

# TOWN OF PROVINCETOWN – BOARD OF SELECTMEN

## 2003 ANNUAL TRAFFIC HEARING – MARCH 11, 2003

### JUDGE WELSH HEARING ROOM

Acting Chairman, Cheryl Andrews opened the meeting at 6 PM noting the following attendees:

Board of Selectmen members: Cheryl Andrews, Michele Couture, Sarah Peake, Richard Olson

Excused Absence: Mary-Jo Avellar

Other Attendees: Town Manager Keith Bergman,

Transportation Team Members: Parking Administrator Don Richards, Police Sgt. Robert Russell, and DPW Deputy Director Sandy Turner

Recorder: Vernon Porter, Secretary to Board of Selectmen

The following are minutes in brief.

Acting Chairman Cheryl Andrews opened the meeting by ready the Public Hearing Notice. Each item will be discussed and acted upon as follows: 1) comment from member of public in favor of the proposals, 2) comments from members of public in opposition of the proposals, 3) general comments from the public, 4) read into the record any material received 4) comments from the selectmen, 5) comments from the Transportation Team, 6) item voted upon by the Board of Selectmen.

#### Item 1

To increase property tax reducing parking revenues and create a more effective deterrent to parking violations by raising parking fines as listed below. The increases follow guidelines recommended by the Massachusetts State Parking Clerk's Association to establish a new uniform rate of parking fines statewide.

<i>VIOLATION TYPE</i>	<i>CURRENT</i>	<i>PROPOSED</i>
General parking & traffic rule categories	\$15.00	\$25.00
10' from fire hydrant	\$25.00	\$50.00
Handicapped private property	\$25.00	\$50.00
Handicapped public property	\$50.00	\$100.00
Registry report penalty	\$15.00	\$15.00

*(Requested by Parking Administrator)*

**Team Recommendation:** The Team recommends approval. Fines have not been increased since 1994 and with increased lot and meter rates; current \$15.00 fines are no longer an effective deterrent. Based on tickets paid in 2002 this proposal could generate an additional \$65,000 per year in parking revenues. Recommend that the increases be enacted in the form of a home rule petition following MA State Parking Clerk's Association guidelines, (a copy of which has been drafted by the Town Manager) and by amending Town of Provincetown Parking and Traffic Regulations, Appendix D, Parking Violation Fines. All fine increases to be instituted after State approval of the home rule petition.

**Item 1 Board Action:** MOTION: *Move that the Board of Selectmen vote to approve Item 1 as printed.*

Motion by: Michele Couture    Seconded by: Richard Olson    Yea 4    Nay 0

#### Item 2

To take action on 2 Horse and Carriage, Special Business Permit Spaces on Commercial Street in front of Town Hall that have not been in use for two years. Two options the Board of Selectmen may consider are to reassign the spaces through the lottery procedure or to eliminate the spaces for special business usage.

*(Recommended by Parking Administrator)*

**Team Recommendation:** The objective of this proposal is to make the Board of Selectmen aware that these special business use spaces have not been used in 2 years or at any time since the rules for Special

Business Permit Spaces were revised in 2001; and to provide the Board of Selectmen the opportunity to make a determination on these spaces at a Public Hearing. The spaces in question are two contiguous 30' spaces starting at the corner restriction of the Ryder St. & Commercial St. intersection. (The revised Special Business Permit Guidelines are attached.) The Team recommends that the spaces be eliminated. They are located in the Down Town Tow Zone area at a congested spot with very heavy vehicle and pedestrian traffic. This is also a key area for delivery trucks during the morning delivery hours. (See Item 2 picture and Town Map.)

**Item 2 Board Action:** *Move that the Board of Selectmen vote to eliminate the two spaces designated as special business usage (previously used by the Horse and Carriage) in front of Town Hall.*

**Motion by:** Michele Couture      **Seconded by:** Richard Olson      Yea 4    Nay 0

### Item 3

To prevent vehicles with expired or failed State inspection stickers from obtaining a Provincetown Parking Permit by amending Provincetown Parking And Traffic Regulation, 6-5-2, Inoperable Vehicles, to include this category of vehicle. (*Recommended by Parking Administrator*)

**Team Recommendation:** The Team recommends approval to give the Parking Department the power to deny or revoke Permits on these vehicles, which presently are not being tagged for cancellation of the registration by the Registry. Specific recommendation. Amend Town of Provincetown Parking and Traffic Regulations Chapter 6-5-2, Inoperable Vehicles to include vehicles with an expired inspection sticker. Amendment is in italics.

6-5-2 Inoperable Vehicles. The Parking Administrator shall refuse to issue or *may* revoke a Provincetown parking permit for any non-operable vehicle, *including any vehicle without a current state inspection sticker from all applicable states*, and *may* remove such vehicles, at the owner's expense, from any public way or municipal parking lot. *Notice of revocation will be made by registered letter.*

**Item 3 Board Action:** **MOTION:** *Move that the Board of Selectmen vote to amend the Town of Provincetown Parking and Traffic Regulations Chapter 6-5-2, Inoperable Vehicles to include vehicles with an expired inspection sticker to read as follows: (Amendments underlined)*

*“6-5-2 Inoperable Vehicles. The Parking Administrator shall refuse to issue or may revoke a Provincetown parking permit for any non-operable vehicle, including any vehicle without a current state inspection sticker from all applicable states, and may remove such vehicles, at the owner’s expense, from any public way or municipal parking lot. Notice of revocation will be made by registered letter.”*

**Motion by:** Richard Olson      **Seconded by:** Sarah Peake      Yea 4    Nay 0

### Item 4

To create a four-way stop at the intersection of Bradford Street and Howland Street, for reasons of public safety. (*Recommended by Robert Tieger & petitioners*)

**Team Recommendation:** The Team does not recommend traffic lights or 4-way stop signs at this intersection because requiring vehicles to stop on Bradford St. will lead to more congestion and could cause accidents. There are already pedestrian cross walks at this intersection. To improve safety, we recommend opening up visibility by further restricting parking at this intersection as follows:

1. Strictly enforce the No Parking area on Bradford St. in front of the Patrician. This includes delivery trucks.
2. Insure that vehicles parked alongside the Patrician on Howland Street do not protrude out onto the Town roadway. The space closest to the corner has already been eliminated. Presently these spaces do extend onto Town property. We will work with the Patrician on this. We recommend requiring that the spaces along Howland Street be angled enough so that a van or SUV size vehicle would not extend beyond the yellow road line. The Police and Parking Departments would sign off on the reconfigured

spaces to insure that they comply. (See Item 4 pictures and Town map.)

3. Enforce the existing No Parking on the north side of Bradford St. and place a Tow Zone No Parking sign in the vicinity of 216 Bradford St.
4. Increase the Bradford St. corner restriction to 30 feet on the southeast side of the intersection.

**Item 4 Board Action:**

**MOTION:** *Move that the Board of Selectmen vote to 1) install 4-way stop signs at the intersections of Bradford and Howland Streets; 2) to strictly enforce the No Parking area on Bradford Street in front of the Patrician including delivery trucks; 3) enforce the existing No Parking on the north side of Bradford Street and place a Tow Zone No Parking sign in the vicinity of 216 Bradford Street; 4) Increase the Bradford Street corner restriction to 30 feet on the southeast side of the intersection.*

**Motion by:** Michele Couture    **Seconded by:** Sarah Peake  
Yea 2    Nay 2 (Richard Olson / Cheryl Andrews)  
- **MOTION DOES NOT PASS** -

**MOTION:** *Move that the Board of Selectmen vote to direct staff to pursue this matter with the owners and bring it back to the Board with recommendations within a month.*

**Motion by:** Cheryl Andrews    **Seconded by:** Richard Olson    Yea 4    Nay 0

Item 5

To relocate the Handicapped Parking space at 186 Commercial Street to a space at 172 Commercial Street for reasons of public safety. (*Recommended by Kenneth Kornelson, General Manager Esther's*)

**Team Recommendation:** The Team agrees that the present handicapped space is in a congested area near the intersection of Court St., which now features outdoor dining on both sides of the street. We recommend keeping a handicapped space on this block but moving it to a better location. Commercial Street narrows at two potential alternate spots in front of 182 and 184 Commercial Street. We recommend moving the handicapped space to an area across from the Anchor Inn at 172 Commercial Street. There were previously two 15 Minute Business spaces for Dwyer Electric at this location. These spaces have been relocated across from the Banner. Recommend creating an 18 foot handicapped space starting at the east end of this parking area. This would provide easy access/egress to/from the space. (See Item 5 pictures and Town map.)

**Item 5 Board Action: MOTION:** *Move that the Board of Selectmen vote to relocate the Handicapped Parking Space at 186 Commercial to a space at 172 Commercial Street for reason of public safety.*

**Motion by:** Michele Couture    **Seconded by:** Sarah Peake    Yea 4    Nay 0

Item 6

To expand the yellow curb stripe at 522 and 524 Commercial Street to include yellow hash marks so that parkers can readily see that no parking is permitted. (*Recommended by Martin Huey*)

**Team Recommendation:** The Team agrees that vehicles parked illegally across the street from the driveway at 525 Commercial St. do inhibit access and egress from the driveway. Particularly a vehicle in the yellow restricted area east of the driveway at 524 Commercial St.

We do not however, recommend yellow hash marks because this would set a precedent for driveways all over town. The two driveways are quite visible. There is a fire hydrant on the east side of the driveway to Mr. Huey's property at 525 Commercial Street. The Team recommends painting a Fire lane restriction in the

street and placing a Tow Zone No Parking Fire Lane sign across the street at 524 Commercial St. (See Item 6 pictures.) This would clearly mark the area as no parking as well as comply with State guidelines for marking fire lanes.

**Item 6 Board Action: MOTION: *Move to table this item.***

**Motion by: Michele Couture    Seconded by: Sarah Peake    Yea 4    Nay 0**

**Item 7**

To designate Miller Hill Road (lower) parking spaces as “Reserved for Resident and Non-Resident Property Owner Permits Only. (*Recommended by owners and residents of Miller Hill Road and Upper Miller Hill Road?*)

**Team Recommendation:** The Team recommends approval for the public section of lower Miller Hill Road. The public section ends adjacent to 13 Miller Hill Road, where the dirt road connects to Priscilla Alden Road. There is already a fire hydrant restriction and several driveway restrictions on Miller Hill Road. 5 spaces remain that can be given the “reserved” restriction. This has already been done on Priscilla Alden Road, which is of similar configuration. Residents must understand that there will no longer be parking for short term or seasonal rentals on Miller Hill Road. (See Item 7 picture and Town Map)

**Item 7 Board Action: MOTION: *Move that the Board of Selectmen vote to designate Lower Miller Hill Road parking spaces as “Reserved for Residents and Non-Resident Property Owner Permits Only.***

**Motion by: Michele Couture    Seconded by: Sarah Peake    Yea 4    Nay 0**

Motion to adjourn at 7:40 PM.

Minutes transcribed by: Vernon Porter, Secretary  
March 13, 2003