

PUBLIC COMMENTS AND QUESTIONS
RELATED TO DVRPC BOARD ACTION ITEMS

December 9, 2020

Public comments on non-agenda items

From: Glen Benson

County: N/A

Zip Code: N/A

Date Received: 11/05/2020

Comment/Question:

11/05/2020

* To all recipients please acknowledge receipt of this letter. Ms. Hastings, please distribute this letter and the previous letter to the DVRPC board and please place me on the docket to speak at the next DVRPC Board meeting.

To Mr. Charles Davies-PENNDOT Official, the DVRPC Board and all Elected Officials
Copied:

Mr. Davies, you have blocked the repairs to my home for far too long. From out of the mouth of the Pennoni Engineer, K. Grimmelsman, that was brought by PENNDOT project manager M. McGuire to my home at 1210 Kerlin Street, Chester, PA. to explain the vibration test, as he explained the test **in detail** and demonstrated the placement of the monitors, it became crystal clear that, THIS VIBRATION TEST HAS ALREADY BEEN DONE! That is exactly the vibration testing, to the letter, and I mean exactly what the engineer in 2015 performed at my home at 1210 Kerlin Street, Chester, Pa., 19013. I was there and I personally saw that engineer place the monitors. You have the readings and you have had them since 2015. That is precisely why you would not release the report until 3 and 1/2 years later and only then when you were pressured by DVRPC, and then you released a falsified report.

You obviously did not expect the vibration analysis conducted in 2015 to be so telling in their results of the damage to my home from the violent vibrations of the I-95 traffic at 1210 Kerlin Street, Chester, PA. What makes this matter even more heinous is the fact that you sat on these facts for five years knowing the extent of damage that was consistently being done to my home from the I-95 traffic. And you continue to nefariously go through this racist charade to stall and deflect any attempts to fix my home from these damages. It is clear Mr. Davies that what you want to do is to have new testing refute the testing that you already have from 2015 and say, "Well these calculations here prove that the vibrations are not up to a level that confirms that the

vibrations from I-95 are causing the damage to your home.”

As I have said in numerous letters before, the fact that PENNDOT would spend the money and effort **to not to fix a home** that they are clearly responsible for destroying, is an actionable cause that borders on being criminal for the exposure and consistent danger that you have knowingly placed my family in. The fact that this egregious evil has been perpetrated over a number of years, based on acts of racism, would allow this to fall under the federal statutes of an institutional Hate Crime perpetrated by the PENNDOT organization and you, Mr. Davies, as their representative carrying out the will of PENNDOT. Cease with the racist delay tactics Mr. Davies. You know, I know, The Secretary of Transportations knows, the Chief of Staff of Governor Wolf knows, everyone on the DVRPC Board knows, and anyone with a common shred of good sense who now has knowledge of this situation knows that you have in your possession, and have had for years, everything you need to go forward and solicit the funds to repair the damage that has been done to my home. As PENNDOT Project Manager, M. McGuire stated and I quote verbatim, **“Anyone with good sense knows that this has been a horrible scenario for anyone to live under.”**

McGuire then stated, and I quote verbatim, that **“It was obvious from just standing here, (on my front porch) that the vibrations of all the trucks and traffic going by nonstop is causing the damage to your home.”**

McGuire stated, and I quote verbatim, **“PENNDOT already has a report that says there is damage to this house. We already have that, you don’t even need to prove that again. That is already done.”**

I could not believe what I was hearing, so I asked him again, and McGuire confirmed it again and then further stated that, **“Any sane person could come out here and look at this situation and see there is no way that (pointing at the traffic) is not causing the damage. Just like the noise in that room (pointing to my living room) is not healthy for the people in this house and that house (pointing to my neighbor’s house) and on down the block and over there (pointing across the street to the row of homes adjacent to (I-95). We now have the noise testing to prove that.”**

So, Mr. Davies, since you say you have to go to your superiors to get approval for funding, and since Secretary Y. Gramian is your superior and Governor Wolf is her superior and they are all my elected officials, and they have all been copied on this debacle. I respectfully request immediate redress from all my elected officials to this grievance.

Mr. Brunelle, as Chief of Staff to Governor Wolf, and Secretary Gramian, and Delaware County Rep. K. Madden, and now I am copying Congresswoman Mary Gay Scanlon, I need your immediate intervention into this overtly racist scenario. As a

voting citizen of the Commonwealth of Pennsylvania I deserve and expect assistance from your offices detailing how you intend to remedy this situation.

Respectfully,

Rev. Glen Benson

Response:

From: **Alison Hastings** <ahastings@dvrpc.org>

Date: Fri, Nov 6, 2020 at 8:53 AM

Subject: Re: Response to Charles Davies- PennDOT Official

To: Glen Benson <GBI4U@outlook.com>

Dear Rev. Benson,

I am confirming that I'm in receipt of your emails. We'll include these in the December Board meeting materials. I also acknowledge that you wish to make public comments at the December Board meeting.

Please note that the DVRPC Board does not meet in November as it is Thanksgiving; our December Board meeting will be Wed. 12/9 at 11 AM online to accommodate the annual DVRPC Board Retreat and avoid holidays. A public announcement will go out on Mon. 11/30, if not earlier.

Best regards,
Alison Hastings

From: Anthony Bush
County: Bucks
Zip Code: N/A
Date Received: 11/05/2020

Comment/Question: I-95/295 repair and rebuild is taking about 25 years and covers about 50 miles. The project has degraded interstate commerce and the regional economy as well as quality of life for area commuters. Can the DRVPC help facilitate achieving the same rebuild but mitigate the ongoing negative consequences? For example, in January 2019 four months before the NY Metropolitan Transportation Authority's popular L train line was set to shut down for 15 months of repairs affecting 400,000 daily commuters in Brooklyn, Governor Andrew Cuomo after less than a month of consultation with a panel of academic engineering experts convened by the governor determined alternate ways to rebuild the subway. Thank you ,

Response: Thank you for your comment. Your original comment was forwarded to the DVRPC Capital Programs and the DVRPC Board.

DVRPC has coordinated with PennDOT, the PA Turnpike Commission, SEPTA, FHWA, and numerous other partners on the I-95 and I-295 projects for many years, dating back to the planning stages of these projects to the current implementation phases. This has included extensive modeling analysis in an attempt to understand and mitigate the impacts of this vital, but unavoidably disruptive series of construction projects. Over the years, DVRPC has continued to provide planning and modeling support to these projects. In addition, per federal requirements, PennDOT has prepared and updated Congestion Management and Transportation Management Plans in consultation with numerous partners and approved by FHWA.

To help commuters who normally drive on I-95, DVRPC and the Southeastern Pennsylvania Transportation Authority (SEPTA) have partnered with PennDOT to offer and promote alternatives to driving on this corridor during construction.

These alternatives include SEPTA [Regional Rail](#) and [Direct Bus](#), as well as DVRPC's free [Share-A-Ride](#) ridematch program and [teleworking](#). DVRPC offers information specific to *commuting along the I-95 corridor* on a special webpage: www.dvrpc.org/Commute95.

In addition to SEPTA and PennDOT, DVRPC is working with three local organizations to assist employers with I-95 commute-related issues for employees; these organizations serve worksites in their county or as noted:

- Transportation Management Association of Bucks County (TMA Bucks): www.bctma.com or 215-244-9082
- Delaware County Transportation Management Association (DCTMA): www.dctma.org or 610-892-9440
- Clean Air Council: www.cleanair.org or 215-567-4004 (for employers in Center City, University City, the Northeast, and the Navy Yard).

Thank you for your continued involvement in the region's development.

Public comments on agenda and non-agenda items received at the DVRPC Board Meeting held on December 9, 2020

Rev. Glen Benson, Delaware County

Rev. Benson made comments about the public presentation given by Richard Rothstein on systemic racism earlier in the day, as well as the written comments he submitted in advance of the December Board meeting (included above). Rev. Benson stated that he has testified and complained consistently before the DVRPC Board for several years about working with PennDOT to assess and address damage to his home potentially caused by vibrations from nearby I-95. He attested several points: first, that a representative of Pennoni Engineers, a consultant retained by PennDOT, said that Rev. Benson refused vibrational testing at a previous visit. Rev. Benson said that he did not. Second, that there was a conversation held at his home between a PennDOT staff member, a Pennoni representative, and himself during which Rev. Benson said the PennDOT staff member told him it's obvious that I-95 is causing damage to his home, and that the staff member noted a previous study that concluded that damage to his home was due to vibrations from I-95. Rev. Benson also asserted that the PennDOT staff member said that no one has complained about the lack of sound barriers along I-95 in Chester City, until his complaints. Rev. Benson concluded his public comments by asking the DVRPC Board if they are serious about addressing racism.

Response -- Sent January 7, 2020:

Thank you for making public comments at DVRPC's December 9th Board meeting. DVRPC staff members have directly emailed with you or have been a part of email distribution lists between you and Charles Davies, Assistant District Executive at PennDOT District 6, as well as others.

As stated in earlier email correspondence, DVRPC is not involved in any of the issues

related to potential damage to your home. However, as an MPO, we are involved in seeking and collecting public input, and facilitating dialogue between different levels of government and the region's residents. We will continue to forward your comments and concerns on to DVRPC's Board members and the appropriate staff members at PennDOT.

In your public comments, you have alleged discrimination based on your race. As a recipient of federal funds, PennDOT must comply with Title VI of the Civil Rights Act of 1964 and additional nondiscrimination requirements when it carries out its activities. Please see PennDOT's Bureau of Equality Opportunity and its Title VI Discrimination Complaint Process, available here: <https://www.penndot.gov/about-us/EqualEmployment/Pages/TitleVI.aspx>. You can also contact them by phone at 717-787-5891 or 800-468-4201.

A summary of your public comment as well as this response will be published to DVRPC's website as part of the record for the 12/9 Board meeting (<https://www.dvrpc.org/Committees/BOARD/>, scroll down to meeting materials).

Michael Clemmons, Philadelphia County

Michael Clemmons, a member of DVRPC's Public Participation Task Force and Regional Technical Committee, made a public comment directly following up on Rev. Benson's comment. Mr. Clemmons asked if the RTC could hear from PennDOT about the progress on the noise abatement project along I-95 [MPMS# 108910].

Response - Sent on January 7, 2020

Thank you for making public comments at DVRPC's December 9th Board meeting. DVRPC inquired with PennDOT District 6-0, which serves southeastern Pennsylvania, about the status of the I-95 Noise Abatement project.

District 6-0 staff reported that traffic modeling is underway for various scenarios for the adjacent SR 476 and I-95 flexible lane use projects of which the I-95 noise abatement project is a part. The DVRPC traffic models are complex and the project team is in the process of working with the DVRPC to refine the 2019 base year traffic model for this project's use. Separately, the design team has also completed noise modeling for the existing conditions and are in the process of locating wetlands and other environmental features. PennDOT District 6-0 has preliminary noise wall locations, but must run proposed traffic numbers to verify the benefit of such walls at each location before

submitting for PennDOT Headquarters' review and approval. Once the traffic model is completed, District 6-0 will then model proposed noise, document potential benefits and submit to headquarters for approval. At that point, project staff will be able to present the proposed locations.

A representative from PennDOT will provide a status update during the one-minute reports section of the agenda at the next RTC meeting, on January 12, 2021.

A summary of your public comment as well as this response will be published to DVRPC's website as part of the record for the 12/9 Board meeting (<https://www.dvrpc.org/Committees/BOARD/>, scroll down to meeting materials).