

**MEETING OF THE
CITY OF WOBURN
TRAFFIC COMMISSION
FEBRUARY 18, 2016 – 4:00 P.M.
COMMITTEE ROOM
WOBURN CITY HALL**

Attending: Comm. Joanne Campbell, Comm. Myles Collins, Comm. John Corey, Comm. John Duran, Comm. Lindsay Higgins, Comm. Raymond Mooney, Comm. Timothy Ring, Comm. Peter Socorelis, Chair Comm. Tina Cassidy.

Absent: None.

Motion made and 2nd to waive the reading of the minutes of the previous meeting and to accept, all in favor, 9-0.

No. 2015-16

Relative to a request for a no parking restriction on Blueberry Hill Road near intersection with Holton Street. Comm. Cassidy stated that a communication was received from the Building Commissioner dated February 16, 2016. Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. Appearing was Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that he represents E.A. Spry & Co., Inc., that he requests the matter be tabled to the next meeting, that he also represents the owner of 99 Blueberry Hill Road where the petitioner is located, and that he would like to have an opportunity to arrange a meeting between the parties to attempt to resolve the issue. Comm. Corey stated that the Engineering Department determined that although this is a wide roadway there is parking on both sides of the street, that the petitioner has an issue getting in and out of the property if the cars are parked across the street, that there would have to be a restriction on parking three spaces a distance of 65 feet, that the petitioner considered alterations to the driveway as an alternative but the tenant does not control the property to that extent and there were grading issues, and that the commission has not looked at widening the driveway from an engineering perspective but if the driveway could be widened this would resolve the issue. Comm. Duran stated that he does not want to transfer the parking issue into the abutting residential area, and that there is quite a bit of on-street parking on Blueberry Hill Road during the summer months. John Manganiello, ArborJet, 99 Blueberry Hill Road stated that he spoke to the property owner who told him that the driveway was as wide as was allowed under the zoning code and that he was concerned about the location of the pumping station, and that there is a hindrance when vehicles are parked on both side of the street. Attorney Tarby stated that he believes that given the opportunity to speak with the parties that the matter may be resolved. Comm. Campbell stated that there is a concern that if the parking was restricted there would be an impact on the residential area however she does not believe this to be the case, that this matter has been pending since July 2015, that she would like to offer a compromise of a temporary no parking order while the parties discuss the issue, and that a parking restriction in that area may also improve safety due to the speed of traffic on the roadway. Comm. Duran stated that it is difficult in winter weather conditions to install signs other than on cones. Mr. Manganiello stated that cones were placed on the street and cars were parked next to the cones,

and that if cones were placed by the Police Department this may help. Comm. Mooney stated that the issue of enforcement by the Police Department as to a cone placed on the roadway may be an issue, that the Police Department would want certainty that the order could be enforced, and that enforcement of the order would be by ticketing but not by towing. Comm. Campbell stated that the order would not be a permanent solution, that this would be a temporary solution to allow the parties to discuss the issue, and that the length of time spent in reviewing of this matter calls for action. Comm. Corey stated that a temporary no parking order was established at Leland Park, and that the Department of Public Works would have to monitor the cones. Mr. Manganiello stated that ArborJet employees would be willing to place the cones into position each day. Comm. Mooney stated that the Police Department would be opposed to a private party placing the no parking signs. Comm. Duran stated that the telephone poles are owned by Eversource and may not be used for posting signs without their permission. Attorney Tarby stated that he believes that the matter can be resolved within thirty days. Comm. Corey stated that with the difficulty of posting temporary signs he would suggest tabling the matter to the next meeting. Motion made and 2nd that the MATTER be CONTINUED TO THE MARCH 17, 2016 TRAFFIC COMMISSION MEETING, all in favor, 9-0.

No. 2015-30

Relative to heavy trucking on Nashua Street at Draper Street and Holton Street. Comm. Cassidy stated that this concerns trucks using Holton Street. A communication dated January 4, 2016 with attachments was received from City Solicitor Ellen Callahan Doucette as follows:

Re: Holton Street Heavy Commercial Vehicle Exclusion

I am submitting for the Traffic Commission's review and consideration, an issue that has arisen from the Woburn Police Department's attempts to enforce the Heavy Vehicle Exclusion (the "Exclusion") prohibiting heavy commercial vehicles from operating on and over Holton Street between the hours of 10:00 p.m. and 6:00 a.m. (the "Exclusion"). This Exclusion was approved by the Woburn City Council on February 19, 1980, was submitted to and approved by MassDOT (or its predecessor), and appears on the list of Exclusion routes for District 4. Copies of the City Council vote and Exclusion routes are attached hereto.

I am also enclosing copies of correspondence between myself and Attorney Joseph Tarby as counsel for Tighe Logistics Group ("Tighe") which is located at 45 Holton Street and has been a subject of the WPD's enforcement efforts. Of particular note is Attorney Tarby's correspondence to Neil Boudreau, Senior Traffic Engineer at MassDOT the presumed purpose for which, was to refute my assertion that the Exclusion was permissible pursuant to an exemption set out in the Massachusetts Amendments to the Manual on Uniform Traffic Control Devices (the "MUTCD"). According to Mr. Boudreau's July 16, 2015 correspondence, "access for delivery or service trucks that have an origin or destination on a roadway" cannot be denied. (Mr. Boudreau's correspondence references a February 1982 Metropolitan Area Planning Council study which I have not seen, and I do not know if such study is on file with any City department.)

The most recent correspondence received from Attorney Tarby asks for the removal of signage "purporting to prohibit or restrict heavy commercial vehicle access on Holton Street". I am obviously not authorized to direct the removal of signage thus I have chosen to bring this matter

to the attention of the Traffic Commission. Furthermore, though Mr. Boudreau states that the City cannot deny access to heavy commercial vehicles going to and from businesses located on Holton Street, it is clear that the City may install signage which prohibits heavy commercial vehicles from using Holton Street as a through way. For this reason, I disagree that the signage should be removed, as the WPD may still enforce the prohibition as to heavy commercial vehicles which do not originate from or are destined for, properties located on Holton Street.

I am available to discuss at the Traffic Commission's convenience.

Sincerely, s/ Ellen Callahan Doucette

Motion made and 2nd that the communication be received and made part of the matter, all in favor, 9-0. Comm. Cassidy stated that the opinion indicates that vehicles going to a destination on the street cannot be prohibited but that trucks can be prohibited from using the vehicle as a through way. Comm. Mooney stated that the Police Department needs clear guidelines and these are now clear, and that not enforcing the ordinance is not a matter of indifference. Comm. Corey stated that if a truck is servicing a business then they can go to the location. Police Chief Robert Ferullo stated that there are two issues and they involve Holton Street and Nashua Street, that the majority of the trucking issues arise from FedEx and UPS type trucks which have a right to travel on these streets, that the Nashua Street cross traffic is wholly different from the Holton Street no heavy trucking exclusion, and that the city cannot govern which vehicles cannot travel on a street if the vehicle is under the heavy commercial vehicle limits, and that the issue on Holton Street is nearly unenforceable. Motion made and 2nd that the signs reading "no heavy trucking" on Holton Street be removed as weather permits and that Alderman Gately and Alderman Mercer-Bruen be notified of the action with a copy of the MassDOT communication, all in favor, 0-0. Motion made and 2nd that the signs prohibiting traffic from traveling on Holton Street between the hours of 10:00 p.m. and 6:00 a.m. be removed and that notification of such action be sent by the Traffic Commission to each house affected by the change, all in favor, 9-0.

ORDERED That the no heavy commercial vehicle restriction on Holton Street between the hours of 10:00 p.m. and 6:00 a.m. be repealed.

No. 2015-34

Relative to the Order to establish handicapped parking spaces in the downtown area.

ORDERED Be it ordained by the Woburn Traffic Commission that Schedule 1 Parking Restrictions of the 2016 Woburn Traffic Code be amended, as follows by adding the following:

MAIN STREET – Handicapped accessible parking space be established westerly side beginning at a point forty (40) feet north of the northerly curb line of Park Street a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point thirty (30) feet south of the southerly curb line of Walnut Street southerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point fifty (50) feet north of the northerly curb line of Walnut Street northerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point at the northerly end of the extended curb at 389 Main Street a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point forty (40) feet north of the northerly curb line of Salem Street northerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established westerly side beginning at a point directly opposite the southerly curb line of Everett Street northerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established westerly side a distance of seventeen (17) feet south of the southerly curb line of Hovey Street southerly a distance of 20 feet; and

Further, that the following regulations be deleted from Schedule 1:

MAIN STREET – Handicapped accessible parking space easterly side at the extended curb at 355 Main Street in a southerly direction a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space easterly side beginning at a point 46 feet north of Salem Street northerly for 20 feet;

MAIN STREET – One handicapped accessible parking space shall be established on the southerly side at 415 Main Street; and

Further, that the parking spaces indicated in the parking plan prepared by the City Engineer entitled “City of Woburn, Massachusetts – Chapter 90 Roadway Improvements 2015 – Contract 4-16-IFB-008 – Main Street Repaving Project” Sheets 1 through 6 dated July 2015 (hereinafter “the Plan”) and prepared by the Woburn City Engineering Department be adopted as the lawful parking spaces as designated on the Plan and that the Plan be annexed to the 2016 Woburn Traffic Code as Schedule 9.

Appearing was Veronica Andrews, Chair of the Woburn Handicapped and Disabled Citizens Commission and stated that members of the Commission wanted to be heard on the proposal. Handicapped Commission Member John Harney stated that when parking meters are installed downtown that enforcement understands that handicapped license plates and veterans plates are exempt from parking meter fees and time limits. Comm. Mooney stated that the Commission has not looked at the parking meter issue. Handicapped Commission Member Johanna Hill stated that she inspected the handicapped parking spaces in the downtown area, that some spaces had paint on the street, some had signs and some had both, and that there are no handicapped parking signs from High Street to the bump out at Citizens Park. Commissioner Hill offered a list of the

handicapped parking spaces in the downtown are with her observations. Motion made and 2nd that the document be received and made part of the record, all in favor, 9-0. Comm. Corey stated that he was unaware of the handicapped parking space paint and sign issue, and that he will review this as each handicapped accessible space should have both paint and signs. Handicap Commission Member Timothy Donovan stated that there was a discussion about establishing a handicapped accessible parking space at the corner of Church Street and Main Street, that there are no handicapped accessible parking spaces from the Citizens Park accessway to High Street, that he does not believe that additional the Church Street parking space would need further approval as this was recommended previously, that the handicapped accessible parking spaces should be dispersed throughout the downtown area, that the handicapped accessible parking spaces should be placed where they need to be placed, near direct access routes and placed regardless of the objections of property owners near the parking space, that a handicapped parking space near Citizens Park was moved without the knowledge of the Handicapped Commission, that there were two parking spaces at the location until the elevator was added, that a handicapped parking space was to be moved near the ramp in the Walnut Street parking lot once the elevator was installed but the parking space was never established, that a handicapped parking spaces was moved further north on Main Street which has resulted in four or five handicapped accessible parking spaces in one area of the downtown, that one handicapped accessible parking space should be restored at the Citizens Park accessway and an additional handicapped accessible parking space be established on Church Street, that the handicapped accessible parking spaces should be painted entirely blue as this assists the Police Department in enforcement, and that a handicapped accessible parking space painted entirely blue prevents drivers from claiming ignorance of the restriction. Comm. Duran stated that there is a handicapped accessible parking space in the Walnut Street parking lot near the elevator, and that the parking space was installed before the winter months. Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.

No. 2016-01

Relative to a request for reduction in the speed limit on Russell Street to 30 mph and for installation of school bus stop warning signs. Comm. Higgins stated that the speed limit on Russell Street is 35 m.p.h. with the except it is 25 m.p.h. near the intersection with Cambridge Road and East Street. Joanna Frette, 183 Russell Street stated that a car and a van have gone over the curb onto the sidewalk in this area, that the speed contributes to the issues, and that the Police Department have increased their presence in the area. Richard Frette, 183 Russell Street stated that the police presence has resulted in citations to vehicles due to excessive speed, and that the current speed limit is too high. Comm. Corey stated that the average daily traffic volume in the area is approximately 20,000 vehicles per day, that the 85th percentile speed is over 35 m.p.h., and that if the 85th percentile is not lower than 35 m.p.h. then MassDOT will not approve a change. Comm. Higgins stated that MassDOT can be contacted for information as to how the definition of thickly settled could be used to reduce the speed limit. Comm. Mooney stated that a speed study can show that a safer speed is higher than 30 m.p.h., that if the general public travels at the 85th percentile then that is the safest speed to travel on the roadway, that if a road is unsigned then speed limit is 30 m.p.h. for a thickly settled area, that with a speed study a higher rate of speed may be safer and therefore posted, and that speed, vehicle volume and time of day can be measured. Comm. Higgins stated that the city should contact MassDOT as to whether a thickly settled definition can be used without a speed study, and that there should be signs posted regarding the location of school bus stops. Comm. Campbell stated that the area where the

petitioner resides has been the scene of accidents including vehicles driving into the yards, and that moving the bus stop onto Fuller Farm Road rather than on Russell Street would be safer for the children using the bus. Comm. Higgins stated that she contacted the School Department about moving the bus stop and that they will look at the issue but this may not resolve all the issues. Comm. Mooney stated that a speed study of the area may result in an increased speed, that he is not in favor of increasing the speed for vehicles on that roadway, that he does not believe that a reduction of the speed to 30 m.p.h. will be permitted and that the Police Department can increase enforcement. Comm. Higgins stated that she wants to know from MassDOT if the roadway speed can be changed to 30 m.p.h. based on the definition of a thickly settled area without a traffic speed survey. Comm. Corey stated that MassDOT may ask for a speed study anyway. Richard Frette stated that if the speed limit cannot be reduced he wants the 35 m.p.h. speed limit enforced. Comm. Corey stated that the school bus stop signs have not been used in some time but he will look into that issue and report back to the Traffic Commission. Comm. Mooney stated that he will put speed devices in the field if requested by the Traffic Commission. Comm. Corey stated that the city can communicate with MassDOT to determine if the area meets the definition of a thickly settled area. Joanne Frette stated that she can submit anecdotal evidence to the Traffic Commission which may provide benefit to the request. Motion made and 2nd that the Engineering Department communicate with MassDOT with a request as to defining the area as thickly settled, all in favor, 9-0.

Comm. Corey left the Council Chamber.

No. 2016-02

Relative to a request for a no heavy commercial trucking restriction on Beach Street and Clinton Street. Comm. Duran stated that a full truck traffic study has to be conducted to establish trucks routes to allow trucks to maneuver around the city safety, and that with the study the Traffic Commission is wasting time. Comm. Mooney stated that the Police Department concurs that a truck traffic study is needed before action can be taken. Comm. Cassidy stated that she agrees with the need of a truck traffic study before action can be taken, that trucks are being directed to the downtown area where the streets do not handle the truck traffic well, and that the proposed capital improvement plan is to have a line item for a truck traffic route study. Comm. Campbell stated that the no heavy commercial trucking signs that are posted on Campbell Street have not been approved. Motion made and 2nd to place the matter on file until a truck traffic study is completed, 8 in favor, 0 opposed, 1 absent (Corey absent).

Comm. Corey returned to the Council Chamber.

No. 2016-03

Relative to the Order prohibiting parking outside parking space lines [First Reading].

ORDERED Be it Ordered that Section 5-1 of the 2016 Woburn Traffic Code be amended as follows:

1. By adding a new Section 5-1 General Prohibitions a new paragraph (p) as follows:

p. Outside of or across an official line or mark designating a parking space, or between such lines in a maneuvering area.

2. By adding to Section 9-1 Penalties the following:

Parking outside parking space line or in maneuvering area \$15.00

Comm. Duran stated that the Department of Public Works supports the Order. Comm. Mooney stated that vehicles are parked over the lines, and that this ordinance will allow the Police Department to use discretion but enforce the ordinance. Motion made and 2nd that the MATTER be GIVEN A FIRST READING, all in favor, 9-0.

No. 2016-04

Relative to technical corrections to be made to the Traffic Code with respect to parking restrictions on Montvale Avenue [First Reading].

ORDERED Be it Ordered that Schedule 1 Parking Restrictions of the 2016 Woburn Traffic Code be amended by making the following technical corrections:

1. By striking “No Parking” after “Montvale Avenue - No parking southerly side from Eastern Avenue westerly a distance of 400 feet” and insert in its place “Two Hours between 8:00 a.m. and 2:00 p.m.”
2. By striking “Montvale Avenue – one hour parking southerly side starting at a point 40 feet easterly of Main Street to Prospect Street any time between the hours of 8:00 a.m. and 9:00 p.m. any day except Sundays and public holidays – One Hour”

Motion made and 2nd that the MATTER be GIVEN A FIRST READING, all in favor, 9-0.

Relative to the election of the Traffic Commission Chair for a one year term. Motion made and 2nd that Lindsay Higgins be elected Chair of the Traffic Commission for a one year term, 8 in favor, 0 opposed, 1 abstained (Higgins abstained).

Motion made and 2nd to adjourn, all in favor, 9-0. Meeting adjourned at 5:50 p.m.

A TRUE RECORD ATTEST:

William C. Campbell, City Clerk
and Clerk of Traffic Commission