

**PORTSMOUTH  
TRAFFIC & SAFETY COMMITTEE MEETING  
8:00 a.m. – Thursday, March 12, 2009  
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	John Connors, Member
Steve Parkinson, P.E. Public Works Director	John Howe, Member
Deputy Police Chief DiSesa	Christina Westfall, Member
Asst. Fire Chief Steve Achilles	Brendan Cooney, Member
Debbie Finnigan, Traffic Engineer	Ron Cypher
Absent: Ted Gray	

**III. ACCEPTANCE OF THE MINUTES:**

**IT WAS VOTED** on a Motion made by Steve Parkinson to accept the minutes of the January 12, 2009 meeting. Seconded by John Connors. Motion passed.

**MOTION** made by Asst. Fire Chief Achilles to suspend the rules to allow taking up Old Business, Item A. Seconded by Christina Westfall. Motion passed.

**IV. OLD BUSINESS:**

**(A) Skate Board/Roller Blade Ordinance** – Report Back Requested by City Council looking for more information, are we allowing for helmets, how are we handling issue of skateboarding on Rte.1 Bypass.

Erin Macket 1000 Islington St. referred to the draft ordinance that she prepared using templates from other towns.

Mike Ferguson 1000 Islington St. is in favor of lifting the ban outside the business district.

Andy Ward Ocean Road has a small business downtown, owns a house in Portsmouth and a skateboarder. Stated that whatever Ordinance we come up with wants to make sure skateboarders are not treated as second class citizens as they have been singled out in the Ordinance and the City Attorney really better tighten up on definitions of what a skateboard is. There are alternate forms of transportation in downtown Portsmouth. Encouraged the committee to take notice of how much support was at the Council meeting.

Councilor Laura Pantelakos referred to the Ordinance the members have in front of them stating she would like to see Section A put in the Ordinance. Feels that helmets and pads are not necessary, it is the parents responsibility. Skateboarders are no different than bicyclists, scooters, etc.

Attorney Charles Griffin, Hillside Drive, stated he is very much opposed to lifting this ban. Presented the members with an article from Portsmouth Herald and information from the National Safety Council. He wholeheartedly concurs with comments set forth in Mr. Rafferty’s February 20<sup>th</sup> letter. It is the role of

Traffic & Safety Committee to regulate traffic in this City in a manner that is safe for public, pedestrians and operators of motor vehicles. The proposal to lift the ban on skateboarding is totally inconsistent with that. The Ordinance as proposed allows the use of roller skates/skateboards any where outside the business district meaning such streets as Lafayette Rd., Middle Rd. Sagamore Ave., South St., Woodbury Ave., Islington St., Maplewood Ave., Middle St. and Pleasant St. which are all major arterial streets in the City and all lie outside the central business district. Does agree in part that residential areas such as Elwyn Park, Atlantic Heights, Panaway Manor and Maple Haven are unreasonable. Feels the Ordinance should limit skateboarding to residential neighborhoods. His concern is allowing skateboarders on major thoroughfares in the City. The Ordinance as currently drafted allowing it to occur on major thoroughfares in the City is too broad, unwise and unsafe. We have a skateboard facility in the City and proponents of lifting of the ban are saying that facility is in disrepair. Referring to residents banning together to repair the pool so that it could remain open, in later years the City came up with funding. Atty. Griffin feels that a similar solution maybe the best way to go here. Perhaps a group of volunteers could make improvements to the skateboard facility until such time as the City can provide funding. To allow skateboarding on our streets on the basis that it is dangerous, poses a safety hazard for both the skateboarders and motorists and will create problems is not a decision based on discrimination. Referred to Deputy Police Chief DiSesa when he said, we feel it is our obligation for the safety of the skateboarders and public. Feels this ban should not be lifted and not to approve the ordinance as drafted.

Mike Ferguson stated it his form of transportation, he does not use the skateboard facility. Agrees it is a traffic & safety issue on arterial streets such as Islington St.

**MOTION** made by Christina Westfall to accept lifting the ban with stipulations clarified. Include rollerblade and scooters. Wearing helmets 16 years of age and under at the discretion of the parents. The definition of the downtown area. Seconded by Brendan Cooney.

Asst. Fire Chief Achilles asked if there was any Ordinance on jogging or riding bikes on City streets? There's no requirement for safety devices? Is there an Ordinance for bicycles to follow the same rules of the road as vehicles?

Deputy Police Chief DiSesa responded not on sidewalks. There are specific City Ordinances governing bicycles, also specific City Ordinances that mirror state statute of how bicycles operate. There are not any safety requirements in the state statute.

Attorney Sullivan responded not the state.

Christina Westfall stated requiring elbow and knee pads is up to the parents and the adult's discretion. Recommended taking out elbow and knee pads for age 16 and under. Kids should wear helmets regardless of what they are riding, and knee and elbow pads should be a personal choice.

John Connors stated the Ordinance was originally written because of roller skates, not in line skates. At the time skateboards were not as popular, but over

time skateboards have become more popular. The original Ordinance was written up to cover all in lines skates, scooters, anything with non mechanical breaking devices, which would cover all of these things.

Deputy Police Chief DiSesa stated that skateboarding is very different from roller blading, roller skating for the following reason. You can easily become unattached from a skateboard, lose balance and fall, whereas it is harder to do that on a bicycle. You are attached to roller blades and in line skates. It is important because you can stop and control the device. You can generate a good speed on a skateboard, you can generate speeds up to 20MPH. Braking a skateboard can be very difficult, which is why wrist guards are important as people tend to break a fall with their wrist when falling forward and knee protection is important too as well as head gear. Becoming detached from a skateboard is a concern of the Police. It is also easy to dart in and out of traffic and change direction by leaning back and darting in and out and between parked cars. When darting in and out, it is impossible for even a skilled driver to stop in time. A few summers ago there was an accident on Broad St. when a small on a scooter came out of a driveway generating speed, the driver had no chance to stop and the child sustained head injuries, the child did not have a helmet on. On line at the American Pediatric the stats and clear and alarming that skateboarding there is more apparent risk for head injuries for skateboarders, roller blading or in line skating for individuals 5-19 years of age. Riding in traffic is the issue here. It is the Police Department's decision, while unpopular, are against pulling the ban, the reason this ban was put in place year's ago was because of safety issues. We see no chance other than the fact that Portsmouth has become more congested, there are 22,000 cars on Lafayette Rd. each day, 19,000 cars on Islington St. each day. These stats were collected through stealth stats and DOT. Traffic is increasing not decreasing and is opposed to this. The Police Department's feeling is that the protection equipment has to remain in place for safety reasons.

Steve Parkinson agrees with our original decision of removing the ban, agrees with the skateboard ordinance. Endorses safety during night time hours, suggesting adding to the Motion. Acceptable to the maker.

John Howe stated we should establish basics for any citizen to operate in such a way so as not to cause injury to themselves or others.

The Chair stated the final Ordinance will be written by the City Attorney and this is the time for any guidelines.

City Attorney Bob Sullivan stated in writing the ordinance takes his instruction from the City Council. The status of this situation is the City Council sent this ordinance back to the committee for recommendation from the committee to Council as to how the committee thinks the Council should write and pass the ordinance. Attorney Sullivan is somewhat confused as to where the committee has gone and feels it would be helpful to the Council and himself if the Motion could be restated in this form. "The Committee recommends to the City Council that" and list what the committee wants to have done.

Asst.Fire Chief Achilles is concerned about the motion as presented, there seems to be multiple safety issues. Suggested submitting a draft ordinance. We have

multiple stats, which he did not bring, on bicycle injuries, head injuries and would recommend at some point we have a sub-committee and bring back next meeting with what we thought would be safety issues and recommend back a.b.c. etc.

The Chair sees now that we want lifting of the ban other than the downtown, that helmets remain for age 16 or under, use at night is prohibited. As for taking the tricks, should it be left in or come out?

Christina Westfall feels it should remain.

John Howe read from the proposed ordinance “it shall be unlawful for any person to operate a skateboard, coaster, scooter, roller skates or roller blades in a negligent manner upon any street, sidewalk or publicly owned parking lot. For the purpose of this section, ‘to operate in a negligent manner’ means the operation of a skateboard, coaster, scooter, roller skates or roller blades in such a manner as to endanger or be likely to endanger any person or property”.

John Connors does not see how you can enforce this on private property.

**MOTION** made by Christina Westfall that the Committee recommends to the City Council 1) lifting ban outside of the downtown area, 2) helmets required under age 16, 3) night time prohibited unless reflective gear is used, 4) unlawful operation prohibited that destroys property, 5) applies to all non-motorist devices and 6) Define the downtown area as Central Business District A and B. Seconded by Brendan Cooney. Motion passed. Steve Parkinson and Deputy Police Chief DiSesa opposed.

**PROPOSED ORDINANCE CHANGE**

The Chair asked the Committee’s thoughts of riding on major thoroughfares not in the downtown area?

Ron Cypher has concerns with Rte.1 and the By-pass, they should not be there.

The Chair asked Attorney Sullivan if he had any questions as we’re putting this together. Attorney Sullivan will speak with Elaine.

**MOTION** made by Christina Westfall to suspend the rules to allow going to Other Business. Seconded by Asst. Fire Chief Achilles. Motion passed.

**V. OTHER BUSINESS:**

**Referrals from City Boards and Commissions**

- (A) **51 Islington St.** – Proposed Property Redevelopment – TAC Referral - John Chagnin, Ambit Engineering, referred to plans of the proposed redevelopment of Kline’s Furniture Store. Proposing to tear down existing building, build a mixed use building with retail on the first floor. The ramp will go down to the underground parking. TAC wondered whether the sidewalk should go down Parker St. It is their understanding, Tanner is one-way off Islington and Parker is two-way, and Parker is one-way between Tanner and Hanover. Based on the traffic at Islington, we were asked to look at it to see what the impact would be with traffic going out to Hanover up Islington. The traffic study looked at those issues, there is a ramp going down to underground parking.

Asst. Fire Chief Achilles asked about the heated ramp, was the turning radius appropriate at Parker, is it two-way. Mr. Chagnin referred to the plan showing a mirror system. Parking is for residents and businesses, not public.

Deputy Police Chief DiSesa's concern with pedestrian traffic on Parker St., it is a heavily pedestrian area in the City and has a safety concern with cars backing out and pulling in and perhaps hitting a pedestrian. There was a similar situation on Fleet St., and there was an arm put in and you stated you were going to look at that.

John Chagnin reported the plan submitted has 52 8 x 8 parking spaces, one space per unit.

Will the sidewalk carry all the way down Parker St. to Tanner Court? Will there be pedestrian access all the way down to the end of the block?

John Chagnin responded there is not a sidewalk now and are proposing to bring sidewalk 30 ft up the street to allow pedestrians to travel that way to get out of the turning movement conflict.

Deputy Police Chief DiSesa stated that TAC recommendation was to put the sidewalk all the way around. Deputy Police Chief DiSesa stated for safety reasons that was his recommendation as well.

Steve Parkinson stated they have not received approved as there are still some outstanding issues to be addressed. He is not in the position to approve this as of today and recommended that the committee come up with issues or problems you see with it and forgo our formal approval until TAC approval from TAC.

John Chagnin introduced Don Rhodes who explained the comprehensive traffic study done on the project. Data collected July '08, the peak hour week day traffic on Islington St. approximately 900 cars, Hanover St. was 50-60 cars during peak hour, and Bridge St. between 300-400 cars. Islington is heavily traveled and Hanover is lightly traveled. Existing numbers on Parker and Tanner are in the single digits.

Residential parking will be on site, retail out of the site, primarily the Bridge Street parking lot. The proposed traffic pattern is maintaining existing one-way flow on Parker and Tanner. Enter garage and turn onto Islington into Parker and right turn to garage and coming out of garage, right hand turn heading down hill, on Hanover take another left hand turn.

**MOTION** made by Steve Parkinson to table this proposal until approval by TAC and list concerns we have at this time, ADA sidewalk completely around the building, circulation based on recommendation from Public Works Department, turning radius from Parker onto ramp showing someone going and coming out, one-way in off Islington and report back from Public Works on signage and one-way. Recommendation for Parking Committee to put meters on the four spaces. Seconded by Asst. Fire Chief Achilles. Motion passed.

Debbie Finnigan reported there is a significant increase in traffic, there are currently about 4 cars in the a.m. peak and now there is going to be 40 cars in the a.m. peak. There is a concern of circulation around the building, what this is generating, there are 52 units in that building. This is a big building on a small space.

- (B) **1 International Drive** – Proposed Office Building- Brad Mezquita of Appledore Engineering presented the Committee with the proposed plan for a four-story office building, 310 parking spaces for both the hotel and office building.

Providing a sidewalk throughout the site and replacing existing sidewalks along International Drive with concrete and the signal. All doorways have been removed so no egress and no sidewalk provided at the street side of the building. Asst. Fire Chief Achilles referred to International to Pease at the intersection there is no crosswalk anymore and there is a pedestrian push button, but no signal.

Debbie Finnigan stated it is up to the PDA for upgrades, repainting and push buttons.

Steve Parkinson has concern with impact to intersection of International Drive with this property. We are adding a 72,000 sq.ft. building with associated increase of traffic.

Debbie Finnigan suggested revisiting to analyze this intersection stating she spoke with PDA and there hasn't been a study since 2005 and they have requested money from the PDA Board to complete that study and then implement items that need to be done.

**MOTION** made by Steve Parkinson to approve as submitted. Seconded by Asst. Fire Chief Achilles. Motion passed.

## VI. NEW BUSINESS:

- (A) **PeaseTradeport** – Request for Additional Stop Signs - **MOTION** made by Assist. Fire Chief Achilles to accept request and place on file. Seconded by Brendan Cooney. Motion passed.

**MOTION** made by Steve Parkinson to suspend rules to take Other Business (B). Seconded by John Howe. Motion passed.

- (B) **1426 Islington Street** – Traffic Issues – Steve Parkinson referred to the on-site, it maybe beneficial to request a stealth stat in that area to see whether or not speed is an issue in that corridor.

**MOTION** made by Steve Parkinson to request a stealth stat from the Police Department. Seconded by Brendan Cooney. Motion passed.

- (C) **Cornwall Street** – Parking & Signage Issues – The Chair stated that there is confusion at the one-way sign, people are using it both ways. Debbie Finnigan stated that for clarification, 249 Islington St. is a project already been approved to add sidewalk on northerly corner. It is been extended once and will come back to be extended again. Suggested extending the sidewalk and find an appropriate place for the sign and maybe more appropriate to add an arrow at the parking lot to take care of and make apparent you are supposed to be going down the street and repaint the stop bar.

**MOTION** made by Steve Parkinson to accept Debbie Finnigan's recommendations and refer to Parking Committee for report back. Seconded by Asst. Fire Chief Achilles. Motion passed.

The Chair welcomed back Ron Cypher to the Committee who will be voted on at the next City Council meeting.

- V. (B) Referring back to Pease, Steve Parkinson suggested a letter for next months Traffic & Safety Agenda for Traffic & Safety to send a letter of support through Maria Stowell to the Board.

**MOTION** made by Steve Parkinson to send a letter of recommendation from this Committee to the PDA endorsing Debbie Finnigan's request to revisit and analyze that intersection. Seconded by John Howe. Motion passed.

The Chair suggested having the City Manager involved as well and the letter signed by himself as Chair of the Traffic & Safety Committee.

**VII. ADJOURNMENT:**

Respectfully submitted,  
Elaine E. Boucas, Recording Secretary