

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE AGENDA

REVISED

WEDNESDAY, NOVEMBER 18, 2015

7:45 pm
Room 205

ITEMS SCHEDULED FOR DISCUSSION:

- #326-15 HIS HONOR THE MAYOR in accordance with Chapter 279 of the Acts of 1992 and Sec. 3-3 and 3-4 of the City Charter, appointing CAPTAIN DAVID MACDONALD as Chief of Police, appointed November 16, 2015, effective November 30, 2015. [11/16/15 @ 3:39 PM]
- #311-15 STEVEN J. DONATO, 1211 Washington Street, Trustee of the 337 Washington Street Realty Trust, appealing the Approval of TC2-15 Traffic Council Decision on October 1, 2015: All existing Peabody Street resident permits and visitor passes will expire on December 31, 2015. A maximum of two (2) visitor permits will be available per dwelling unit for each address on Peabody Street, to be effective beginning January 1, 2016. A note will be added to TPR-202 for Peabody Street: "Beginning January 1, 2016, a maximum of one (1) visitor permit will be made available to residents of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street. These visitor permits are to continue to be made available on an annual basis, but only to residents living in these dwelling units who have a current Peabody Street resident permit or visitor pass. Resident of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street, but who do not currently have a Peabody Street visitor permit or resident sticker will not be entitled to obtain one."
(Ward 1) [Appeal filed 10/21/15]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

It is the Chairman's intention to entertain a motion to vote No Action Necessary on the following one (1) item:

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

- #85-15 ALD. SANGIOLO, requesting discussion with the Director of Transportation and the Transportation Coordinator to determine whether a fee could be imposed on all residents who own automobiles in the City. Such fee to be placed into a transportation fund to pay for roadway and sidewalk improvements. Residents would get a parking sticker in return for each automobile they have registered with the City that would enable them to bypass parking restrictions in the City except for Tow Zones and Fire Hydrants and any other emergency zones determined by the Police and Fire Departments. [03/12/15 @ 10:38 AM]
FINANCE VOTED NO ACTION NECESSARY 7-0 on 11/09/15

It is the Chairman's intention to refer the following seven (7) items to the 2016-2017 City Council:

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #288-15 HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/01/15 @ 1:53 PM]
- #326-14 ALD. ALBRIGHT, requesting a discussion and a plan to replace all Newton parking meters within two years. [08/19/14 @ 9:16 AM]
HELD 5-0 on 09/17/14, Ald. Harney and Lipof not voting
HELD 6-0 on 02/04/15, Ald. Fuller and Johnson not voting
HELD 7-0 on 03/04/15
HELD 5-0 on 10/07/15, Ald. Fuller not voting
- #309-14(2) ALD. JOHNSON, requesting a discussion regarding changes that may need to be made to Traffic Council. This would include intent and purpose of the council, criteria and process to determine the referral of Traffic Council petitions to be discussed and acted upon Administratively, by Traffic Council or Public Safety & Transportation Committee. [03/05/15 @ 9:23 PM]
- #309-14 ALD. JOHNSON, requesting a discussion re changes that may need to be made to the membership of the Traffic Council to make it more effective, efficient, and representative of the community. [07/28/14 @ 9:20 AM]
HELD 7-0 on 09/17/14
HELD 7-0 on 03/04/15
- #72-14 ALD. CICCONE & JOHNSON, requesting a discussion of the installation of a possible bike lane on Walnut Street between Otis Street and Commonwealth Avenue. [03/03/14 @ 8:17 AM]
HELD 7-0 on 03/19/14

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.
- #137-11 ALD. DANBERG AND FULLER requesting possible changes to City Ordinance 19-191, Parking Meter Fees, to require a minimum purchase at long-term parking meters in order to discourage short-term use. [04/26/11 @ 9:52 AM]
HELD 6-0 on 05/18/11, Ald. Freedman not voting
HELD 8-0 on 01/18/12
HELD 5-0 on 01/23/13, Ald. Fuller not voting

ITEMS NOT SCHEDULED FOR DISCUSSION:

- #319-15 ACTING DIRECTOR OF PLANNING & DEVELOPMENT, requesting a discussion and presentation of the draft Newton Centre Parking strategy. [11/9/15 @ 4:16 PM]

REFERRED TO PUBLIC SAFETY AND PUBLIC FACILITIES COMMITTEES

- #314-15 ALD. COTE, HARNEY AND NORTON requesting a review of all public buildings with a priority on schools and the Senior Center to ensure that functioning carbon monoxide detectors, that alert the entire facility are in use. [10/19/15 @ 1:30 PM]

REFERRED TO PROGRAMS & SERVICES AND PUBLIC SAFETY COMMITTEES

- #312-15 ALD. COTE, HARNEY AND NORTON, requesting a review and discussion of the opiate overdose epidemic including an update from the Health Department appraising the board on the current situation to include comparative statistics from previous years as to the number of opiate overdoses handled by first responders. In addition, what is being done immediately to take this on and what support can the Board provide. [10/19/15 @ 1:30 PM]
- #197-15 ALD. ALBRIGHT, on behalf of a constituent requesting a discussion with the Chief of Police and the Commissioner of Parks and Recreation on the use of drones in the City of Newton to discuss what means and methods could become policy or ordinances to deal with an increase of privacy complaints as well as uses of more serious consequences. [08/14/15 @ 11:51 AM]

REFERRED TO PUB FACIL, PROG & SERV, AND PS&T COMMITTEES

- #46-15 ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]
PUBLIC FACILITIES HELD 7-0 on 10/21/15
PROGRAMS & SERVICES HELD 6-0, Ald. Norton not voting on 10/21/15

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

- #465-14 ALD. SANGIOLO, GENTILE AND HARNEY, requesting a discussion regarding reducing the fee charged to residents for permit parking programs. [11/17/14 @ 12:40 PM]
HELD 6-0 on 01/07/15
HELD 6-0 on 06/03/15, Ald. Lipof not voting
FINANCE HELD 7-0 on 11/09/15
- #28-14 ALD. CICCONE AND FULLER on behalf of the Health Department and the Emergency Medical Services (EMS) requesting a discussion on duplicate street names. [01/09/14 @ 10:57 AM]
HELD 8-0 on 01/22/14
HELD 8-0 on 05/07/14
- #240-12 RECODIFICATION COMMITTEE requesting that **Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended to determine who has jurisdiction for parking on municipal land, the owning department as described in **Sec. 19-224. Parking prohibited on city grounds.** or the Traffic Council as described in **Sec. 19-26. Authority and role of Traffic Council.**
HELD 7-0 on 03/18/15
- #234-12 RECODIFICATION COMMITTEE recommending that the definition of *Speed humps* in **Sec. 19-1. of Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended to make it consistent with current design/practice standards.
HELD 6-0-1 on 03/18/15, Ald. Yates abstaining

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES

- #413-11 ALD. CICCONE, SALVUCCI, GENTILE & LENNON updating the Public Facilities and Public Safety & Transportation Committees on the progress of renovations to the city's fire stations. [11/17/11 @ 11:07 AM]
HELD 6-0 on 09/09/15, Ald. Harney not voting
PUBLIC FACILITIES HELD 7-0 on 09/09/15

Respectfully submitted,

Allan Ciccone, Jr. Chairman



City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100
Facsimile
(617) 796-1113
TDD/TTY
(617) 796-1089

SETTI D. WARREN
MAYOR

E-mail
swarren@newtonma.gov

November 16, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

Pursuant to Section 3-3 of the City Charter I have this day appointed Captain David MacDonald as the City of Newton Chief of Police to succeed Chief Howard Mintz upon his retirement on November 30, 2015.

Captain MacDonald has been with the Newton Police Department for more than 20 years, having served as the Executive Officer in Chief Howard Mintz's office for the past 2 and a half years.

Captain MacDonald's integrity and leadership ability have made him an invaluable member of our police department and these skills will make him an exceptional Chief of Police. We were fortunate to have so many great candidates and we look forward to working with him to keep our community one of the safest in the country.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2015 NOV 16 PM 3:39
David A. Olson, CMC
Newton, MA 02459



Board of Aldermen
2014-2015

CITY OF NEWTON



PUBLIC SAFETY & TRANSPORTATION COMMITTEE MEETING NOTICE

Dear Resident:

The Public Safety & Transportation Committee of the Board of Aldermen will be discussing the following item, which may be of interest to you, at its next meeting on Wednesday, November 18, 2015 at 7:45 pm in Room 205, Second Floor, City Hall. The meeting is open to the public and if you would like further information on the item, you are encouraged to attend.

#311-15 **STEVEN J. DONATO**, 1211 Washington Street, Trustee of the 337 Washington Street Realty Trust, appealing the Approval of TC2-15 Traffic Council Decision on October 1, 2015: All existing Peabody Street resident permits and visitor passes will expire on December 31, 2015. A maximum of two (2) visitor permits will be available per dwelling unit for each address on Peabody Street, to be effective beginning January 1, 2016. A note will be added to TPR-202 for Peabody Street: "Beginning January 1, 2016, a maximum of one (1) visitor permit will be made available to residents of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street. These visitor permits are to continue to be made available on an annual basis, but only to residents living in these dwelling units who have a current Peabody Street resident permit or visitor pass. Resident of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street, but who do not currently have a Peabody Street visitor permit or resident sticker will not be entitled to obtain one."
(Ward 1) [Appeal filed 10/21/15]

If you are unable to attend this meeting but would like to offer comments in writing for consideration, please forward your comments to the Office of the Clerk of the Board, 1000 Commonwealth Avenue, Newton Centre, 02459 or e-mail to Danielle Delaney at ddelaney@newtonma.gov by November 10, 2015 reflecting docket item number #311-15.

Sincerely,

Danielle Delaney
Committee Clerk
Public Safety & Transportation Committee

1000 Commonwealth Avenue ▪ Newton, MA 02459
617-796-1210 www.newtonma.gov

 **SCHLESINGER AND
BUCHBINDER, LLP**
ATTORNEYS AT LAW
1200 WALNUT STREET
NEWTON, MASSACHUSETTS 02461-1267

#311-#5
#311-15

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
SHERMAN H. STARR, JR.
HEATHER G. MERRILL
PAUL N. BELL
KATHERINE BRAUCHER ADAMS
JULIA V. WILDE
FRANKLIN J. SCHWARZER
RACHAEL C. CARVER

TELEPHONE (617) 965-3500
FACSIMILE (617) 965-6824
OF COUNSEL
ROBIN GORENBERG

E-Mail: sjbuchbinder@sab-law.com

October 21, 2015

RECEIVED
Newton City Clerk
2015 OCT 21 PM 12:00
DAVID A. O'CONNOR
Newton, MA 02459

BY HAND

Ms. Linda Finucane
Chief Committee Clerk, Newton Board of Aldermen
1000 Commonwealth Avenue
Newton, MA 02459-1449

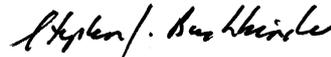
Re: Appeal of Traffic Council Decision #TC2-15

Dear Ms. Finucane,

In accordance with Section 19-34 of the Newton Ordinances, please be advised that my client, Steven J. Donato, as Trustee of the 337 Washington Street Realty Trust, as owner of 337 Washington Street, hereby appeals the Traffic Council's October 1, 2015 decision regarding parking restrictions on Peabody Street (TC2-15). My client's completed Traffic Council Appeal Form with required signatures is enclosed herewith.

Please let me know if you require additional information.

Sincerely,



Stephen J. Buchbinder

SJB/fjs
enclosure

cc: (By Hand)
Mr. David Koses, Traffic Council Chair
Ms. Danielle Delaney, Traffic Council Clerk
Ms. Donnalyn Kahn, City Solicitor

(By First Class Mail, w/enclosures)
Mr. Steven J. Donato
Alderman Scott F. Lennon
Alderman Allan Ciccone, Jr.
Alderman Alison M. Leary

**APPEAL OF TRAFFIC COUNCIL DECISION
CITY OF NEWTON TRAFFIC COUNCIL, ROOM 101A
1000 COMMONWEALTH AVENUE
NEWTON CENTRE, MA 02459**

This form shall be completed by residents or an alderman who wish to appeal a Traffic Council decision. This form must be completed and filed with the clerk of the board within twenty (20) calendar days of the Traffic Council vote. Requirements for signatures in the matter of appeals are described in Sec.19-33 and 19-34 of the Revised Ordinances of the City of Newton, 2007, as amended by Ordinance Z-12. The Appellant and other parties who may in the Council's judgment be substantially affected by such petition will be notified with the first date the petition will be discussed by the Board of Aldermen. NOTE: There are additional appeal requirements for Resident Only Permit Areas; see Sec. 19-201 of the City of Newton Ordinances. If you have further questions, please call the Clerk of the Board's Office at (617) 796-1210.

Complete both sides and submit to the Clerk of the Board's Office (PLEASE PRINT):

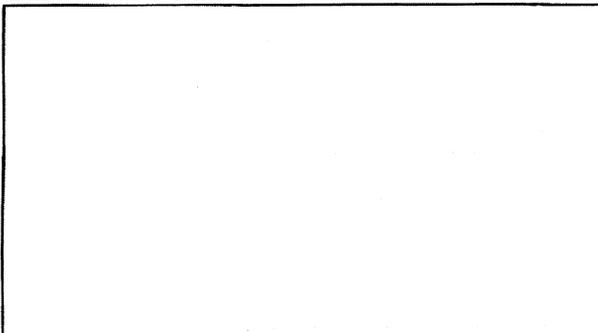
APPELLANT'S NAME Steven J. Donato, Trustee * SIGNATURE: 
ADDRESS: 1211 Washington Street, West Newton, MA 02465 Unit # N/A
TELEPHONE (DAY): 617-965-~~3888~~5000 (EVENING): _____

PETITION #: TC - 2-15

REASON FOR APPEAL: The Traffic Coucil's October 1, 2015 decision negatively impacts the right of
future tenants of the apartment units at 337 Washington Street (the "Apartments") to continue to park on Peabody
Street, a right that the existing tenants of the Apartments have had for decades.

* of the 337 Washington Street Realty Trust

THIS SECTION FOR OFFICE USE ONLY:



RECEIVED
Newton City Clerk
2015 OCT 21 PM 12:00
David A. Olson, CMC
Newton, MA 02459

Last Revised November 16, 2009

REQUIRED SIGNATURES (Please Print)

◆ Appeals for intersectional controls/regulations (traffic signals, stop signs, no turn on red, etc.) require a total of six (6) signatures (including appellant's) from owners or tenants whose building or lot of land is located within five-hundred (500) feet of the affected intersection (one signature per household or business).

◆ Appeals for parking restrictions, truck exclusions, speed limits, and all other traffic regulations must be signed by one (1) owner or tenant of at least half of the residential, commercial and/or non-profit units which abut the affected street or way, provided that in no event shall more than ten (10) signatures (including appellant's) be required (one signature per household or business).

NAME: Walter M. ANDRADE SIGNATURE: [Signature]
ADDRESS: 337 WASHINGTON ST. APT. 1 UNIT# 1
TELEPHONE (DAY): 774 578 0996 (EVENING): S'HOME

NAME: CHI LEE SIGNATURE: [Signature]
ADDRESS: 337 Washington St #12 UNIT# 12
TELEPHONE (DAY): 617-752-1668 (EVENING):

NAME: Ron Peleg SIGNATURE: [Signature]
ADDRESS: 337 Washington St. UNIT# 5
TELEPHONE (DAY): 617 851 4655 (EVENING): 11

NAME: James O'Brien SIGNATURE: [Signature]
ADDRESS: 337 Washington St UNIT# 6
TELEPHONE (DAY): 603-9714-9846 (EVENING): 11

NAME: Della Gleason SIGNATURE: [Signature]
ADDRESS: 337 Washington St UNIT# 15
TELEPHONE (DAY): 781-488-8269 (EVENING):

NAME: Isabelle Treany SIGNATURE: Isabelle Treany
ADDRESS: 337 Washington St. UNIT# 4
TELEPHONE (DAY): 617-610-2981 (EVENING):

NAME: Richard Farnell SIGNATURE: Richard Farnell
ADDRESS: 337 Washington St UNIT# B
TELEPHONE (DAY): 860-630-0666 (EVENING): same

NAME: Alison Paragallo SIGNATURE: [Signature]
ADDRESS: 337 Washington St. UNIT# 2
TELEPHONE (DAY): 631-786-3713 (EVENING): same

NAME: Cia A. Di Tommaso SIGNATURE: Cia A. Di Tommaso
ADDRESS: 337 Washington St. UNIT# 17
TELEPHONE (DAY): 617 484 4216 (EVENING): 617 963 - 9273

RECEIVED
2015 OCT 22 PM 1:30
David A. Johnson
New Bedford, MA 02745
New Bedford City Clerk

Last Revised November 16, 2009

REQUIRED SIGNATURES (Please Print)

◆ Appeals for intersectional controls/regulations (traffic signals, stop signs, no turn on red, etc.) require a total of six (6) signatures (including appellant's) from owners or tenants whose building or lot of land is located within five-hundred (500) feet of the affected intersection (one signature per household or business).

◆ Appeals for parking restrictions, truck exclusions, speed limits, and all other traffic regulations must be signed by one (1) owner or tenant of at least half of the residential, commercial and/or non-profit units which abut the affected street or way, provided that in no event shall more than ten (10) signatures (including appellant's) be required (one signature per household or business).

NAME: Allison Bramhall SIGNATURE: Allison Bramhall
ADDRESS: 337 Washington St UNIT# 8
TELEPHONE (DAY): 617-913-4838 (EVENING): 617-913-4838

NAME: Jennifer Callahan SIGNATURE: Jennifer Callahan
ADDRESS: 337 Washington St UNIT# 16
TELEPHONE (DAY): 617-910-0177 (EVENING): Same

NAME: BRENDAN MCGARTIN SIGNATURE: Brendan McGartin
ADDRESS: 337 WASHINGTON St UNIT# 3
TELEPHONE (DAY): 717-645-4544 (EVENING): SAME

NAME: Arus Simonyan SIGNATURE: Arus Simonyan
ADDRESS: 337 Washington St UNIT# 7
TELEPHONE (DAY): (811) 992-1489 (EVENING):

NAME: JUSTIN P. GATTI SIGNATURE: Justin P. Gatti
ADDRESS: 337 Washington St UNIT# 11
TELEPHONE (DAY): 860-916-5984 (EVENING):

NAME: _____ SIGNATURE: _____
ADDRESS: _____ UNIT# _____
TELEPHONE (DAY): _____ (EVENING): _____

NAME: _____ SIGNATURE: _____
ADDRESS: _____ UNIT# _____
TELEPHONE (DAY): _____ (EVENING): _____

NAME: _____ SIGNATURE: _____
ADDRESS: _____ UNIT# _____
TELEPHONE (DAY): _____ (EVENING): _____

NAME: _____ SIGNATURE: _____
ADDRESS: _____ UNIT# _____
TELEPHONE (DAY): _____ (EVENING): _____

RECEIVED
Newton City Office
2015 OCT 21 PM 12:00
DENIDA A. OLSON, CHIC
Newton, MA 02459

CITY OF NEWTON

BOARD OF ALDERMEN

TRAFFIC COUNCIL REPORT

THURSDAY, OCTOBER 1, 2015

Present: David Koses, Traffic Council Chair; Sgt. Jay Babcock, Newton Police Department; Ald. Ciccone; Gloria Son, Traffic Engineer and Alicia Wilson, Resident member
Also Present: Ald. Fuller, Leary and Lennon

Mr. Koses provided a PowerPoint presentation on these items, attached to this report.

- TC2-15 ALD. LENNON, on behalf of Domenic Proia, 17 Peabody Street, requesting an amendment to the resident permit parking program for Peabody Street to not allow the contiguous lot provision (or some modification thereof) of the program and/or to assist Peabody Street residents to access the limited number of legal parking spots on the street. (Ward 1) [01/05/15 @ 3:09 PM]
HELD (5-0) on 01/22/15. Held for a trial of the following: All existing Peabody Street resident permits will expire on January 31, 2015. All existing Peabody Street visitor passes will expire on January 31, 2015. A maximum of 1 visitor permit will be available per dwelling unit for each address on Peabody Street, to be effective beginning February 1, 2015. A maximum of 1 visitor permit will be available per dwelling unit for addresses located on corner lots which are contiguous to a lot that borders Peabody Street, to be effective beginning February 1, 2015.
Note: The effect of this trial is the following: No resident parking permits for Peabody Street will be issued. All 22 housing units on Peabody Street and all 22 housing units on corner lots abutting Peabody Street will be eligible to obtain up to 1 transferable visitor pass, at no charge. This includes up to 1 visitor permit for each of the 18 apartments at 337 Washington Street.
- ACTION: APPROVE AS AMENDED (5-0).**
All existing Peabody Street resident permits and visitor passes will expire on December 31, 2015. A maximum of 2 visitor permits will be available per dwelling unit for each address on Peabody Street, to be effective beginning January 1, 2016.
A note will be added to TPR-202 for Peabody Street: “Beginning January 1, 2016, a maximum of 1 visitor permit will be made available to residents of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street. These visitor permits are to continue to be made available on an annual basis, but only to residents living in these dwelling units who have a current Peabody Street resident permit or visitor pass. Resident of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street, but who do not currently have a Peabody Street visitor permit or resident sticker will not be entitled to obtain one.”
This item may be appealed through the close of business October 21, 2015.

NOTE: Ald. Lennon, Ald. Leary, Mr. and Mrs. Proia, Mr. Steven Donato, property owner and a resident of #337 Washington Street joined the Council for discussion on this item.

Mr. Koses said that this trial was implemented due to the tenants of #337 Washington Street, an 18-unit apartment building (located on a corner lot, which is contiguous to a lot that borders Peabody Street) without parking on-site desiring resident parking and visitor parking permits.

Mr. Koses provided Council members with a review of the trial, site photos, current and prior ordinances, Peabody Street characteristics, a recent change to the Traffic and Parking Regulations (TPR) and options for Traffic Council's consideration.

Current Ordinance

19-201 (A)(6) The Traffic Council shall determine whether residents of lots contiguous to a corner lot abutting the restricted area will be eligible to apply for a resident parking sticker. In making such determination, the Traffic Council shall consider the following criteria, in addition to the criteria listed in section (3) above:

- the number of dwelling units abutting the restricted area
- the number of dwelling units on the contiguous lot
- the number of on-street legal parking spaces available in the restricted area
- the lack of convenient off-street parking for residents of the restricted area
- and the lack of convenient off-street parking for residents of the contiguous lots.

The Traffic Council may order that no more than one resident parking permit and one visitor permit be issued to dwellings units on eligible contiguous lots. If Traffic Council determines that the number of eligible dwelling units greatly outnumbers available on street spaces, the traffic council may limit the number of resident parking permits, which will be made available to residents of the restricted area and eligible contiguous lots and direct the Chief of Police to issue such permits on a first come first serve or on a lottery basis.

Prior Ordinance

Sec. 19-201. Resident sticker and visitor permit parking program. B (1) allowed residents living at addresses on corner lots, which are contiguous to a lot that borders a restricted area eligible for a resident parking sticker.

Characteristics

Mr. Koses said that there are approximately 14 parking spaces on Peabody Street. All 22 dwelling units have driveways. There are 44 potential permits available plus 44 additional potential visitor passes for residents of Peabody Street. The apartment building #337 Washington Street has 18 units with zero parking on-site. There is also a three-family home and a single family home, both with driveways. There are 44 potential permits available plus 44 additional potential visitor passes for residents whose property is contiguous to a lot that borders Peabody Street. Therefore, there is the potential for a total of 176 permits among Peabody Street residents and the properties that are contiguous to a lot that borders Peabody Street. There are only 14 legal parking spaces on Peabody Street.

In December 2014, the Board of Aldermen amended Ordinance 19-201(B) (4) as follows allowing Traffic Council to decide if such a lot is eligible on a case-by-case basis.

Current Ordinance

19-201 (B) (4) The number of resident parking stickers issued to a resident at an eligible address shall be limited as follows: the maximum number of resident parking stickers for residents at eligible addresses shall be two (2) per dwelling unit. Motor vehicles not registered at the address shall not be eligible for a sticker. The number of such permits issued to residents of eligible contiguous lots may be further limited by the Traffic Council.

In June 2015, Traffic Council amended TPR-202 as follows:

Traffic and Parking Regulation (TPR-202)

- Delete - “Addresses located on corner lots which are contiguous to a lot that borders the restricted area are eligible...”
- Add - “Eligibility for resident permit does not extend to lots contiguous to a corner lot abutting the restricted area unless otherwise noted”
- Effect - all addresses located on corner lots which are contiguous to a lot that borders the restricted area are still eligible for resident permits BUT ONLY WHEN SPECIFICALLY NOTED IN TPR-202

Mr. Koses provided the following options for Traffic Council’s consideration:

Options for consideration:

- (1) Vote No Action Necessary - this means that the corner lots, including 337 Washington Street will no longer receive a resident permit or visitor permit to park on Peabody Street.
- (2) Vote Approve as Amended - with language that specifically notes the Peabody Street resident and/or visitor permit(s) that are available for: a) addresses on Peabody Street or b) addresses located on corner lots contiguous to a lot that borders Peabody Street.

Mr. Koses opened the discussion for public comment. Mr. Proia said that many years ago, the “Resident Permit Parking Only” program was put into effect, allowing residents of #337 Washington Street permission to park on Peabody Street. It appears that tenants from #337 Washington Street are parking up the area and park their cars for days at a time. He stated that as a taxpayer, it is unfair to issue permits to tenants of #337 Washington Street. His guests do not have places to park. He strongly suggested and requested eliminating the “Resident Permit Parking Only” program and visitor passes to tenants of #337 Washington Street. Mrs. Proia asked if tenants of #337 Washington Street would be allowed to park at the Richardson Street lot with permits. Mr. Koses responded that the City does not issue permits that would allow residents to park at parking meters without paying the meter fee.

Ald. Leary asked if tenants of #337 Washington Street are informed prior to renting that parking is not available. Mr. Koses answered yes; and mentioned that zip cars and public transportation are available in the area.

A tenant and current “Resident Permit Parking Only” permit holder of #337 Washington Street spoke and said that she has resided in the building for 4 ½ years. It is necessary for her to have a car for transporting equipment to work; public transportation is not an option. She stated that she would not have chosen to live at #337 Washington Street if parking permits were not available.

During the winter months, she parks overnight at the Pearl Street municipal parking lot. Mr. Donato suggested continuing the trial with enforcement and issue one visitor permit to each tenant of #337 Washington Street, decreasing the number of permits issued from 176 to 44 permits, which would allow tenants to have visitors.

Sgt. Babcock said that 7 permits have been issued to tenants of #337 Washington Street. No citations will be issued to people that currently use the expired permits, vehicles without a permit would be cited until this program is resolved. When this program is resolved, the Police Department will notify tenants and residents on obtaining new permits.

Council members and Aldermen present discussed the many options and suggested that the current tenants of #337 Washington Street be 'grandfathered' into the "Resident Permit Parking Only" program allowing them to park on Peabody Street. Future tenants will not be entitled to a permit allowing them to park on Peabody Street.

Ald. Lennon said that the "Resident Permit Parking Only" was originally petitioned by Peabody Street residents because of the encroachment on residents and homeowners from nearby businesses.

After significant discussion, Ald. Ciccone made the motion to approve as amended the trial as stated above. With the understanding, management of #337 Washington Street will inform future tenants that parking is not available on Peabody Street and they will not be issued a permit to park there. Sgt. Babcock stated that residents may obtain new permits for year 2016 beginning on December 17, 2015. Council members agreed 5-0. Mr. Koses stated that a notation would be added to TPR-202 for Peabody Street as required. He then said that this item may be appealed through the close of business on October 21, 2015.

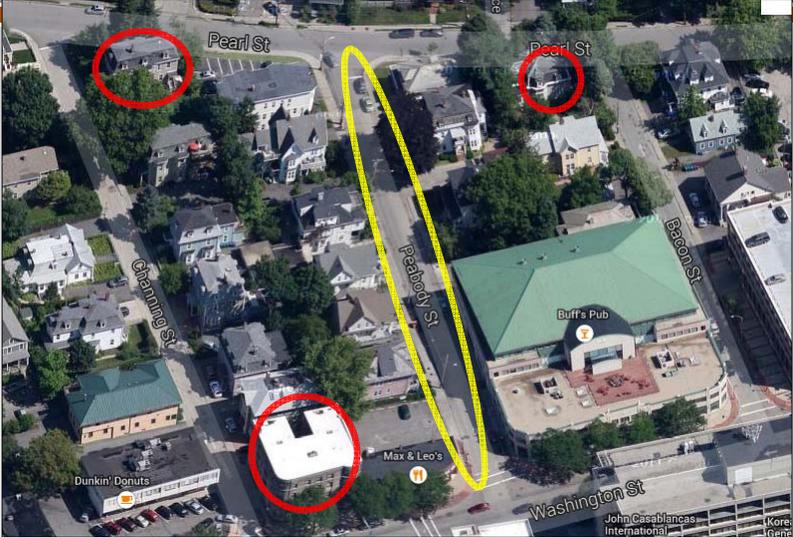
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Resident permit parking on Peabody Street

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Location Map **TC2-15**



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Site Photo (from 1/22/15 meeting)

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Peabody St looking south toward Washington Street

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Site Photo

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Peabody St looking north toward Pearl Street

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Apartment Building at 337 Washington Street

Traffic Council

Prior Ordinance	TC2-15
<ul style="list-style-type: none"> ❖ Sec. 19-201. Resident sticker and visitor permit parking program. ❖ B (1) allowed residents living at addresses on corner lots which are contiguous to a lot that borders a restricted area are eligible for a resident parking sticker. 	
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Current City Ordinance 19-201	TC2-15
<ul style="list-style-type: none"> ❖ 19-201 (A)(6) <u>The traffic council shall determine</u> whether residents of lots contiguous to a corner lot abutting the restricted area will be eligible to apply for a resident parking sticker. ❖ In making such determination, the traffic council shall consider the following criteria, in addition to the criteria listed in section (3) above: <ul style="list-style-type: none"> ▪ the number of dwelling units abutting the restricted area; ▪ the number of dwelling units on the contiguous lot; ▪ the number of on-street legal parking spaces available in the restricted area; ▪ the lack of convenient off-street parking for residents of the restricted area; ▪ and the lack of convenient off-street parking for residents of the contiguous lots. ❖ The traffic council may order that no more than one resident parking permit and one visitor permit be issued to dwelling units on eligible contiguous lots. ❖ If traffic council determines that the number of eligible dwelling units greatly outnumbered available on-street spaces, <u>the traffic council may limit the number of resident parking permits which will be made available to residents of the restricted area and eligible contiguous lots</u> and direct the chief of police to issue such permits on a first come first serve or on a lottery basis. 	
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19-201 (A)(3) – for reference	TC2-15
<ul style="list-style-type: none"> ❖ In reviewing the petition, the traffic council shall consider the following criteria: <ul style="list-style-type: none"> ▪ a) vehicular circulation and safety; ▪ b) pedestrian safety; ▪ c) lack of convenient off-street parking for residents of the area of the proposed restriction; ▪ d) level of demand for on-street parking by nonresidents of the area of the proposed restriction, including analysis of probable displacement of nonresidential parking to adjacent residential areas if the proposed restrictions should be implemented; ▪ e) extent to which existing and/or alternative parking regulations are ineffective to deal with parking problems in the area of the proposed restriction. 	
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Peabody Street - Characteristics	TC2-15
<ul style="list-style-type: none"> ❖ Approximate number of parking spots: 14 ❖ Peabody Street: direct abutters <ul style="list-style-type: none"> ▪ 5 two-unit dwellings = 10 units All have driveways ▪ 4 three-unit dwellings = 12 units All have driveways ▪ Total = 22 units ▪ Potential permits available = 22 x 2 = 44. + 44 additional potential visitor passes. ❖ Contiguous Lots: <ul style="list-style-type: none"> ▪ Washington St apartment building = 18 units No driveway ▪ One three family building = 3 units Has a driveway ▪ One single family = 1 unit Has a driveway ▪ Total = 22 units ▪ Potential permits available = 22 x 2 = 44. + 44 additional potential visitor passes. 	
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19-201 (B) (4) –(new)

TC2-15

- ❖ The number of resident parking stickers issued to a resident at an eligible address shall be limited as follows: the maximum number of resident parking stickers for residents at eligible addresses shall be two (2) per dwelling unit. Motor vehicles not registered at the address shall not be eligible for a sticker. The number of such permits issued to residents of eligible contiguous lots may be further limited by the traffic council.

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Traffic Council

Peabody Street Homes

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Trial Approved 1/22/15	TC2-15
<ul style="list-style-type: none"> • On January 22, 2015, the item was held for the following trial: <ul style="list-style-type: none"> • All existing Peabody Street resident permits will expire on 1/31/15 • All existing Peabody Street visitor passes will expire on 1/31/15 • Maximum of 1 visitor permit will be available per dwelling unit for each address on Peabody Street, to be effective beginning 2/1/15 • Maximum of 1 visitor permit will be available per dwelling unit for addresses <i>located on corner lots which are contiguous to a lot that borders Peabody Street</i>, to be effective beginning 2/1/15 • Effect: <ul style="list-style-type: none"> • No resident parking permits for Peabody Street issued. • All 22 housing units on Peabody St and all 22 housing units on corner lots abutting Peabody St were eligible to obtain up to 1 free transferable visitor pass • Includes up to 1 visitor permit for each of the 18 apartments at 337 Wash St 	

Change to TPR-202	TC2-15	
<ul style="list-style-type: none"> • Prior to 6/15/15, TPR-202. Resident restricted areas, automatically included all “addresses <i>located on corner lots which are contiguous to a lot that borders the restricted area</i>” • At the 6/25/15 Traffic Council meeting, the following change was made: <ul style="list-style-type: none"> • Delete this: “Addresses <i>located on corner lots which are contiguous to a lot that borders the restricted area</i> are eligible...” • Add this: “Eligibility for resident permit does not extend to lots contiguous to a corner lot abutting the restricted area unless otherwise noted” • Effect: all addresses located on corner lots which are contiguous to a lot that borders the restricted area are still eligible for resident permits <u>BUT ONLY WHEN SPECIFICALLY NOTED IN TPR-202</u> 		
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Options

TC2-15

- (1) Vote to NAN. This means that the corner lots, including 337 Wash St will no longer receive a resident permit or visitor permit to park on Peabody Street
- (2) Vote to APPROVE AS AMENDED, with language that specifically notes the Peabody Street resident and/or visitor permit(s) that are available for:
 - Addresses on Peabody Street
 - Addresses located on corner lots contiguous to a lot that borders Peabody St



10.01.14

Traffic Council