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## LM awaiting traffic study analysis before ruling on Kohelet school expansion

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BALA CYNWYD>>The hearings are finally over, but the information will keep coming as the Lower Merion Zoning Hearing Board works to reach a decision on whether to grant a special exception to the Kohelet Foundation allowing for expansion of the Kohelet Yeshiva High School in Merion Station.

The final hearing, held March 7 at the Union Fire Station in Bala Cynwyd, included testimony from traffic and engineering experts appearing on behalf of the Foundation. The discussions were punctuated by comments from some of the more than 60 neighborhood residents in attendance who expressed either support for or their reasons against the school expansion.

After listening to nearly 3 ½ hours of testimony from experts for the Foundation and those speaking for the opposition, as well as public comment, the three zoning hearing board commissioners asked for additional analysis of the traffic studies from representatives on both sides in order to compare the potential impact from additional traffic created through the school's expansion and possible near-doubling of enrollment. The analyses are due to the zoning hearing board by March 17 for review.

Before commencing discussion, Zoning Hearing Board Chair Ken Brier summed up the tone of the months-long case, which began Sept. 3, 2015 and has included 10 hearings.

"This case has been extraordinarily civil, and for that we appreciate it," Brier said. "We work really hard at listening. The Zoning Board doesn't want to be overturned. When a decision is appealed it goes to the Court of Common Pleas. We're appointed by the (Lower Merion) Board of Commissioners, but we're not ruled by them. We never make our minds up till the end. You never know when someone is going to say something that's decisive," Brier said.

In this last dash to the finish line, attorneys for the Kohelet Foundation asked their traffic and engineering experts to address the questions of vehicle queuing in the school's driveways, stormwater management and the amount of impervious surfaces on the property, as well as the data compiled in their traffic study, all issues that have been discussed in great detail at previous hearings.

The sticking point came up late in the meeting during discussion of the traffic studies conducted by both sides showing differing results when peak usage in the area is considered. Traffic studies were conducted on behalf of plan opponents by David Horner of HCA Transportation and Traffic Engineering, whose traffic studies show that the level of service in the area immediately surrounding the school would drop from a level C (the minimum standard required by the zoning code) to a level D. Results from Horner's study were presented Feb. 22 to the zoning board.

Studies conducted on behalf of Kohelet by Greg Richardson of Traffic Planning and Design (TPD) in Pottstown were reviewed by Frank Tavani, of the traffic engineering and planning firm F. Tavani and Associates, Inc. Tavani was brought in as a third-party consultant to help interpret the TPD study, which he said shows the level of service would drop only from a level B to level C. Richardson also was in attendance.

Both Horner and Tavani disputed the conclusions drawn by the other's studies, with much of the discussion centering on the peak flow of traffic following dismissal times at the school; the number of peak times considered; which standards and guidelines were applied; and how the data gathered from those peaks impact the current and proposed traffic around the school. In essence, Horner's study found the peak flow rate of traffic, following expansion, would be much higher than that determined by the TPD study.

"TPD conducted its study accurately and based on standards of practice of the day and concluded the impact of the proposed expansion is minimal, does not require road improvements, and does not violate the township zoning ordinance," Tavani maintained.

"It's the applicant's burden, not the opponent's (to substantiate their data.) We take this extraordinarily seriously; it's one of the nubs of this case. We deserve an answer. What is flawed about Horner's analysis?" Brier asked.

Tavani responded that essentially he has contended all along that the TPD study, considering a single peaking factor, and applying PennDOT'S practice as outlined in a letter pertaining to level of service analyses, shows level of service would be B, not C.

"A single peak hour factor applied to the entire intersection is how the analysis should be conducted. Horner applied peak hour factors on a more individual turning movement basis, with the effect of improperly escalating the results," Tavani later commented.

In trying to address zoning board and residents' concerns about future traffic issues, Kohelet attorney Fred Fromhold pointed out that the hearings have been the first presentations for the Foundation to submit information to meet the requirements of the zoning code. Aware of the impact that additional traffic could create in the area, Fromhold offered that Kohelet would be willing to conduct additional studies once the school expanded and enrollment reached certain benchmark levels. The zoning code requires only one traffic study to be done.

"We're going above and beyond that, we will have two checks and we'll agree to two traffic studies later and we will ensure at such time as enrollment reaches 225 and again at 325, we will do that traffic study and ensure a level of (service) C or better. I'm not sure you've ever had this offer from any educational institution in the township," Fromhold said.

Brier asked both parties to present their analysis of the subject, confined to the traffic issue only, within 10 days.

“We want to see the best arguments they can make about the legitimacy of the peak hour factor or determination of level of service beyond peak hour service,” Brier said. He also directed the two sides’ counsels to provide their findings of fact to the board by March 24.

Prior to the discussion on traffic flow rates, residents had their turn to speak out for and against the plan. Although the number of neighborhood residents who attended the hearing in support of the Kohelet expansion far surpassed those who were against, only a few supporters addressed the zoning board.

“People have been asking us for months when they can come out and show their support. At the advice of our attorney (Fromhold) he suggested that we . . . limit the statements to four or five people who could each speak to different reasons why they are supportive of our application, rather than take up a lot of the zoning board’s time with (repetitive statements). We limited the number of people out of respect for the process,” said Holly Cohen, executive director of the Kohelet Foundation.

Seth Zwillenberg, who lives on Cynwyd Road, was among the supporters.

“I’m involved with the community and the expansion of the community. Institutions in the area encourage young people to move to these neighborhoods. Expansion encourages more people to move here and property values go up, it encourages growth. I see no reason, as in the past, why this should not be seen as an asset,” he said.

Melrose Avenue homeowner Andrea Gottlieb agreed.

“I think the improvements that Kohelet has done have made the property look better. My kids do not attend Kohelet, but yet we feel comfortable there,” Gottlieb said.

Linden Lane resident Lisa Wise also spoke in favor of the school’s expansion.

“We came to Lower Merion because of the community,” she said, acknowledging residents on both sides of the room. “It has taught me what it means to live in a community and put education first. I believe that this community deep down wants to do the right thing. Lower Merion has to go forward hand in hand and accept this application,” Wise said.

However, the most vocal residents were those opposed to the proposed expansion.

Representatives from both the Bala Cynwyd Neighborhood Club and the Federation of Civics Associations (FCA) were on hand to state their opposition. Roger Moog, immediate past president of the Bala club, said his group passed a resolution in October 2015 opposing the expansion of the school.

“If expansion occurs, traffic at Highland and Old Lancaster would get worse, existing street parking demand will get worse and put a burden on parking in the area. Pedestrian movements across Old Lancaster will increase and there will be an increase in danger to those students,” Moog said.

Joan Hindin, president of the FCA, said the while her group did not write a resolution, she wanted to state her group’s support of both the Bala and Merion Civic Associations positions. Merion had presented its resolution to the zoning board in February.

Merion Station resident Paul L. Newman, who lives on Sycamore Avenue, read a statement to the board.

“For many years Akiba operated a school with well over 300 students on the Kohelet premises. I do not believe that Kohelet should be denied the right to have 300 plus students on the former property footprint that Akiba occupied. However, I do object to aspects of the plan that Kohelet has presented,” Newman said.

His objections centered on the additional parking spaces requested by the school, a proposal to demolish homes at 280 and 284 Melrose Avenue in order to erect a playground on the land, the addition of a summer camp at the school and the increase in traffic if the school is allowed to expand. But Newman’s remarks were also offered with a cautionary comment.

“You have only seen a small group of neighbors appear before you. Please do not assume that we are the only neighbors who object to Kohelet’s expansion. There are many more. They are not here because they feel that their objections and their presence would be detrimental to their children’s current and future education at the school,” he said.

Once zoning hearing board members have reviewed the traffic data, they have 45 days following the date of the final hearing — or until approximately April 21 — to render their decision on the Kohelet Foundation’s request for a special exception to expand the Kohelet Yeshiva High School.

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