Portsmouth Parking & Traffic Safety Committee

8:00 A.M. - April 6, 2017

City Hall – Eileen Dondero Foley City Council Chambers

ON-SITE COMMITTEE: Please meet on Tuesday, April 4th at 8:00 A.M. in the upper parking lot at City Hall, 1 Junkins Avenue, to view the following locations:

Cleveland Drive at Taft Road and Arthur Road

AGENDA

- I. CALL TO ORDER
- II. **ROLL CALL**
- III. ACCEPTANCE OF THE MINUTES
- IV. FINANCIAL REPORTS
 - A. March 2017
 - B. April 2017
- V. **PUBLIC COMMENT (15 MINUTES)**
- VI. **NEW BUSINESS**
 - A. Request for stop sign on Cleveland Drive at Arthur Road and Taft Road.
 - B. Request for Valet Service license on Pleasant Street near Court Street.
 - C. Food truck pilot program, referred from City Council for consideration.
 - D. Parrot Avenue parking lot regulations.

VII. **OLD BUSINESS/ACTION ITEMS**

- A. Report back on Bartlett Street and Thornton Street intersection.
- B. Report back on proposed bicycle, moped and motorcycle ordinances.

VIII. INFORMATIONAL

- A. Downtown traffic modeling project update.
- B. Middle Street bike lane project update.
- C. Bike share (Zagster) program update.
- IX. **PUBLIC COMMENT**
- X. **MISCELLANEOUS**

Quarterly accident report.

ADJOURNMENT

MEETING MINUTES

PARKING and TRAFFIC SAFETY COMMITTEE MEETING

8:00 A.M. – February 2, 2017 City Hall – Eileen Dondero Foley Council Chambers

I. CALL TO ORDER:

Chairman Lown called the meeting to order at 8:00 a.m.

II. ROLL CALL:

Members Present:

Chairman, Brad Lown
Public Works Director, Peter Rice
Deputy Fire Chief, James Heinz
Police Captain, Frank Warchol
Member, Ted Gray
Member, Ronald Cypher
Member, Harold Whitehouse
Member, Shari Donnermeyer

Staff Advisors Present:

Parking and Transportation Engineer, Eric Eby Parking Manager, Joey Giordano Assistant Planning Director, Juliet Walker

Members Absent:

Deputy City Manager, Nancy Colbert Puff Alternate Member, Mary Lou McElwain

III. ACCEPTANCE OF THE MINUTES:

Ted Gray motioned to accept the January 5, 2017 meeting minutes. Ron Cypher seconded. **Motion passed 8-0.**

IV. FINANCIAL REPORT:

Harold Whitehouse motioned to accept the financial report dated February 2017. Ted Gray seconded. **Motion passed 8-0.**

Harold Whitehouse asked about the Meter in Vehicle category. Parking Manager Giordano stated that the category represented the EasyPark device. Public Works Director Rice mentioned that the EasyPark device would eventually be replaced with the Passport smartphone application.

V. PUBLIC COMMENT:

<u>Rick Becksted</u> spoke against the permanent installation of a crosswalk and bump-out on Islington Street at Albany Street and requested the Committee delay voting on the action item. He expressed concern regarding emergency vehicle access and the potential traffic created by new developments in the area. He also questioned the pilot program survey results.

<u>Doug Roberts</u> spoke in support of installing a crosswalk and bump-out on Islington Street at Albany Street. He requested the project be installed on an interim basis until the Islington Street corridor project is completed. He stated the new developments Mr. Becksted mentioned would increase pedestrian traffic and the crosswalk would be beneficial. Mr. Roberts stated PS21 received 250 responses to the pilot project survey and two-thirds were favorable.

<u>Mike Thiel</u> spoke against the interim installation of a crosswalk and bump-out on Islington Street at Albany Street. He expressed concern regarding the bias of the survey and emergency vehicle access on Islington Street.

<u>Jonathan Blakeslee</u> spoke in support of installing a crosswalk and bump-out on Islington Street at Albany Street. He stated he noticed vehicle speeds decreased during the pilot project and the crosswalk aided pedestrian safety.

<u>David Ecker</u> spoke to truck traffic on Banfield Road. Mr. Ecker discussed the history of Banfield Road truck traffic and signage. He lives on Banfield Road and requested that truck traffic be removed as it was previously.

VI. NEW BUSINESS: No new business.

VII. OLD BUSINESS:

A. Report back on interim parking restriction recommendations on Middle Street at Union Street. Eric Eby stated at the January 5, 2017 PTS meeting, the request for a traffic signal at Middle Street and Union Street was addressed and denied. The Committee voted for City staff to research interim measures regarding sight lines and on-street parking prior to the implementation of the bicycle lane project later in the year.

Eric Eby stated he revisited the intersection, measured sight lines, and determined the number and location of on-street parking spaces that could be removed to improve sight lines to the maximum extent possible at the intersection. He explained the diagram, which was included in the PTS packet, displayed the current conditions and future conditions if the maximum on-street parking was removed. The diagram showed that a total of eight on-street parking spaces on Middle Street would need to be removed to provide the best possible sight lines from Union Street. Vehicles would still creep into the crosswalk and past the curb line, but visibility would be improved and vehicles would not block traffic on Middle Street. Eric Eby stated it is a balancing act when there is a need for on-street parking and concern for safety.

City staff recommended based on the low volume of traffic entering the intersection from the west leg of Union Street, the low number of crashes at this intersection, and the need for on-street parking on Middle Street, that two spaces on the outbound side of Middle Street, and one space on each side of the inbound side of Middle Street be removed as an interim measure to improve sight lines from Union Street.

Ted Gray expressed concern that this action could become a trend and spoke to the need for onstreet parking.

Harold Whitehouse motioned to remove two spaces on the outbound side of Middle Street, and one space on each side of the inbound side of Middle Street, as an interim measure to improve sight lines from Union Street. Ron Cypher seconded.

Eric Eby restated that a total of four parking spaces would be removed and that vehicles would continue to inch slightly into the crosswalk, but sight lines would be improved. He spoke to the concern about this action becoming a trend and stated that it is a common problem in urban areas.

Chairman Lown stated his business is located near the intersection and he has had to inch out into the intersection. He expressed concern over the loss of on-street parking and that the proposal was a reaction to an accident that was not causally related to sight line issues. Due to these factors, he stated he would not support the motion.

Harold Whitehouse restated that the action would be an interim measure and he would support the motion.

Shari Donnermeyer asked when the bike lane project would be started. Juliet Walker stated the project would be presented to the Committee in the coming months to obtain the necessary approvals, and could be in place later this year.

Police Captain Warchol reaffirmed the idea of balancing on-street parking needs with safety concerns.

On a roll call 5-3, motion passed to remove two spaces on the outbound side of Middle Street, and one space on each side of the inbound side of Middle Street, as an interim measure to improve sight lines from Union Street.

Harold Whitehouse, Ron Cypher, Public Works Director Rice, Deputy Fire Chief Heinz and Police Captain Warchol voted in favor.

Chairman Lown, Ted Gray, and Shari Donnermeyer voted opposed.

B. Report back on truck restrictions on Banfield Road and a recommendation for revision of the current ordinance. Eric Eby stated this issue was presented to the Committee at the July 7, 2016 meeting by Mr. Ecker. Mr. Ecker's recollection of the restrictions differed from what is in the current ordinance. Eric Eby stated that he worked with the City Clerk as well as the City Attorney to research and understand the history and intent of past changes to the ordinance.

Eric Eby stated that the ordinance is conflicting regarding the issue of truck restrictions on Banfield Road. In 1984, the ordinance restricted truck traffic on the entire length of Banfield Road, subject to four exceptions. In 1996, the ordinance was changed to remove the list of truck-restricted streets and a new section was inserted that designated certain streets as through truck routes, which allowed trucks at all times, under all conditions. Also, it included a list of streets that allowed trucks only for limited use or local deliveries. Local deliveries were defined as a trip that began and ended somewhere in the City. Banfield Road was included in the list of local delivery streets, for the portion between Peverly Hill Road and Heritage Avenue.

Eric Eby stated in 1997 the City Council voted to put the 1984 restrictions back in place. He outlined in his memo to the Committee dated January 24, 2017, the following:

In February 24, 1997 the City Council voted to restore the deleted sections of the ordinance, but to delete from those sections any reference to Peverly Hill Road. This change would also have reinstated the truck prohibition for the entire length of Banfield Road.

However, when the old ordinance sections were restored, the old section 7.703 listing the four exceptions was not restored, which included: 1) where necessary to conduct business at a destination point accessible only through use of restricted streets; 2) emergency vehicles; 3) trucks owned or operated by the City, Public Utilities, or any contractors while engaged in the repair, maintenance or construction of streets, street improvements or street utilities within the City; 4) residential home delivery vehicles. The new section 7.702A listing the limited use exceptions was deleted. In addition, the new list of local delivery routes was not deleted, but the definition of a local delivery was deleted. The only exceptions in the current ordinance are for local delivery routes, but the definition of a local delivery is not included. Therefore, as currently written, Banfield Road is listed twice, once in Section 7.702 as prohibiting all trucks, and again in Section 7.704 as allowing trucks on the section between Peverly Hill Road and Heritage Avenue for local deliveries.

Eric Eby clarified that truck traffic would be restricted on Banfield Road except for the four exceptions as outlined above.

Harold Whitehouse motioned to delete current Section 7.704 Local Delivery Routes and the old Section 7.703 Exceptions be restored. Ted Gray seconded. **Vote 8-0**, **to delete current Section 7.704 Local Delivery Routes and restore the old Section 7.703 Exceptions**.

C. Report back on request for 15-minute parking spaces for Profile Coffee Bar and Optima Bank; comprehensive report back on all 15-minute spaces in the Downtown.

Eric Eby stated this action item included the request for one 15-minute parking space for Profile Coffee Bar and two for Optima Bank, as well as a request from the Seacoast Repertory Theater to remove one 15-minute parking space on Bow Street. He stated there are 42 15-minute parking spaces in and around the Downtown and 30 are metered in the Downtown. A map and table detailing all 15-minute parking spaces were included in the PTS packet. After a thorough review of the parking spaces, City staff recommended the following: removal of three 15-minute parking spaces (one on Deer Street at Market Street because the business closed that requested the

space, one on Bow Street at Daniel Street because Optima Bank moved to its new location, and one on Hanover Street at Fleet Street because the business closed and a future bump-out for a crosswalk will be installed); approval for one 15-minute parking space on Portwalk Place in front of Profile Coffee Bar; and approval of one 15-minute space on Daniel Street at the new Optima Bank location. Staff also recommended all remaining 15-minute parking spaces with meter heads be replaced with new digital meter heads that will allow for better turnover of the 15-minute spaces.

Shari Donnermeyer motioned to approve staff recommendations to remove three 15-minute parking spaces (one on Deer Street at Market Street, one on Bow Street at Daniel Street and one on Hanover Street at Fleet Street); approve one 15-minute parking space on Portwalk Place in front of Profile Coffee Bar; approve one 15-minute parking space on Daniel Street at the new Optima Bank location. Ted Gray seconded.

Vote 8-0, to approve staff recommendations to remove three 15-minute parking spaces; one on Deer Street at Market Street, one on Bow Street at Daniel Street, and one on Hanover Street at Fleet Street; approve one 15-minute parking space on Portwalk Place in front of Profile Coffee Bar; approve one 15-minute parking space on Daniel Street at the new Optima Bank location.

D. Report back on temporary crosswalk and bump-out on Islington Street at Albany Street. Eric Eby stated he reviewed the traffic video captured during the trial period and noticed the following: traffic queues from the traffic signal at Bartlett Street would occasionally extend back past the crosswalk during peak hours; traffic waiting to turn left into Albany Street from Islington Street would occasionally hold up traffic behind them, due to the bump-out; traffic yielded to pedestrians when the crosswalk and bump-out were in place; traffic using the parking lot between White Heron and the barbershop had less of an effect on Islington Street traffic flow due to the bump-out and it improved safety; pedestrians would walk up from the Bartlett Street intersection to use the temporary crosswalk rather than wait on the pedestrian signal at the Bartlett Street intersection because it was quicker and safe to use.

Eric Eby stated the bump-out was installed to reduce the number of lanes on Islington Street and not to provide outdoor seating at the café.

Staff recommended that a permanent crosswalk and bump-out be installed at this location as part of the design plans currently underway for the reconstruction of Islington Street.

Ted Gray supported the crosswalk but opposed the bump-out. Eric Eby confirmed that a bump-out was chosen because it reduced the pedestrian crossing distance and limited the speed and number of lanes on Islington Street.

Harold Whitehouse asked if the potential traffic from the new townhouse development was considered. Eric Eby confirmed that the traffic from a previously approved commercial development at the same location, which was more traffic than the townhouse development, was used during his review.

The Committee discussed reinstalling the temporary crosswalk and bump-out during the peak traffic season. Police Captain Warchol supported the pilot project during the peak traffic season in order to review emergency response times and the impact on emergency services.

Ron Cypher motioned to table the action item until a summertime survey could be conducted. Harold Whitehouse seconded.

Public Works Director Rice further defined summertime in the motion as June, July and August.

Vote 8-0, to table the action item until a summertime survey, defined as June, July and August, is completed. The temporary crosswalk and bump-out would be reinstalled and data would be gathered using traffic cameras during June, July and August.

VIII. PUBLIC COMMENT:

<u>Rick Becksted</u> supported the Committee vote on the peak season survey of the temporary crosswalk and bump-out on Islington Street. He addressed vehicle speeds on Islington Street and requested a study of vehicle speeds along the entire corridor. He expressed concern about losing on-street parking on Middle Street. He requested a traffic study be conducted in the evening hours when residents are home. He proposed allowing resident parking on Middle Street in the bike lanes during evening hours.

<u>Mike Thiel</u> asked about the cost associated with the interim crosswalk and bump-out on Islington Street. Public Works Director Rice stated staff time would be the only cost because DPW would be using reusable materials. Mr. Thiel suggested a more comprehensive survey of business owners be conducted during the next pilot project.

IX. MISCELLANEOUS:

Harold Whitehouse complimented the City's Wayfinding signage. Public Works Director Rice stated the signage was part of the Capital Improvement Plan (CIP) and is an on-going program. Juliet Walker confirmed the Wayfinding signage at the City Hall driveway would be illuminated.

X. ADJOURNMENT – At 9:00 a.m., voted to adjourn.

Respectfully submitted by:

Amy Chastain Secretary of the Committee

Unaudited

Percentage of Fiscal Year Complete

58.33%

Totals Thru January 31, 2017

FY 17

Parking Meter Fees Meter Space Rental Meter In Vehicle Parking Garage Revenue Garage Passes Pass Reinstatemt Vaughan St Parking Facility Parking Violations Immobilization Administration Fee Summons Admin Fee

Total FY 17 Parking

FY 17		1
TOTALS	BUDGETED	% of Budget
1,437,277	2,055,000	69.94%
80,651	70,000	115.22%
47,193	85,000	55.52%
1,256,058	2,125,000	59.11%
682,185	1,050,000	64.97%
1,785	2,500	71.40%
7,500	15,000	50.00%
445,060	715,000	62.25%
13,406	15,000	89.38%
175	3,000	5.83%
3,971,291	6,135,500	64.73%

BUDGETED (3,723,195) 61% Transfer to Parking Fund 2,412,305 39% Funds Remaining in Gen Fund

Unaudited

PTS Meeting April 2017

Percentage of Fiscal Year Complete 66.67%

Totals Thru February 28, 2017

FY 17

Parking Meter Fees
Meter Space Rental
Meter In Vehicle
Parking Garage Revenue
Garage Passes
Pass Reinstatemt
Vaughan St Parking Facility
Parking Violations
Immobilization Administration Fee
Summons Admin Fee

Total FY 17 Parking

FY 17		
TOTALS	BUDGETED	% of Budget
1,590,260	2,155,000	73.79%
81,821	70,000	116.89%
55,067	85,000	64.78%
1,404,550	2,025,000	69.36%
774,070	1,050,000	73.72%
2,310	2,500	92.40%
8,750	15,000	58.33%
519,168	715,000	72.61%
12,770	15,000	85.13%
225	3,000	7.50%
4,448,990	6,135,500	72.51%

BUDGETED

(3,723,195) 61% Transfer to Parking Fund 2,412,305 39% Funds Remaining in Gen Fund From: Inger Arky

Sent: Wednesday, February 22, 2017 10:28 AM

To: info <info@cityofportsmouth.com>

Subject: Request for Stop sign

VI.A. Request for stop sign on Cleveland Drive at Arthur Road and Taft Road

I would like to request that a Stop sign be installed at the corner of Cleveland and Arthur Road. With the snow piled so high, it's difficult to see traffic coming from Cleveland Road from the stop line painted on the ground on Taft Road.

Backing straight out of my driveway at 73 Taft Road, I can't see what's coming from Cleveland and just about everyone exceeds the 20mph limit.

The snow has been higher previous years and it's always been a problem.

Thank you for your consideration.

Sincerely, Inger Arky 73 Taft Road





VI.A. Request for stop sign on Cleveland Drive at Arthur Road and Taft Road





Dear Parking Council-

Northeast Valet is requesting permission to operate a Valet Parking Service within the Last three metered spots closest to Court St (Zone A, Meter 5) in front of Louie's Restaurant located at 84-86 Pleasant Street. We are proposing the usage of three metered spots.

Operation Overview

Northeast Valet will manage valet operations for this address. Last three metered spots closest to Court St (Zone A, Meter 5) will be used as the Valet Station where the public will drop off and pick up their vehicles from a valet. Only idling vehicles will be in the designated zone. No vehicles will be parked.

Proposing for year round valet service Mon-Sun, 5pm-12am.

Arrival Process

There will be a sign located on the corner within the Last three metered spots closest to Court St (Zone A, Meter 5) directing patrons to the Valet Zone. Patrons will promptly be greeted by a Valet Operator with a clear name tag and logo of company. Once greeted the valet will issue a valet ticket in exchange for the car. The valet will explain the process of retrieving ones vehicle for their departure. Valet will inspect the vehicle for damage and mark any existing damage on the valet ticket. The valet will then drive the vehicle to 134 Pleasant St to be stored and monitored by valet for the remainder of the vehicles stay. The Valet will then bring the corresponding ticket and keys back to the Last three metered spots closest to Court St (Zone A, Meter 5) 84-86 Pleasant St (Valet Zone) where they will be stored in a locked valet box.

Departure Process

Guest will approach the valet zone as previously instructed with their Valet Ticket. Valet will take the guests ticket and find the matching keys. Valet will run to the best of his ability to retrieve the patrons vehicle from the designated parking area. Valet will drive up to the Last three metered spots closest to Court St (Zone A, Meter 5) with the proper flow of traffic. Open the doors for guest and bid a good night. Once the customers have left, the valet will store the used ticket for safe keeping within the locked podium.

Valet Vehicle Route Overview

Arrival Route

Patron will pull into Last three metered spots closest to Court St (Zone A, Meter 5) of 84-86 Pleasant St. Valet will take ownership after exchange and continue driving Southeast on Pleasant St towards Court St. Valet will cross over Court St and take his next right into 134 Pleasant St. Marked Citizens Bank. He will then back the vehicle into the assigned parking spot.

Departure Route

Valet will pick up vehicle from 134 Pleasant St. Valet will take a left out of the parking lot, heading North West on Pleasant St towards Court St. Valet will take the first left onto Court St. Valet will take the second right onto Court



Pl. Valet will turn right onto State St and then right onto Pleasant St, pulling into the Valet Zone within the *Last* three metered spots closest to Court St (Zone A, Meter 5)

Permissions

Permission to have a directional a-frame valet sign within Last three metered spots closest to Court St (Zone A, Meter 5) areas during valet operations.

Permission to use 3 metered spots of 84- 86 Pleasant St Last three metered spots closest to Court St (Zone A, Meter 5), seven days per week between the hours of 5pm-12am.

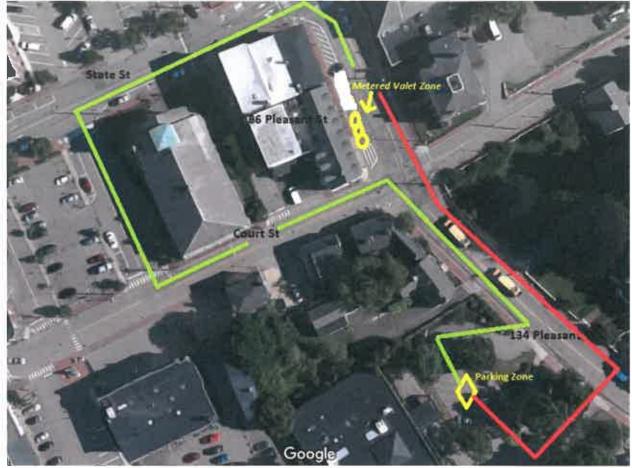
Permission to have an umbrella attached to podium within Last three metered spots closest to Court St (Zone A, Meter 5)) for protection from the elements.

Permission to use a podium for the storage of tickets and vehicle keys within Last three metered spots closest to Court St (Zone A, Meter 5)

Vehicle Storage Arrangement:

This parking lot is a private lot within Citizens Bank. There is an agreement between Citizens Bank and Louie's Restaurant for valet rights after 4pm. Northeast Valet can present such document upon request.





Valet routes were made to adhere to the flow and safety of traffic. Diagram of route is attached below.

Green Line- Return Route

Red Line- Arrival Route

Yellow Circles Last three metered spots closest to Court St (Zone A, Meter 5)

Yellow Diamond- Designated Valet Parking Zone

Sincerely,

Derek Kerins

Owner, Northeast Valet

PLEASANT STREET



PORTSMOUTH, NH

March 24, 2017

James Woodhouse

Louie's Restaurant

86 Pleasant Street

Portsmouth, NH 03801

To Whom it May Concern:

Derek Kerins has been employed to take over valet parking services for my restaurant. It is my hope to assist with the approval of any permits necessary toward this end. I understand that Atlantic Parking Services currently has a permit that allows them to use the loading zone on Pleasant Street at the corner of State and Pleasant. I have read the agreement, and see that this agreement very specifically mentions a lack of exclusivity for use of this loading zone. It is my wish, as the only business that uses valet parking on this block and as the business that pays for and holds the rights to use the citizen's bank lot which is used for the storage of the parked cars, that Derek Kerins of North East Valet, be allowed to take over services for valet parking for our restaurant and use this loading zone. We do not wish to work with Atlantic Parking services. The current agreement that the town has issued, however, has created a monopoly for Atlantic Parking and has limited my ability as a business owner to choose which valet company I want to work with. I would like to make this change immediately. Thank you very much for your time and consideration.

All the Best,

James Woodhouse

owner, Louie's Restaurant

March 13, 2017

Eric B. Eby, P.E.
Parking and Transportation Engineer
Department of Public Works
City of Portsmouth
680 Peverly Hill Road
Portsmouth, NH 03801

RE: Proposed Food Truck Pilot Program

Dear Mr. Eby and Chairman Lown,

We are writing this letter to persuade you to not go forward and recommend or approve a food truck pilot program as described in a recent Portsmouth Herald news article.

We begin our letter by asking a few questions:

"What problem is trying to be solved by having food trucks available on Hanover, Fleet, and Market Streets between the hours of 10:00 pm and 2:00 am?"

What are the downside ramifications to the occupants of residences that surround the proposed food truck locations?

I have no rational answer to the first question other than to assume that it might be a convenience for bar patrons to have a place to eat after the restaurants in town close.

As to the second question, let me answer with a resounding yes, we will be negatively impacted.

We reside at 77 Hanover Street, Unit #12. Our residence is part of the "Harbour Hill" Condominium Association. Within Harbour Hill there are residential units on floors two through five with one commercial unit on the ground floor. 77 Hanover is across the street from the High-Hanover Parking Garage, adjacent to the Hilton Garden Inn and in very close proximity to the proposed food truck zone.

As another point of pertinent information, the owners of the units within Harbour Hill will collectively pay \$230,000 in property taxes to the City of Portsmouth for the current tax year.

When we moved to Portsmouth two years ago, we fully recognized that we were moving into a residence that is located downtown, across from a parking garage, and close to restaurants and bars. We understood that practical reality. What we did not know or could have known

was the possibility of late night food trucks being parked outside or close to our residence. Let me explain our concern. It is not unusual to hear bar patrons leaving the local bars late at night. We have become accustomed to that reality. Their travel is a short one either to their own cars, hopefully with a designated driver, or to their place of lodging (residence or hotel). The noise is brief and does not last.

Allowing food trucks to park on the proposed locations and streets during the hours of 10:00 pm and 2:00 am would create a scenario of totally different proportions. Bar patrons leaving the local establishments would no longer have any reason to continue on their travels to home. A stop would be made at the food truck, food procured and then where do they eat, talk and have a good time? If the food trucks are placed on Hanover Street, the patrons will be right below or across the street from Harbour Hill and the Hilton Garden Inn. This already occurs with Gilley's but the sound is somewhat contained by the location.

We are extremely concerned about the noise that this food truck scenario may create and the detrimental impact on our sleep. Some members of the City Council articulated the same concern when the proposal was reviewed and suggested areas that "minimized proximity to downtown residents." Placing food trucks on Hanover Street does not minimize food truck proximity for Harbour Hill residents. We strongly request that the Parking and Safety Committee not create the pilot program.

We will leave with one final question. Does the convenience of late night eaters and bar patrons or others rise above the quiet, sleep, and peaceful enjoyment of tax paying residents and others who reside on Hanover or Fleet Street? We believe the answer to that question is a resounding NO.

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Sincerely.

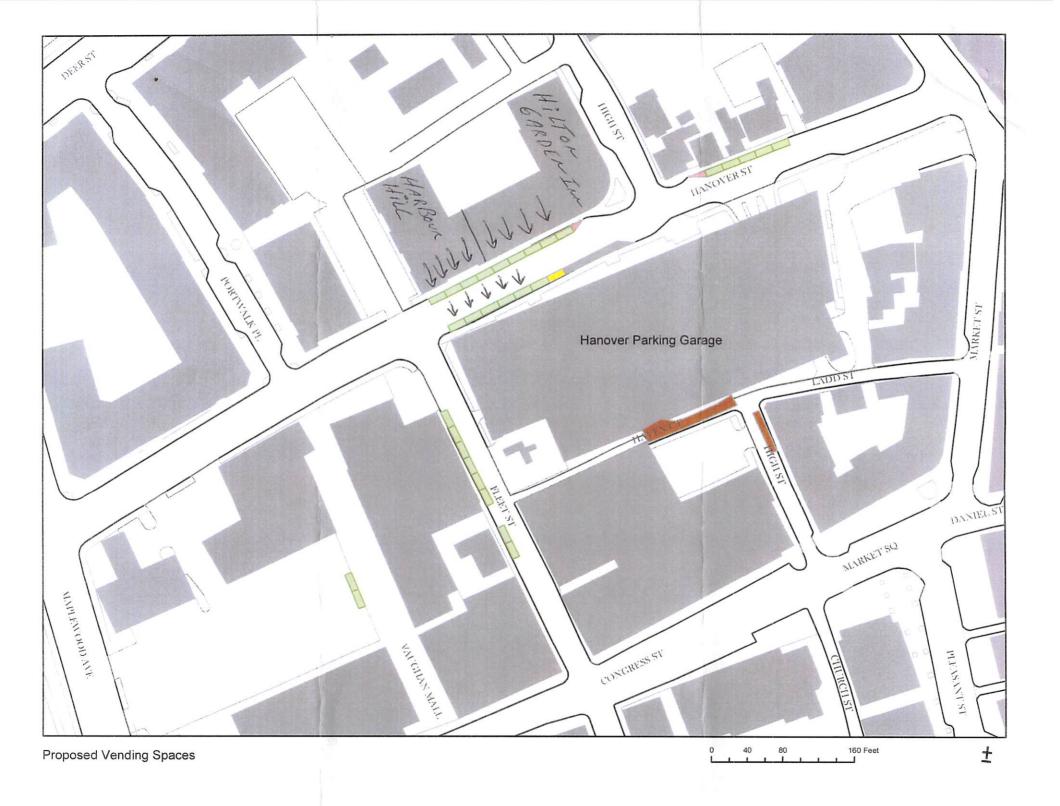
Kevin and Susan O'Leary

Cc: Portsmouth Chairman Brad Lown

Portsmouth City Manager, John Bohenko

1 Junkins Ave.

Portsmouth, NH 03801



VI.C. Food truck pilot program, referred from City Council for consideration

Gilley's Diner 175 Fleet Street Portsmouth, NH 03801

March 17, 2017

Dear Mr. Lown,

We have become aware of the food truck pilot program that you recently approved and sent to the Parking and Traffic Safety Committee for consideration on April 6, 2017. We have many concerns regarding this pilot program that we would like to address.

Our business relies on the summer months to recoup the reduction in revenue during the winter months. 58% of our income is earned May – October. 30% of our daily business is earned in the hours of 12am-2am. The season and timeframe of the pilot program has the potential to directly affect our livelihood.

The proposed areas the trucks would be permitted to park are Hanover St., Fleet St., Worth Parking Lot, Haven Court and the loading zone on High St. Many of the established restaurants including ours are in very close proximity to these areas. Cities like Washington DC, Chicago and Las Vegas have ordinances that require food trucks be a certain number of feet away, as much as 500 feet, from any brick and mortar restaurant.

It was stated during the meeting that "There aren't that many (food) options late night on the weekends." There are over 12 restaurants open until 12, 1 or 2am weekly/weekends. (Coat of Arms, British Beer Co., Friendly Toast, Thirsty Moose Taphouse, Ri Ra, Portsmouth Brewery, Dolphin Striker, Rusty Hammer, Portsmouth Book and Bar, State Street Saloon, River House, The Press Room and Gilley's) We would not be the only restaurant that would be impacted by the Food Truck pilot program.

There are over 50+ restaurants in the city of Portsmouth. These restaurants pay taxes, employ locals and contribute to the city's economics, drawing people into the city. We have to be compliant regarding safety, approved equipment and restroom requirements. In addition, there is the expense of marketing for a brick and mortar that can be extensive in comparison to a food truck. They can just drive to another spot if business is slow. The National Restaurant Association stated that food trucks grossed \$700 million dollars in sales in 2013. They stated some advantages were less equipment needed, mobility and lower operating costs.

The food trucks will take up parking spaces that as you know are in high demand. They could potentially draw customers out of restaurants and bars earlier than last call resulting in lost revenue. The food trucks will have generators running causing noise and emissions into the city. There will most likely be large crowds gathering on the sidewalks which may result in the need for more city resources such as police officers.

We have no problem with competition. We have held our own since 1912 with the addition of many new and terrific restaurants over the years. The difference between our fellow restaurants and the food trucks is that we are competing on a level playing field. We all have the same requirements to meet and taxes to pay. We are a community and we think a very important asset to the city.

Food trucks have their place as an option some consumers want but the placement of them needs careful thought. Why cause a negative financial impact to established restaurants that contribute so much to the city? Why not place the food trucks in areas of the city where food options are scarce? If the idea is to place them near the center of the city where people gather because of the many restaurants already there, it seems the only one who would benefit would be the food trucks.

We understand that bringing in food trucks is additional revenue to the city. But at what cost to those of us that rely on each and every customer that walks through the door. A summer of lost revenue could severely impact our restaurant.

We hope that you will consider our thoughts and consider giving our fellow restaurant owners the opportunity to share their input on this matter before making the final decision on the Food Truck Pilot program.

Stephen & Gina Kennedy

CC: Council Members – Mr. Blalock, Mr. Splaine, Ms. Perkins, Ms. Dwyer, Ms. Pearson, Mr. Spear, Mr. Cyr, Mr. Denton

March 17, 2017

PTS Chairman Bradley Lown Coughlin, Rainboth, Murphy and Lown, P.A. 439 Middle Street Portsmouth, NH 03801 RE: Food Trucks

الله الا المالة العامال

Dear Chairman Lown,

As residents of 77 Hanover Street, we are opposed to the proposed location of late night food trucks on Hanover Street between Fleet and Market Streets.

When we bought our condo in 2006, we were aware of the positive and negative aspects of downtown living. Our Harbor Hill Condominium building is directly across from the High-Hanover garage. We have enjoyed the sights and have become accustomed to the variety of sounds.

As you may be aware, there have been a number of incidents at the now closed Page sports bar; occasional late night calls to the police about loud parties at the Legends; and, the bar crowd's excited whoops and merrymaking when the bars close at 1 am. We fully recognize the reality of downtown living. However, these food trucks could be directly outside our bedroom window until at least 2 am.

A November 30, 2016 Interoffice Memorandum from Deputy City Manager Nancy Colbert Puff to City Manage John Bohenko highlights the current regulations and procedures which allow trucks to operate within the City. The third item states: *Trucks should not cause nuisances: noise levels (generators), litter prevention, lighting (after dark operation), signage, aesthetic impact, etc., should be considered.*

We have reviewed the City Council's December 5, 2016 Work Session minutes on food trucks. At the meeting, a number of locations were discussed including: Prescott Park, along Maplewood Avenue, the Worth Lot, near the tennis courts at South Mill Pond, or Parrott Avenue. These locations are not directly in front of a residential building. Both Prescott Park and the area near the (new) tennis courts have access to bathrooms, and there is ample parking. We believe the food truck pilot will be more successful by creating a summertime food truck park area.

Please reconsider the proposed Hanover Street location for the food truck pilot program. We're asking for something PRICELESS - the peaceful enjoyment of a good night's sleep.

Sincerely,

Judy Miller and Arthur Carakatsane

City of Portsmouth

Department of Public Works



MEMORANDUM

TO:

John P. Bohenko, City Manager

FROM:

Eric Eby, P.E., Parking and Transportation Engineer

DATE:

March 28, 2017

SUBJECT:

Report Back on Thornton Street and Bartlett Street Intersection

In 2016, a resident at the intersection of Bartlett Street and Thornton Street requested that the intersection be studied to determine if anything could be done to better control the volume and flow of traffic at the intersection. Since that time, DPW staff has conducted vehicle turning movement counts at the intersection as well as at several other intersections in the neighborhood to determine traffic flow patterns in the area. From an analysis of the traffic data and observations of traffic patterns in the area, staff is recommending that the section of Thornton Street between Woodbury Avenue and Bartlett Street be changed from two-way traffic flow to one-way traffic flow. The one-way flow would be from Woodbury Avenue to Bartlett Street. Traffic currently using Thornton Street from Bartlett Street to Woodbury Avenue would be redirected to continue on Bartlett Street to Dennett Street, then left onto Dennett Street to Woodbury Avenue.

The intersection of Bartlett Street and Thornton Street is currently under 4-way STOP sign control. Bartlett Street is part of a designated truck route between the Route 1 Bypass and Islington Street. Trucks are prohibited on Woodbury Avenue south of Dennett Street, on Dennett Street east of Bartlett Street, and on Thornton Street between Woodbury Avenue and Bartlett Street. Thornton Street between Bartlett Street and Woodbury Avenue is 32 feet wide, with a full sidewalk on the south side, and a partial sidewalk on the north side. All roadways in this area are posted with a 20 mph speed limit. The traffic data indicate that over 300 vehicles during the peak hour, which is 75 percent of the traffic at the intersection of Bartlett Street and Thornton Street, are turning left from Bartlett Street onto Thornton Street. Ninety-five percent of the traffic then turns right onto Woodbury Avenue towards the Route 1 Bypass.

An indication of the problems resulting from this heavy left turn volume is the guardrail located in front of the residence at 358 Thornton Street, protecting the house from vehicles that fail to negotiate the left turn and run off the roadway. Vehicles often roll through the STOP signs on Bartlett Street, as there usually are very low volumes of traffic coming from the side streets. With the change to one-way flow on Thornton Street, there would not be a need for the STOP signs on Bartlett Street, so they could be removed. Vehicle speeds would be monitored to determine if speeds become excessive on Bartlett Street after the change. The section of Bartlett Street between Thornton Street and Dennett Street is better suited to handle the higher volume of traffic, as it has sidewalks the full length of the street, and the homes are set back slightly further from the roadway. This traffic pattern change can be implemented on a trial basis, if desired, as it will only require the changing and installation of signs.

VII.A. Report back on Bartlett Street and Thornton Street intersection.



VII.B. Report back on proposed bicycle, moped and motorcycle ordinances

City of Portsmouth

Department of Public Works



MEMORANDUM

1

TO:

John P. Bohenko, City Manager

FROM:

Eric Eby, P.E., Parking and Transportation Engineer

DATE:

March 28, 2017

SUBJECT:

Report Back on proposed bicycle, moped and motorcycle ordinances

To formalize City policies regarding the parking of motorcycles and mopeds, City staff has worked with the City Attorney's office to develop draft ordinances related to the parking of motorcycles and mopeds on City streets. City staff has also proposed updates to the existing City ordinances regarding bicycles, to bring them into conformance with current state laws and local policies.

The bicycle ordinance changes were previously approved by the PTS Committee in 2015, but were never submitted to City Council for formal adoption, as the question of moped and motorcycle parking was raised and it was decided to address all three together. The bicycle ordinance changes presented with this memo are the same as previously approved by PTS in 2015.

The proposed moped ordinance is a completely new ordinance as there currently is no ordinance specifically addressing the parking of mopeds. The draft ordinance states that mopeds are allowed to park on sidewalks, in much the same manner as bicycles, as long as they have a license plate clearly identifying them as a moped, or they display a permit issued by the City of Portsmouth identifying the vehicle as complying with the definition of a moped.

The proposed ordinance changes relating to motorcycles identifies the first parking space on Pleasant Street at Market Square as motorcycle parking only between April 1 and November 30. The current policy of requiring the first motorcycle in a parking space to pay full price, and allowing additional motorcycles to park for free, is recommended to be discontinued. All motorcycles should be required to pay for parking, as it is very difficult to enforce the current policy.

In addition, observations during the trial period of the motorcycle spaces on Pleasant Street last fall, revealed that when given a choice between joining another motorcycle in a space for free or paying for parking, motorcycles would often choose the space requiring payment. The designated motorcycle spaces had the effect of reserving spaces for motorcycles that otherwise would not be available. Observations revealed that all other nearby parking spaces were usually full, and that as soon as a space opened up, another passenger vehicle would take its place. Without the designated spaces, motorcycles would often not have the chance to park in this area. The primary factor in choosing a parking space seemed to be the ease and ability to put the motorcycle into the available space, not whether they had to pay for parking.

ORDINANCE # THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Article I of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language stricken; additions to existing language bolded; remaining language unchanged from existing):

Section 7.105: PARKING

C. DESIGNATED MOTORCYCLE PARKING AREA

The following location is established as an exclusive "Designated Motorcycle Parking Area" for the months of April 1st through November 30th only:

1. Pleasant Street: On the easterly side of Pleasant Street, beginning at a point 24 feet south of the extension of the southerly curb line of Market Square running southerly the distance of 24 feet.

Motorcycles are subject to parking meter fees for the hours of enforcement as set forth in this Chapter.

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

ADDDOVED:

This ordinance shall take effect upon its passage.

	ALL ROVED.	
	Jack Blalock, Mayor	
ADOPTED BY COUNCIL:		
Kelli L. Barnaby, City Clerk		

ORDINANCE # THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Article V, Section 7.5 – BICYCLE REGULATIONS of the Ordinances of the City of Portsmouth be amended to read as follows (deletions from existing language stricken; additions to existing language bolded; remaining language unchanged from existing):

Section 7.501: LICENSE REQUIRED

From and after the effective date of this Ordinance, it shall be unlawful for any person to operate or use a bicycle propelled by muscular power upon any of the streets or alleys or public highways of the City of Portsmouth without first procuring from the Police Department a license therefor.

Section 7.502: ISSUANCE OF LICENSES

The Police Department is hereby authorized and directed to issue licenses which shall be valid for the life of the bicycle.

Section 7.503: IDENTIFICATION TAGS - RECORD KEPT BY POLICE DEPARTMENT

The Police Department shall designate and provide identification tags for the use of the license and will direct the manner of placing such tags on the bicycle by the licensee. The Police Department shall keep a record of the name of the licensee, the number of the tag and a description of the bicycle so registered.

Section 7.504: LICENSE FEES - TRANSFERS

The license fee to be determined in accordance with Chapter 1, Article XVI or similar wording and said license shall be transferred whenever the ownership of said bicycle is transferred but no fee shall be charged for this transfer. All fees collected under this Ordinance shall be paid by the Police Department into the Treasury of the City of Portsmouth. The license fee may be waived at the discretion of the Police Department.

Section 7.5015: RIDING ON SIDEWALKS

No person shall ride or propel any bicycle with wheel/s of 16" or more in diameter upon any sidewalk in the City of Portsmouth. This shall not prohibit operation of a bicycle on a path that is signed and marked as a designated shared-use path with a minimum width of 8".

Section 7.5026: MANNER AND SPEED OF OPERATION

No person shall ride or propel a bicycle upon any public way upon a public street, alley or highway except in a prudent and careful manner and at a reasonable rate of speed and must exercise due care around pedestrians and must yield to pedestrians.

Section 7.5037: EQUIPMENT REQUIRED

No person shall ride or propel a bicycle upon any public way street, alley or highway in the City of Portsmouth unless the said bicycle is the steering, brakes, tires and other required equipment are in safe condition. Helmets are required for all persons riding on or operating a bicycle under the age of sixteen.equipped with a bell or horn (except siren) or other suitable warning device, and a brake in proper working order.

Section 7.5048: LIGHTS, WHEN REQUIRED

It shall be unlawful to ride or propel a bicycle on any street, alley or highway of the City of Portsmouth after darkness unless the same shall be equipped with sufficient light, attached to the front of said bicycle, visible from the front thereof for a distance of not less than 200 feet and properly lighted; no without a tail light, red in color, or in lieu thereof, a reflector attached and visible from the rear for a distance of not less than 200 feet.

Every bicycle operated upon a public way during darkness shall be equipped with a lamp emitting a white light visible from a distance of 300 feet in front of the bicycle and with a red reflector or red light on the rear, which shall be visible from a distance of 300 feet to the rear. Every bicycle operated upon a public way during darkness shall have reflectors on both pedals or wear reflector leg bands on operator's lower extremity or other reflectors on legs or shoes visible from 200 feet. Any person operating a bicycle during the period from one half hour before sunrise and one half hour after sunset must wear at least one item of reflective outerwear apparel such as a reflective vest, jacket, helmet or helmet strip.

Section 7.5059: OBSERVANCE OF TRAFFIC REGULATIONS

Persons riding bicycles shall observe all traffic signs and signals; shall stop at all stop signs and shall further observe all traffic rules and regulations applicable thereto; shall turn only at intersections and the operator shall signal for all such turns; he/she shall ride at the right hand side of the street, alley or highway; shall pass to the left when passing overtaken vehicles that are slower moving; shall pass to the right upon meeting other vehicles approaching in the opposite direction.

Every person riding a bicycle shall have all of the rights and be subject to all of the duties applicable to the driver of any other vehicle under the rules of the road, except as follows:

- A. A person propelling a bicycle may pass a slower-moving vehicle in the same lane provided such movement can be made with reasonable safety.
- B. A person propelling a bicycle may pass a stationary or stopped motor vehicle on the right.
- C. A person propelling a bicycle upon a way at a speed less than the normal speed of traffic moving in the same direction at that time and place shall remain on the right portion of the way as far as practicable except when it is unsafe or impractical to do so or where signage or pavement markings are provided which indicate that it is acceptable for bicycles to use the full lane.

Section 7.5406: HANDS ON HANDLEBARS

No person shall operate or propel any bicycle without having at least one of his/her hands upon the handlebars thereof.

Section 7.54407: RIDING ON HANDLEBARS

No person operating or propelling a bicycle having only one saddle shall carry any other person on said bicycle.

Section 7.54208: CLINGING TO VEHICLES

It shall be unlawful for any person while riding or propelling a bicycle to hold onto a moving bus, truck or any other vehicle.

Section 7.51309: RIDING ABREAST ON ROADWAYS

No person shall ride or propel a bicycle upon a public street, alley or highway in the City of Portsmouth abreast of any other person so riding or propelling a bicycle. Persons riding bicycles 2 or more abreast on a public way shall not impede the normal and reasonable movement of traffic and, on a laned roadway shall ride within a single lane.

Section 7.514: TRANSFER OF ASSIGNED IDENTIFICATION TAG

It shall be unlawful for any person to attach or permit to be attached to a vehicle any registration tag assigned and issued by the Police Department to another vehicle.

Section 7.515: DEFACING OF IDENTIFICATION TAG

It shall be unlawful for any person to change, erase, or deface any number or numbers used for the identification of any bicycle.

Section 7.5106: UNATTENDED BICYCLESBICYCLE PARKING

All bicycles, when left unattended upon the streets, alleys or highways of the City of Portsmouth shall be parked in the same manner as prescribed for motor vehicles on that street, alley or highway. No bicycle shall be left unattended against or adjacent to any business establishment, building or apartment house in the City.

No person shall park a bicycle in a manner that:

- A. Impedes the flow of motor vehicle traffic on roadways or the normal and reasonable movements of pedestrian traffic, including but not limited to crosswalks, sidewalks, and building entrances;
- B. Prevents or impedes the operation of or access to a parking meter, parking pay station, traffic control device;
- C. Hinders or restricts access to handrails or ramps;
- C.D. Hinders, obstructs or impedes the movement of a legally parked motor vehicle
- E. Bicycles shall not be parked on public roadways except in an area signed and otherwise designated for bicycle parking.
- F. Bicycles shall not be secured to or parked against a tree.
- G. At no time shall bicycles be secured or parked against a fire hydrant.
- H. At no time shall bicycles be left unattended on private property without the consent of the owner or legal tenant.
- I. Bicycles may park on a public way or on public property for a maximum consecutive time period of 72 hours except in an area signed and otherwise designated for long-term parking.

Section 7.5117: PENALTIES

Upon a conviction of any offense under this ordinance, which alleges that a person has had one or more convictions under this ordinance within five (5) years preceding the date of the subsequent offense, the person shall be subject to the following penalties:

first offense \$20 second offense \$40 third and each subsequent \$60 offense

Any fine to which a violator is subject under this ordinance may be paid to the Clork of Court of the Portsmouth District Court at any time prior to trial in any case charged under this ordinance.

Any person violating any provision of this ordinance shall be subject to a civil infraction of \$35, made payable to the Parking Clerk of the City of Portsmouth or the operator may be deprived of his/her bicycle until the provisions and requirements of this Chapter have been complied with.

Section 7.5182: APPLICABILITY

The foregoing Ordinances and rules and regulations herein contained shall apply to bicycles with wheel/s of 16 inches or more in diameter only.

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:	
Jack Blalock, Mayor	

Kelli L. Barnaby, City Clerk

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ORDINANCE # THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7 of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language stricken; additions to existing language bolded; remaining language unchanged from existing):

Article XVII MOPED REGULATIONS

Section 7.1701: DEFINITION

"Moped" shall mean a motor-driven cycle whose speed attainable in one mile is 30 miles per hour or less; if an internal combustion engine is used, the piston displacement shall not exceed 50 cubic centimeters and the power-drive system shall not require the operator to shift gears.

Section 7.1702: PARKING

Mopeds may park on public sidewalks, provided that they are not parked in a manner that:

- A. Impedes the flow of motor vehicle traffic on roadways or the normal and reasonable movements of pedestrian traffic, including but not limited to crosswalks, sidewalks, and building entrances.
- B. Prevents or impedes the operation of or access to a parking meter, parking pay station, traffic control device.
- C. Hinders or restricts access to handrails or ramps.
- D. Hinders, obstructs or impedes the movement of a legally parked motor vehicle.
- E. Mopeds shall not be secured to or parked against a tree.
- F. At no time shall a moped be secured or parked against a fire hydrant.
- G. At no time shall mopeds be left unattended on private property without the consent of the owner or legal tenant.
- H. Mopeds may park on a public way or on public property for a maximum consecutive time period of 72 hours except in an area signed and otherwise designated for long-term parking.

Section 7.1703:

A moped parked on a sidewalk shall display a license plate identifying the vehicle as a moped, or shall display a permit issued by the City of Portsmouth identifying the vehicle as complying with the definition of a moped as defined in Section 7.1701.

Section 7.1704 PENALTY

Whoever violates, or permits or allows anyone in control of their moped to violate this ordinance, shall forfeit to the City of Portsmouth the sum of twenty-five dollars (\$25.00). In the event that payment of such forfeiture amount is not made within thirty (30) days of the violation, forfeiture shall be in the sum of fifty dollars (\$50.00). In the event of failure to make such forfeiture the violator shall be subject of a fine of not more than one hundred dollars (\$100.00) upon conviction of the violation in the Portsmouth District Court.

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

	APPROVED:	
	Jack Blalock, Mayor	
ADOPTED BY COUNCIL:		
Kelli L. Barnaby, City Clerk	_	

Parking and Traffic Safety Committee				
Bicycle & Pedestrian Accident Report				
Timeframe	Location	Туре	Notes	
06/27/16 - 07/27/16	Greenleaf Woods 212 Islington St	Bicycle Bicycle	Last 3 years of records indicate 23 pedestrians struck and 6 bicyclists struck (only 3 in the Square). This is actually quite remarkable given the amount of vehicles and foot traffic in the downtown.	
	Marcy St @ Pleasant St	Pedestrian		
7/29/2016 - 9/29/2016	Scott Ave	Bicycle		
9/28/2016 - 12/23/2016	Fleet & Congress Cabot & Islington Congress & High on South St by South School St	Pedestrian Pedestrian Pedestrian Pedestrian	pedestrian admittedly crossed the road against walk sign (bruised backside and left arm) pedestrian not seen by driver in crosswalk (foot and leg were bumped) pedestrian bumped in crosswalk. Poor lighting and dark clothing major contributing factors. Jogger struck by side mirror of vehicle and was transported to the hospital with non-life threatening injuries. Jogger was running in the roadway in dark clothing with no reflection and was not seen by the driver.	
12/24/2016 - 03/20/2017	The Hill	Pedestrian	The lone pedestrian accident occurred on The Hill by the Blue Mermaid. Valet driver failed to clear snow from the windshield of a patron's car and was attempting to move it from a spot on High Street on to Garden Way when he struck a pedestrian crossing the roadway. No injuries reported. Driver was issued a citation for windshield vision obscurement.	