

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES
ANNUAL TRAFFIC HEARING – TUESDAY, MARCH 11, 2014 6 PM
JUDGE WELSH HEARING ROOM**

Chairman Elaine Anderson opened the meeting at 6:00 PM noting the following attendees:
Board of Selectmen: Elaine Anderson, Austin Knight, David McChesney, Erik Yingling, and Tom Donegan

Excused Absence: None.

Other attendees: Acting Town Manager David Gardner, Acting Chief of Police Jim Golden, Town Planner Gloria McPherson, DPW Director Rich Waldo and Parking Administrator Dominic Rosati

Recorder: David Gardner

The following are meeting minutes, in brief:

MOTION: Move that the Board of Selectmen wave the reading of the Public Hearing.

Motion By: Tom Donegan Seconded by: Austin Knight Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to limit speaking to 2 minutes except for petition proponents.

Motion By: Austin Knight Seconded by: Tom Donegan Yea 5 Nay 0

Traffic Team Recommendations provided by: Acting Town Manager David Gardner, Acting Chief of Police Jim Golden; DPW Director Richard Waldo, Town Planner Gloria McPherson, Parking Administrator Domenic Rosati, Highway Department Ray Duarte.

Consent Agenda

Item 7. Proposal by J. Jefferson Overby to prohibit parking on the street directly across the driveway of 8 Priscilla Alden Road.

Team Recommendation: RECOMMEND

Item 8. Proposal by David Maxfield and Kevin O’Toole to install a “No Parking” sign or signs to prevent parking on the sidewalk on the south side of Bradford Street between Franklin Street and Pleasant Street.

Team Recommendation: RECOMMEND

Item 9. Proposal by Donna Walker to remove the “No Right Turn” sign at the corner of Commercial Street and Center Street.

Team Recommendation: RECOMMEND

Item 10. Proposal by Bruce Van Allen to adopt the Pedicab Traffic Mitigation Guidelines, summarized as follows: 1. No more than two pedicabs may stop in the same 100 foot area, except three in front of Town Hall with some exceptions noted. 2.

No pedicab may stop within 10 feet of an intersection with some exceptions noted. 3. Narrow sections of Commercial Street are off-limits to stopped pedicabs, except for pick-ups and drop-offs. 4. Pedicabs may not stop in fire lanes or yellow painted zones on Commercial Street. 5. Stopped pedicabs must have two wheels against the curb and may not stop two abreast. 6. Pedicabs may not stop or stand in a designated taxi stand. 7. Not more than four pedicabs may stop at one time at Spiritus Restaurant after 1:00 am and they must do so west of Court Street.

Team Recommendation: RECOMMEND Board of Selectmen endorse and refer to Licensing Board for consideration and inclusion in the Licensing Regulations

Item 11. Proposal by Joady Brown to install a pedestrian crosswalk at Commercial Street, Franklin Street and Tremont Street.

Team Recommendation: RECOMMEND. Crosswalks will be installed across Franklin Street and Tremont Street upon the completion of the reconstruction project.

MOTION: Move that the Board of Selectmen vote to approve the recommendations on items 7 through 11 upon consent..

Motion By: Tom Donegan Seconded by: Austin Knight Yea 5 Nay 0

Citizens Proposals

Item 1. Proposal by Roxanne Pires to install parking meters on parking spots between 90 and 100 Commercial Street or make this area a "Permit Parking District".

Team Recommendation: RECOMMEND metering the spaces provided.

Public Comment: none.

MOTION: Move that the Board of Selectmen vote to approve as recommended and install meters.

Motion By: Tom Donegan Seconded by: Austin Knight Yea 5 Nay 0

Item 2. Proposal by Jonathan Sinaiko to demark a driveway entrance as "No Parking" at 293 and 295 Bradford Street.

Team Recommendation: DO NOT RECOMMEND. Not sufficient roadway width to paint letters out of the travel lane. Not clear to staff based on the request what is the public concern. No identified safety or access issue.

Public Comment: Chris Snow spoke in opposition, felt this was actually a curb cut request as it is not a legally designated parking area.

MOTION: Move that the Board of Selectmen vote to recommend an 18' driveway at 295 and 12' at 293 Bradford St.

Motion By: Tom Donegan Seconded by: Erik Yingling Yea 5 Nay 0

Item 3. Amy Germain to prohibit parking along Commercial Street in the downtown area between November and April, with the exception of handicapped and the elderly (Elderly can be issued special tags by the Parking Department).

Team Recommendation: DO NOT RECOMMEND. Although we could support removing parking from Commercial Street, we feel this proposal extends the benefit to a segment of the community and therefore creates a parking enforcement issue on a year round basis.

Public Comment: Jonathan Sinako spoke in favor. Jill Pires spoke in favor. Mary-Jo Avellar spoke against. Donna Walker spoke against. Marcy Feller spoke against. Chris Snow spoke against. Margo Page spoke against. Clarence Walker spoke against.

MOTION: Move that the Board of Selectmen vote to deny the request.

Motion By: Austin Knight Seconded by: David McChesney Yea 5 Nay 0

Item 4. Proposal by Steven Benjamin to remove the parking space in front of 10 Pearl Street which is directly across from the driveway for 11 Pearl Street.

Team Recommendation: DO NOT RECOMMEND. Removal of existing on-street parking space. Not clear to staff based on the request what is the public concern. No identified safety or access issue.

Petitioner not present – no action taken.

Item 5. Proposal by Marcy Feller and Gabby Hanna to install a convex traffic mirror at the intersection of Pleasant Street and Brown Street.

Team Recommendation: DO NOT RECOMMEND. Convex mirror is not an approved traffic control device.

Public Comment: Alex Brown spoke in favor of some safety measure for this intersection. Duane Steele spoke in favor. Mary-Jo Avellar spoke in favor.

Consider designating a one way north on Pleasant Street to address the safety concern at the intersection.

MOTION: Move that the Board of Selectmen vote to approve the request to install a convex mirror on a trial basis.

Motion By: Erik Yingling Seconded by: Tom Donegan Yea 5 Nay 0

Item 6. Proposal by Joy Faxon and Michelle Foley to petition the State to change the speed limit on Conwell Street to 20 MPH and to install a “High Traffic Enforcement Area” sign on Conwell Street near Route 6.

Team Recommendation: NOT RECOMMENDED IN THIS FORM. In the fall we petitioned the State, once again, to reduce the speed on Conwell Street. They requested us to submit a traffic study, which we have done in the past. Several years ago when we went ahead and changed the speed limit on our own, the State came back and demanded the signs be removed. It is clear from discussions with MassDOT Staff that their standards do not support lower speed for Conwell Street and that they

continue to recommend the Town take ownership of the remaining State roads. We have committed to entering into negotiations with the State to take ownership of our roads, but that discussion will take some time and we are not prepared to petition for a speed change at this time.

The State must also approve any permanent signage on Conwell Street. We do not recommend a “high traffic enforcement area” sign. We have installed the electronic speed sign at the intersection with Cemetery Road.

Public Comment: Clarence Walker supports sending the request to Rep Sarah Peake. Mary-Jo Avellar supports this request and to include Senator Dan Wolfe.

MOTION: Move that the Board of Selectmen vote to approve the request to send a letter, along with the signed petition, to petition MassDOT, Representative Peake and Senator Wolf, in support of lowering speed limit on Conwell Street to 20 mph. Follow-up with speed enforcement and data collection of speeds in the area.

Motion By: Elaine Anderson ***Seconded by:*** Tom Donegan Yea 5 Nay 0

Item 12. Proposal by Robert Littlefield to install a pedestrian crosswalk at Bradford Street and Center Street.

Team Recommendation: DO NOT RECOMMEND. No adjacent sidewalks, already crosswalks on both adjacent blocks.

Petitioner not present – no action taken.

Item 13. Proposal by Annmarie Piccerelli to prohibit parking on the north side of Nelson Avenue between 14 Nelson and 16 Nelson Avenue.

Team Recommendation: NO RECOMMENDATION

Public Comment: Jude Maria spoke in favor as this is a real safety issue. Jon Claude Trudell spoke in favor because of the safety concerns. Ian Miller spoke against the proposal as he does not see this as a public safety issue but rather a personal issue. Phillip Demaris spoke in opposition. As an employee of Ian Miller, he does not park in this area as they have been told not to.

MOTION: Move that the Board of Selectmen vote to support the request to remove parking on the north side of Nelson Avenue within 25 feet on each side of the center-point of the curve in the roadway adjacent to 16 Nelson Avenue..

Motion By: Austin Knight ***Seconded by:*** David McChesney Yea 5 Nay 0

Item 14. Proposal by Victor DePoalo to install metered parking on the south side of Bradford Street Extension adjacent to Victor’s Restaurant and on the north side of Bradford Street across from Victor’s Restaurant adjacent to 160-164 Bradford Street Extension

Team Recommendation: RECOMMEND Parking on North Side of Bradford St Ext, DO NOT RECOMMEND parking on the South Side of Bradford St Ext.

Public Comment: Alex Brown spoke in favor. Peter Page supports the parking but does not support limiting the parking time limit. Duane Steele supports the parking but does not support the parking time limit.

MOTION: Move that the Board of Selectmen vote to support the proposal to add metered public parking on the north side with unlimited parking from midnight to 4pm and three hour limit from 4pm to midnight.

Motion By: Austin Knight Seconded by: David McChesney Yea 5 Nay 0

Item 15. Proposal by Steven Fossella representing the Provincetown Part-Time Resident Taxpayers Association to amend the Parking Regulations to eliminate the Property Owner Permit and to allow a real estate tax bill to suffice as proof of residency for the Resident Parking Permit.

Team Recommendation: NO RECOMMENDATION

Public Comment: Margo Page spoke in favor as a matter of fairness. Michael Boyle spoke in favor, feels the fee is unfair and illegal. Amy Germain spoke in opposition. Mary-Jo Avellar spoke against but sought a compromise. John Sinaiko spoke to allow the extension of the senior permit to second home owners. Clarence Walker felt that the permit fee was not in violation of law, and we should be careful of the consequences of making a change. John Snow spoke against the proposal, identified the lack of excise tax coming to the Town on second homeowners. Duane Steele is against the proposal. Pat Benatti clarified that the permit is sold to the vehicle, not the resident, and opposes the request.

Parking permits should be sold to the vehicle. Resident permits should be sold to vehicles who pay their excise tax to Provincetown.

MOTION: Move that the Board of Selectmen vote to amend the Parking Regulations to define Resident Parking eligibility based on a vehicle that pays an excise tax to the Town of Provincetown.

Motion By: Tom Donegan Seconded by: Erik Yingling Yea 5 Nay 0

Item 16. Proposal by John Bates to permit utility storage trailers to park at the Jerome Smith Parking Lot at the Camper rate.

Team Recommendation: NO RECOMMENDATION

Petitioner is not present.

MOTION: Move that the Board of Selectmen vote to continue to the March 24 agenda for consideration.

Motion By: Austin Knight Seconded by: Elaine Anderson Yea 5 Nay 0

Item 17. Proposal by Jean Marino to demark parking spaces on Center Street to maximize the number of available spaces.

Team Recommendation: DO NOT RECOMMEND. Standard parallel space is 20 feet in length, by demarking the space you would actually lose the potential additional space if two cars can fit.

Public Comment: none.

MOTION: Move that the Board of Selectmen vote evaluate the existing parking spaces on Center Street to see where we can add parking by demarking individual spaces.

Motion By: Austin Knight Seconded by: Erik Yingling Yea 5 Nay 0

Item 18. Proposal by Alex Brown to restore the 59 ½ year old eligibility for Senior Parking Permits.

Team Recommendation: NO RECOMMENDATION.

The Board of Selectmen voted at the 2013 Traffic Hearing to approve the team's recommendation to raise the eligible age for a senior parking permit from 59 to 65; and further to phase this in over a period of 9 years as follows: Effective 1/1/2014 Age 61 or older; Effective 1/1/2016 Age 62 or older; Effective 1/1/2018 Age 63 or older; Effective 1/1/2020 Age 64 or older; Effective 1/1/2022 Age 65 or older.

Public Comment: Clarence Walker spoke in opposition, should consider consequences.

MOTION: Move that the Board of Selectmen vote to deny the request.

Motion By: Austin Knight Seconded by: Erik Yingling Yea 4 Nay 1 (TD)

Item 19. Proposal by Alex Brown to eliminate parking in front of the Franklin Street Town Landing adjacent to the Coast Guard Station.

Team Recommendation: CLARIFICATION: There is no parking space proposed in front of the Franklin Street Landing, the area will be demarked as loading zone which should not prohibit access to the landing.

Public Comment: None.

There is no proposed parking space and therefore no action is required.

MOTION: Move that the Board of Selectmen vote to deny the request.

Motion By: Austin Knight Seconded by: David McChesney Yea 5 Nay 0

Item 29. Proposal by Patricia Doyle to allow Resident Permit Parking only adjacent to the Coast Guard Station at the Franklin Street Town Landing.

Team Recommendation: DO NOT RECOMMEND. Again, this area will be demarked as loading zone.

Petitioner not present – no action taken.

Item 20. Proposal by Barbara Rushmore to remove the stop sign at Howland Street and Harry Kemp Way. (repetitive petition see item 22).

Team Recommendation: NO RECOMMENDATION.

Petitioner not present – no action taken.

Item 21. Proposal by Barbara Rushmore to remove the stop sign at Howland Street and Bradford Street. (repetitive petition see items 22).

Team Recommendation: DO NOT RECOMMEND. This four way stop is adjacent to the East End Playground and Staff can not support removal of the stop sign.

Petitioner not present – no action taken.

Item 22 Proposal By Duane Steele to remove the stop sign at Howland Street and Harry Kemp Way and Howland and Bradford Street (repetitive petition see items 20 and 21).

Team Recommendation: DO NOT RECOMMEND. This four-way stop is adjacent to the East End Playground and Staff can not support removal of the stop sign.

Public Comment: Mary-Jo Avellar supports removing the stop sign on Howland Street at Harry Kemp Way. Raphael Richter supports removing the stop sign on Howland Street at Harry Kemp Way. Chris Snow supports removing the stop sign on Howland Street at Harry Kemp Way. Chris Snow opposes removing the stop sign at Howland and Bradford. Clarence Walker opposes removing the stop sign at Howland and Bradford.

MOTION: Move that the Board of Selectmen vote to deny the request and leave the stop sign on Howland Street at Harry Kemp Way.

Motion By: Austin Knight ***Seconded by:*** Elaine Anderson Yea 2 Nay 3 (TD,DM,EY)
Does not pass.

MOTION: Move that the Board of Selectmen vote to remove the stop sign on the northbound and southbound lanes of Howland Street at the intersection of Harry Kemp Way.

Motion By: Tom Donegan ***Seconded by:*** Erik Yingling Yea 3 Nay 2 (EA, AK)

MOTION: Move that the Board of Selectmen vote to deny the request and leave the stop sign at Howland and Bradford Street.

Motion By: Tom Donegan ***Seconded by:*** Erik Yingling Yea 5 Nay 0

Item 23. Proposal by Duane Steele to remove the stop sign at Bradford Street and Ryder Street. (repetitive petition see item 27).

Team Recommendation: DO NOT RECOMMEND. This three-way stop was approved two years ago when we redirected the exiting traffic from the Municipal Parking Lot. There is a great need to allow buses and exiting traffic to be able to turn on the Bradford Street from the intersection.

Public Comment: Mary-Jo Avellar supports removing the stop sign. Chris Snow supports removing the stop sign unless needed during the high season. Alex Brown opposes removing the stop sign. Clarence Walker supports removing the stop sign. Melissa Yeaw supports removing the stop sign.

MOTION: Move that the Board of Selectmen vote to deny the request and leave the stop sign at Bradford Street and Ryder Street.

**Motion By: Austin Knight Seconded by: Elaine Anderson Yea 3 Nay 1 (TD)
Abstain 1 (EY)**

Item 27. Proposal by Raphael Richter to remove the stop sign on Bradford Street and Ryder Street (repetitive petition see item 23).

Team Recommendation: DO NOT RECOMMEND.

See Item 23.

Erik Yingling recused himself and left the room.

Item 24. Proposal by Raphael Richter to add a trolley parking space in front of Town Hall adjacent to the existing permitted trolley space, or as an alternative, add a trolley parking space in Lopes Square

Team Recommendation: DO NOT RECOMMEND. Staff does not support any further dedicated on-street parking spaces within the downtown area. Staff specifically DOES NOT RECOMMEND any further parking in front of Town Hall or in Lopes Square.

Public Comment: Bruce Van Allen does not support the request, wants to ensure that space is reserved for the pedicabs. Melissa Yeaw does not support the request, does not want any more large vehicles in front of Town Hall.

MOTION: Move that the Board of Selectmen vote to continue to the April 14, 2014 meeting for further discussion.

Motion By: Elaine Anderson Seconded by: Tom Donegan Yea 4 Nay 0

Item 25. Proposal by Raphael Richter to install the following taxi stand spaces: 1. Taxi stand capable of serving 2-3 taxis in front of Town Hall just behind the trolley space, 2. Taxi stand on Commercial Street at the west corner of Freeman Street should be expanded to include two spaces. 3. Taxi stand located on the east side of Standish Street should be removed as it is rarely used. 4. Taxi stand at the airport should be extended to include more spaces, and allocate space for livery cars at the airport capable of holding two to four vehicles.

Team Recommendation: 1) DO NOT RECOMMEND. Staff specifically DOES NOT RECOMMEND any further parking in front of Town Hall or in Lopes Square. 2) DO NOT RECOMMEND. Staff does not support any further dedicated on-street parking spaces within the downtown area. 3) RECOMMEND. We support removal of the taxi stand on Standish Street. 4) DO NOT RECOMMEND. This request should be referred to the Airport Commission as they currently operate and regulate the parking lot at the Provincetown Airport.

Public Comment: Bruce Van Allen does not support the request for taxi stand in front of Town Hall. Melissa Yeaw does not support the request for taxi stand in front of Town Hall.

MOTION: Move that the Board of Selectmen vote to deny taxi spaces in front of Town Hall.

Motion By: Austin Knight Seconded by: David McChesney Yea 3 Nay 1 (TD)

Move to extend the meeting to 11:50 pm.

Motion By: Tom Donegan Seconded by: Austin Knight Yea 4 Nay 0

Petitioner withdrew request for Freeman Street taxi stand.

Petitioner withdrew request for taxi parking at airport.

Item 26. Proposal by Raphael Richter to install two signs facing Conwell Street and Race Point Road at the intersection of Route 6 and Conwell and Race Point Road indicating the proper left turning movement

Team Recommendation: DO NOT RECOMMEND. Driving regulations require the turning movement behind the oncoming traffic.

Public Comment: none.

MOTION: Move that the Board of Selectmen vote to approve the recommendation and install two signs facing Conwell Street and Race Point Road at the intersection of Route 6 indicating the proper left turning movement.

Motion By: Tom Donegan Seconded by: David McChesney Yea 4 Nay 0

Item 28. Proposal by Patricia Doyle to not allow a vehicle to remain in one parking spot on a public way for longer than 24 hours.

Team Recommendation: DO NOT RECOMMEND.

Petitioner not present – no action taken.

Item 30. Proposal by Patricia Doyle to make Conwell Street a one way only south bound and to add a bike lane on Conwell Street

Team Recommendation: DO NOT RECOMMEND.

Petitioner not present – no action taken.

Item 31. Proposal by Patricia Doyle to use the land at the DPW Highway Garage as a parking lot with shuttle service into Town.

Team Recommendation: DO NOT RECOMMEND.

Staff Proposals

Erik Yingling returned to the room.

Item 32. Proposal by the Department of Public Works to designate Snow Removal Parking Ban on Standish Street and Ryder Street between Commercial Street and Bradford Street.

Team Recommendation: RECOMMEND.

Item 34. Proposal by the Department of Public Works to relocate the existing unloading zone on Commercial Street between Cottage Street and Nickerson Street to the west corner of Atlantic Avenue on Commercial Street.

Team Recommendation: RECOMMEND.

MOTION: Move that the Board of Selectmen vote to approve items 32 and 34 upon consent.

Motion By: Tom Donegan ***Seconded by:*** Austin Knight Yea 5 Nay 0

Item 33. Proposal by the Department of Public Works to relocate the existing unloading zone on Commercial Street between Montello Street and Conant Street to the west corner of Atlantic Avenue on Commercial Street.

Team Recommendation: RECOMMEND.

Move to extend the meeting to midnight.

Motion By: Tom Donegan ***Seconded by:*** Austin Knight Yea 5 Nay 0

Public Comment: Amy Germain spoke against the request.

MOTION: Move that the Board of Selectmen vote to deny request to move the loading zone on Commercial Street between Montello and Conant Street, but to designate the space as loading only from 6:00 am to noon, and then open it up to metered parking.

Motion By: Austin Knight ***Seconded by:*** David McChesney Yea 5 Nay 0

Item 35. Proposal by the Department of Public Works add a handicapped parking spot between 98 Commercial Street and Mechanic Street.

Team Recommendation: WITHDRAWN.

Motion to adjourn at 12:04 AM.

Minutes transcribed by: David Gardner, Acting Town Manager