

**PORTSMOUTH
TRAFFIC & SAFETY COMMITTEE MEETING
8:00 a.m. – Thursday, September 13, 2007
City Hall – Eileen Dondero Foley Council Chambers**

I. CALL TO ORDER:

Councilor Ken Smith, Chairman called the meeting to order at approximately 8:05 a.m.

II. ROLL CALL: Members Present:

Councilor Ken Smith, Chairman	Jonathan Bailey, Member
Steve Parkinson, P.E. Public Works Director	John Connors, Member
Deputy Police Chief Len DiSesa	John Howe, Member
Assist. Fire Chief Steve Achilles	Ted Gray, Member
Deborah Finnigan, P.E., Traffic Engineer	Eric Spear, Member
	Christina Westfall, Member

III. ACCEPTANCE OF THE MINUTES:

IT WAS VOTED on a Motion made by Ted Gray to accept the minutes of the August 9, 2007 meeting. Seconded by Jonathan Bailey. Motion passed.

III. NEW BUSINESS:

- (A) **Marcy Street – Pedestrian Traffic Safety** (e-mail dated August 20, 2007 attached) – Debbie Finnigan received an e-mail from a resident regarding safety of children and pedestrians. Steve Parkinson explained the issue on Marcy St. is the existing condition of the brick sidewalks and very narrow areas.

MOTION made by Steve Parkinson to refer the issue of the sidewalks to Public Works to report back on how that fits into the capital plan. Seconded by Ted Gray. Motion passed.

- (B) **610 Middle Road** – Request for No Parking – Deputy Police Chief DiSesa stated the issue is people backing out of the driveway across from 610 Middle Rd and with cars parked along the side of the road there is an obstructed view. Parking is legal along the roadway, did not see a need for a no parking restriction, there have been no accidents and is not an accident haven. Will keep advising people to use caution when they back in or pull out of their driveways.

MOTION made by Deputy Police Chief DiSesa that no action be taken, letter placed on file. Seconded by Assist. Fire Chief Achilles. Motion passed.

- (C) **Court/Atkinson Streets** – Parking in front of Strawberry Banke Building (letter dated August 17, 2007 attached) - Steve Parkinson stated with the reconstruction work that took place there and prior to that parking on the easterly or southerly side of Court St. from Atkinson towards Marcy has been problematic for years. There really is not enough room for parking and two travel lanes. Problematic at intersection of Atkinson because the building there blocks view of traffic coming in the other direction. Strawberry Banke is endorsing removing four of the spaces in front of their building at the intersection up to the entrance to their parking lot.

They also referred to parking along Aldrich Park which the City is not proposing parking there.

Councilor Smith referred to confusion at the on-site was where the no-parking area began and where the 2-hour parking started.

Deputy Fire Chief Achilles has a concern with no parking in front of Strawberry Banke. Where would those cars go to park in that area?

Steve Parkinson stated the spaces tend not to be for the building but people trying to find spots off the main streets.

Ted Gray commented the need to delineate the no-parking and two-hour parking areas, suggested no parking up to the driveway to the parking lot and 2-hour parking beyond that and so marked on the street.

MOTION made by Ted Gray to refer this to Public Works for a report back. Seconded by Steve Parkinson, Motion passed.

- (D) **Orchard/Willard** –Request for No Parking Signage and branches trimmed – Deputy Police Chief sent an e-mail to the parties making this request to be present at this meeting. The issue was parking on a narrow stretch of this street, especially around the curve and an issue of branches being trimmed back. Every house has a driveway for parking. The Police are not aware of any issues of fire or police vehicles not being able to get through that stretch and not sure what the issue would be or how often it arises. At this point without people being here to specifically address this, there is no where to go at this time.

MOTION made by Deputy Police Chief DiSesa to place the letter on file and Public Works will follow up on who is responsible for trimming the tree. Seconded by Jonathan Bailey. Motion passed.

- (E) **Broadwalk on Market Street** – Widening of sidewalk (Letters dated August 13 and 15, 2007 attached) – Eric Spear recused himself and spoke on the matter stating that in the capital plan there is a project to widen the sidewalks on Market St. between Bow St. and Market Sq. slightly narrowing the street. When he saw the designs being done in the Parade Mall project with the broadwalk concept of 20' wide sidewalks felt it may have possibilities for Market St. He read a portion of the Master Plan. He stated by eliminating one row of parking, we loose parking but achieve a larger sidewalk and can maintain the current wide width of Market St. between Bow and Market Sq. There will be a loss of 12 parking spaces. He referred to this issue having three aspects, 1. width of sidewalk, 2. loss of parking, and 3. maintain current width of Market St. between Bow and Market Sq.

Christina Westfall asked if we knew the actual width on each side of the sidewalk as it currently stands, how much will be added.

Steve Parkinson responded as funds become available July 1st 2007, for the FY'08 project that work won't take place until this winter for design and spring construction.

MOTION made by Steve Parkinson to refer this to Public Works for inclusion in their design process for early spring 2008 construction.

Ted Gray felt this should be referred to the Parking Committee for review as it will affect important arteries to the downtown area.

MOTION made by Steve Parkinson to refer this to Public Works for inclusion in their design process for early spring 2008 construction and to refer to the Parking Committee for review and report back. Seconded by Assist. Fire Chief Achilles.

Dan Covell, owner of Strawberry Bazaar, 57 Market St. is happy with the bricking but stated that the parking spaces are vital to all their businesses and to people who live on Market St. as there are a number of apartments. We have lost a lot of parking downtown. Most of the business have no delivery spaces in back and rely on the street for deliveries, etc. One side of the street has taxi stands, handicap parking, 15 minute parking, loading zone, police cruiser.

The Chair explained this has been referred to Public Works and to the Parking Committee meeting which will take place next month right after this meeting in Conference Room A. The public will be able to speak as well and will take up the matter of the actual removal of spaces as this is the first step authorizing removal of spaces before it can go any further.

Steve Parkinson stated that within the design process as we go forward, there will be public informational meetings to gather input from people who are within the area prior to any construction.

- (F) **Islington/Cornwall Sts.** – Signage and crosswalk painted – Debbie Finnigan received a call from a resident and believes the crosswalk has been painted and the issue would become installing the appropriate pedestrian signage and suggested referring to the Department of Public Works to determine appropriate signage.

MOTION made by Asst. Fire Chief Achilles to refer to the Department of Public Works to determine appropriate signage. Seconded by Steve Parkinson. Motion passed.

- (G) **Downtown Jaywalking** – Signage - Police Department Referral – Deputy Police Chief DiSesa stated this was a concern by Linda Demo, Youth Advocate, that people are not using designated crosswalks instead jumping out between parked cars and jaywalking. Ms. Demo suggested signage to be posted downtown advising people it is against the law to jaywalk and/or use the crosswalk.

MOTION made by Deputy Police Chief DiSesa to continue to monitor and continue enforcement downtown and place letter on file. Seconded by Jonathan Bailey. Motion passed.

Ted Gray asked if the City has a jaywalking Ordinance?
Deputy Police Chief DiSesa will look into this.

The Chair asked for a motion to suspend the rules to take up Item I and come back to Item H.

MOTION made by Ted Gray to suspend the rules to take up Item I. Seconded by Jonathan Bailey. Motion passed.

- (H) **Coakley Road/By-Pass** – Request for Pedestrian Crosswalk and light – Ted Gray referred to the on-site, stated that the By-pass is a state Road and Coakley Road is a City road, they agreed a crosswalk and light is needed. Suggested a letter to the state is a first requirement.

MOTION made by Ted Gray to contact the state about this request. Seconded by Jonathan Bailey. Motion passed.

- (I) **59 and 69 Newcastle Ave.** – Creation of brick parking areas (letter dated July 30, 2007 attached) – Bernie Pelech, Attorney on behalf of the Hurtt's stated the only way it could happen with these two parking spaces was that it be hot topped and would be general public parking spaces. The issue of the request for brick is withdrawn but still would like to see the two parking spaces in front of their homes at 59 and 69 Newcastle Ave. done in hot top. They are not seeking anything that hasn't happened in other areas and don't believe it would be unsafe and meets requirements of Zoning Ordinance. Referred to the meeting with City Manager and Ken Smith, it was stipulated and mandated that the travel way on New Castle Ave. had to be at least 22 ft. There is a report from Public Works considering the issue of making New Castle Ave. one-way and doesn't think the neighborhood would be agreeable to that.

Steve Parkinson handed out a plan showing a bump-in similar in nature to one between Humphrey's and South St. with four spaces. Now showing one in front of 59 and 69 New Castle Ave. A plan was prepared for one-way from South St. to New Castle/Marcy intersection which showed about 6 spaces of on-street parking along the new proposed sidewalk.

John Connor stated his confusion as three plans had been previously presented to us and we approved Plan 3, (Plan C) and this was not part of this and are back here again with different changes. This had been voted and approved.

George Hurtt 69 New Castle Ave. complimented this Board, City Manager and City Council for engaging this process over several months. We are back here because Plan 3 was approved and included against their wishes raised curbing in front of their homes on the north side of the street. We thought the approved plan was essentially the right plan and saw no reason for removing parking in front of their house against their wishes.

Heather Hurtt 69 New Castle Ave. urges this committee to approve the two-way traffic plan which keeps off street parking in front of their homes at 59 and 69 New Castle Ave. Concerned that the one-way traffic plan will increase speeding and traffic flow on Marcy St. and especially School St. where there is a children's playground. With respect to parking on the two-way traffic plan, Ms. Hurtt referred to drawings and information she presented to the Committee. Ms. Hurtt asked the Committee to keep the current plan and approve this amendment to that.

Phil Cavanaugh, 490 Marcy St., corner of Marcy and South School sees no reason to change New Castle Ave. to one-way and agrees it will increase traffic on South School St. Also commented on the removal of the stop sign at New Castle and Marcy, the speeds have increased from 30 MPH to 40 MPH as they no longer have to stop and suggested considering speed traps on Marcy, lower speed

limit to 15 MPH and consider safety of walking in the neighborhood, Children's Museum and New Castle Ave.

The Chair asked Mr. Cavanaugh to send a letter to Public Works, Attn. to this Committee and we will put this on our next Traffic & Safety Agenda and take a look at this.

Christina Galli 111 New Castle Ave. in support of making New Castle Ave. one-way as they noticed that the road is small and we are carrying the load of traffic going from South St. to New Castle for the entire area and would be nice if some of the other roads shared the traffic and feels it would be safer to make it one-way.

Norman Olsen 70 New Castle Ave. in support of additional parking that the Hurtt's propose and feel the one-way is an interesting concept.

Christine Davidson 127 New Castle Ave. asked for a quick review of why it was the Hurtt's were denied their plan to do the brick? Thought there was an old law that as residents they own halfway to the middle of the street and the resident across the street owns up to that point in the middle of the street.

The Chair responded because it is on City land and it is City materials that are used and asphalt is used in those areas.

The Chair asked the City Attorney for an answer.

Ms. Davidson stated the new design should slow things down and feels it is better that there is no more delays and have the two-way street.

Attorney Sullivan responded the law of roads is complicated and the concept of owning to the middle occurs when a road is created by the process which typically occurs when a plan is recorded and the City expressly by vote or by actions of the Public Works Dept. accepts that dedication. What you then have is what the speaker described. Nobody can really give a definitive answer without doing extensive deed research and historical research which Attorney Sullivan believes has not been done. The intelligent bet would be that New Castle Ave. is one of the types of roads that has been in its location for more than 100 years so the City in fact owns New Castle Ave.

Ted Gray asked if it was true that if a road or street is eliminated at that time then the two abutters own to the middle?

Attorney Sullivan responded that a third way a road can be created is by people deeding property to the City and the City then owns the road.

The Chair asked the City Manager to answer the question why we are using asphalt as opposed to bricks.

The City Manager responded that typically we try to use a uniform surface for public parking. It would get rather cumbersome if we had multiple surfaces for public parking in the City. If this Committee chooses to accept one of the plans,

whatever parking is on the street will be public parking. We try to utilize our type of material, it is uniform material.

Jonathan Bailey stated he is confused by this, as well, as the Committee accepted the plan. Many people on the street lost the ability to park on the street, now this comes back to us and we have what appears to be an exemption for just these two properties. What about the other people who have lost the parking? Does not understand what happened, what changed.

The City Manager responded this came to the City Council and referred back to this Committee, the City Staff's responsibility to work with this Committee, we try to give options, you have the every right to make the decision you should make, but we did give you a couple of options. With regard to the specific request, those will be public parking spaces, they won't be dedicated for one individual. It is your decision, we gave you the options.

John Howe asked if the abutters on the north side also wished to have public parking, could they petition as well?

The City Manager responded he doesn't feel this is the case. We need a safe travel way and let the engineer deal with this. The key is you have to have a safe travel way and if everyone wanted parking for their house the only way to do it safely would be a one-way street and asked Steve Parkinson to address this.

Steve Parkinson responded that the area we have between the right of-way and buildings gradually diminishes as you get towards the water. We first came here with a project that had the sidewalk on the north side where historically it had been and tried to come up with a compromise with part on north and part on south, with a final compromise, proposal that went to City Council and was approved with the sidewalk on the south side with a portion coming around from Marcy St. This is one more step in the process as we head into construction. The capability of adding bump-ins as you go along diminishes as you go towards the water. You have wider driveways, there really isn't enough room to put a bump in there. As we propose the spaces between Humphrey and South St. is a wide right-of-way there, in front of 59 and 69 there is sufficient right-of-way. There are trees to contend with and we don't want to cut trees down.

Bruce Boley 88 New Castle Ave. for 30 years stated that Public Works came to them and said we are going to improve the street with brick sidewalks and curbing on both sides and you will lose your parking in front of your house. The Hurtt's are nice people, they moved here, want to be a good neighbor, but the parking in front of their house is not going to be public parking, they park their cars there and feels this is unfair as they have off street parking.

Pam Boley 88 New Castle Ave., stated that she is not in favor of one-way feeling it will increase speed. Feels that the present configuration does slow traffic down a little bit at that corner.

Jack Kelley also is opposed to the one-way idea. Feels that the two-way traffic tends to slow things down a bit and would like it left the way it is. Referred to the success of the hotel in New Castle and heavy truck traffic has increased with delivery trucks going to and from and suggested the hotel be asked to bring their

delivery trucks around Sagamore Ave. which would be a lot more beneficial to the people of the South End as well as residents of New Castle.

Mr. Fernald 21 Fernald Court intersection of Marcy St. and New Castle Ave. stated that with the construction the stop sign coming down New Castle Ave. has been moved to the new intersection. Trying to go across the road out of his street almost got killed. People are not stopping anymore where the old stop sign was. Concerned the sign has been moved that far forward. Also observed that cement and other trucks try to make that corner to go back up Marcy St. had to do a multiple point turn in order to make that turn and concerned holding the traffic going 30-40 MPH down Marcy St. and causing an issue there. Suggested widening that area of the road so that they can make that turn instead of going back and forth to get across there and concerned that the corner is so tight now and with snow on both sides, will really make it narrower and difficult to get one car through there.

The Chair stated the matter before us is the parking spaces on New Castle Ave and for those particular issues suggested sending a letter to Public Works Attn: Debbie Finnigan will take this up at our next Traffic & Safety meeting to look into those issues.

George Hurtt stated the City should and does adopt the position they try to maintain parking where it is safe.

Ms. Davidson 127 New Castle Ave. feels we should keep as many parking spaces as we can. Concerned about two neighbors losing parking places.

Heather Hurtt reminded the Committee of the petition that was in the packet with a number of signatures for keeping the parking and read and submitted a letter from Mr. & Mrs. Vandermark opposing one-way and presented it for the file.

Christina Westfall wanted clarification of voting on one-way versus two-way today?

The Chair responded that Mr. Parkinson offered two different plans, really three options, the two-way with bump-outs in front of 59 and 69, another one is to have it go one-way, and the third and final is to stay with what we have previously approved.

MOTION made by Christina Westfall that we continue with the plan as approved a couple of months ago (submitted by the Public Works Department) Plan C, with the understanding there would be granite curbing and continue with two-way traffic as it stands without the amendment. Seconded by John Connors. Motion passed.

Christina Westfall explained why she feels this way. She agrees that everybody wants parking, we all want parking by our homes and to improve the safety out there we looked at several options to figure out the best for the pedestrians as that was our first priority. In looking at the site walk there was a tree in front of 59 and where Humphreys came in it began to have a decline in the road and was very hard to see. If there were cars sitting there it would be much more difficult to make a right out of that road because of that decline and cars sitting there.

These are going to be their parking places even though we state “public parking” based on the fact that you wanted brick. You weren’t offering to brick the other four, you were bricking the ones in front of your home. We were presenting the plans for the safety of the neighborhood for the greater good and feels we achieved that.

John Connors agrees with Ms. Westfall and stated if those spaces were made into parking spaces with the bump-in there, and the trees, where would the snow removal go. Mr. Connors commented on some of the pictures included in the packet. Being a life long resident of this area, Mr. Connors explained the history of the pictures and felt they were deceiving given the history.

The photograph on Page 9 shows the bottom of the hill of New Castle Ave., years ago the sidewalk continued down through there which is City property.

300 New Castle Ave. – Mr. Connors’ dad built the house next door #320, there was a field there and when #300 was built about 1957-1958, up until this curbing was put there, there was parking in front of #300 New Castle Ave. on their property, there was no curbing on that side of the street. There were always at least two parking spaces in front of #300 New Castle, since the curbing went in now there is one parking space and the same thing at #320 New Castle, there was no curbing along there and you used to be able to park on your own properties.

The same thing on the corner of Ball St. there was a bump out put there, so there was a parking area that was missed there because it used to continue down between there was continued parking from Ball to Baycliff and a lot of that has been down away with so it looks like someone was given a parking space when in fact there was 3 or 4 missing in that area.

Same thing at 215 Washington St., years ago that was a fenced in yard, the gentleman offered to take out his fence, open up his yard, and is now a driveway for that house.

Referred to 308 South St. to 241 South St. – From# 332 South St. down in front of #308 South St. which includes about 7 houses, all of those people, looks like they were given parking, the street used to go up to the picket fence, that road a few years back was narrowed almost 25 ft. the bump outs were put in to slow down traffic and as a result looks like people were given parking spaces which in fact they weren’t they always had parking before there was curbing there.

Every one of these pictures is the same thing, showing what looks like people were given spaces but in fact they weren’t.

Referred to a letter from a member of the HDC stating it was the only one in the City other than Market Sq. That’s not true, there is one on Cabot St. and in other areas of the City. These were set on the edge of the street where people would step off. The carriage stone will still be kept there, no matter what.

Referred to 454 Marcy St. a picket fence which is set back approximately 10 ft. up on the people’s property so they have their own parking, it was not a parking spot that was made for them.

Mr. Connors stated that all the pictures are deceiving.

Mr. Connors’ concern is a safety issue with cars pulling out of Humphrey’s Court not being able to see traffic on New Castle Ave. heading toward South St. because of the large tree not being able to see on coming cars.

Mr. Connors wondered how far the property line from the front steps of the Hurtt’s actually goes out, what does the City own, there used to be a sidewalk right up against the steps, the sidewalk went all the way from Mr. Kelley’s house all the way down to Price’s house on the corner, there was always a sidewalk

there. The sidewalk from Humphreys Court to New Castle Ave. disappeared probably 30 years ago, the whole street was always an asphalt sidewalk.

Debbie Finnigan followed up on some of the comments. The site distance New Castle Ave. bump-outs where people can park and the ones on South St. there is no impediment for people being able to see people pulling out of those locations. Stated she has issues that where they are proposing to put that parking there are two gigantic trees right there and feels the original plan voted on was the appropriate plan. Also at some point when we can afford it, maybe we can put a sidewalk on that side of the street from Marcy St. to Humphrey's Court and if it is already curbed in it makes it a little cheaper to do that in the future which would also accommodate the children and people who walk through that neighborhood.

Mr. Connors stated that he walked it all and if the sidewalk was added on in the future, you are talking 140-150 ft of entire sidewalk which would go from New Castle Ave. up to Humphrey's Court. Because of all of the driveways, one driveway is probably 50 ft wide, it would not be that much of a deal.

Deputy Police Chief DiSesa asked for clarification as Page 18 is Plan B, Page 19 is Plan C in Ms. Hurtt's packet. The Public Works Department submitted Plan C which has the curbing. There was some confusion between the Public Works' plans and the plans in Mr. Hurtt's packet.

Asst. Fire Chief Achilles referred to the signature page of the petition in support of the parking area, a number of them don't even reside on that street. Looking at the people who spoke and who signed this that actually live on the street there is still half the residents, it doesn't show they support there residents at 59 and 69 and is confused that there are a number of people on the signature page that aren't even on that street and may not be affected. Wondered if they were engaged in the process of the design.

The Chair stated there were several meetings with Mr. Richter as the whole project was going forward.

Asst. Fire Chief Achilles is in support of keeping this two-way.

Eric Spear referred to the pictures, understands the distinction between some of the pictures had parking on private property and referred to all the pictures on South St. where there were bump outs for parking on South St. on City property. Thought those were similar to what is being asked for here. There has been a couple of objections, one by resident and also the Traffic Engineer about visibility and recognizes those concerns in terms of safety, however, does not think the visibility is that big a deal. Feels the benefits of having an additional two spaces on that road out weigh that particular safety issue. There doesn't seem to be that many other objections. The road becomes too narrow towards the water to allow for parking.

Ted Gray asked if parking is allowed on Plan B from 77 New Castle Ave. down to 127?

Steve Parkinson stated there is no parking anywhere on the street.

Ted Gray is in favor of two-way, but would like to see more parking.

Bernie Pelech responded to Mr. Connors questions of how far is the property line from the front steps of the residences of 59 and 69 stating there is a survey taking place now and the property line is actually a couple of feet from the steps, the spaces which exist now would be on public property.

The Chair called for a roll call: John Howe, yes, Assist. Fire Chief Achilles yes, John Connors yes, Steve Parkinson no, Deputy Police Chief yes, Ted Gray no, Jonathan Bailey, yes, Eric Spear, no, Christina Westfield, yes, Chair Ken Smith yes. Application denied.

IV. INFORMATIONAL:

- (A) **US Rte.1 at Wilson Rd and Wilson Rd Extension** – Letter dated August 22, 2007 from NHDOT (attached) – Debbie Finnigan stated this is a response from the State. We need to check to see that appropriate signage is put up and Debbie will follow up on this.

V. OLD BUSINESS:

- (A) **McClintock and Leavitt St – Speed – Report Back** - Deputy Police Chief DiSesa reported there were e no speeding issues. Could not do Leavitt as it is too short, could not post stealth stat. However, on McClintock the average speed was 16 MPH, the maximum speed was 28 MPH, the minimum speed was 10 MPH. 85% of the cars tracked that day, 574 in that 24 hour period did 21 MPH.

Steve Parkinson stated that he requested McClintock as it doesn't appear in any of the speed ordinances for posting and want it in a report to bring up at next month's meeting to recommend a change in the Ordinance to add those streets in the Ordinance.

- (B) **McKinley/VanBuren Intersection – 4-way stop sign** – Deputy Police Chief DiSesa stated parents were blowing stop signs, creating a hazard dropping kids off. We asked that the school send home a flyer home with each student to the parents, welcoming them back to school and advising them to stop at the 4-way stop sign. There have been no accidents at the intersection. Also had the SRO monitor the intersection on the first day of school and be present there. Also did a Strategic Traffic Enforcement Plan (STEP) detail, detailed officers out there to monitor the stop signs for the first two days of school and noted no violations and will continue that intersection because of the safety issues raised.

Debbie Finnigan asked Deputy Police Chief DiSesa to provide Elaine for the record, the flyer that was sent.

Eric Spear asked Steve Parkinson if there has been a chance for a report back regarding the street signs on mastarms.

Steve Parkinson responded “not at this time”.

V. ADJOURNMENT

Respectfully submitted,

_____ Elaine E. Boucas, Recording Secretary