

**PORTSMOUTH  
TRAFFIC & SAFETY COMMITTEE MEETING  
8:00 a.m. – Thursday, May 24, 2007  
City Hall – Eileen Dondero Foley Council Chambers**

**I. CALL TO ORDER:**

Steve Parkinson, Vice Chairman called the meeting to order at approximately 8:05 a.m.

**II. ROLL CALL: Members Present:**

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

**III. ACCEPTANCE OF THE MINUTES:**

**IT WAS VOTED** on a Motion made by Asst. Fire Chief Achilles to accept the minutes of the May 10, 2007 meeting. Seconded by Ted Gray. Motion passed.

**III. OLD BUSINESS:**

- (A) **Westin Conference Center/Parking Facility** – Creating Deer Street one-way (maps attached) – Attorney Malcolm McNeil representing the applicant stated this is the second time here, have been through TAC process, pending on this Committee’s final action scheduled to meet before the Planning Board on June 7<sup>th</sup>. Both with regard to the site review approval and some minor sub-division issues relating to the property. Our first time here there was concern expressed regarding loss of parking in the area of the development site as well as some configuration issues related to crosswalks, routing of traffic, etc. The plan before you today has been before and endorsed by the Parking Committee. This plan today we believe is responsive to the concerns of merchants, property owners in the vicinity of the impacted development area as well as the concerns of the City’s department heads relative to the routing of traffic through this area. It represents an increase in available parking from the previous City plan called the Walker Plan, and legally provides reasonable and safe movements through the area. It does not deprive anyone of a driveway permit and we believe provides reasonable routing to the Granite State Minerals traffic. Would like to run through the plan one more time and receive your endorsement so we can bring this to the Planning Board.

The Chair again stated for the record he is a business owner on Deer St. and asked if there was anyone that objected he would step down. There was no objection.

Giles Hamm of Vanasse & Assoc. have, at the direction of the City, made some modifications to the plan to save on-street parking in the area. Specifically we moved the left turn lane from Deer to Russell St. which allows on-street parking

And added back 8 spaces which were lost. In addition the section of Deer between Russell and Market was made one-way enabling us to add on-street parking, angle parking and add 20 parking spaces. Also able to extend out curb line providing shorter pedestrian crossing. Initially we had 47 on-street parking spaces on Deer with the Walker Plan we lost 32 spaces, so had on-street supply of 15 spaces prior, this plan adds back 20 of those spaces, this plan adds back 20 of those spaces for a total of 35 spaces.

Deputy Police Chief DiSesa referred to Debbie Finnigan's concern with the further most angled spot backing into the crosswalk.

Giles Hamm responded that they shifted everything down 5 ft so there is 25'.

Attorney Bernie Peleech representing Granite State Minerals (GSM) who were unaware of this proposal for one-way traffic. Mr. Gratin expressed concern to the TAC regarding Granite State Mineral when a salt ship comes in there is approx. 150 to 200 tractor trailers a day which drive up Deer St. to fuel or to drop off at their secondary location next to Gary's Beverage. It is their concern that now they will not be able to make that movement and now take a right go down and left up Russell around the Sheraton. They prefer that this remain two-way, however, if parking is the concern, suggested those parking spaces be shifted to the other side of the street so that the movement at Deer could become one-way. Attorney Peleech hopes that the Committee will look at this. The second concern of GSM is that often times during peak periods when tractor trailers are lined up on Market St. someone coming off I-95 and there is no place for the tractor trailer to park waiting their turn to pull into the yard. They take a right to go around the block and come back and will not be able to do this because it is now a one-way. Feels the 20 spaces could be shifted to the other side and angled in the other direction and hopes this Committee will consider just flip flopping the plan.

Deputy Chief DiSesa stated that by the trucks going into Market Sq. which would really be a bottleneck and certainly be problematic.

Attorney Peleech was not sure that the trucks could make that right on Hanover St. as he didn't know if we have WB 50 turning radius there.

Deputy Chief DiSesa stated we will have to look at this question. From a police standpoint that would be preferable than having all those trucks going into Market Sq.

Debbie Finnigan suggested that the GSM communicate with the drivers by radio that they are backed up before they actually get down to GSM.

Attorney Peleech felt they do this, normally during peak periods they are all the way back to Russell St.

Attorney Doug McDonald representing 62 Deer St.'s driveway permit and 976 Realty Trust. The only space on the lot they can locate the driveway is just to the right of the front door making it between the existing and the new proposed crosswalk and further inhibits putting a driveway at that location. Does not believe it is appropriate at this time for the City to approve a plan and believes it deserves consideration at this time.

Ted Gray stated this came up a couple of years ago and doesn't understand why your client can't get cooperation or cooperate with his neighbors on High St. so that he can have access from High St.

Attorney McDonald responded that 62 Deer St. is the only property in that general location and is not part of the Hill. His client's position is it is his property he has a right to access his property, the Superior Court has agreed and accessing from the rear has not been explored.

Asst. Chief Achilles asked if the crosswalk shown on the plan is the one causing the problem, if the crosswalk wasn't there would not be a driveway issue?

Attorney McDonald responded that the City currently has an issue as they believe it is unsafe with the existing crosswalk, so believes that their position would be the same with the crosswalk.

Asst. Chief Achilles reiterated that the concern of Attorney McDonald's client is that that crosswalk that dumps into his proposed driveway.

Attorney McDonald responded yes, anything in that general area would be a concern.

John Connors asked what his client does for parking now?

Attorney McDonald responded that he lives there part of the time and has to feed the meters and park on the street when he is there. He has spent resources to convert that property from a vacant senior center owned by the City to a single family home spending a lot of time and money and their plan for the property included a driveway.

Doug McDonald representing 976 Realty Trust referred to the proposed plan and are concerned that although this plan provides a little more parking, is basically based on the same traffic study that supported the last plan. The traffic study was done in 2005 with a 2006 build year, it is now 2007. The traffic flow and patterns proposed and projected in that plan did not anticipate the development of the Parade Mall or the Portsmouth Herald redevelopment which will put a lot more cars in this area. The parking study showed the shortfall of required spaces for this entire project of approx. 1,000 spaces which is in dispute. But there is a shortfall of spaces if you go through the history of what is required for this lot there are accommodations made for the existing Sheraton which had a requirement of 559 spaces and through a special exception was down to 401 leaving a shortfall of 160. Also a shortfall in the existing plan of up to 723 spaces. Where is all the parking going to happen where will all these cars go? It is a huge traffic and parking problem. Believes that the parking study should be updated to reflect current circumstances. It is outdated, doesn't contemplate a one-way street and really is insufficient to base a decision. Believe the right thing to do to at least at a minimum to update the parking study. Parking and traffic in the City just isn't this project, it is a global concern and will affect everything that happens in the City in the future.

Asst. Chief Achilles referred to his traffic and parking concerns at the other end and they feel they won't have adequate parking or access to the City.

Attorney McDonald responded they will have inadequate parking when they go to the City, that their drive time, convenience and ability to access downtown will be affected by inadequate parking.

Carol Johnson spoke on behalf of the Hill stated she has copies of letters from three people unable to make it today and presented them to the Committee for the record. As part of the Hill they are very pleased with the changes on the plan, they were very concerned about the parking, you heard what we had to say and addressed those concerns, they are very appreciative and support this plan. Realizes that reroute trucks is a concern to GSM and feels it would be workable with radio communication and feels there is a way to work around the traffic flow issues.

Relocating the crosswalk to the other side would be advantageous to the Hill and would resolve the issue of the driveway and would endorse movement of the crosswalk.

Giles Hamm stated that this proposed plan will not preclude any driveway to be placed in the area of Deer and Russell, we did provide some new analysis for the one-way circulation, the 2007 counts are very comparable to the traffic counts and analysis and are valid, projected traffic up to 2018. The Parade Mall has their own consultants and are analyzing their traffic and their traffic conditions. The one-way circulation works well , there is free flow movement. In addition if you moved the angled parking and put it on the other side of the street, you would probably lose 4 parking spaces.

Deputy Chief DiSesa asked for clarification of moving the crosswalk to the other side would impede the flow, moving the angled parking. Mr. Hamm responded there is a heavy traffic movement and by having the crosswalk here would not conflict with the traffic.

Attorney Malcolm McNeil referred to the driveway matter, the City has received advice from Attorney Sullivan that that litigation should not deter your consideration in this plan. Regarding 976 Realty Trust which is an entity of Ocean Properties a competitor of the Sheraton and Weston Hotels in litigation they brought to challenge the City raising up the height for this project, the court found they had no legal standing to bring a claim. This is anti-competitiveness. Regarding to traffic you have a professional traffic expert on your staff and has required us to provide you the information which is necessary to process this Plan. It has been updated and looked at very carefully and believe this argument really isn't appropriate. The parking calculations have been discussed at length with the Planning Dept.

Steve Parkinson suggested Dave Holden comment on this issue to set the record straight.

Dave Holden stated there is no unmet parking on that site.

City Attorney Sullivan stated that he is here as a resource for the Committee if there are any questions. However I will confirm the representations made by Attorney McNeil concerning the driveway situation.

Attorney Peleech stated it is not his intent to hold up the developer, feels that the parking can be flip flopped and the roadway and one-way be reversed in the other direction without holding up the plan and making them come back. It is pretty simple.

Attorney McDonald asked the Committee if you consider flip flop, please consider this as the same issue as you would the crosswalk.

**MOTION** made by Steve Parkinson to approve the changes to the one-way submission. Seconded by Ted Gray. Motion passed.

Ted Gray stated the project as shown here is as good a compromise as we can come up with taking everybody into consideration. The proposed crosswalk at intersection of Russell and Deer is probably the safest place.

Asst. Chief Achilles commented the aspect of flip flopping the one-way from waterfront up versus waterfront down, from a public safety, our access to the waterfront in an emergency response is very important versus how we get out afterwards. We would prefer to have that one-way down as it is proposed in the plan just for emergency access along the waterfront.

Christina Westfall asked how can we approve this if we haven't checked the Hanover St. turn for trucks and fire trucks?

Debbie Finnigan responded in her professional opinion it would be very tight, we can look at it.

Asst. Chief Achilles stated that fire trucks can make that turn there it just is not a preferred emergency route to gain the waterfront. We can make the right turn and the left turn coming from Market to Hanover, but is not the preferred emergency route due to the amount of traffic.

Debbie Finnigan commented we need to figure out a route to send them up Russell St. before they actually get down to the end of Market, so maybe we need to figure out an appropriate alternative sign "truck route" to get them back. If we get that information out there, keep telling them and do our best to put the right signage up that they take that route.

John Connors commented he has seen it backed up where truck go in Granite State and turn around in the parking lot, there is plenty of room. Moving the parking to the other side of street, diagonal parking, you will loose about 6 spaces because of High St. visibility and sacrificing parking spaces by moving it over. Feels it will be safer than a crosswalk east of the left hand intersection.

Deputy Chief DiSesa understands and is sympathetic with Granite State but with radio communication and alternate routes for them to do their stacking, seems that a change in their procedures or protocols would be relatively minor, they have options available to them and feel they should look to them and exercise them, those options are viable, they will have radio communication before they actually enter the corridor.

The Chair understands also with this we can get a report back for the signage as there is also signage for Deer St. that was discussed as well and as part of your report back Debbie, could be signage for truck route.

**IV. ADJOURNMENT**

Respectfully submitted

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Elaine E. Boucas, Recording Secretary