

PORTSMOUTH
PARKING & TRAFFIC SAFETY COMMITTEE
8:00 A.M. – SEPTEMBER 6, 2018
CITY HALL – CONFERENCE ROOM A

ON-SITE COMMITTEE: Please meet on Tuesday, September 4th at **9:00 A.M.** in the upper parking lot at City Hall, 1 Junkins Avenue, to view the following locations:

- 21 Brewster Street
 - Madison Street at Austin Street, and State Street
-

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. ACCEPTANCE OF THE MINUTES

IV. FINANCIAL REPORT

V. PUBLIC COMMENT (15 MINUTES)

VI. NEW BUSINESS

- A. Request to remove two parking spaces in front of 21 Brewster Street, by Kelly Hurd.
- B. Request to install curbing and trees along Madison Street near the intersection with Austin Street, by Lee Frank and others. **Sample motion: Move to refer to staff for a report back.**
- C. Shared Active Transportation, potential ordinance.
- D. Request to renew Portwalk Place valet licenses. **Sample motion: Move to renew valet licenses for Marriott Residences and Hampton Inn.**

VII. OLD BUSINESS

VIII. INFORMATIONAL

- A. Neighborhood Parking Program
- B. Andrew Jarvis Drive improvement project status
- C. Middle Street bike lane project status
- D. Letters received regarding motorcycles in Market Square
- E. Neighborhood Traffic Calming Applications received:
 - a. Aldrich Road
 - b. South Mill Street
 - c. South Street between Middle Street and Lafayette Road
 - d. South Street and Brackett Lane
- F. PTS open action items

IX. MISCELLANEOUS

X. ADJOURNMENT

Percentage of Fiscal Year Complete 8.33%

**Preliminary
Totals Thru
July 31, 2018**

	Total	Budgeted	% of Budget
FY 19			
Parking Meter Fees	312,482.66	3,200,000.00	10%
Meter Space Rental	13,760.00	90,000.00	15%
Meter In Vehicle	11,333.50	110,000.00	10%
High Hanover Transient	269,488.51	2,400,000.00	11%
High Hanover Passes	140,935.00	1,645,500.00	9%
Foundry Place Transient	0.00	337,500.00	0%
Foundry Place Passes	0.00	126,700.00	0%
HH Pass Reinstatement	105.00	2,500.00	4%
Vaughan St Parking Facility	0.00	-	0%
Foundry Pass Reinstatement	0.00	-	0%
Parking Violations	67,595.00	727,742.00	9%
Immobilization Administration Fee	600.00	15,000.00	4%
Summons Admin Fee	0.00	3,000.00	0%
Total FY 19	816,299.67	8,657,942.00	9%

From: Kelly Hurd [mailto:kellyhurd75@gmail.com]

Sent: Sunday, August 05, 2018 10:24 AM

Subject: Request for Traffic & Safety Committee

Hi Eric,

In December of 2017, we requested that parking is eliminated in front of our house (30 Brewster) because cars parked there block us from getting in and out of our driveway. Your committee met and asked us to wait, thinking that it was due to the pavement being low and high curbs (8 inches from road to top of curb). Since then, Brewster has had another coat of pavement and the curb height is now 6 inches but yet, people still tend to park far away from the curb (see attached pictures just from the last 2 weeks - one of which shows a car 2 feet from the curb) and block us.

A complicating factor is that 20 Brewster has a lifetime easement to park on half of our driveway. This creates 2 separate driveways that have a steep angle to turn onto Brewster. When they have 2 cars parked on their side, I have to do a multi-point turn in small increments to get out. More than once, we have had to ask someone to move their car because the multi-point turns were not enough.

Since the work on Brewster, our road has become slightly more narrow and I worry about getting through another winter (as snowbanks exacerbate this problem) with the ability to safely get out, never mind fire/ambulance getting by.

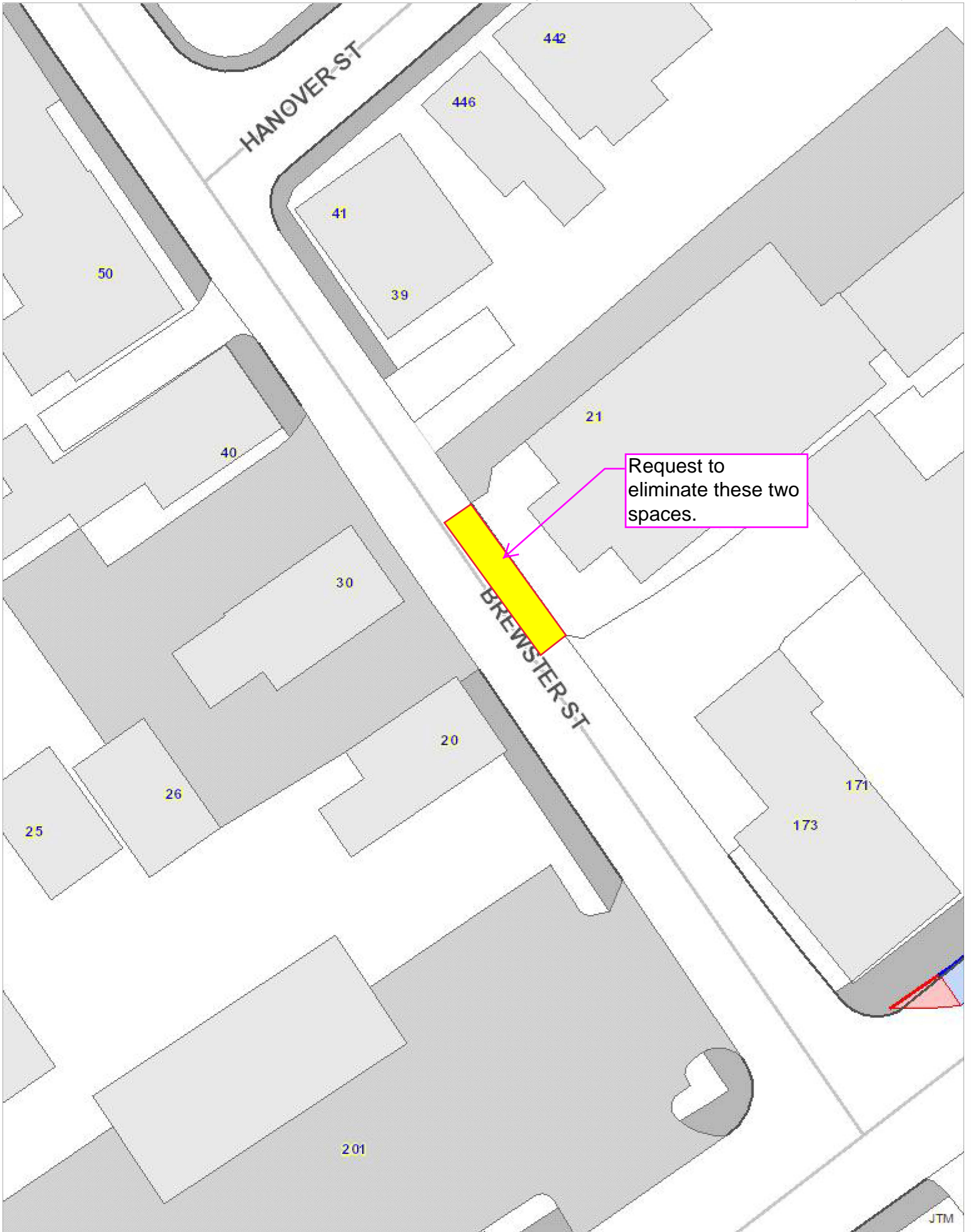
If it helps, the next street up that runs parallel to Brewster is Langdon - it is wider than Brewster and has set the precedent of having no parking on a portion of it for a similar issue.

Thank you for your consideration in this matter - we greatly appreciate it.

Sincerely,
Kelly Hurd
30 Brewster



VI.A. Request to remove two parking spaces in front of 21 Brewster Street, by Kelly Hurd.



VI.B. Request to install curbing and trees along Madison Street near the intersection with Austin Street, by Lee Frank and others.

August 2018

Dear Mr. Bohenko,


My name is Lee Frank. I am writing on behalf of the undersigned group of Madison/Austin Street residents to request a solution for a longstanding problem on Madison Street. Specifically we would like to see a setback parking curb (like on Aldrich St.) installed, and trees planted along the side of the road in front of the the Madison Street Apartments. These are located on the side of Madison across from the end of Austin Street, and they run from Lovell Street towards - but not quite all the way to - State Street.

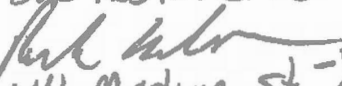
The problem, as illustrated by the photos attached to this e-mail, is that parking - particularly on weekends by guests of apartment residents, but also during the week by residents of the three buildings - makes it nearly, and sometimes literally, impossible to back out of the driveways across the street. It also contributes to an overall cramped streetscape making it difficult to safely bike, drive or walk.

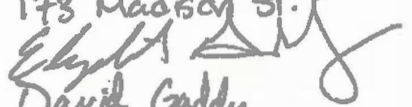
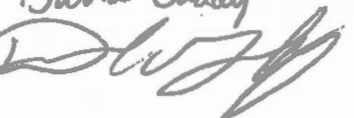
I've spoken to the city arborist, Corin Hallowell, who is very familiar with the space. He feels that it would be an ideal spot to plant several trees, with one condition, that curbs be installed to keep cars from being parked on top of the trees' root systems damaging them.

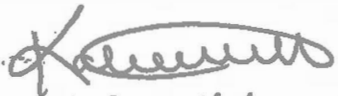
We respectfully request that a curb be installed, with a setback similar to the ones on Aldrich Street, and that several trees be planted along the roadway. We appreciate your consideration, and would be grateful for any suggestions you have as far as next steps, further action or follow up.

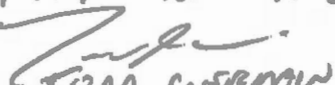
Sincerely,

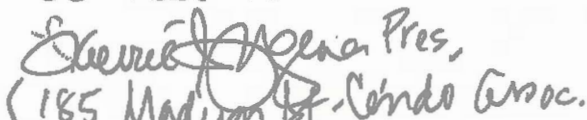

Lee + Abbie Frank
169 Madison Street

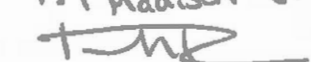
Sara Sellmann
306 Austin Street

141 Madison St. - Rick

Elizabeth Gaddy
173 Madison St.

David Gaddy



Katrice Hillman
85 Madison St.


TODD CORMAN
308 AUSTIN ST.


Laurie Spigener
185 Madison St. Condo Assoc.

Tamrah Rouleau
159 Madison St


cc: Peter Rice, Director of Public Works

Corin Hallowell, Parks and Greenery Foreman

Doug Roberts, City Councilor; Chair of Parking, Traffic & Safety Committee

VI.B. Request to install curbing and trees along Madison Street near the intersection with Austin Street, by Lee Frank and others.

-----Original Message-----

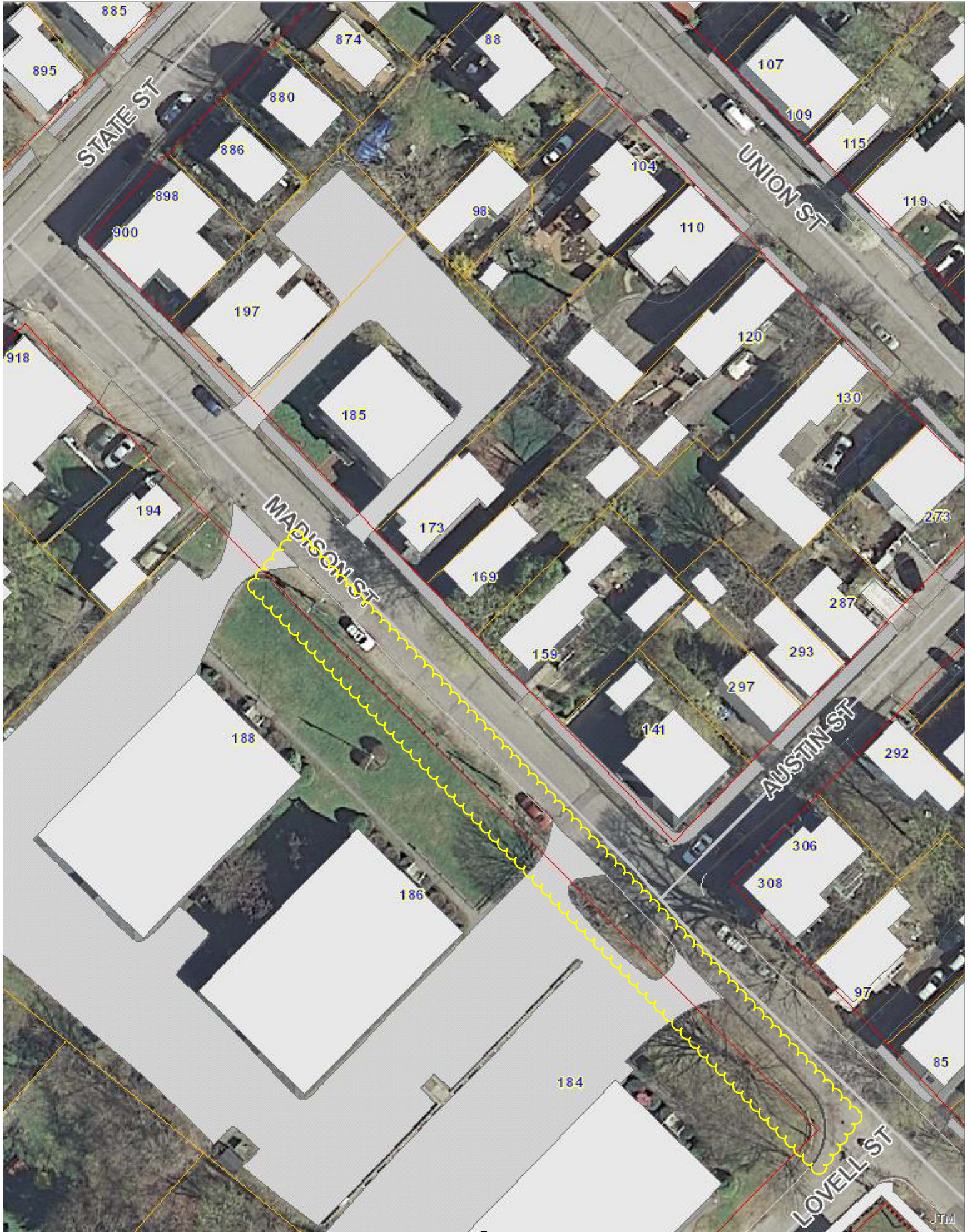
From: Laurie Spigener via FormMail.com
Sent: Friday, August 10, 2018 9:33 AM
To: CC - Doug Roberts; Copy Sent to City Email Folder
Subject: Setback Curbing for 186-188 Madison Street -----
address: 185 Madison Street, Portsmouth

comments: I am in favor of setback curbing along 186-188 Madison and join my neighbors in making this request to improve the safety of residents and pass through drivers along Madison St. It has become impossible for two cars traveling in opposite directions to move safely up and down the street.

This used to be a rather quite residential neighborhood street, but no longer. I urge you to meet this request. And while I have your attention, please add a pedestrian crosswalk across State State where it meets Madison so families and children can reach the park at the corner of State and Columbia without fearing for their lives.

With sincere appreciation, Laurie Spigener

VI.B. Request to install curbing and trees along Madison Street near the intersection with Austin Street, by Lee Frank and others.



CITY OF PORTSMOUTH

LEGAL DEPARTMENT

MEMORANDUM

DATE: July 23, 2018

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: JULIET WALKER, PLANNING DIRECTOR
BEN FLETCHER, PARKING DIRECTOR
ERIC EBY, PARKING AND TRANSPORTATION ENGINEER
SUZANNE M. WOODLAND, DEPUTY CITY ATTORNEY
ROBERT P. SULLIVAN, CITY ATTORNEY

RE: SHARED ACTIVE TRANSPORTATION

Pursuant to your direction, the parties to this memorandum have met to discuss the concept of Shared Active Transportation (electric scooters, bicycles and the like). Our focus in discussing potential regulation was to avoid the type of problems outlined in the NBC News article dated July 9, 2018 titled "The Next Uber? Scooter startups flood US cities funding pours in which you forwarded on July 14, 2018. In approaching this matter we were mindful of the need for enabling legislation allowing the municipality to take any particular action and we also believed that the simpler regulation might be the better regulation for both adoption and enforcement purposes.

With all of the foregoing in mind an outline of a proposed regulation might be as follows:

- I. Broadly define all of the types of Shared Active Transportation which the City would propose to regulate by this ordinance. The definition would include bicycles, e-bicycles, scooters and e-scooters.

- II. The ordinance would prescribe that all vehicles used in shared active transportation may be parked when unattended only in specific areas designated by the City. An example might be the bicycle corrals which have been located in various locations downtown. The ordinance would also allow for the vehicles used in shared transportation to be parked in a list of areas other than the designated areas such as:

- a. Private property with the permission of the private property owner.
 - b. City owned property adjacent to streets or sidewalk but not within the street or sidewalk.
 - c. Etc.
 - d. Etc.
- III. The ordinance would contain an enforcement provision which would contain two items:
- a. First any Shared Active Transportation vehicle left unattended in any place other than permitted by the ordinance will be removed from the street by the City; and
 - b. There will be a penalty required to be paid by the owner of the vehicle before the vehicle would be returned.
- IV. The ordinance would create some kind of appeal procedure for shared active transportation owners or operators who were displeased with the action of City in connection with the vehicles.

If you approve of the concept described above, we will provide an actual ordinance for our review and submission to the City Council.



Real Estate Consulting ■ Brokerage ■ Construction Management

P.O. Box 673

Portsmouth, NH 03802-0673

Phone: (603) 431-3140 Fax: 431-3144

pgweeks@comcast.net

August 29, 2018

Mr. Eric Eby
Parking and Transportation Engineer
Department of Public Works
600 Peverly Hill Road
Portsmouth, NH 03801

Renewal of valet licenses - Portwalk Place

Dear Eric

We are writing to request that the valet licenses for Portwalk Place be put on the agenda for the September 6th PTS Meeting for renewal.

We have enclosed copy of the license that was approved last year and would ask that it be renewed for another year

Thanks for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter G. Weeks', enclosed in a circular scribble.

Peter G. Weeks

PGW Real Estate Consulting

CITY OF PORTSMOUTH

LEGAL DEPARTMENT

MEMORANDUM

DATE: November 21, 2017

TO: KELLI L. BARNABY, CITY CLERK

FROM: ROBERT P. SULLIVAN, CITY ATTORNEY *RPS*

RE: LICENSE AGREEMENTS

Attached please find for permanent filing two License Agreements associated with the Marriott Residence Inn and the Hampton Inn & Suites for its Valet Parking services located on Portwalk Place. The payments associated with these two licenses have been provided to Parking Clerk Ruth Bowen.

attachment

cc: Ben Fletcher, Parking Manager
Ruth Bowen, Parking Clerk (w/2 checks \$1,500 ea.)
Peter Weeks

**LICENSE AGREEMENT FOR
ULTIMATE PARKING II, LLC
D/B/A LAZ PARKING**

The City of Portsmouth (hereinafter "City") a municipal Corporation with a principal place of business of 1 Junkins Avenue, Portsmouth, New Hampshire 03801, for good and valuable consideration as set forth herein, hereby grants this Revocable License to Ultimate Parking II, LLC d/b/a LAZ Parking, Three Copley Place Suite 3202, Boston, MA 02116 (hereinafter Licensee) pursuant to the following terms and conditions:

1. **Area of License:** The City authorizes the Licensee to use the 3 designated spaces as depicted in Exhibit 1 for Valet Parking services on Portwalk Place a private street (hereinafter "Licensed Area"). The Licensed Area is the property of Parade Residence Hotel LLC ("the Owner") and is associated with the Marriott Residence Inn and the Portsmouth Harbor Events & Conference Center.

2. **Use:** Licensee may make use of the Licensed Area for the purpose of providing valet parking services. Such activities are subject to the following conditions:
 - ⦿ The hours of operation for valet parking services are 24 hours per day, seven days per week.
 - ⦿ Licensee may not store parked vehicles on metered spaces on Portwalk Place, in municipal spaces (metered, garage, or otherwise) other than in municipal spaces that the City may designate and identify in writing, which shall be incorporated and made part of this Agreement. Licensee may not stack cars on Portwalk Place.
 - ⦿ This Licensee will represent clearly and consistently that it is a private company and that the municipality is not responsible for any damage or loss to vehicles or property.
 - ⦿ This License is exclusive and is for the benefit of the Owner of the Licensed Area.

3. **Signage:**
 - ⦿ For the parking spaces designated in the Licensed Area, the owner is responsible for installing poles with signs that relay the use as described in paragraph 2. The City will determine the

placement of sign poles and will have final approval over the size and content of signs.

- This License agreement also authorizes Licensee's use of one A-frame sign to identify those spaces identified by the City in this Agreement. Licensee shall coordinate the precise location of this signage with representatives of the City to ensure that pedestrian access and safety is maintained. Licensee will remove the sign if the Valet Service is not in operation.

4. **Term:** This License shall commence upon execution of this Agreement and continue for one (1) year. The License may be renewed upon the approval of the City's Parking and Traffic Safety Committee and the City Council and payment of the annual fee.
5. **Payment Terms:** Licensee has tendered and the City has accepted \$1,500.00 as the annual permit fee for the Valet Parking Spaces in the Licensed Area.
6. **Indemnification:** Licensee agrees to indemnify and hold harmless the City of Portsmouth for any and all property damage, bodily injury, or personal injury which arises as a result of its use of the Licensed Area. This obligation survives termination or revocation of this Agreement.
7. **Insurance:** At all times during the use and exercise of this License, Licensee agrees to maintain commercial general liability insurance covering its operation under this License in an amount not less than \$1,000,000 per occurrence. In addition, Licensee maintains direct primary garage keepers / Bailee insurance in an amount of not less than \$300,000 per occurrence. Such insurance shall name the City of Portsmouth as an Additional Insured. Certificates indicating the existence of this insurance shall be maintained on file at all times during the License period with the Parking and Transportation Division of the City of Portsmouth Public Works Department.
8. **Maintenance of Area:** Licensee will maintain the Licensed Area in a neat and orderly fashion during Licensee's hours of use. The Licensee shall take such measures as may be necessary to maintain pedestrian and vehicle safety during the use of the Licensed Area for its valet service.
9. **Damage:** Licensee agrees to take reasonable steps to remedy promptly any damage to the Licensed Area caused by the Licensee's activities. The Owners may elect to accept reasonable reimbursement from the Licensee in lieu of remedy.

10. **Compliance with Other Laws:** This Agreement does not relieve Licensee from compliance with any other local, state, or federal laws or regulations or conditions imposed by any local board. Failure to abide by any local, state, or federal laws or regulations may, at the City's discretion, result in revocation.
11. **Revocation:** The City or the owner may terminate this Agreement or any provision contained in this Agreement on 72 hours written notice if the public interest or the Owner's private interest requires such termination, in which case the City shall return all fees paid by Licensee on a pro-rata basis. This Agreement may be revoked or suspended immediately without notice by the City or the Owner for cause, e.g. violation of the terms of this License in which case, all fees paid by the Licensee shall remain the property of the City.

Dated: 11-21-17


CITY OF PORTSMOUTH

By: 
John P. Bohenko, City Manager

Pursuant to vote of the City Council on
October 16, 2017

Dated: 11/9/2017

ULTIMATE PARKING II, LLC
d/b/a LAZ Parking

By: 
Print Name: Brian Harty
Print Title: Regional Vice President

PREVIOUS APPROVALS

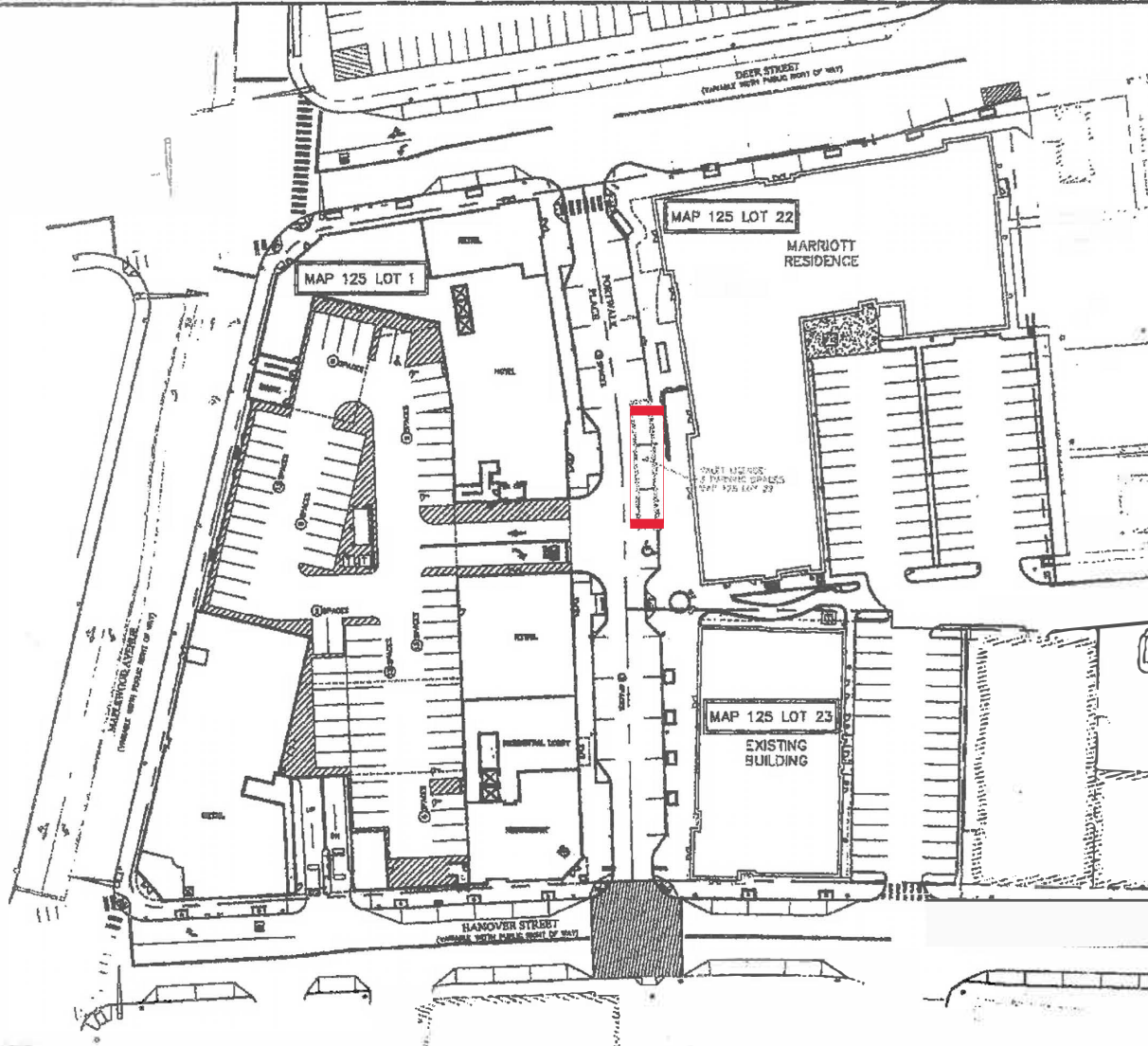
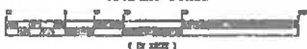
1. CITY OF PORTSMOUTH PLANNING BOARD FOR "SITE REVIEW APPROVAL FOR PROPERTY LOCATED AT 185 HANOVER STREET" DATED: JULY 31, 2007
2. CITY OF PORTSMOUTH PLANNING BOARD FOR "FINAL SUBDIVISION APPROVAL FOR PROPERTY LOCATED AT 185 HANOVER STREET" DATED: AUGUST 20, 2008
3. CITY OF PORTSMOUTH PLANNING BOARD FOR "SITE REVIEW APPROVAL FOR PROPERTY LOCATED AT 185 HANOVER STREET PROPOSED LOT #1" DATED: SEPTEMBER 24, 2008
4. CITY OF PORTSMOUTH PLANNING BOARD FOR "SITE REVIEW APPROVAL FOR PROPERTY LOCATED AT 185 HANOVER STREET PROPOSED LOT #2" DATED: SEPTEMBER 22, 2008
5. CITY OF PORTSMOUTH PLANNING BOARD FOR "SITE REVIEW APPROVAL FOR PROPERTY LOCATED AT 185 HANOVER STREET (LOT 23)" DATED: MARCH 22, 2010
6. CITY OF PORTSMOUTH PLANNING BOARD FOR "ADMINISTRATIVE APPROVAL FOR ASSIGNMENT TO APPROVED SITE PLAN PROPERTY LOCATED AT 185 HANOVER STREET (PORTSMOUTH, LOT 23)" DATED: APRIL 30, 2010
7. CITY OF PORTSMOUTH PLANNING BOARD FOR "ADMINISTRATIVE APPROVAL FOR ASSIGNMENT TO APPROVED SITE PLAN PROPERTY LOCATED AT 185 HANOVER STREET (PORTSMOUTH, LOT 23)" DATED: APRIL 30, 2010
8. CITY OF PORTSMOUTH PLANNING BOARD FOR "AMENDED SITE PLAN APPROVAL FOR PROPERTY LOCATED AT 185 HANOVER STREET (LOT 23)" DATED: MAY 24, 2010
9. CITY OF PORTSMOUTH PLANNING BOARD FOR "ADMINISTRATIVE APPROVAL FOR ASSIGNMENT TO APPROVED SITE PLAN PROPERTY LOCATED AT 98 HANOVER STREET - ASSIGNED MAP 126, LOT 23 (FORMERLY 185 HANOVER STREET - PORTSMOUTH, LOT 23)" DATED: NOVEMBER 16, 2010
10. CITY OF PORTSMOUTH PLANNING BOARD FOR "ADMINISTRATIVE APPROVAL FOR ASSIGNMENT TO APPROVED SITE PLAN PROPERTY LOCATED AT 98 HANOVER STREET - ASSIGNED MAP 126, LOT 23 (FORMERLY 185 HANOVER STREET - PORTSMOUTH, LOT 23)" DATED: MARCH 16, 2011
11. CITY OF PORTSMOUTH PLANNING BOARD FOR "ADMINISTRATIVE APPROVAL FOR ASSIGNMENT TO APPROVED SITE PLAN - REVISED PROPERTY LOCATED AT 98 HANOVER STREET - ASSIGNED MAP 126, LOT 23 (FORMERLY 185 HANOVER STREET - PORTSMOUTH, LOT 23)" DATED: MARCH 16, 2011
12. CITY OF PORTSMOUTH PLANNING BOARD FOR "SITE PLAN APPLICATION FOR PROPERTY LOCATED AT 185 HANOVER STREET" DATED: JANUARY 24, 2012
13. CITY OF PORTSMOUTH PLANNING BOARD FOR "AMENDED SITE PLAN APPROVAL FOR PROPERTY LOCATED AT 185 HANOVER STREET" DATED: JULY 24, 2012
14. CITY OF PORTSMOUTH PLANNING BOARD FOR "SITE PLAN APPLICATION FOR PROPERTY LOCATED AT 185 HANOVER STREET (PORTSMOUTH, 3)" DATED: SEPTEMBER 26, 2012

LICENSE LEGEND

- VALET LICENSES
- 3 PARKING SPACES
- MAP 125 LOT 22



GRAPHIC SCALE



MAP 125 LOT 22 - VALET PARKING LICENSE EXHIBIT

DATE: SEPTEMBER 8, 2013	SCALE: AS SHOWN	DESIGNED BY: PWC	DRAWN BY: CMA	APPROVED BY: CZZBSS	PROJECT NO.: 1252013	DATE
<p>PARKING SPACE LICENSE AND SIDEWALK LICENSE EXHIBIT Portsmouth Lot 3 Map 125 Lot 1 185 Hanover Street Portsmouth, New Hampshire</p>						
<p>igne&bond Consulting Engineers Environmental Specialists 177 CORPORATE DRIVE PORTSMOUTH, NEW HAMPSHIRE 03801 (603) 852-8616</p>						

NEIGHBORHOOD PARKING PROGRAM GENERAL PARAMETERS

1. This program applies to non-metered residential neighborhoods.
2. Each petitioning neighborhood must be a Designated Neighborhood registered with the City of Portsmouth's Citywide Neighborhood Committee.
3. The petition must encompass a *complete* neighborhood as registered with the Citywide Neighborhood Committee. This requirement may be amended due to circumstances unique to a specific area. City staff will evaluate the petition request, ensure that all petition requirements are met, and make a recommendation to City Council.
4. Each petitioning neighborhood must designate a Steering Committee. The Steering Committee Chair is the designated liaison between the City and the Neighborhood.
5. Each Steering Committee is responsible for contacting its residents, circulating a petition, and obtaining signatures for a minimum of 75% of single-family households within the NPP neighborhood. One signature per household.

A 'household' is defined as a legal single-family residential address. As an example, one building with two units amounts to two single-family households.

6. Once a neighborhood is approved for an NPP, individual applicants must be able to show proof of residency within the NPP neighborhood. Residence must be the primary residence (i.e.) where you are registered to vote.
7. Proof of residency: Proof of residency must be established with a valid, NH Driver's license with the appropriate address, motor vehicle registration showing that the vehicle being registered is in your name, and either a current utility bill or a fully-executed lease agreement.
8. Maximum two (2) permits per household, net of available off-street parking associated with the property. Each participating household may purchase one (1) transferable Guest permit to be used on a vehicle of its choice (trucks over 5500 lbs. do not qualify). A Participating Household is defined as a household in which at least one resident holds a valid annual NPP Permit issued by the City. The annual fee per Guest Placard shall be set by the City Council.
9. Each vehicle must be registered to an applicant living at the address. If a resident drives an employer-assigned vehicle, the resident must provide written documentation of assignment from their employer in addition to a copy of the vehicle registration.
10. Applicant must resolve all outstanding City-related financial obligations prior to receiving a permit. (i.e. outstanding parking tickets.)
11. By law, vehicles may not be parked within fifteen (15) feet of either side of a fire hydrant; within an intersection; on a crosswalk, or within twenty (20) feet of an intersection. Any vehicle that is parked for a period of time so that it appears to be abandoned may be tagged and required to be removed within 72 hours. These rules each apply regardless of whether the vehicle displays a valid NPP permit.
12. Time limit for parking in an NPP neighborhood without a valid permit is two (2) hours, and will be actively enforced.
13. Applicants must pay all required fees as determined by the City Council.
14. NPP registrations become null and void if used on a vehicle other than the vehicle listed on the application.
15. NPP registrations are available to residents of the specific NPP Neighborhood only.
16. An Administration Fee for establishing new or expanded NPP neighborhoods shall be as established by the City Council. Such fee shall be submitted at the time of petition submittal requesting establishment of an NPP neighborhood.

17. A single-family household immediately adjacent to a street bordering an approved Neighborhood Parking Program Neighborhood, but which has a street address that is not in the Neighborhood, and on which block no NPP designation is established, may be treated as if it is located within the adjacent NPP Neighborhood. A resident of such a household may obtain an NPP registration for parking on streets within the approved neighborhood under the same terms and conditions as provided in these criteria for residents of a household with a street address on a street that is within the approved neighborhood.
18. If a resident needs to utilize a Service Provider such as a plumber or electrician, the resident may contact the Parking Clerk's office at 603.610.7229 to request a temporary waiver for the provider for that specific date. Placards are obtained at the Parking Clerk's office at 1 Junkins Avenue, Portsmouth, NH. Contractor must present a signed contract for work, including address and starting and stopping dates to be issued a placard.
19. If replacing an NPP-registered vehicle, registrant may either transfer the plate to the new vehicle and update vehicle information with the Parking Clerk's offices, or register the new plate, cancelling the existing plate. Applicant must again provide required proofs of residency.
20. If you falsify any information on the NPP application form, or if you switch plates among vehicles, the permit will be revoked. The Guest Placard is intended to be transferable.
21. Participation in the program is voluntary. If you choose not to participate, you must obey the posted restrictions in the area if you wish to park on the street. Vehicles not registered with an NPP are subject to enforcement.
22. When an NPP program is implemented, a Parking Enforcement Officer will be assigned to patrol the NPP Neighborhood. Officers will apply appropriate enforcement protocols for vehicles that violate posted restrictions. The Dispatch Office can be reached at 603.766.7000, extension 7.
23. On a case-by-case basis, and after consideration of traffic impact, safety and other relevant factors, the Parking Division may grant an exemption from parking restrictions for special events organized by residents. To facilitate on-street parking for Events, actively-participating NPP households may request up to four (4) **Single-day Event Visitor Permits** per calendar month, allowing event guests to park up to 24 hours. Fees associated with such permits will be established and updated by the City Council.
24. The Parking Division may grant exceptions to one or more (except the provisions in paragraph 8) of these criteria when a request is received in writing from a resident with unique circumstances. The Parking Division will evaluate special circumstances and may grant an exemption on a case-by-case basis provided the exception is in harmony with the general purpose and intent of the Neighborhood Parking Program. Formal appeals must be made in writing, clearly referencing the decision being appealed, and the remedy sought.
25. Participants understand that a permit does not guarantee a parking space on any street.

Marc Stettner
91 Fairview Ave
Portsmouth NH 03801

8/16/18

For consideration at the September 6, 2018 Parking and Traffic Committee Meeting

Subject: Dedicated Motorcycle, Moped and Scooter Parking

Dear Parking and Traffic Committee,

At the PTC meeting on August 2nd 2018 the issue was raised about relocating the dedicated motorcycle and moped parking as noted below:

“C. Relocate motorcycle parking spaces in Market Square from east side of Pleasant Street to the west side of Pleasant Street. **Sample motion: Move to designate first three spaces on west side of Pleasant Street closest to Market Square as motorcycle parking only from April 1 through November 30, and prohibit motorcycle parking in the first three spaces on the east side of Pleasant Street closest to Market Square.**”

This motion was tabled by the City Manager John Bohenko.

This motion violates NH Law (Revised Statutes Annotated, or RSAs.). **Per RSA 265:119 Motorcycles “...shall be granted all the rights and shall be subject to all the duties applicable to the driver of any other vehicle under this title..”** The plain meaning of this law is that Motorcycles cannot be prohibited from parking in any parking spots that are designated for cars, trucks, or other motor vehicle.

The City of Portsmouth is prohibited from restricting motorcycle access to public roadway or parking on such roadways. The tabled motion would “...prohibit motorcycle parking in the first three spaces on the east side of Pleasant Street closest to Market Square” and would be against NH law.

NH already has very restrictive laws (RSA 266:59-a) on the exhaust sound levels that motorcycles can make. Just like cars and trucks, NH motorcycles must be inspected annually and the sound levels are checked. I do not know what other states have for Motorcycle laws with regard to sound levels. The issue with some motorcycles producing more exhaust sound than others may be that the surrounding states have different legal sound levels.

Changing the location of the dedicated motorcycle parking will not satisfy those individuals that find the sound of motorcycles offensive. Motorcycle operators will still legally park in any parking spot in the City of Portsmouth including those on Pleasant Street as they have for decades. Providing dedicated motorcycle parking actually reduces the overall noise that motorcycles make because a parked motorcycle does not produce any noise. This is preferred than having motorcycles driving around the city looking for a parking.

I am proposing the following measure to hopefully reduce any unnecessary noise that may be produced by a small number of motorcycle operators. My proposal is to place a few signs where motorcycles typically park that reads as follows:

MOTORCYCLE OPERATORS

PLEASE BE CURTIOUS AND DO NOT REV YOUR ENGINES UNCESSARILY WHEN PARKING OR OPERATING YOUR MOTORCYCLE WITHIN THE CITY LIMITS.

NH LAW (RSA 266:59-a) LIMITS THE SOUND THAT MOTORCYLES CAN PRODUCE. RSA 266:59-a STATES, IN PART, THAT MOTORCYCLE OPERATORS THAT VIOLATE NH SOUND LEVELS SHALL BE FINED NOT LESS THAN \$100 NOR MORE THAN \$300.

I believe this measure will mitigate the issue and is worth trying. It does not restrict any motorcycles in violation of NH Law. It merely references the NH law and does not discuss enforcement. There are plenty of courteous motorcycle operators that frequently use this area to park and they should not be broad brushed into a problem that may be caused by a few individual operators that don't know the law. With this sign(s) posted, the regular users will most likely point out the sign to those who do not know the law, in order to educate those individuals. I also believe that dedicated motorcycle parking should be expanded to include the remaining two parking spots on the east side of Pleasant Street. Providing dedicated motorcycle parking reduces sound levels (they can quickly park and turn off their engines) and is in the best interest of the City since one car space can accommodate many motorcycles.

Sincerely,
Marc Stettner /s/

TITLE XXI MOTOR VEHICLES

CHAPTER 265 RULES OF THE ROAD

Special Rules for Motorcycles

Section 265:119

265:119 Traffic Laws Apply to Persons Driving Motorcycles. – Every person driving a motorcycle shall be granted all the rights and shall be subject to all the duties applicable to the driver of any other vehicle under this title, except as to provisions of this title which indicate otherwise and except as to those provisions of the title which by their nature can have no application.

Source. RSA 263:29-h. 1969, 82:1. 1981, 146:1; 479:47, eff. Jan. 1, 1982 at 12:01 a.m.

TITLE XXI

MOTOR VEHICLES

CHAPTER 266

EQUIPMENT OF VEHICLES

Miscellaneous

Section 266:59-a

266:59-a Motorcycle Noise Levels. –

I. No person shall operate in this state any motorcycle which produces a sound level in excess of the following decibels, when measured in accordance with the provisions of the SAE International Recommended Practice SAE J2825, "Measurement of Exhaust Sound Pressure Levels of Stationary On-Highway Motorcycles":

(a) For all motorcycles, 92 decibels while the engine is operating at idle speed; or

(b) For motorcycles with less than 3 or more than 4 cylinders, 96 decibels while the engine is operating at 2,000 revolutions per minute or 75 percent of maximum engine speed, whichever is less; or

(c) For 3 and 4 cylinder motorcycles, 100 decibels while the engine is operating at 5,000 revolutions per minute or 75 percent of maximum engine speed, whichever is less.

II. No person shall pass for the purposes of the inspection required by RSA 266:1 any motorcycle which produces a sound level in excess of the following decibels, when measured in accordance with the provisions of the SAE International Recommended Practice SAE J2825, "Measurement of Exhaust Sound Pressure Levels of Stationary On-Highway Motorcycles":

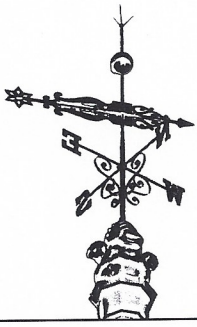
(a) For all motorcycles, 92 decibels while the engine is operating at idle speed; or

(b) For motorcycles with less than 3 or more than 4 cylinders, 96 decibels while the engine is operating at 2,000 revolutions per minute or 75 percent of maximum engine speed, whichever is less; or

(c) For 3 and 4 cylinder motorcycles, 100 decibels while the engine is operating at 5,000 revolutions per minute or 75 percent of maximum engine speed, whichever is less.

III. Any person who violates the provisions of this section shall be guilty of a violation and shall be fined not less than \$100 nor more than \$300.

Source. 1992, 94:1. 1993, 9:1. 2005, 266:2. 2012, 61:1, eff. Jan. 1, 2013.



North Church of Portsmouth

United Church of Christ
355 Spinney Road
Portsmouth, NH 03801
603.436.9109
603.436.6744 fax

Rev. Frank Newsome
Senior Pastor

Mrs. Lizbeth Good
Moderator

Mr. Nathan Amsden
Director of Music Ministry

Ms. Brenda Delfino
Church School Superintendant

Ms. Paula Schena
Administrative Assistant

August 6, 2018

Mr. Eric Eby
Department of Public Works
680 Peverly Hill Rd
Portsmouth, NH 03801

Dear Eric,

I am writing concerning the proposal that was tabled at your last meeting to move parking for motorcycles to beside the North Church on Pleasant St. We have absolutely nothing against motorcycles but we do have an issue with parking for our church events. As you may know we have an older population that attends many of our events and the one thing we do not want to lose is the possibility of any street parking near the church. So I do hope that you will continue to consider other possibilities than beside North Church.

The bigger picture for us is also the lack of parking nearby for our events. In the past we have used parking in People's Bank and Bank of America but as you know they have now gone to private parking in the guise of public parking and charge \$4.50 per hour which is total discrimination against the elderly and the financially challenged. If you have any leverage in that arena we would greatly appreciate any help you can bring to that as we will be following up with the banks and expressing our total distaste for their limited vision for community.

Thanks for your attention to these matters and thanks for what you do to make our community as good as it can be.

Sincerely,

Rev. Frank Newsome
Pastor of North Church of Portsmouth, NH
Email: fnewsome@northchurchportsmouth.org
Phone: 603-436-9109

cc: Chairman Doug Roberts
John Boenko

Fred "Ted" Gray Jr.
808 Sagamore Ave.
Portsmouth, NH 03801

8/16/18

Portsmouth Traffic & Safety Committee
Attn: Doug Roberts Chairman
Portsmouth, N.H. 03802

Dear Mr Roberts:

Re: motorcycle parking on Pleasant St

apparently people are increasingly opposed to motorcycle parking in the Breeding New Grounds area. Having them across the street is not a solution. If anything it will worsen.

You see, by parking them on the church side of Pleasant St. would only increase noise to ~~our~~ parishioners. We open the windows during good weather & would be very opposed to smelling exhaust fumes, hearing revving engines & owners calling to each other over the engines revs.

Not only are church services held, but also weddings, funerals & some church meetings - most of these services are on weekends; the same time as when the bikers are there.

Perhaps farther east on State St, or possibly on the street next to Prodigal Band parking lot,

Please reconsider your plans.

Thank you, Ted Gray
With Church member.

PTS OPEN ACTION ITEMS

PTS Meeting Date	Action Item	Vote	Next Step / Report Back Date
8/2/2018	Relocate motorcycle parking spaces in Market Square from east side of Pleasant Street to the west side of Pleasant Street.	VOTED to table action item.	Future meeting
6/7/2018 5/3/2018	Request for a loading zone between the hours of 9 am and 5 pm, 7 days a week, on Vaughan Street at 3S Artspace, by Martin Holbrook	6/7/18 - VOTED to make no change at this time and revisit after hotel construction is complete. 5/3/18 - VOTED to refer to staff for report back at the next meeting, if possible.	Revisit after hotel construction is complete
2/1/2018	Request to eliminate 2-hour time limit on Islington Street between Cornwall Street and Rockingham Street, by Islington Green Condo Association	VOTED to table the action item until the new parking garage is operational.	Tabled until new parking garage is operational
2/1/2018	Request to change parking meter zone designation on Portwalk Place, by Portwalk	VOTED to table the action item to change parking meter zone designation on Portwalk Place until the new parking garage is operational or as part of the overall Parking Division budget process.	Tabled until new parking garage is operational
12/17/2017	Request for 15-minute space at 33 Deer Street (associated with this action item)	VOTED to review 15-minute spaces to determine the appropriate length of time for short-term spaces.	Will be using traffic cameras to monitor parking when weather permits
11/2/2017	Concerns regarding traffic not yielding to pedestrians in crosswalk on Middle Road at Essex Avenue, by Peter Nelsen	12/7/17 VOTED to increase the visibility of the crosswalk by repainting and lengthening the existing 6 ft. stripes to 8 ft. to make it appear larger to approaching motorists. 11/2/17 VOTED to have staff collect data, evaluate & report back at the next meeting.	When weather permits (2018 project)
10/5/2017	Request to eliminate access to Echo Avenue from Spaulding Turnpike, by Charles McMahon Frank Jones Neighborhood Turnpike connections (Echo Ave & Farm Lane)	5/3/18 - VOTED to fully close Echo Ave at the Turnpike as a pilot project for six months. 5/3/18 - VOTED to postpone action on Farm Lane until the pilot project on Echo Avenue is completed and results evaluated. 2/1/18 - VOTED to schedule public meeting 11/30/17 - Neighborhood Meeting - sent notice to members 10/5/17 VOTED to have staff work with neighborhood, to determine desirability and report back with next steps in process. 10/6/17 - Echo Ave action item by Dave Palumbo	Echo Ave Closure Pilot Project 6 months Farm Lane action postponed until pilot project completed & evaluated
9/7/2017	Request for crosswalk on Grafton Drive at Sherburne Road	10/5/17 - VOTED to have City staff work with PDA to implement pedestrian crossing at intersection of Grafton Drive and Sherburne Road. 9/7/17 VOTED to have staff collect data, evaluate, and report back with a recommendation at next month's meeting. (October Meeting)	Pending PDA funding for project
7/6/2017	Crosswalk on Middle Street & Miller Ave - traffic signals and right on red / wants conditions improved soon (requested by Committee member)	Informational Section of Agenda	Monitoring with traffic camera
4/6/2017	Request for Valet Service license on Pleasant Street near Court Street	VOTED to direct staff to report back at a future meeting.	On hold pending site development
1/5/2017	Rick Chellman Presentation	VOTED staff to report back on recommendations presented by Mr. Chellman at a later date.	Reviewing recommendations to implement
5/5/2016	Rock Street, request to include in Residential Parking Zone	VOTED to table action item until comprehensive residential parking program is implemented.	Residential parking program