

## MEETING MINUTES

### **PARKING and TRAFFIC SAFETY COMMITTEE**

8:00 A.M. – September 3, 2020

Remote Meeting via Zoom

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#### **I. CALL TO ORDER:**

Chairman Peter Whelan called the meeting to order at 8:00 a.m.

#### **II. ATTENDANCE BY ROLL CALL:**

##### Members Present:

City Councilor/Chairman Peter Whelan

City Manager Karen Conard

Public Works Director Peter Rice

Police Captain Mark Newport

Mary Lou McElwain

Steve Pesci

Jonathan Sandberg

Harold Whitehouse

Erica Wygonik (Alternate)

##### Absent:

Fire Chief Todd Germain

##### City Staff Present:

Parking and Transportation Engineer Eric Eby

Parking Director Ben Fletcher

Planning Director Juliet Walker

Police Captain Mike Maloney

#### **III. FINANCIAL REPORT:**

Harold Whitehouse questioned if the figures included revenues from Pop-Up NH. Parking Director Ben Fletcher responded that the report was run through July 31, 2020 and the Pop-Up NH program started July 24, 2020. The report includes one week of the event.

Public Works Director Peter Rice stated that this was the adjusted budget that was reduced from the initial budget due to COVID-19. The new numbers are based on the revised budget not the originally proposed budget.

Chairman Peter Whelan clarified this report did not include revenues from the Stay and Pay program. Parking Director Ben Fletcher confirmed that was correct. Stay and Pay took effect on August 17, 2020. People are taking advantage of it as awareness increases.

**Harold Whitehouse moved to accept and approve the financial report as presented, seconded by Mary Lou McElwain.**

**On a unanimous roll call, motion passed.**

#### **IV. PUBLIC COMMENT:**

Jackie Huber from Portwalk Place commented that she was attending in case there were any questions about the paperwork submitted for the valet license agreements.

## **V. NEW BUSINESS:**

### **A. Updating fine structure for parking citations, by Parking Director Ben Fletcher.**

Parking Director Ben Fletcher commented that the Committee looked at the fine structure for parking violations in March. The Committee voted unanimously to move the suggestions forward to the City Council. COVID-19 caused a disruption. Since that initial vote, the City has enacted the Stay and Pay program, which lets people park as long as they like. A full day of parking in Zone A-High Occupancy is now valued at \$46. A single vehicle can get up to three tickets a day currently priced at \$15 per ticket. It is less expensive to get three tickets than to pay to park all day. The proposal is to change the fine values to \$50 because the parking values are different than they were in March. The report included other town rates for comparison. It is a big leap, but these values haven't been looked at in about 8 years. Portsmouth is behind other towns.

Mary Lou McElwain commented that there should be a wider discussion about the Worth Lot because she has heard concerns from business owners. Extended parking times infringe on the open parking in the Worth Lot especially because the Bridge Street Lot is now closed. This should be a discussion in the future. Parking Director Ben Fletcher responded that there is a rate change at the 4<sup>th</sup> hour to encourage a turnover. Ninety-two percent of traffic is turning at the 3rd hour in the Worth Lot.

Steve Pesci questioned if the Worth Lot was Zone A. Parking Director Ben Fletcher responded that it was not, but that should be a future discussion.

Jonathan Sandberg commented that the rationale for raising the fees for violations of overstaying the meters makes sense, but it may not make sense for the other violations. Parking Director Ben Fletcher responded that 90% of the tickets written are for vehicles overstaying their time. The other categories are a smaller percentage, but Portsmouth is behind its peer towns in rates. The peer average is \$42. Those fines were addressed because they were well behind the other towns. Jonathan Sandberg questioned how visitors will know the fine is greater than a day's worth of parking. Parking Director Ben Fletcher responded that 90% of traffic is from out of town. It is hard to spread awareness. However, word does travel fast among the community.

Steve Pesci questioned if it made sense to create a tiered fine structure according to zone. Steve Pesci also suggested including information about the fines on the pay kiosk or screen/receipts to clue people in on the price. Parking Director Ben Fletcher responded that they could look at the space available for messaging. A message can be put out through Instagram as well. The City does not typically tier the fees because it is easier to manage and have people understand the fines if they are consistent.

Mary Lou McElwain requested a review of the Stay and Pay program rationale and the increase in fees. Parking Director Ben Fletcher responded that the Stay and Pay program was implemented to invite people to town and give them the option to park for the day if they want to. However, if they want to stay, the rate increases after the 3rd hour to encourage turnover and make parking available for businesses. The idea is to generate open space by moving vehicles along when they are done with their business, but also allow people who want to come for the whole day to stay at a higher rate. Right now, a citation fine is \$15. They are allowed to write 3 tickets a day on a single car. Even if a car gets all 3 tickets it would be cheaper than paying to stay all day. People would still risk getting a ticket instead of paying. Now the fine is proposed at \$50 because it covers the cost of a day of parking.

City Manager Karen Conard questioned if there was a way to encourage more use of the Foundry Garage by adding signage at the kiosks. Parking Director Ben Fletcher responded that there is room for some messaging on the touch screens. There is a lot of information there now. It may not hurt to have extra information, but if someone is already standing at the meter to pay, they wouldn't be likely to get back in their car to go to the garage at that point.

Harold Whitehouse moved to recommend adoption and send to City Council for request for first reading, seconded by Steve Pesci.

City Manager Karen Conard suggested staff start with a presentation to the City Council and then request first reading at the next City Council meeting. It would set up the request more fully. Harold Whitehouse accepted the changes to the original motion.

**Harold Whitehouse moved to schedule a presentation for the September 14, 2020 City Council meeting and schedule a first reading for the October 5, 2020 City Council meeting, seconded by Steve Pesci.**

**On a unanimous roll call, motion passed 9-0.**

**B. Recent accidents at the intersection of Marcy Street and Mechanic Street.**

Eric Eby commented that the intersection has a couple of issues. There is construction at 14 Mechanic Street and a temporary panel for utilities is restricting sightlines. Under normal conditions the height of the existing fence between the abutters also restricts sightlines. The sight distance of 80 feet is adequate for 15 mph on Marcy Street. Any faster and cars won't have time to stop. Eric Eby met with the contractor and he will attempt to move the panel to improve sightlines. The side yard fence will still be an issue. Speed measurements show the average speed is 20 mph. Speeding is not an issue. There may be opportunity to discuss the fence height with the new owners. However, the fence is in accordance with all zoning requirements and is on private property. There is no action recommended at this time, but staff will continue to monitor the area.

Public Works Director Peter Rice questioned if Eric Eby had contacted the property owner directly. Eric Eby responded that he has been in contact with the architect and contractor, but not directly with the property owner.

Mary Lou McElwain commented that it was too bad this issue was not brought up when the new owners got permission from the City's Planning Board and other boards because this is a safety issue. It is a very dangerous situation.

Erica Wygonik asked about the 85<sup>th</sup> percentile speeds. Eric Eby responded that they were 23 mph to 24 mph. Erica Wygonik agreed with Mary Lou McElwain that it would be nice to coordinate particular projects that might have impacts such as this one. This intersection is part of the truck route to get to the Peirce Island Wastewater Treatment Plant during construction. It would benefit from review. The turning radius from Marcy Street to Mechanic Street can be tricky.

Planning Director Juliet Walker commented that she understood the concerns expressed by members about land use board coordination, but the boards are limited on what they can require a property owner to do. The Historic District Commission approval would not have

been an appropriate venue to require changes to a property for this type of change. Zoning only applies to private property. If there is no zoning ordinance to fall back on, then the board does not have authority to enforce it. Staff try to work with property owners on these type of issues, but if property owners aren't willing to do it, that is their choice.

Jonathan Sandberg questioned if there were other options to improve the safety of the intersection. There are a lot of pedestrians in that area. A raised crossing or flashing lights to help alert traffic to slow down may be helpful.

Mary Lou McElwain commented that when a situation like this arises, that will add to traffic problems or safety concerns, there should be a mechanism within the City to discuss the issue before approvals are granted rather than after the fact.

Harold Whitehouse commented that he knew the previous owner that lived on the corner. That intersection has been a longstanding issue. Chairman Peter Whelan noted that the pole on the corner was added to protect the fence. There are a lot of vehicles with boat trailers that turn at the intersection. It is a dangerous spot. Chairman Peter Whelan questioned if the City maintained the pole. Public Works Director Peter Rice responded that the City has replaced it many times. Reworking the corner would benefit the intersection, but it is private property. Staff can reach out to the property owners to see if they will work with the City on this issue. They will also look at the intersection to see if they can improve it in other ways.

**Public Works Director Peter Rice moved to have staff report back after evaluating the intersection configuration and contacting the property owner to determine if further action is needed, seconded by Harold Whitehouse.  
On a unanimous roll call, motion passed 9-0.**

**C. Request to renew Portwalk Place valet licenses, by Jackie Huber.**

Chairman Peter Whelan noted that this application was asking for two (2) years, but usually the approvals are for only one (1) year. City Manager Karen Conard agreed that the typical request is for one year and that's what this should be.

Steve Pesci supported the City entering this agreement and noted that it has been handled well over the years. However, \$1,500 for three (3) spaces is reasonably priced, but it may be too low. Steve Pesci asked that the fees be reviewed last year.

Public Works Director Peter Rice commented that the fee structure assigned to this is set by the Fee Committee. A change would need to come before the Fee Committee for next year's budget. Steve Pesci responded that he would raise the item again in January 2021.

Mary Lou McElwain questioned if there was a better way to coordinate the fees and requests. This seems to be coming up after the fact again.

Public Works Director Peter Rice responded that typically the fee structure is made in a way to reflect the time the valet is impacted and pro-rating revenue the City would make in parking. The fee has to have a rationale that is tied to something. Every year they look at each fee in the budget book and see if it needs to be adjusted. It was not deemed necessary to adjust this fee this year.

**Harold Whitehouse moved to renew the two (2) valet parking license agreements for a term of one (1) year, seconded by City Manager Karen Conard.  
On a unanimous roll call, motion passed 9-0.**

**VI. OLD BUSINESS:**

**A. Report back on bicycle accident on Middle Street, by City Staff.**

Eric Eby commented that there was no Police Department accident report filed. The Fire Department responded originally. The information available is from them. The report says that the car was parked in the first parking space, but the cyclist said the car was parked behind the space in the illegal area. There are no pictures, so it is unclear where it was parked. Eric Eby looked at other statistics for the bike lane on Middle Street. There have only been 12 accidents this year compared to 25 last year. Only 2 of the accidents were related to the bike lane. The last week of July had 120 bikes using the bike lane during the day. That is a 50% increase from last year. The speed studies show that speeds have continued to be what they were previously. The average is 29 mph and the 85<sup>th</sup> percentile is 33 mph. Speeds are staying where they were, accidents are down, and usage is up.

Jonathan Sandberg noted that the vehicle traffic volume was lower across the City because of COVID-19. He questioned if accidents across the City were also down. Eric Eby responded that they recently did a speed study in August. Traffic volumes were around 9-10,000 this year. Volumes have been 11,000 in previous years. The City is operating at about 80-85% normal levels.

Police Captain Mark Newport stated he did not know the total number of accidents from memory, but noted that it was safe to assume that because traffic has been down, accidents were down also.

Mary Lou McElwain commented that there were two meetings in August about the bike lane that PTS members were not included in. She stated the Committee should be included in future meetings about the bike lane. Harold Whitehouse commented that he would volunteer to be part of the task force proposed by Councilor Tabor.

Chairman Peter Whelan noted that there was a lot of participation from Middle Street residents at the second meeting. There was a lot of concern about parked cars and sightlines. City Manager Karen Conard noted that she was at both meetings. Both were led by Councilor Tabor. The first one was more of a fact-finding meeting. The second meeting was to get feedback from residents. Anything moving forward should include Chairman Peter Whelan and/or some members from the PTS Committee. Nothing was debated or decided at these meetings. They walked the full length of the bike lane to get a sense of the issues.

Chairman Peter Whelan commented that no one is talking about removing the bike lane, only modifying the first part where cars are parked in the street. There has already been talk about changing the speed limit signs to 25 mph on Middle Street. Eric Eby commented that was correct and the signs haven't been changed yet.

Mary Lou McElwain stated she has asked about cutting the branches hanging over Middle Street that block sightlines at Cass Street several times. The issue has not been addressed. She spoke about the design of the bike lanes in Portland, Maine.

Public Works Director Peter Rice stated he would address the branches on Middle Street. He stated that staff feel that any additional improvements or modifications to the project should be dictated by the City Council.

Erica Wygonik noted that there are clearly a lot of strong opinions on bike lanes. It might be useful to have a summary of some of the goals and/or the specific things the task force is trying to achieve. The City has put a lot of effort into the project already, so it would be helpful to start with information about what has been done and what studies show. Chairman Peter Whelan agreed.

Steve Pesci expressed his appreciation to City staff for all their work and data collection on the project. There are best practices and engineering standards implemented to reduce liability and risk. He supports a task force that would look forward and operate on data-based information. The City does not design streets, roadways and/or transit systems based on public opinion, but on best practices and standards.

Harold Whitehouse opposed the tactics some have used when stating the grant funding must be returned. He observed more bikes parked at the Middle School than the High School.

No action was taken by the PTS Committee.

## **VII. INFORMATIONAL:**

**A. Parking on Albany Street between Brewery Lane and Cass Street / Islington Street construction update.** Eric Eby commented that there is a section of Albany Street where customers park in front of the businesses. When they park there, they take up most of the roadway. The Islington Street project in that area is starting soon. The detour from Albany Street and Bartlett Street will be in effect. The City will be putting up no parking signs on the whole stretch of Albany Street and Brewery Lane during construction. Parking spaces will be put in the corner lot with striping while the detour is in place. This will last a couple months at least. Only traffic going into town will be detoured. When construction is over the Committee may want to look at this again to make it a permanent restriction. Traffic flow should be evaluated post construction.

Public Works Director Peter Rice commented that businesses have requested defined parking along that area. They do not want to permanently eliminate parking. The whole corridor is challenging, and they need to do a deeper dive to accommodate everyone. There may be some adjustments to temporary parking to include more spaces. The City is currently building a sidewalk along Jewel Court. The whole area is in flux and they need to look at a comprehensive solution.

Eric Eby noted that the intersection of Jewell Court and Brewery Lane will have an all-way stop during the detour.

Erica Wygonik commented that there was a little section of street labeled South Albany Street on Google maps and noted that it should be renamed to be part of Brewery Lane. Eric Eby responded that was a good point, however there is no South Albany Street. Albany Street is L-shaped, and Brewery Lane runs from Albany Street to Plaza 800.

Mary Lou McElwain stated the parking on Albany Street is a safety issue and needs to be addressed.

**B. Closure of Turnpike exit ramp onto Echo Avenue.** Eric Eby stated that NHDOT has not responded to his inquiries and he will report back once they have responded.

**C. Traffic volumes during pandemic.** Eric Eby provided a graph in the packet. He stated traffic is holding steady at 85% of normal.

**D. PTS Open Action Items.** There was no Committee discussion.

### **VIII. MISCELLANEOUS:**

Mary Lou McElwain commented that a wobble pedestrian sign should be installed on the sidewalk at the intersection of Marcy Street and Pleasant Street. There are pedestrian signs at each side, but a wobble would make a difference considering it is a busy intersection. The road is too narrow and it could be installed on the sidewalk. Public Works Director Peter Rice noted that this area is scheduled to be paved and striped soon. After the roadwork is completed, staff can evaluate.

Harold Whitehouse noted there was a motorcycle accident on Marcy Street and questioned if there were more details about it. Eric Eby responded that there were no details on the accident, but he noticed the sightlines were blocked by vegetation and parked cars. It is a combination of factors that are typical of a side street in that area. The City has limited jurisdiction because the bush is on private property. He stated even if the bush is removed the parked cars can block sightlines.

Jonathan Sandberg requested the Police Department present a monthly accident report.

Erica Wygonik commented that she looked at the National Household Travel Survey Data. Some level of remote work is anticipated to continue post COVID-19. It is good to note 45% of vehicle trips are single occupant vehicles. Every car has at least a driver, so that side always has active risk for a dooring accident. Chairman Peter Whelan commented that it will be interesting to see if traffic volumes pick up at all. Erica Wygonik commented that a lot of people enjoy teleworking and want to continue but most people do not want to do it every day of the workweek.

### **IX. ADJOURNMENT:**

Harold Whitehouse moved to adjourn at 9:28 a.m., seconded by City Manager Karen Conard.  
**On a unanimous roll call, motion passed.**

Respectfully submitted by:

Becky Frey  
PTS Recording Secretary