section, it looks like a
14 set of staircases. So you actually sawtooth
15 or staircase the slope back up in solid
16 material so that it is well anchored.
- 17 Q. After you engage in that recommended action to
18 safely build, would the site be more stable or
19 less stable than it is today?
- 20 A. The site will be more stable because we have a
21 factor of safety of at least one and a half
22 whereas the conditions that are out there now,
23 they're borderline one.
- 24 Q. Are these site conditions unique to the use of
25 this property as a high school or would these

- 1 same conditions need to be addressed for any
2 other development on the site?
- 3 A. They would need to be greatly addressed for
4 any kind of development on this property.
- 5 Q. So are all these physical conditions, these
6 conditions you identified, related to the
7 physical condition of the site rather than
8 what the end use of the site would be?
9 Whether it be single family residential, other
10 institutional, school, do these conditions
11 exist for all of those uses?
- 12 A. Yes, any development that takes place on this
13 property, all of these properties, you're
14 going to encounter those materials and that
15 condition so therefore they have to be
16 engineered properly in order to be able to
17 develop.
- 18 Q. Can the site be safely developed?
- 19 A. Yes, it can.
- 20 Q. Now, Geoff, did you prepare the survey that's
21 shown on SP-3?
- 22 A. Yes, we did.
- 23 Q. And there was some testimony that was a little
24 bit confusing by prior witnesses regarding
25 whether this site has access at the southeast

- 1 A. Given the history of the property, there was
2 Mr. Tuhl's involvement in it, that out where
3 the old driveway that went up to the Walker
4 house, there was already existing evidence of
5 sliding material.
- 6 Q. In your report you mentioned in the same
7 sentence that I previously read from your
8 report, you mentioned that the ridge is capped
9 by sandstone.
- 10 A. Yes.
- 11 Q. And sandstone is hard, right?
- 12 A. That's correct.
- 13 Q. And it's not malleable.
- 14 A. No.
- 15 Q. So if you encounter sandstone, that sandstone,
16 and you need to move it or rearrange it, that
17 sandstone needs to be blasted.
- 18 A. Depending on the hardness of it. If it's very
19 hard sandstone, yes. If it's a hardness that
20 machines could go in and they could rip it,
21 they have the great big teeth on the back of
22 the machines. So that's something that's
23 still to be determined. We did not do that
24 testing or it was not done at this stage of
25 the game. It was determined that there is

- 1 sandstone.
- 2 Q. Right. So you don't know at this point in
3 time whether or not blasting is going to be
4 necessary and/or whether or not the machine
5 process that you described is going to be
6 necessary or whether or not they'll both be
7 necessary.
- 8 A. At this time, no, we have not because we have
9 not -- nobody has been hired to design that
10 aspect. This was a due diligence which you go
11 in to evaluate, make them aware of all the
12 concerns that we see and how they can be
13 engineered and the design.
- 14 Q. So the amount of blasting that will be
15 required has not even been evaluated.
- 16 A. That's correct.
- 17 Q. So as you sit here today, you have no idea how
18 much blasting and/or what type of blasting is
19 necessary to develop this property.
- 20 A. That's correct.
- 21 Q. And so nobody, as far as you're aware, knows
22 anything about the nature of the blasting that
23 will be required on this property.
- 24 A. At this time, no, that's correct.
- 25 Q. Would you consider blasting a dangerous

- 1 remove the colluvial soil.
- 2 A. At this time, no, it has not. Because the
- 3 site has not been designed.
- 4 Q. In that same sentence, "The project plan is to
- 5 incrementally remove the colluvial soil
- 6 deposits with sufficient engineering
- 7 forethought," what is sufficient engineering
- 8 forethought?
- 9 A. What we started which is to drill and be aware
- 10 of all the conditions that are out on the site
- 11 so that we are designing a slope that is going
- 12 to be stable for a long time and have at least
- 13 a factor of safety of one and a half.
- 14 Q. But you're unaware of any specific plan that
- 15 would detail what the specific or sufficient
- 16 engineering forethought in this instance would
- 17 be.
- 18 A. That plan has not been designed yet.
- 19 Q. Would you agree with me that after there is
- 20 some excavating there could be potential
- 21 subsurface issues that you do not anticipate
- 22 that you could encounter?
- 23 A. Correct. Every project has it. Nobody has a
- 24 crystal ball, can tell what is underneath the
- 25 ground.

- 1 Q. What if that blasting injures somebody that
2 lives in close proximity to the site?
- 3 A. Then the insurance will cover that issue.
- 4 Q. You're still injured, right?
- 5 A. Yeah, and a tornado could hit here or any
6 other natural things could hit. You could
7 walk --
- 8 Q. But this isn't a natural -- you are comparing
9 this to a tornado. This isn't a natural
10 event. There are men going in and blasting
11 it. Those aren't comparable events, are they?
- 12 A. It's a disaster. I mean it's the same -- the
13 terminology you're using that it's a
14 detriment, you know, no different than a
15 vehicle could run into a house. It's a
16 detriment to that. There is potential of any
17 kind of those things.
- 18 Q. So just so I'm clear, you are comparing the
19 blasting that could be conducted on this site
20 to a vehicle running into somebody's house and
21 a tornado hitting somebody else's house. Am I
22 right? That's what you just said, right?
- 23 A. I said that those are causes that can cause
24 cracking to happen into a house and could
25 possibly take life.

1 MR. MICHAEL: That's true.

2 - - -

3

4 EXAMINATION

5 - - -

6 BY MR. MICHAEL:

7 Q. Mr. Phillips, how are you?

8 A. Good, sir.

9 Q. I am Tom Michael, and I represent several of
10 the homeowners, and I have a few questions for
11 you. You've taken borings that you've
12 discussed, at least a hundred of them have
13 been taken. Do any of those borings give you
14 any data that you can share with us that would
15 indicate where subsurface water would go
16 following blasting and/or development of the
17 site?

18 A. There were some water readings. That isn't --
19 one of the things during the test boring is
20 they determine where ground water is present
21 in the borings and given there is a sandstone
22 layer and then above that is soil, you know,
23 the rock is hard so the water is going to come
24 out at that level, at that elevation.

25 Q. And if you broke that sandstone, does anybody

- 1 know where the water would go?
- 2 A. Not unless you have a crystal ball.
- 3 Q. And that's not within your -- you don't have
- 4 that in your bag of tools?
- 5 A. No, I haven't found that yet.
- 6 Q. Okay, so as I understand this, and you can
- 7 correct me if I'm wrong, you have topsoil and
- 8 below that is colluvial soil?
- 9 A. Well, in this particular site you have the
- 10 sandstone layer which is roughly 70 feet deep.
- 11 Q. Seventy feet of sandstone.
- 12 A. Then below that you have --
- 13 Q. Excuse me, maybe I said that wrong. At 70
- 14 feet down you have sandstone?
- 15 A. No, the thickness of the sand is 70 feet
- 16 thick.
- 17 Q. And sandstone is brittle, is that not correct?
- 18 A. It's not brittle -- it can be very hard.
- 19 Again, sandstone -- that's why you have to do
- 20 additional cores to determine the makeup of
- 21 it, as to how hard it is. It can be soft, it
- 22 can be hard.
- 23 Q. And if it's hard, you have to blast. If it's
- 24 soft, there is equipment that you can use,
- 25 great big graders and buckets with teeth on

- 1 them.
- 2 A. Right, the size of Tonka toys.
- 3 Q. You can use something like that to dig it out.
- 4 A. Right.
- 5 Q. But we don't know in either case what the
- 6 effect is going to be if you have to go down
- 7 and deal with that sandstone layer because it
- 8 can crack.
- 9 A. Yes.
- 10 Q. And water -- you'll agree with me water seeks
- 11 cracks.
- 12 A. Uh-huh. That's how it gets out.
- 13 Q. That's how it gets out. And we don't know
- 14 what the effect is going to be on -- I'm going
- 15 to point to this on the map. Notice how I
- 16 raised my voice when I walked over here.
- 17 That's a lawyer trick.
- 18 A. I'll try to remember.
- 19 Q. This is the wetland, this is the school, and
- 20 down below it are the houses here, and this is
- 21 where there is a sandstone layer, is that not
- 22 correct?
- 23 A. Yeah, underneath, yes.
- 24 Q. Yeah, underneath. So right now, if my
- 25 basement was dry and my neighbors' basements

- 1 are dry, crack that sandstone, they may no
2 longer be dry; is that correct?
- 3 A. Possibly, yes.
- 4 Q. And we don't know that.
- 5 A. No, but we are designed -- if in fact I am the
6 engineer, we will design to collect any of the
7 water that's coming out of the hillside.
- 8 Q. Collect the surface water.
- 9 A. And also down below because when we go to
10 build these slopes, we put under drains in.
- 11 Q. And you'll agree with me that when you do
12 this, you're designing as to what's there and
13 what you think is there now, correct?
- 14 A. Correct. And during construction, if we
15 encounter different situations such as when
16 they're excavating down, we encounter a lot of
17 ground water, then we will provide design
18 measures to take that water away.
- 19 Q. At that time.
- 20 A. That is correct.
- 21 Q. But in the future it could change, couldn't
22 it?
- 23 A. Mother nature has a way of changing things,
24 yes.
- 25 Q. And what's the old saying, you can't mess with

1 mother nature?

2 A. That is correct.

3 Q. So we can agree that even though you design
4 something and even though you think that at
5 the time you design it you've cured the
6 problem, mother nature can step in there and
7 screw everything up.

8 A. Can in any development, anywhere, at any time.

9 Q. And you've previously said, well, that's why
10 we have insurance.

11 A. Well, yes, that's pretty much --

12 Q. But you're not the insurance company, are you?

13 A. No, sir, I'm not.

14 Q. And so you can't say -- you can say we have
15 insurance, but you can't say that they're
16 going to pay.

17 A. No. I can say that, correct. She wants me to
18 talk louder into the mic.

19 Q. I understand.

20 (DISCUSSION HELD OFF THE RECORD)

21 Q. Okay, so are you aware of the Allegheny County
22 landslide portal?

23 A. I myself am not.

24 Q. It's a website or a site portal that you can
25 go on, on the internet, it's run by Allegheny

1 County, and it shows where there are
2 landslides or a history of landslides in the
3 county.

4 A. Okay.

5 Q. And by your testimony, you would not be aware
6 then that the Borough of Leetsdale and Leet
7 Township, this part of Leet Township, are
8 labeled landslide areas.

9 A. That, I am -- not that specific site, but
10 there are other -- Pennsylvania Geology
11 publishes material that shows all the
12 landslide areas in Pennsylvania. So I'm aware
13 on the larger scale but not specifically the
14 Allegheny County.

15 Q. And you'll agree with me that Leetsdale and
16 the slopes of Leetsdale and Leet Township are
17 designated as landslide areas.

18 A. Oh, yes, pretty much all of Southwestern PA.

19 Q. And that's because the peneplain, to use a
20 geotechnical term, the peneplain that existed
21 here as an ocean umpteen million years ago has
22 eroded and what we call hills here in
23 Pittsburgh really aren't hills, are they?

24 A. No.

25 Q. They're just erosion.

- 1 A. Right.
- 2 Q. And so all of this mess of geology is the
3 result of water going downhill.
- 4 A. Yes.
- 5 Q. And it goes downhill on the surface and
6 underneath.
- 7 A. Yes.
- 8 Q. And you'll agree with me, won't you, that the
9 subsurface water is as much of a problem as
10 the surface water is?
- 11 A. Yes.
- 12 Q. Now below the sandstone cap is colluvial soil
13 which just means junk that's washed down and
14 packed in --
- 15 A. Well, if you are looking straight down, below
16 that is the claystone, and then the colluvium
17 soils is on the surface, stuff that has slid
18 on the surface.
- 19 Q. Above the claystone.
- 20 A. No, on the sides of the hill. And that's what
21 colluvium is, it slides down to the tow of the
22 slope and it's uncompacted, non-uniform
23 material, as you say, junk.
- 24 Q. It's the result of erosion and weathering and
25 a whole bunch of factors.

- 1 A. Right, the weather gets to it.
- 2 Q. Right. And water gets to it and the freeze
3 that you factor gets to it and it cracks it.
4 And so the shale layer that sits below the
5 clay is horizontally strong, is vertically
6 strong but horizontally weak and it, too, is
7 water impervious.
- 8 A. Well, it cracks.
- 9 Q. But for the cracks. The material itself is
10 impervious but when it cracks, the water gets
11 in and it follows the cracks.
- 12 A. Right.
- 13 Q. And the water that comes down and gets on the
14 subsurface clay, it makes that clay slippery,
15 doesn't it?
- 16 A. Yes.
- 17 Q. So you have got a slippery clay layer on top
18 of the shale layer and if that moves -- well,
19 that's prone to movement, isn't it?
- 20 A. Right, that's how it slides is the way the
21 water is absorbed into it causes it to exceed
22 the factor of safety and it will slide.
- 23 Q. And at this point we don't know, we think we
24 know how to design it, but mother nature could
25 cause that water to go down into the area that

1 I pointed out above the houses there and cause
2 that shale to slide -- or cause the clay to
3 slide on the shale because mother nature does
4 what mother nature is going to do and we don't
5 know what she's going to do.

6 A. Right, she can do anything that manmade makes
7 and tear it down.

8 Q. And so at this point in time we don't know
9 what the effect of the construction of that
10 school would be or any school would be on the
11 top of that hill. We think we know, but we
12 don't really know. Isn't that true?

13 A. That's possible. We are going to use our best
14 engineering practices of our profession to
15 design this property, if we are selected or
16 whoever is selected in the profession, to
17 design the property so that it is stable. But
18 as you said, mother nature has their own ways
19 of throwing curve balls. But none of us in
20 any instance can guarantee that. Except death
21 and taxes.

22 Q. I'm not so sure about death, but I will give
23 you taxes. I'm going to ask you this
24 question. It was testified to by your
25 colleague but I'm going to ask you, and if you

1 Q. You enter it in the software but mother nature
2 doesn't pay attention to the software.

3 A. A lot of times you're correct.

4 Q. And we don't know if this is going to be one
5 of those times.

6 A. No.

7 Q. That's all I have. Thank you.

8 MR. RESTAURI: Thank you,

9 Mr. Michael. Ms. Turnbull?

10 MS. TURNBULL: Thank you.

11 - - -

12 CROSS-EXAMINATION

13 - - -

14 BY MS. TURNBULL:

15 Q. How are you, sir?

16 A. Doing just fine.

17 Q. You're hanging in there. That's all you can
18 do.

19 A. We are all here to get this information out so
20 everybody can understand.

21 Q. Well, I appreciate that. And actually, it's
22 one of my first questions is really just to
23 understand a term that we see referenced.

24 You indicated that you have participated
25 in this project from the due diligence phase

1 kind of to present; is that correct?

2 A. That is correct.

3 Q. And did you prepare a due diligence executive
4 summary as part of that?

5 A. Yes, I did.

6 Q. So in that document it states that, quote,
7 while it is impossible to accurately predict
8 mass landslide movement, it is well known that
9 this area is currently metastable -- a word
10 that has never come out of my mouth before so
11 thank you -- metastable or borderline stable
12 due to weather and gravity and surface and
13 ground water issues over geotechnical history.

14 Can you define metastable just for the
15 purposes of our record?

16 A. I will defer to my colleague to answer that
17 question in more detail level that you would
18 like.

19 MR. BOWARD: Should I come up?

20 - - -

21

JOSEPH BOWARD,

22 having been first duly sworn, was examined and
23 deposed as follows:

24 - - -

25

CROSS-EXAMINATION

1 BY MS. TURNBULL:

2 Q. Trying to think of how to do this elegantly
3 otherwise. Yes, please, sir.

4 A. Okay, when geotechnical engineers use the word
5 "metastable," it's referring to what we
6 consider a factor of safety. I don't want to
7 get too technical but when we look at a slope,
8 the factors of safety is the sum of all the
9 forces tending to resist slope movement
10 divided by the sum of all the forces tending
11 to cause slope movement.

12 Okay, so if there are more forces
13 resisting slope movement than there is forces
14 causing it, the factor of safety will be
15 greater than 1.0. When the factor of safety
16 is about 1.0, or we say unity, that means it's
17 right on the verge, the forces are roughly
18 equal and that's what we mean by metastable.
19 It's technically stable, but it doesn't take
20 much to cause it to begin to be unstable and
21 potentially begin to move.

22 Q. So an Oxford definition of metastable, for the
23 lay people, if I read this to you, I will ask
24 you what you think, if it fairly and
25 accurately kind of describes the same

- 1 principle.
- 2 A. Yes.
- 3 Q. A condition of a system in which is or has a
4 precarious stability that can be easily
5 disturbed.
- 6 A. That's correct.
- 7 Q. So if I'm hearing that correctly, is it fair
8 to say that a minor disturbance in a
9 metastable environment can cause a failure?
- 10 A. Well, of course, it depends on the disturbance
11 but, yes, if it's the wrong type of
12 disturbance, it can cause it to become
13 unstable.
- 14 Q. So the rock formations on this hillside that
15 we're considering here, in the preliminary
16 plan which I understand has not been fully
17 designed at this point, is it fair to say that
18 a minor disturbance on this hillside to the
19 rock formation could cause a failure?
- 20 A. It's not the rock formation we're so concerned
21 about, it's the soil mantel which is typically
22 the material above the bedrock. That's what
23 we're most concerned about.
- 24 Q. And is it fair to say that a failure would
25 adversely affect the downhill neighbors, so

- 1 those located primarily in Leetsdale Borough?
- 2 A. It can. I mean it depends on where the
- 3 failure is, what the magnitude and degree of
- 4 the failure is, but it can have a detrimental
- 5 impact to the people down slope.
- 6 Q. And I think, you know, we've talked about
- 7 theoretical landslides. Are you aware of
- 8 active or active landslides or subsidence on
- 9 this hillside right now?
- 10 A. We are aware of some slumps which are a type
- 11 of landslide and some sloughs, s-l-o-u-g-h-s,
- 12 that are more surficial sliding elements. And
- 13 we are aware that there was a landslide along
- 14 the -- I can't remember the name of the road,
- 15 that access road that went into the Tuhl
- 16 property. Wood Spur.
- 17 Q. And Wood Spur is located in Leetsdale Borough,
- 18 correct?
- 19 A. Yes.
- 20 Q. The tag team. I appreciate that. And I
- 21 believe I heard testimony from Mr. Phillips
- 22 that talked about saturated soils, data
- 23 collection, that that's part of the exercise
- 24 here. Has that been done already?
- 25 A. We drilled test borings. Actually, we didn't

1 adding the drains to try to address the ground
2 water before it gets into the slope and
3 saturates it, reduces its shear strength.

4 Q. In your professional opinion, would it be
5 necessary to step and to excavate the entire
6 hillside from the top of the hill down towards
7 Leetsdale?

8 A. Only where we're putting the fill embankment.
9 The portions of the hillside that there is no
10 proposed fill or cuts, there is very little
11 cut, most of this is fill, we aren't doing
12 anything to those hillsides so we're not
13 changing conditions there. They're going to
14 be the same as they are now.

15 Q. Is it possible that blasting would affect
16 those hillsides and the water even in the
17 undisturbed areas?

18 A. Actually, it's done per code. There is a
19 Pennsylvania code mostly obtained through the
20 Department of Environmental Protection. There
21 are codes and regulations for blasting. It's
22 performed in such a way -- you have to
23 understand the geotechnical properties of the
24 site. It's done that the peak particle
25 velocity which is the ground wave only reaches

1 a certain figure so that it doesn't cause
2 structural damages to houses and it shouldn't
3 affect the ground.

4 Now when we do blasting, we of course
5 have seismographs on the site, too, to
6 actually monitor that peak particle velocity
7 and see where it actually is. That would
8 entail potential adjustments but up front
9 these computations are undertaken to limit the
10 amount of vibration you're going to get during
11 blasting operations.

12 Q. With respect to the hillside, do you intend to
13 cut that road into the hillside or add fill to
14 create the road or both? Have you gotten --
15 does your design kind of -- have you analyzed
16 that at this point yet?

17 A. We did analyze -- we had some subsurface
18 cross-sections with the test borings that went
19 up through the road so that was taken into
20 consideration.

21 Q. How do you intend to address -- how would you
22 recommend to your client, if you are engaged
23 to do that work, I mean to do that and to
24 stabilize the hillside in the area of the road
25 construction, secondary road?

1 A. It's going to be the same process for fill
2 embankments that I just discussed, excavating
3 down, removing the problematic materials,
4 adding the drainage and so forth. When it
5 comes to existing hillsides that we are not
6 doing any work on, what you have to do is
7 analyze those existing hillsides in their
8 present state and you add the traffic
9 surcharge from the road onto that because you
10 are adding a little bit of surcharge.

11 If it turns out that that slope is now
12 going to be unstable, factor of safety less
13 than one, you are going to have to take
14 measures to stabilize it. And there is
15 various tools in our tool box as geotechnical
16 engineers to do that. You typically don't go
17 in and excavate it away, you try to stabilize
18 it in place with various measures.

19 Q. And I understand that there is an effort in
20 the proposed plan to minimize deforestation or
21 removal of trees. But do your calculations
22 take into account the quantity of trees
23 necessary to be removed and how that would
24 affect water?

25 MR. PHILLIPS: Do you have any

1 traffic on it, but you are now going to be
2 evaluating with our traffic engineer to make
3 sure that it's going to be a safe road to
4 travel. And there are some improvements that
5 are going to have to be done. Are they
6 finalized? No. There are going to be some
7 discussions with the county and what they can
8 do to help improve some of the stuff.

9 It's the same way with the drainage
10 that's coming down through there. It's
11 already a problem. It's been identified. I
12 have had discussions with Mr. Slagle, who is
13 the engineer for both Leet and for Leetsdale
14 Borough, and when we went through the
15 subdivision, those questions were asked by
16 planning commission and council in Leetsdale.

17 And we have had meetings with Allegheny
18 Conservation to look at improving the water,
19 fixing the problems that are there in
20 conjunction. So there are a lot of
21 stakeholders in this project, as I use the
22 word stakeholder, that you are going to work
23 with other agencies to make this a better
24 situation. Not just go out and design
25 something, say, well, there it is. It's going

1 to be reviewed by many people, and they are
2 going to have their experts review the work.

3 So there are a lot of things that have,
4 on the preliminary basis, happened. But
5 again, we are not the final design. Once we
6 get into final design, then you will have
7 stuff on paper that can be determined.

8 MS. HYJEK: And in some of those
9 early conversations that happened in the
10 public -- I mean I think you have been very
11 transparent with what the district has done
12 and having many of these discussions at public
13 meetings and power point presentations which
14 is helpful. I mean is it fair to say that you
15 at least at one time had concerns about the
16 excavability of sandstone on this site.

17 A. Yeah, because of the hardness, whether it
18 could be used with a piece of equipment to dig
19 it or whether blasting. And again, that
20 hasn't been determined.

21 Q. So do you still have those concerns?

22 A. Well, we have to determine that. So it's an
23 unknown and that's what we made the district
24 aware of.

25 Q. And you had concerns with pyrite and

1 A. That's about right. We average it sort of
2 one. There are some areas a little bit more
3 stable, there are some areas that are in
4 active movement. I mean maybe not this
5 moment, but every time it rains it moves a
6 little bit more. That would be indicating
7 that it's one or sometimes falling below one.
8 So it would be more or less an average.

9 Q. Gotcha. As I understand it, based on your
10 testimony, at that one point, at that one
11 point score, when there are conditions that
12 push toward instability, there can be further
13 movement, right? Like the sloughs that you
14 identified already, correct?

15 A. Yes.

16 Q. So the area is already in a sort of
17 transitional state where it's not as stable as
18 what your planned outcome for the areas would
19 be that involve remediation of fill?

20 A. Where we're putting the fill embankments,
21 we're going to be improving the factor safety,
22 obviously. Where we are not doing any earth
23 work, the factor of safety is probably going
24 to remain about the same. The only thing that
25 it may help it is the fact that Geoff is

1 putting these storm water facilities in, it's
2 probably going to cut up a lot of the runoff,
3 the storm water runoff to the slope areas we
4 are not doing work on which should make them a
5 little bit more stable because we are catching
6 all that water.

7 Right now, it's just raining or snow is
8 melting and it's just running down the slopes
9 and into the soil mantle. So the fact we are
10 putting the storm water system there probably
11 makes those slopes a little more stable.

12 Q. Actually, the storm water would be my second
13 point. I wanted to combine them now that you
14 have addressed that.

15 So not only is the general average
16 stability score for the property increasing,
17 right, because you're taking the property
18 where the fill embankments are and making it
19 more stable, bringing it up to 1.5 which would
20 raise the average generally, correct?

21 A. Yeah, that's correct.

22 Q. And then the remediation of the storm water
23 which will address not only some existing
24 issues around the erosion near the Camp
25 Meeting Road and any additional runoff that's

1 I'm going to let Geoff talk about that.

2 As far as the storm water pond, the
3 earth work and so forth, that should
4 ultimately improve the stability of the road
5 because when we go through our calculations
6 that determine stability, we have to be sure
7 that we're buttressing the road slope to make
8 sure it won't fail into our new storm water
9 pond and so forth.

10 So that should ultimately -- at least
11 where we are doing the earth work, that should
12 ultimately improve the roadway. As Geoff
13 said, he has had conversations with entities
14 about the roadway and our hope is that maybe
15 they will get involved some, too, so we can
16 even do more on the roadway to try to help
17 stabilize it. Because right now it's not very
18 stable.

19 As Geoff mentioned, there is storm water
20 running alongside the road in uncontrolled
21 fashion which is causing erosion. Erosion
22 eroding out the tow of the slope along the
23 road which is of course reducing the stability
24 of the slope supporting the road.

25 The development would assist in

1 elevation on there. Yeah, that hill there is
2 about 30 feet, yes.

3 Q. Thirty feet, okay, thank you. My first
4 question is, if I can make this large enough
5 so there is some chance I can read it. In the
6 preliminary report of due diligence you stated
7 observations revealed such elements as
8 significant landslide activity, springs and
9 massive, very hard bedrock. You state also in
10 this report that you believe that blasting
11 will be necessary. Now today you indicated
12 that you were not sure, that you were not a
13 hundred percent certain blasting would be
14 necessary.

15 A. Well, to get down through the thickness of
16 rock, the 40 feet that I talked about, and
17 that's rock. Up here the 30 feet we are
18 talking about is not all rock. There is about
19 10 to 15 feet of material on top.

20 So in our eyes, at that time, to go
21 through 40 feet of rock, you would need to
22 blast. But if we're only digging 10 to 15
23 feet, they may be able to use equipment to do
24 that.

25 Q. So, in other words, the 40 feet that you were

1 you don't intend to disturb, you will not be
2 doing any protection or any changes, you will
3 not be disturbing them in any fashion.

4 A. Right, we are keeping this all wooded here.
5 So we weren't proposing -- and then all the
6 area out here at the end which is in
7 Edgeworth, none of that is going to be done.
8 And my understanding from the architect, and
9 John Thomas testified, he had showed a slope
10 here that he wants them not to do that.

11 So the only slopes that are being
12 constructed are really in this region right
13 here, okay. So none of these -- out here will
14 all stay vegetative, will all stay there, and
15 we are not changing any characteristics along
16 there that would destabilize it, other than
17 mother nature.

18 Q. But you have indicated that really most of the
19 land here is metastable already; is that
20 correct?

21 A. Yes.

22 Q. So is there some likelihood that blasting will
23 have some impact on those hillsides that you
24 don't intend to disturb?

25 A. That is what the calculations do for the

- 1 reduce the amount of water that's surface
2 water. As far as --
- 3 Q. But the colluvial stuff is what's sitting on
4 top.
- 5 A. Correct. And we're trying to keep -- because
6 the school district heard from the public
7 don't take down all the trees, so we're not
8 clear cutting. So we're doing select cutting.
- 9 Q. The trees hang on to everything. But the
10 trees topple over. We see them topple over
11 all the time.
- 12 A. Correct. So to answer your question, I'm not
13 the guy that makes that decision finally of
14 what is done here. I can only engineer what
15 properly is left to be done. So that part of
16 it, my understanding was that it was
17 eliminated of doing any filling in here
18 because the residents didn't want a slope
19 being built above. But in actuality, we were
20 improving the condition with our slope. But
21 everybody saw it as a Walmart-Kilbuck site,
22 that this slope was all going to come down
23 into here (indicating). So that's all I can
24 say.
- 25 Q. What I am saying now is the school probably

- 1 situation which again we do these things when
2 we get into the design, we can maybe alleviate
3 that by directing it to another place so that
4 it doesn't impact your property.
- 5 Q. I think you answered my question before
6 because when I look at the slopes, you are
7 doing things to stabilize it over here but
8 choosing not to do it here.
- 9 A. This site plan does not.
- 10 Q. It's because of cost.
- 11 A. This site plan, yes.
- 12 Q. That doesn't make me too confident.
- 13 A. But others who want trees to stay don't want
14 us to do that.
- 15 Q. I am not the only one down here. There are
16 plenty of other people that I'm sure have the
17 same concern.
- 18 A. I understand. My understanding is there will
19 be meetings with the public by the architect
20 team and probably other engineering teams to
21 listen to the public as far as some of these
22 specific concerns. They want to be good
23 neighbors. I mean they are not here, you
24 know --
- 25 Q. The only other point I have is I have heard a

1 replacing them with 60 foot maples; is that
2 correct?

3 MR. PHILLIPS: That's correct.

4 MR. MICHAEL: It might be a ten
5 foot maple or smaller.

6 MR. PHILLIPS: Right. On these
7 slopes and stuff, to re-vegetate and put trees
8 back that will obviously grow to 60 foot
9 trees.

10 MR. MICHAEL: But none of us will
11 be here.

12 MR. PHILLIPS: I thought you said
13 you weren't dying. You told me that wasn't a
14 guarantee.

15 MR. RESTAURI: Will there be
16 enough of the smaller trees planted so the
17 root systems will have the equivalent effect
18 with respect to water runoff?

19 MR. PHILLIPS: There will be other
20 vegetation.

21 MR. BOWARD: Not initially, it
22 won't be, but as they grow --

23 MR. RESTAURI: The overall impact
24 that the combined types of vegetation will
25 manage their own.

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LEET TOWNSHIP
ZONING HEARING BOARD
194 Ambridge Avenue
Fair Oaks, PA 15003-1248

Monday, September 13, 2021
9:00 a.m.

- - -

SPECIAL EXCEPTION APPLICATION

QUAKER VALLEY SCHOOL DISTRICT

- - -

Reported by:

CAVALIERE COURT REPORTING
Leaette Cavaliere, Court Reporter
162 Cobblestone Drive
Pittsburgh, PA 15237
(412-508-0035)

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A P P E A R A N C E S

3

4 LEET TOWNSHIP ZONING HEARING BOARD:

5

Terry Soster, Chairman

Chuck Soman

6

David Kovacs

7

Tony Tirimacco (alternate)

8

9

10 ON BEHALF OF ZONING HEARING BOARD:

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VINCENT RESTAURI, ESQUIRE

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P.O. Box 1806

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Cranberry Township, PA 16066

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14 ON BEHALF OF QUAKER VALLEY SCHOOL DISTRICT:

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DANIEL F. GRAMC, ESQUIRE

DONALD PALMER, ESQUIRE

Goehring, Rutter & Boehm

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Waterfront Corporate Park

2100 Georgetowne Drive, Suite 300

17

Sewickley, PA 15143-8762

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Pittsburgh, PA 15222

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Weiss Burkhardt Kramer

445 Fort Pitt Boulevard, Suite 503

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Pittsburgh, PA 15219

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APPEARANCES, Continued

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Pittsburgh, PA 15220

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1 Q. Mark, could you describe, in your opinion and
2 in your experience, in considering that the
3 current location is an AAA residence, is this
4 the best use, highest and best use for this
5 particular piece of property considering the
6 proposed development and the fact that this
7 property is zoned as AAA residence?

8 A. You know, I think there are a couple problems
9 with that. One is, I think you can't lose
10 site of the characteristic of Leet Township.
11 It's a bedroom community. My estimate is it's
12 somewhat -- 99 percent of the land use is
13 residential in nature. What little commercial
14 zoning exists exists in a very specific area
15 along Big Sewickley Creek Road. I think my
16 clients in particular, when they purchased the
17 property that's surrounded by and adjacent to
18 all residential property, should have a
19 reasonable expectation that their property and
20 the adjacent properties should be continued to
21 be used as a residential property.

22 This aggregation that occurred was done
23 in the context of a residential development,
24 just happened to be by one of the wealthiest
25 men in the United States who valued their

1 centers, Leetsdale shopping centers on this
2 site. There is nothing harmonious about how
3 this site relates to the single family homes
4 in and around this site in particular and the
5 majority of Leet Township in general.

6 The quiet enjoyment is a standard for
7 property owners, that they have the ability to
8 quietly enjoy their property. Obnoxious use
9 is a term of art that tends to relate to
10 things that disturb quiet enjoyment. So with
11 the introduction of a facility of this size,
12 there are a number of things that are
13 inconsistent with the character of the
14 existing neighborhood.

15 This site as currently aggregated, I
16 believe improved with three homes. So on a
17 national average of four individuals per home,
18 you are talking about 12 people that currently
19 occupy this site. You would be introducing
20 650 students, hundreds of employees and
21 maintenance area, hundreds of cars and buses,
22 a kitchen that's preparing meals for the
23 students, talking about snow removal on an
24 acre plus worth of parked area and sweeping
25 that would occur, parking lot lights. All

1 those things by definition are noxious and
2 will disturb the quiet enjoyment of my clients
3 in particular and Leet in general.

4 Just because this site has been
5 purchased doesn't mean it's the highest and
6 best use for this site. The highest and best
7 use is based on a number of criteria, and it
8 doesn't mean you're entitled to earn the most
9 you can off of it or because there is no other
10 site. It means what's best for this site and
11 this proposed use.

12 Given the nature of the adjacencies,
13 given its location on the top of a hillside,
14 on a hairpin turn, with limited ingress and
15 egress, with questionable soils, it's the
16 highest and best -- and the existing zoning
17 which is the most onerous of your
18 designations, in my professional opinion the
19 highest and best use is that it continue on as
20 residential development.

21 Q. Mr. Zappala, could you explain to the board,
22 could you compare developing this proposed
23 land as residences as compared to developing
24 it as proposed as a school?

25 A. Yes. When you develop something for single

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LEET TOWNSHIP
ZONING HEARING BOARD
194 Ambridge Avenue
Fair Oaks, PA 15003-1248

Friday, September 17, 2021
9:10 a.m.

- - -

SPECIAL EXCEPTION APPLICATION

QUAKER VALLEY SCHOOL DISTRICT

- - -

Reported by:

CAVALIERE COURT REPORTING
Leaette Cavaliere, Court Reporter
162 Cobblestone Drive
Pittsburgh, PA 15237
(412-508-0035)

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A P P E A R A N C E S

LEET TOWNSHIP ZONING HEARING BOARD:

Terry Soster, Chairman
Chuck Soman
David Kovacs
Tony Tirimacco (alternate)

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ON BEHALF OF QUAKER VALLEY SCHOOL DISTRICT:

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DONALD PALMER, ESQUIRE
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Waterfront Corporate Park
2100 Georgetowne Drive, Suite 300
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- 1 Q. So that could be a jamb in itself, you know,
2 if it happened at the right time.
- 3 A. Yeah.
- 4 Q. The ambulance, like you said, I think they can
5 wiggle their way through there. Camp Meeting
6 Road is pretty wide in a lot of places. And
7 as far as police, you guys see the police.
8 You know, they have to find a place to park
9 whenever they get somewhere, there are so many
10 cops there. I think if something was going on
11 up there, we would have pretty good police
12 protection pretty quickly.
- 13 A. Yeah, and I have to say I see Leet Township
14 police are very visible in our neighborhood.
15 So they are there.
- 16 Q. Right. So a lot of times they are on the hill
17 already.
- 18 A. Uh-huh.
- 19 Q. I know it takes us from here, to get up Camp
20 Meeting to the top, 11 minutes, which is a
21 long time if something is burning. So that's
22 why -- you know, Leetsdale is right there,
23 Sewickley is coming and Bell Acres is coming
24 the other way. But 11 minutes is a long time.
- 25 A. Yeah, sure.

1 getting into there if there is somebody
2 sitting waiting to get out.

3 So I mean we don't expect the school
4 buses to just, you know, hit into a car, but
5 they could have some sideswipes and probably
6 going to have some additional delays because
7 if there are people sitting there to get out
8 the school bus will probably have to wait on
9 them until they can make their way to get in
10 there. Again, it's less than ideal, you know,
11 it's dysfunctional.

12 Q. Mr. French, you list -- so we have talked
13 about the inadequacies at the Beaver
14 Street-Camp Meeting Road intersection.

15 A. Right.

16 Q. That was number one. Number two, you list
17 poor geometry for Camp Meeting Road between
18 the proposed high school and Beaver Street.
19 Could you explain to us what you mean by that?

20 A. Yeah, Camp Meeting Road is very steep by any
21 highway standards. I estimated it in Google
22 Earth as being an average of ten percent
23 downgrade and that's steep.

24 I don't know how familiar you are with
25 Route 40 and Uniontown, that's where I'm from.

1 Fayette County, so I know that, but you have a
2 Mt. Summit 40 comes down Mt. Summit. I think
3 that averages around six percent. So this is
4 steeper than that mountain. And you also have
5 the sharp curves on it which, you know, you
6 have sharp curves on steep downgrades, you
7 have some extra physics at play that you don't
8 have when these curves are on level because
9 the downgrade is kind of pushing you toward
10 the outside of the curve.

11 But I think the one thing that really
12 kind of stands out to me about this steep
13 downgrade and these curves and the kids, you
14 put all these kids out on the road at once at
15 two o'clock or whatever time the thing lets
16 out and they are all trying to follow each
17 other down the hill, right, kind of all packed
18 together. It's something I call the slinky
19 effect, when you got people following each
20 other too closely.

21 First car sees something, they got to
22 brake. I don't know, maybe something in the
23 road or maybe just the curve. So the second
24 person in the line has to notice that the
25 first person started to brake which means --

1 that's a major concern.

2 And I think sometimes you see like --
3 you don't see it a lot -- but you see where
4 people paint dots on the road and try to
5 maintain a headway where you can see at least
6 two dots. That's trying to counteract this
7 problem of people following each other too
8 closely in big, long lines of traffic and then
9 not being able to stop. And when this braking
10 kind of ripples back through the cue, you
11 know, six, seven cars back, they end up
12 hitting each other.

13 Q. Anything else with respect to the poor
14 geometry on Camp Meeting Road?

15 A. I think the sharp curves there, obviously they
16 are going to push you towards it, plus you
17 have a couple places there where the
18 embankment is so close to the road, you can't
19 see around, you can't see around the curve.
20 So you are heading downhill, you have to --
21 when you are going downgrade, physics dictates
22 that you need a longer distance to try to
23 stop. So as I'm coming downhill, you know,
24 even if I'm going 25 miles an hour, I think
25 it's like 175 feet it would take to be able to

1 stop. Some of these curves, you can't see 170
2 feet around the curve.

3 I think one that is of concern -- I'm
4 not sure if it was one of the ones you
5 couldn't see 170 feet. For example, on page
6 ten, if you look at the picture that's on the
7 top -- I'm looking at this one here -- this is
8 going around a curve. The yellow line is 170
9 feet long so you can see that I did that in
10 Google Earth and it's just showing you 170
11 feet. The line of sight goes through that
12 embankment. You can't see.

13 And here is another picture. There is a
14 horizontal curve approximately 1200 feet from
15 Beaver Street, and you can see that the
16 embankment is blocked, you can't see much at
17 all around that curve.

18 Actually, at the top of page 11 there is
19 a picture of the curve that is approaching
20 where the thing curves right before you get to
21 the Beaver Street intersection. Cause you can
22 see the stop ahead warning signs there for the
23 stop sign. So it's not quite as egregious as
24 that other one but still don't afford you much
25 of a look at what's behind that corner.

1 the road, I don't hit something that is going
2 to crash me. You know, an easy example would
3 be like a sign.

4 You know, if you go back to the fifties
5 or sixties, the signs used to be set in
6 concrete such that if you hit the sign you
7 would wreck and probably the sign would do
8 better than your car. They aren't designed
9 that way anymore. They are designed to just
10 break away such that we have this kind of
11 roadside recovery area.

12 So we don't want things in close
13 proximity to the road that would crash, you
14 know, that would wreck the car. And there are
15 many, there are many on here. And you can
16 see, you know, the lane widths here are
17 approximately 12 feet which is good, but the
18 shoulder widths are pretty narrow. So you
19 don't have a lot of buffer between that white
20 line and some of these hazards, and I pointed
21 a few of them out.

22 If you see the top of page 14, that's
23 this one, there is a pavement drop-off there
24 going around near Myrtle Hill Road. So as you
25 are going around the curve, the pavement drops

1 off. The issue is that -- you probably
2 experienced this before -- if you get too
3 close to that edge, it grabs your tire and it
4 jerks you over the edge. So we have got these
5 things along the road at different places.

6 The top of page 15, this one is a blunt
7 hazard sitting right at the edge of the
8 shoulder. It's this retaining wall here. You
9 know, that is sitting literally just a couple
10 of feet from the white edge line and if you
11 hit it, you're probably going to stop right
12 then and there. And that's a lot of
13 deceleration.

14 You know, your deceleration is how much
15 does my speed drop over what distance? And
16 something like this is not going to give, we
17 don't expect, very much so you are going to go
18 from whatever speed you are going down to zero
19 over a very short distance. And all that
20 deceleration is going to be on the driver.

21 At the bottom you see there is an inlet
22 there and these are present all up and down
23 the facility, and you see that inlet head wall
24 sticking up out of there. If you hit that
25 blunt again with your tire, you are probably

1 going to bust your tire or do some other
2 damage to your car.

3 But then the inlet grate, too, the inlet
4 grates don't always -- the rest of the inlet
5 is not always there such that you can kind of
6 get your tire down into the inlet because the
7 side wall of the inlet is starting to fall
8 away. So that could grab your tire and again,
9 if that were a modern, proper inlet, you drive
10 right over it. You are not going to drive
11 right over this. It's going to wreck you.

12 Top of page 16, there we got an exposed
13 rock wall. Again, if we hit into these
14 things, if it's like a wall, you hit into it,
15 if it grabs onto you, again, that's a really
16 abrupt deceleration. Or these things can
17 puncture the car or something else.

18 At the bottom, any tree greater than
19 four inch in diameter is considered a fixed
20 object hazard. That's what we are talking
21 about, fixed object hazards, things on the
22 roadside that if you hit them, you know, they
23 can cause you to crash instead of being able
24 to recover and get back on the road.

25 So there is another inlet head wall

- 1 sticking up, plus some trees, plus pretty
2 steep embankment. At a certain point, you go
3 up the embankment, you are going to roll over.
- 4 Q. Jim, thank you. You also mentioned inadequate
5 guide rails.
- 6 A. Right.
- 7 Q. And issues with the pavement and the concrete,
8 among other things.
- 9 A. Right.
- 10 Q. Could you briefly describe those issues to us?
- 11 A. Yeah, the guide rail -- if you look at the top
12 of page 18, this is from the PennDOT roadside
13 safety pocket guide for guide rail -- it
14 should have two feet of backup behind the
15 guide rail. So that's what the posts sit in.
16 As you hit guide rail, it's supposed to bend
17 but not break, so to speak. It's supposed to
18 give a little bit but push you back towards
19 the road.
- 20 When you don't have adequate backup
21 behind the posts, you can just push the posts
22 over and end up in whatever it is that was
23 supposed to be protecting you from. So you
24 have got some of that going on. Plus if you
25 see the picture at the bottom of page 18

1 there, you see the guide rail, the dip. It's
2 cause the ground behind it is starting to
3 slide and kind of taking the rail with it. So
4 in some of these places the guide rail would
5 not be functioning the way it's supposed to
6 and you could probably push right through it
7 if there is inadequate backup behind it.

8 Also, every guide rail has what's called
9 a deflection on distance. When I hit it, how
10 much is it going to deflect? And there is
11 some guide rail that will hardly deflect at
12 all, a foot or two at the most, and there are
13 some that will deflect five, six feet, you
14 know, it's softer.

15 But the idea is I don't want any hazards
16 sitting within that deflection distance. If
17 I'm going to protect something and I want to
18 put a piece of guide rail in front of it, I
19 don't want to just hit the guide rail, have it
20 deflect and end up into whatever it is I was
21 supposed to be protected from anyhow. It's
22 the kind of the worst thing you can see is a
23 utility pole with a piece of guide rail
24 smashed right up against it. That's because
25 that pole was within the deflection distance.

1 I hit the guide rail and the pole, too. So I
2 think you might have some of that going on
3 here with some of these trees, where if you
4 end up hitting that rail, you see a piece of
5 guide rail smashed up against a tree.

6 The photo at the bottom of page 19,
7 that's showing the earth eroding away from the
8 posts. And another thing here with the
9 pavement -- and I noticed this especially when
10 I was there over the summer -- the pavement is
11 kind of cracked up, distressed, it's not in
12 good shape. So I mean the whole pavement, you
13 know, it can cause you difficulties, but what
14 you don't want especially is for it to start
15 to get slippery and not have skid resistance.

16 Then, lastly, I have here just some
17 shadows across the road. And again, not that
18 this is the most serious concern I have, but I
19 do get concerned when I see trees hanging over
20 the road and a bunch of shadows on it because
21 in the wintertime -- and I have had this
22 happen to me -- you're driving along and the
23 sun is beating on some parts of the road and
24 it's melted, it's warm, and other parts of the
25 road are in the shade and it's cold and you

1 you can see to get out, but you can't see much
2 further than what you need to see out.

3 So to me it's one of those things
4 where, yes, everything meets the minimums, but
5 does anything exceed the minimum by some great
6 measure of safety that would help a kid out as
7 they are trying to get out of here? I don't
8 really think so. And I think the accumulation
9 of all things that are just meeting the
10 minimums without a great measure of safety,
11 maybe for you and I that's okay. For kids, I
12 don't think so.

13 BY MR. DePAUL:

14 Q. Mr. French, I guess one last thing. In your
15 expert opinion, would building a school there
16 and the related traffic impact on Camp Meeting
17 Road be a detriment to the health, safety and
18 welfare of the individuals in Leet Township,
19 particularly those in close proximity to the
20 school?

21 A. Yes.

22 Q. And why is that?

23 A. I think it elevates the risk of crashes there.
24 Most certainly it does. I think you've got a
25 facility that's not a good road for a high

1 school and you're trying to put a high school
2 on it. And kind of what I've seen and what
3 I've seen discussed is trying to make
4 apologies for or put band-aids on these things
5 to try to make this happen and fundamentally
6 it's just not a good place for a school. It
7 elevates the risk of crashes. With the kids
8 involved, it may also elevate the severities.
9 So what's the risk, what's the severity?
10 That's safety.

11 Q. I don't have any more questions. I reserve
12 the right to come back up and ask additional
13 questions if that's even necessary. But thank
14 you.

15 MR. RESTAURI: Thank you.

16 Mr. Gramc?

17 MR. GRAMC: Thank you.

18 - - -

19 CROSS-EXAMINATION

20 - - -

21 BY MR. GRAMC:

22 Q. Good afternoon, Mr. French. I have a few
23 questions about the things you stated, and I'm
24 going to step over to the board and try to
25 raise my voice. If no one can hear me, let me

1 answer to the question.

2 MR. DePAUL: He can answer your
3 question, and he gets an opportunity to answer
4 it. I would appreciate it, Mr. Gramc, if you
5 did not continually interrupt him. We did not
6 do that to your witnesses. Mr. French, please
7 give your opinion based on the question asked
8 by Mr. Gramc.

9 MR. FRENCH: This came from the
10 CDC website because it provides a good
11 synopsis of the hazards presented by teenage
12 drivers. And you see that motor vehicle
13 crashes are the second leading causes of death
14 for U.S. teens. And the CDC says, direct
15 quote, risk of motor vehicle crashes is higher
16 among teens age 16 to 19 than among any other
17 age group. In fact, per mile driven, teen
18 drivers in this age group are nearly three
19 times as likely as drivers age 20 or older to
20 be in a fatal crash.

21 And then they listed some of the
22 reasons why--inexperience, nighttime and
23 weekend driving, not using seatbelts,
24 speeding, alcohol use. I think that was it,
25 yeah.

1 Q. It's your testimony that the use of this site
2 as a high school presents a substantial
3 detriment to the risk, health, safety and
4 welfare of the community?

5 A. Yeah.

6 Q. That's your testimony?

7 A. Especially the kids.

8 Q. That's all.

9 MR. SOMAN: I'm good.

10 MR. RESTAURI: Mr. Kovacs?

11 - - -

12 EXAMINATION

13 - - -

14 BY MR. KOVACS:

15 Q. You're discussing -- seems like the big thing
16 is the people coming out of school, going down
17 the hill. Now have you been to any sporting
18 events?

19 A. Sure.

20 Q. When you come out of a sporting event, how
21 fast are you going?

22 A. Well, I mean --

23 Q. As fast as the person in front of you.

24 A. Exactly.

25 Q. So we are not going to have lots of speed,

1 that road -- you know, I ran the last eight
2 days in a row and when it's really bad I go up
3 to Quaker Heights, as Tony knows. And I know
4 all the people who also walk and ride bicycles
5 and I know the little children and the dogs.

6 I'm the old guy in the white hair and
7 that's my community. The people for whom Camp
8 Meeting Road and Kenny Drive and Pilgrim Road,
9 that's where we live. For us, this isn't just
10 a road.

11 Until the high school got built, nobody
12 knew where Leet Township was. You guys know
13 that. You would say Leet and, you mean
14 Leetsdale? No. That's why we're there. We
15 wanted a place which was the end of the road
16 where nobody went up there. And I would never
17 get -- buy a house on a main road like Camp
18 Meeting Road if there were any -- I was
19 absolutely certain that the Watson Institute
20 would not develop their land. I mean they
21 have done a little.

22 And I knew nobody would ever build on
23 the proposed site for the high school or for
24 that matter up and down Seven Road. I mean
25 nobody in their right mind would -- I used to

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LEET TOWNSHIP
ZONING HEARING BOARD
194 Ambridge Avenue
Fair Oaks, PA 15003-1248

Tuesday, October 26, 2021
7:00 p.m.

- - -

SPECIAL EXCEPTION APPLICATION

QUAKER VALLEY SCHOOL DISTRICT

- - -

Reported by:

CAVALIERE COURT REPORTING
Leaette Cavaliere, Court Reporter
162 Cobblestone Drive
Pittsburgh, PA 15237
(412-508-0035)

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2

A P P E A R A N C E S

3

4 LEET TOWNSHIP ZONING HEARING BOARD:

5

Terry Soster, Chairman

Chuck Soman

6

David Kovacs

7

Tony Tirimacco (alternate)

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9 ON BEHALF OF ZONING HEARING BOARD:

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2

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7 K & L Gates Center
8 210 Sixth Avenue
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9 ON BEHALF OF CITIZEN OBJECTORS:

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12 U.S. Steel tower, 44th Floor
13 600 Grant Street
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15 ON BEHALF OF PROPERTY OWNER THOMAS MICHAEL:

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1 driving or observation, is the road in the
2 winter maintained, kept clear of ice, snow?

3 A. Sometimes. Sometimes. Not as good as it used
4 to. There is nobody waiting at the bottom of
5 the hill for the snow to fall. When I made
6 the comment about student driving and blah,
7 blah, blah, they said, well, if it's bad day,
8 could school will be cancelled. I said, well,
9 the snow doesn't fall at six in the morning
10 for them to give warning to cancel school.
11 The snow may fall at one o'clock, two o'clock
12 in the afternoon. So there is no time.

13 If they have an early dismissal or
14 dismissing at three o'clock when they leave,
15 the roads may not be clear at that time. And
16 that's frightening to think 300 cars plus
17 buses are going to be traveling down that
18 hill.

19 Q. Okay, thank you.

20 MR. RESTAURI: Mr. Soman?

21 MR. SOMAN: I'm good.

22 MR. RESTAURI: Any other questions
23 from anyone of the witness? Thank you.

24 MS. VETTORAZZI: Certainly.

25 MR. DePAUL: Thanks, Marilyn.

1 high school, with all due respect to Mr. Gramc
2 here who has explained how the Leet Township
3 zoning laws work.

4 I feel if our friend in Ambridge
5 can build a new high school on the site of
6 their one hundred year old high school, I feel
7 that Quaker Valley can do even a better job of
8 building a new high school on the existing
9 site on Beaver Street.

10 I don't personally care if my
11 property value goes up due to the potential
12 presence of a new high school at the top of
13 Camp Meeting Road. I've lived there for 44
14 years, I don't plan on leaving, so a property
15 increase will only raise my taxes and raise my
16 homeowners insurance.

17 I'm concerned with what I call the
18 ambience of living in Quaker Heights. I have
19 enjoyed living there most of my life and
20 raised three kids there. I believe that the
21 traffic generated by the new high school there
22 will greatly and adversely affect the ambience
23 of living in Quaker Heights. Thank you very
24 much for your time.

25 Any questions?

1 Q. How about at the bottom of the road at the
2 intersection?

3 A. Can't say as I have. My concern is the time
4 it takes to get through the intersection.

5 Q. I understand. And right now that time is okay
6 but not great and you're concerned when you
7 add school buses and kids and cars, especially
8 young drivers, it's going to be much, much
9 greater.

10 A. The sheer strength volume will dictate that
11 the time to get through that intersection will
12 be increased many fold.

13 Q. The chairman asked a previous witness about
14 winter conditions on the road. In all your
15 years, how would you describe it?

16 A. Worst cases that I have ever observed are
17 usually Fridays nights when the Allegheny
18 County maintenance crew is a little shy, and
19 I've had occasions where I had to walk up Camp
20 Meeting Road once or twice of recent years.
21 My wife and I make sure at least one of our
22 vehicles is all-wheel drive for that very
23 reason.

24 And as the lady before me stated, snow
25 conditions can come up during the day at any

1 make much sense to me. And so for a variety
2 of reasons -- traffic, the problems with the
3 land that they want to build on, it's just all
4 crazy.

5 Q. Do you have any particular comment that you'd
6 like to raise with the board?

7 A. I have sort of mapped out a little statement
8 here.

9 Q. If you could just provide that to the board,
10 sir, please.

11 A. Sure. And I live on Myrtle Hill Road. My
12 address is 23 Myrtle Hill Road. So as you
13 come up Myrtle Hill Road, I'm the first house
14 on the right. So I overlook what I like to
15 call deadman's curve because it's the most
16 dangerous section that I see on that map. And
17 I know why, because I've lived there for 25
18 years, I've watched numerous accidents, I've
19 watched traffic come to a complete halt, I've
20 watched people crawl up, crawl down the hill
21 in the wintertime.

22 It's a county road. Sometimes they get
23 to it, sometimes they don't. Sometimes there
24 is black ice and nobody knows it's there. In
25 25 years I've seen an eyeful. I could write a

1 book.

2 So this is something I prepared. Camp
3 Meeting Road was never designed for all the
4 school buses and other traffic a new school in
5 Leet Township will bring. I'm not aware of
6 any plans to rebuild Camp Meeting Road with
7 road widening and turning lanes that will be
8 needed for extra traffic cars and buses.
9 That's before we even talk about the backups
10 that will occur at the bottom of Camp Meeting
11 Road as cars and buses try to turn onto
12 Beaver.

13 And as somebody pointed out, when you
14 get to the bottom of Beaver, there is that
15 retaining wall. Unless you pull out onto
16 Beaver, you really can't see what the heck is
17 coming at you from the right.

18 Camp Meeting Road is notorious for being
19 a horrible road to travel on. It's a steep
20 slope and its many dangerous curves is
21 daunting. I live a stone's throw away from
22 the most hazardous curve on Camp Meeting Road.
23 I regularly hear screeching tires as cars come
24 down too fast and fail to negotiate the curves
25 safely.

1 And in wintertime it gets even worse.
2 And that's even for an experienced driver.
3 Black ice, snow and untreated roads just add
4 to the danger. Throw on some inexperienced
5 drivers on a daily basis and that will only
6 make it that much more hazardous. And how
7 will Encompass Health at 303 Camp Meeting Road
8 up above on top of the hill be affected as
9 numerous ambulance and emergency vehicles and
10 services travel that road for emergencies?

11 I bought my house in Leet Township 25
12 years ago on a private road because I wanted
13 privacy and peace and quiet. Noise and air
14 pollution from more traffic over the years has
15 increased as cars, trucks and buses have
16 increased. Add to that the extra noise and
17 the air pollution a Leet Township school
18 location will bring and that could be enough
19 to cause me to want to relocate.

20 The proposed new school is to be built
21 on unstable land. My understanding is that
22 the new site has to be stabilized. In
23 parentheses, I have possibly blasted with
24 dynamite and now I find out that's in the
25 plan. And other measures to try and make it

1 Quaker Heights 37 years and put two kids and
2 four exchange students through high school.

3 The last meeting, I believe it
4 was, there were two people that talked about
5 how great it would be for Quaker Height kids
6 to be able to walk to school. Talk about a
7 dangerous situation. Last Thursday I was
8 coming home around 7:30, it was dark, a little
9 bit rainy. There was a gentleman probably 18,
10 19 on his cell phone at dead curve, Myrtle
11 Hill, walking on the right side, totally in
12 black. I almost hit him. If he had not been
13 right below the light, I would have hit him.

14 Thankfully, nobody was coming down
15 the hill, I could swerve out. But I was lucky
16 it was night and there were no headlights and
17 so I cannot imagine anybody -- and even QV
18 people, traffic people said kids should not be
19 walking Camp Meeting at all, day or night.

20 There are no sidewalks, there
21 never will be. There is no room. Coming from
22 Quaker Heights across Camp Meeting is even
23 worse. That's a totally blind curve.

24 But I also did get the police
25 reports from 2018 and '19 and there were three

1 accidents that were recorded on Camp Meeting,
2 just in Leet Township, not Bell Acres or
3 anything. Also, during those two years there
4 were 39 speeding tickets that were handed out
5 just on Camp Meeting in the Leet Township
6 zone.

7 We all know that nobody just
8 drives 25 miles an hour down the hill. That
9 is true because the only way you could is if
10 you had your foot on the brake the entire
11 road. There is no other way.

12 During those same two years, out
13 of 22 snow calls to the township, our local
14 crew had to plow 15 of them, not the county.
15 So the township does come in and plow when the
16 county cannot do it. And that was for '18,
17 '19, you know, cause Covid was '20 and '21.

18 No matter what we do or the school
19 does, you can't straighten out Camp Meeting
20 Road. It's an extremely curvy road with blind
21 spots, and the road conditions can change at
22 any minute during the winter.

23 Dave, you've left in the morning,
24 topped the hill, right where the driveway is,
25 where the proposed high school is and there

- 1 A. Only once, years ago in the beginning, when
2 the county wasn't keeping the road. It was
3 hard for an ambulance to get up there.
- 4 Q. But nothing recently?
- 5 A. I have to say I'm not out in the evening. I
6 mean I'm at work.
- 7 Q. But you haven't seen or even heard that there
8 were problems with emergency vehicles, fire
9 trucks, ambulances?
- 10 A. No. The only time -- I mean we have had
11 landslides across from the gate that have
12 blocked Camp Meeting. We did have three or
13 four times that happened. And the road was
14 closed for a number of days, couple days.
- 15 Q. Talking about landslides real quickly for a
16 minute --
- 17 A. It was on the hillside.
- 18 Q. On the Myrtle side, that the garden slid down
19 the hill.
- 20 A. Yes.
- 21 Q. But the school district is saying, we get that
22 there is a landslide issue here, we're going
23 to make sure, to the extent of the state of
24 the art science, and we realize that is not a
25 guarantee not a hundred percent, but to the

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LEET TOWNSHIP
ZONING HEARING BOARD
194 Ambridge Avenue
Fair Oaks, PA 15003-1248

Tuesday, November 2, 2021
7:00 p.m.

- - -

SPECIAL EXCEPTION APPLICATION

QUAKER VALLEY SCHOOL DISTRICT

- - -

Reported by:

CAVALIERE COURT REPORTING
Leaette Cavaliere, Court Reporter
162 Cobblestone Drive
Pittsburgh, PA 15237
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A P P E A R A N C E S

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Terry Soster, Chairman

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Chuck Soman

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David Kovacs

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Tony Tirimacco (alternate)

9 ON BEHALF OF ZONING HEARING BOARD:

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VINCENT RESTAURI, ESQUIRE

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ON BEHALF OF QUAKER VALLEY SCHOOL DISTRICT:

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DONALD PALMER, ESQUIRE

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Waterfront Corporate Park

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1 various improvements over the years and made
2 geometric improvements, but that roadway is
3 posted with a 25 mile an hour speed limit.
4 When it's posted with a 25 mile an hour speed
5 limit, its geometry is dictating the speed
6 limit. When you design a brand new road, you
7 identify the speed limit you're going to want,
8 you design the speed and you do it around
9 that. When the road is already there, it
10 dictates its own speed limit by its geometry,
11 by its horizontal, vertical geometry, by
12 roadside hazards, by all of those things
13 dictate what the speed limit should be.

14 At a 25 miles an hour speed limit, that
15 roadway is adequately designed. It has wide
16 lanes, wider than typical. Lanes are 13 feet
17 wide. Nine to 11 is typical, nine to 12, 10
18 to 12. There are 13's.

19 It's got four foot shoulder generally.
20 It does have guide rail, it does have some
21 issues of things that need to be maintained.
22 If something hits a piece of guide rail and
23 dents it, it could be repaired at some point.
24 Just like potholes, anything else, signs can
25 be missing, they can be replaced, signs lose

1 their retro reflectivity, they can be
2 replaced. But generally it's adequately
3 designed for its posted speed limit.

4 So we identified that. We identified
5 all the issues that were brought up relative
6 to roadside hazards. When the road was
7 obviously improved, they put drainage in. And
8 when you have a hilly road, you have to have
9 drainage. They have catch basins. Most of
10 those catch basins are well off the road,
11 outside that four feet. There is one I
12 believe that's right at four feet. But again,
13 the roadway is adequately posted for its
14 design, as far as the speed limit.

15 We compared against PennDOT criteria and
16 the design manual. It is a neighborhood
17 collector, basically roadway, and we are
18 showing that basically lane widths meet those
19 criteria, shoulder widths meet those criteria.
20 The grade of the road meets those criteria.
21 So essentially it does meet criteria in the
22 design manual but, again, based on its posted
23 speed as it should be.

24 We identified the catch basins. We
25 measured all of them. There is one roadside

1 encroachment. There is a set of steps along
2 Camp Meeting Road I believe on the west side
3 that go to nothing. It's an old wall and a
4 set of steps. The wing walls to the steps are
5 within the four foot of shoulder. I believe
6 they are about three feet off the roadway.
7 But with permission from Allegheny County,
8 they could be removed. They don't go
9 anywhere, they go up into a dirt hill, and
10 they are not servicing anything at this point.
11 That was the only encroachment I saw within
12 the four foot.

13 We also talked about accidents and we
14 collected -- when you do a traffic impact
15 analysis, you collect accident data at the
16 intersections because you're analyzing
17 intersections. In this case, we also went and
18 looked at a number of accidents that have
19 occurred along Camp Meeting Road and along
20 Beaver Street, along the whole stretches in
21 their townships.

22 There have been about ten accidents in
23 the last five years on Camp Meeting Road,
24 along its entire length from the Bell Acres
25 line back within the municipality. What we

1 back was a rock. So they put it somewhere
2 else.

3 So you're dealing with as designed
4 plans, aren't you, not as built plans?

5 A. For what?

6 Q. For the renovation of the Camp Meeting, Beaver
7 Road project.

8 A. They're preliminary plans.

9 Q. In your report, your original report, I
10 believe you said that people drive at least
11 ten miles an hour over the speed limit
12 routinely. That's not unusual to find the
13 data shows they are driving ten miles over the
14 limit.

15 A. We provided 85th percentile speeds on some of
16 the roadways in our study. I don't recall
17 whether the 85th percentile speeds were in
18 excess of ten miles an hour over the posted
19 speeds. I believe they were less.

20 Q. So the 85 percent speed, what's that derived
21 from?

22 A. The 85th percentile speed is the speed at
23 which 85 percent of the people are traveling
24 at or below, and it has empirically been found
25 that it mimics the design speed of a roadway

1 and it's used to establish speed limits, among
2 other things.

3 Q. So that's data again. That's not something
4 that you did on Camp Meeting Road itself. You
5 didn't measure it on Camp Meeting Road, did
6 you?

7 A. No, we did.

8 Q. You did?

9 A. Sure. It's in the report.

10 Q. That's fine. I just wanted to know, are we
11 dealing with data or observations? So we can
12 agree that maybe it's ten miles an hour, maybe
13 it's a little faster, a little slower, but
14 that's the 85th percentile speed, all right.

15 You'll agree with me, won't you, that
16 given certain conditions, either the posted
17 speed or the 85 percentile speed could be too
18 fast for conditions? Wintertime, ice, water
19 on the roadway, whatever, that could be
20 driving too fast for conditions.

21 A. Sure.

22 Q. I'm just looking through my notes. Believe it
23 or not, I don't have any further questions.

24 MR. RESTAURI: Thank you,
25 Mr. Michael.

1 made those things available to us and the
2 public.

3 And I speak tonight to ask you to
4 deny the request for exception because in my
5 opinion the good people on the Quaker Valley
6 school board made a bad decision. This
7 happens all the time. Their choice of the
8 hilltop site accessed only by Camp Meeting
9 Road, two ways in off of Camp Meeting Road, no
10 way out except Camp Meeting Road, not an issue
11 addressed by Mr. Wooster in any way in his
12 traffic assessment. What would happen if the
13 road was closed down at the bottom? How do
14 people get in and out? Seven Road? Really?

15 So anyway, I just want to say that
16 the choice of the hilltop only accessed by
17 Camp Meeting Road presents too many unusual
18 and unnecessary risks for it to be granted as
19 an exception. Most of the risks I see are
20 geological, explained well by Mr. Jasper, and
21 traffic safety issues.

22 Despite the simplistic assumptions
23 of Mr. Wooster, everybody driving at the speed
24 limit, traffic cop in the right place, the
25 road is always dry, site lines being just

1 Mr. French testified and he explained how
2 everybody speeds and when my good friend and
3 neighbor, Mr. Connelly, testified, you heard
4 him speak passionately about the dangers of
5 Camp Meeting Road that he sees out his kitchen
6 window.

7 So you heard from Mark Connelly
8 about how his mother wasn't able to get the
9 emergency services at the Encompass Hospital
10 where I work, seeing patients and
11 consultation. When something happens up
12 there, they don't have a medical emergency
13 room. They have very limited emergency
14 responses. They can run a code and that's it,
15 they call an ambulance.

16 When somebody has a severe
17 infection, they send them down to the
18 hospital. Somebody needs a CAT scan, they
19 have to send them down the hill. Somebody
20 falls, they have to be sent down the hill.
21 And we have had, unfortunately, several
22 incidents where people have died in the
23 facility.

24 So I just think that you are aware
25 at this point of how dangerous that road can

1 I think you may have seen these pictures or
2 not -- took pictures with his iPhone camera
3 and he took them at 4:42. So this is after
4 it's happened. This is right at that hairpin
5 turn.

6 There are three pictures. Both
7 vehicles, you can see how -- when I heard this
8 crash, you know, I never heard anything as bad
9 as that, but I kept expecting to because just
10 up the road from it at the Slag Road entrance
11 there are delivery drivers and people using a
12 totally blind curve to come and go and all
13 these years I've waited to hear worse than
14 this.

15 And I went down there and I was
16 relieved the two drivers were still alive.
17 Fortunately, in the police report it says
18 neither of them suffered more severe injuries.

19 But there were cars backed up for
20 an extended period of time both up and down.
21 And as our neighbor, Miss Antonelli, said when
22 she testified, you know, if it hadn't been for
23 people like me, I went down to Slag Road and
24 stopped people with Officer Verbanik to
25 prevent it. There was a school bus up there.

1 So this was an example of what
2 could happen. Although Mr. Wooster would say,
3 you know, it's below the state average of
4 accidents, it's because it's not as heavily
5 traveled as it will be if there is a school.

6 You know, when I participated in
7 one of these engagement conversations on zoom
8 a couple of weeks ago, there was someone who
9 said, well, you know, accidents will happen.
10 And I thought that's not an attitude we can
11 have when there are children involved.

12 So, you know, it just seems to me
13 that I don't want to imagine what the horrors
14 might be if we ask teenage drivers to
15 negotiate this road to get to and from school
16 or with friends in their car. Do you want to
17 look at these pictures more? Would you like
18 to see these pictures again or do you have
19 questions for me about the pictures? Anybody?

20 MR. RESTAURI: How many more
21 pictures do you have?

22 DR. GARBER: Just the three. The
23 police report which is I think available to
24 the board from the Right to Know request, and
25 I submitted it, indicates that both drivers

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LEET TOWNSHIP
ZONING HEARING BOARD
194 Ambridge Avenue
Fair Oaks, PA 15003-1248

Tuesday, November 9, 2021
7:00 p.m.

- - -

SPECIAL EXCEPTION APPLICATION

QUAKER VALLEY SCHOOL DISTRICT

- - -

Reported by:

CAVALIERE COURT REPORTING
Leaette Cavaliere, Court Reporter
162 Cobblestone Drive
Pittsburgh, PA 15237
(412-508-0035)

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A P P E A R A N C E S

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1 additional questions.

2 Mr. Wooster, if you recall, there was
3 some discussion last week during your
4 testimony about how emergency vehicles would
5 access the high school and/or the surrounding
6 neighborhoods in the event that Camp Meeting
7 Road was closed. Do you recall that
8 testimony? Or that discussion?

9 A. In my original testimony, yes.

10 Q. Am I correct that no analysis that you've
11 performed as part of the reports that you
12 submitted or as part of the testimony you
13 provided to the board examines the ability of
14 emergency vehicles to access the high school
15 and/or the surrounding communities in the
16 event that Camp Meeting Road is blocked off?

17 A. That's correct.

18 Q. So no analysis has been conducted by you
19 regarding how long it would take emergency
20 vehicles to circumvent a closure of Camp
21 Meeting Road, how emergency vehicles would
22 access the high school and/or how emergency
23 vehicles would access any of the surrounding
24 communities in the event there was a traffic
25 incident such that Camp Meeting Road was

1 closed?

2 A. That's correct.

3 Q. If you recall, there has been some previous
4 testimony about the fact that Camp Meeting
5 Road is an Allegheny County road. Do you
6 recall that?

7 A. Yes.

8 Q. And do you agree with me that Camp Meeting
9 Road is an Allegheny County road?

10 A. It is owned and maintained by Allegheny
11 County, that's correct.

12 Q. Am I correct that to date there has been no
13 plan that has been formalized or even put into
14 writing in any way, shape or form with
15 Allegheny County concerning any upgrades,
16 maintenance or changes to Camp Meeting Road?

17 A. That's incorrect. The traffic study with the
18 recommended improvements has been submitted to
19 Allegheny County.

20 Q. Aside from the submission of the traffic --
21 let me back up, Mr. Wooster. When you say
22 traffic study, do you mean the original
23 traffic study that you submitted as part of
24 your testimony in this case?

25 A. That's correct.

1 that.

2 A. That's correct.

3 Q. I believe your previous testimony was, but I'm
4 doing this from memory so please correct me if
5 I'm wrong, that if police and others all did
6 their jobs properly, it wouldn't be an unusual
7 amount of difficulty and delay for emergency
8 vehicles to get to the school in that
9 situation. Is that a fair summary or did I
10 misstate it? If I did, please state it
11 correctly.

12 A. I think that's fair. It's difficult to -- we
13 could talk about particular events that would
14 have to be managed by emergency management
15 personnel, and they do that in their own work.
16 If there is a major accident somewhere that
17 blocks a road and then there is another major
18 incident, that is anticipated and planned for,
19 sometimes practiced. It's difficult to say
20 certain scenarios, what if we had -- five
21 years ago, what if we had said what if we had
22 a Pandemic? No one thought of that. Now we
23 do.

24 But roadway closures do happen. There
25 are sometimes convenient and sometimes very

1 the distances were adequate for safety.

2 A. I don't even -- we will go to the next
3 question cause I'm not quite sure that you
4 know what you're asking.

5 Q. I'm asking simply the distance that you can
6 see at any point along Camp Meeting Road ahead
7 of you to be able to stop safely at the posted
8 speed limit is not met.

9 A. There is a curve on that road where site
10 distance, stopping site distance is inadequate
11 currently. That is typical and exists there
12 today, that's correct.

13 Q. Thank you very much.

14 MR. RESTAURI: Next person who
15 wishes to question? Yes, ma'am?

16 MR. DePAUL: Why does he only have
17 five minutes?

18 MR. RESTAURI: Because he needs to
19 leave.

20 MR. DePAUL: For what?

21 MR. RESTAURI: That's between him
22 and his God. He has to leave.

23 - - -

24 EXAMINATION OF MR. WOOSTER

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LEET TOWNSHIP
ZONING HEARING BOARD

194 Ambridge Avenue
Fair Oaks, PA 15003-1248

Tuesday, November 16, 2021
7:00 p.m.

- - -

SPECIAL EXCEPTION APPLICATION
QUAKER VALLEY SCHOOL DISTRICT

- - -

Reported by:

CAVALIERE COURT REPORTING
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A P P E A R A N C E S

LEET TOWNSHIP ZONING HEARING BOARD:

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Chuck Soman
David Kovacs
Tony Tirimacco (alternate)
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E X H I B I T S

(NO EXHIBITS MARKED)

1 since there is no other outlet for emergency
2 traffic when the road is closed.

3 Lastly, without another access
4 point for emergency vehicles to use either
5 through Edgeworth or Leetsdale, bad actors can
6 easily restrict access to the school simply by
7 how the site's driveways have been designed.

8 At one point less than 90 feet
9 separate the driveways. According to safety
10 experts, new high schools should be built with
11 multiple streets or roads to access points
12 similar to the 625 Beaver location.

13 They should never rely on only one
14 road like we do with the Camp Meeting Road in
15 this situation. And that's before you take
16 into account that Camp Meeting Road is closed
17 significantly more than Beaver Street and Ohio
18 River Boulevard and have been closed down at
19 that same time, if ever.

20 They also recommend clear site
21 lines all around the school not forested areas
22 for people to hide in.

23 All four of our schools are
24 currently well sited to prevent school
25 shootings. Why do we want to become less