

CITY OF MARLBOROUGH MEETING POSTING

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Meeting Name: Traffic Commission

Date: Wednesday, January 27, 2021

Time: 10:00 am

Location: Virtual Meeting

2021 JAN 25 A 7:50

Agenda Items to be addressed:

In accordance with the March 12, 2020 Executive Order issued by Governor Baker modifying certain requirements of the Open Meeting Law, the Marlborough Traffic Commission will hold a virtual meeting on Wednesday, January 27, 2021.

NO IN PERSON PUBLIC ATTENDANCE WILL BE PERMITTED

The public may access the meeting by clicking the link on the meeting calendar page or by dialing 617-433-9462 and using conference ID: 636 602 112#

- 1) **MINUTES OF LAST MEETING**
 - a) Review draft from 12-30-20

- 2) **NEW BUSINESS**
 - a) Truck traffic volume/noise on Rte. 85 by the Navin Rink.

- 3) **OLD BUSINESS**
 - a) Speed and Parking Issues on Church Street.
 - b) Request for No Parking Sign – Paquin Drive.

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.



**CITY OF MARLBOROUGH
OFFICE OF TRAFFIC COMMISSION
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752**

DRAFT

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held as a **virtual meeting** on Wednesday, December 30, 2020 at 10:00 am. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen, Commissioner of Public Works Sean Divoll and City Clerk Steve Kerrigan. Also present: City Engineer Tom DiPersio, Assistant City Engineer Tim Collins, Sgt. Zac Attaway from the MPD Traffic Services Unit, City Councilor Katie Robey, City Councilor Mike Ossing, City Councilor Rob Tunnera and local resident Barry Hunter.

Minutes taken by Karen Lambert, MPD Records Clerk.

Chief Giorgi started recording the meeting at 10:00 and began by welcoming everyone and making introductions.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, November 25, 2020.

MOTION was made, seconded, duly VOTED:

TO APPROVE – All in Favor - Accept and Place on File.

2 - New Business –

2a) Use of utility poles to hang City-owned signs.

At the last meeting Commissioner Divoll asked if there was any language in the City Code about having to obtain permission from utility companies to hang signs on their poles. The Commissioner did some research, however, most of what he could find related to private signs not public signs. He referenced several specific articles regarding issues in other communities with private signs being hung on utility poles (i.e. yard sales etc.). He feels that the City should probably set an example and not use the utility poles for City-owned signs either, unless there is no other option available. He said that it would be a better look for the City.

Chief Giorgi asked if the Traffic Commission needed to draft language to this effect or if this issue could be handled internally through the DPW. All agreed that the easiest and best solution was to refer this to the DPW to handle.

MOTION was made, seconded, duly VOTED to REFER to Commissioner Divoll and the DPW for enforcement.

2b) Request for No Parking Signs on Diczno Blvd.

This request came from the Property Manager for Northborough Property Management. The Trustees at Williamsburg Heights, the condo association behind Home Depot, wanted to know if the City could install No Parking signs on Diczno where it meets Settlers Lane, Pioneer Tail and Bowstring Way. The complaint was that residents can't see around the cars when they are trying to pull out. Chief Giorgi questioned if this was more of an enforcement issue. Are cars parking too close to the intersections?

Tim Collins said that these aren't actual streets but rather named driveways. It seems like they are asking us to ticket their own residents. Maybe this is something they should handle internally through the condo association. He questioned if everyone in the condo association is in agreement with this? There is already a City Ordinance in place which prohibits parking within 20 feet of an intersection. An internal memo from the condo association to their members could be helpful. Mr. Collins also said there are actually two condo associations for the area, one for the inner loop and one for the outer loop. Chief Giorgi advised that he would reach out to the Management Company to advise of the discussion.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to talk to the Management Company.

3-Old Business

3b) Request for No Parking Sign – Paquin Drive.

Mr. Barry Hunter was in attendance for this issue. His property on Paquin Drive borders the local beach entrance. He is requesting "No Seasonal Parking" in the area. They have a lot of issues with beach goers, who are not local residents, parking here in the summer. The City puts up temporary cardboard No Parking signs here in the summer, however, he is asking about the plans for the coming year and would like to see permanent signs installed.

Tim Collins pulled up an example of a sign from Cullinane Drive. This is exactly what Mr. Hunter is requesting. Chief Giorgi said that it was helpful that Mr. Hunter was in attendance as the Traffic Commission was under the impression that he just wanted one No Parking sign next to the beach entrance. The actual request is for "Seasonal No Parking" on the entire street. Chief Giorgi said that it makes sense to do this. He said that Sgt. Attaway and his officers are the ones who post the temporary signs. They are the same signs that are used on Causeway Street and Lakeshore Drive.

Steve Kerrigan questioned that if we do this on Paquin Drive, are there other streets that should be addressed at the same time? It makes more sense to address the issue as a whole vs. one street at a time. Sgt. Attaway said that they posted the temporary signs up Miles Standish Drive and the 10 driveways onto Simpson Road. They didn't get all the way up to Paquin Drive. All agreed that it does make sense to look at a specific radius and see what areas are most impacted and sign the whole area. The main factor is how far people want to walk. Tim Collins asked if we were talking about residents parking there or everyone or overflow. Some people who are coming from outside will just park past the signs and walk down. The Chief said if we are doing "No Seasonal Parking" on Paquin Drive we should at least do Miles Standish Drive up to Simpson Road. This would be a good start.

Tim Collins brought up the huge problem this past summer with large crowds at the beach before it was officially open and while the facilities were still closed. Mr. Hunter said that the temporary signs do work the way they are supposed to and are helpful, however, he would like to see something more permanent. Commissioner Divoll said that if we do expand the seasonal no parking area, what happens if a resident has a party over the summer and now has no extra parking in front of their house. Mr. Collins said that this is what he was alluding to before. He also asked if the regulation could be altered to coincide with normal beach hours? Sgt. Attaway suggested dusk to dawn. We just have to make sure residents understand that the signs are being requested. Mr. Collins suggested maybe adding "permitted" parking. It was also suggested that if a resident was planning to have a party, they could call the Police Department and advise as to their address and the date. Sgt. Attaway said that enforcing this would be very difficult. Chief Giorgi suggested using "authorized" or "no beach parking". He asked if we needed to make a regulation. The Commission can vote on the concept now and Tim Collins can present specific wording for a vote at the next meeting.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to propose the wording for the seasonal no parking signs.

3a) Speed and Parking Issues on Church Street.

- 1) **Update on Speed Limit Signs:** Tim Collins was looking for new locations for the Speed Limit Signs. He was reviewing what was needed and where signs would be most appropriate. There are 4 existing Speed Limit signs, however, they are all on utility poles. He is proposing more notice toward East Main Street closer to the Sandwich Shop as there is a lot of traffic coming into the area. It's better to go from 4 to 6 signs to notify of the 25-mph speed limit. This should be sufficient here and then maybe at the bend in the road by Essex Street. The site distance issue should be all set.

- 2) Update on No Parking Signs:** Tim Collins reviewed the area and made suggestions on where to restrict parking. He focused on the areas of concern rather than the entire street. He will prepare the wording for the regulation for the next meeting. The regulation will clearly specify where parking is restricted.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for the new sign locations and the wording for the parking restrictions.

3c) Complaint Concerning No Parking Signs on River Street.

Chief Giorgi prepared the revised regulations for the parking restrictions. The original regulation which created No Parking on the entire length of River Street, both sides, was repealed. The new regulation which adds the West/South side of River Street to the Schedule of "No Stopping, Standing or Paring Anytime". A second regulation was created to add the East/North Side of River Street to the Schedule of "Parking Prohibited Certain Hours". This would alleviate the problems for neighbors. The regulations were voted on at the last meeting based on Tim Collins' recommendation.

Karen Lambert will forward the amended regulations to Steve Kerrigan for Advertisement.

Chief Giorgi asked if any of the Councilors present had anything else they would like to discuss.

Councilor Tunnera was interested in knowing which streets would be included in the 'Seasonal No Parking' area. He specifically asked about Richard Road which is off of Miles Standish Drive. Chief Giorgi said that the area would have to be extended further to include Richard Road. Sgt. Attaway said that we can continue to do the temporary seasonal signs up in that area. If it continues to be a problem, it can be readdressed.

Councilor Ossing mentioned that with regard to the Dicenso Blvd. issue, it might be a good idea to reach out to Councilor Doucette as he lives in that area. Chief Giorgi advised that he would call him to discuss.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:41 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

-City of Marlborough Meeting Posting for Traffic Commission Meeting on Wednesday, December 30, 2020 including meeting agenda.

-Draft of Traffic Commission Minutes from Wednesday, November 25, 2020.

-Email from Chief Giorgi, dated 11/30/20, Re: December Meeting – Reminder to add “Use of utility poles to hang City-owned signs” to the agenda.

-Email from Devin Desautels to the Police Department, dated 12/1/2020, Re: Request for parking limit signs on Diconzo Blvd., including diagram with locations indicated.

-Copy of amended regulations to REPEAL Schedule of “No Stopping, Standing or Parking Anytime” on both sides of River Street and ADD revised regulation to include the West/South Side only.

-Copy of amended regulation to ADD the East/North Side of River Street to the Schedule for “Parking Prohibited Certain Hours”.

Additional Handouts

None

Karen Lambert

From: Zachary Attaway
Sent: Thursday, January 21, 2021 10:46 AM
To: Karen Lambert
Subject: Fwd: Truck Air Braking Noise from Route 85 North traffic downhill past Navin Rink exceeding City of Marlborough noise limits
Attachments: Marlborough zoning_current_2.pdf; Marlborough Noie Ordinance.docx; engine-braking-prohibited-truck-sign-k-0501.png

Karen,

Attached is everything that I received from a Hudson resident concerning truck traffic volume/noise on RT85 by the Navin rink. We have not received any other complaints from the senior communities, doctors office or other residents on Bolton St , but would like to have this addressed during the next traffic commission meeting if possible. I know Jake Brakes have been discussed in other parts of the City.

Thank you

-Zac

Get [Outlook for iOS](#)

From: Volk Family
Sent: Thursday, January 21, 2021 8:51 AM
To: Zachary Attaway
Subject: Fwd: Truck Air Braking Noise from Route 85 North traffic downhill past Navin Rink exceeding City of Marlborough noise limits

Hello Officer Attaway - can you let me know of any developments in this?

----- Forwarded Message -----

Subject: Truck Air Braking Noise from Route 85 North traffic downhill past Navin Rink exceeding City of Marlborough noise limits
Date: Mon, 4 Jan 2021 10:41:57 -0500
From: Volk Family

Dear Officer Attaway -

Thank you for your assistance with my phone call concerning Truck Air Braking Noise from Route 85 North traffic downhill past Navin Rink exceeding City of Marlborough noise limits.

As I told you, I have been noticing excessive Truck Braking noise at my during all hours of day and night that I have pinned down to coming from trucks using air braking going down the hill on Route 85 north (Bolton Street) past Navin Rink.

This location is 1 mile distant from my home.

Since I can hear this at my home, I assume it exceeds the City of Marlborough noise ordinance limits (excerpted below) of 86 dB(A) for vehicles over 10,000 pounds' GVWR.

This section of Marlborough is in Yellow Zoning Residence A-2 according the Marlborough Zoning Map (attached).

I feel that signs along this section of road stating "City Ordinance Engine Braking Prohibited" are fully justified.

I would appreciate your attention to this matter with follow up with the City government as we discussed.

Please include me on the invite with the Zoom call meeting that you said is to occur in the near future.

Thank you,

Michael Volk

<https://ecode360.com/9211069#9211136>

§ 431-11

Specific prohibitions for vehicles.

A. The following acts are specifically prohibited by this chapter, and the causing or allowing of the occurrence of said acts is hereby declared to be in violation of this chapter:

(1) No person, when not in traffic, shall operate the engine providing motive power or an auxiliary engine of a motor vehicle with a manufacturer's gross vehicle weight rating of 10,000 pounds or more for a consecutive period longer than five minutes while such vehicle is standing and located within 300 feet of a building or structure used, in whole or in part, for residential purposes in any zone of the City, except where such vehicle is standing within a completely enclosed structure. This section shall not apply to delivery or pickup vehicles that require the operation of the engine to unload or load their vending loads nor to the operation of vehicles carrying products which must be kept refrigerated.

(2) No person shall operate within the speed limits specified in this section either a motor vehicle or a combination of vehicles of a type subject to registration at any time or under any condition of grade, load, acceleration or deceleration in such manner as to exceed the noise limit listed in this section for the category of motor vehicle, based on the legal speed limit, posted or not, of the road or way on which operated; such noise to be measured at a distance of no more than 50 feet from the center line of travel under test procedures established in this section. In the event that the distance of the measuring instrument from the center line of travel is less than 50 feet, such listed noise limits shall be corrected to reflect the equivalent noise limits for the actual distance.

(a) Following are the maximum noise levels that are permitted for the specified noise sources:

Stationary Run-Up Maximum Noise Level Permitted

[dB(A)] Vehicle Class 35 mph Speed Limit or Less 35 to 45 mph Speed Limit

All vehicles over 10,000 pounds' GVWR 86 90

All motorcycles 82 82

Automobiles and light trucks 75 75

(b) Measurements shall be made at a distance of 50 feet from the closest point of pass by of a source or 50 feet from a stationary vehicle.

(c) This section applies to the total noise from a vehicle or combination of vehicles and shall not be construed as limiting

or precluding the enforcement of any other provisions of this Code relating to motor vehicle muffler or noise control.

(d) The measurement of sound or noise shall be made with a sound-level meter meeting the standards prescribed by the American National Standards Institute (ANSI) or its successor body. The instrument shall be maintained in calibration and good working order. A calibration check shall be made of the system at the time of any noise measurement.

(e) Measurements recorded shall be taken so as to provide proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements, except where such background noise interferes with the primary noise being measured.

(f) Every motor vehicle shall, at all times, be equipped with a muffler in good working order and in constant operation to prevent noise which exceeds the dB(A) levels indicated in this section.

(3) No person shall operate a motorized recreational vehicle, including but not limited to motorboats, dirt bikes, dune buggies, go-carts, mopeds, motorbikes or snowmobiles, or permit the operation of one or more of such recreational vehicles, individually or in a group or in an organized racing event, on public or private property in such a manner as to create a condition of noise pollution across a residential real property boundary.

B. For the purposes of this chapter and the enforcement thereof, noise pollution shall be determined in accordance with the provisions of § 431-4, identifying noise standards applicable to a particular use and zoning district.

§ 431-11

Specific prohibitions for vehicles.

A. The following acts are specifically prohibited by this chapter, and the causing or allowing of the occurrence of said acts is hereby declared to be in violation of this chapter:

(1) No person, when not in traffic, shall operate the engine providing motive power or an auxiliary engine of a motor vehicle with a manufacturer's gross vehicle weight rating of 10,000 pounds or more for a consecutive period longer than five minutes while such vehicle is standing and located within 300 feet of a building or structure used, in whole or in part, for residential purposes in any zone of the City, except where such vehicle is standing within a completely enclosed structure. This section shall not apply to delivery or pickup vehicles that require the operation of the engine to unload or load their vending loads nor to the operation of vehicles carrying products which must be kept refrigerated.

(2) No person shall operate within the speed limits specified in this section either a motor vehicle or a combination of vehicles of a type subject to registration at any time or under any condition of grade, load, acceleration or deceleration in such manner as to exceed the noise limit listed in this section for the category of motor vehicle, based on the legal speed limit, posted or not, of the road or way on which operated; such noise to be measured at a distance of no more than 50 feet from the center line of travel under test procedures established in this section. In the event that the distance of the measuring instrument from the center line of travel is less than 50 feet, such listed noise limits shall be corrected to reflect the equivalent noise limits for the actual distance.

(a) Following are the maximum noise levels that are permitted for the specified noise sources:

Stationary Run-Up Maximum Noise Level Permitted

[dB(A)]	Vehicle Class	35 mph Speed Limit or Less	35 to 45 mph Speed Limit
	All vehicles over 10,000 pounds' GVWR	86	90
	All motorcycles	82	82
	Automobiles and light trucks	75	75

(b) Measurements shall be made at a distance of 50 feet from the closest point of pass by of a source or 50 feet from a stationary vehicle.

(c) This section applies to the total noise from a vehicle or combination of vehicles and shall not be construed as limiting or precluding the enforcement of any other provisions of this Code relating to motor vehicle muffler or noise control.

(d) The measurement of sound or noise shall be made with a sound-level meter meeting the standards prescribed by the American National Standards Institute (ANSI) or its successor body. The instrument shall be maintained in calibration and good working order. A calibration check shall be made of the system at the time of any noise measurement.

(e) Measurements recorded shall be taken so as to provide proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements, except where such background noise interferes with the primary noise being measured.

(f) Every motor vehicle shall, at all times, be equipped with a muffler in good working order and in constant operation to prevent noise which exceeds the dB(A) levels indicated in this section.

(3) No person shall operate a motorized recreational vehicle, including but not limited to motorboats, dirt bikes, dune buggies, go-carts, mopeds, motorbikes or snowmobiles, or permit the operation of one or more of such recreational vehicles, individually or in a group or in an organized racing event, on public or private property in such a manner as to create a condition of noise pollution across a residential real property boundary.

B. For the purposes of this chapter and the enforcement thereof, noise pollution shall be determined in accordance with the provisions of § 431-4, identifying noise standards applicable to a particular use and zoning district.

DAYTIME The period between the hours of 7:00 a.m. and 7:00 p.m. daily.

CITY
ORDINANCE

**ENGINE
BRAKING
PROHIBITED**



**CITY OF MARLBOROUGH
TRAFFIC COMMISSION**

A regulation to amend the Rules and Regulations of the Traffic Commission of the City of Marlborough Chapter 586, as amended, thereof entitled VEHICLES AND TRAFFIC, Article VII, Section 53, Schedule IX: "No Stopping, Standing or Parking"

BE IT ENACTED BY THE TRAFFIC COMMISSION OF THE CITY OF MARLBOROUGH AS FOLLOWS:

Chapter 586 Section 53 of the Rules and Regulations of the Traffic Commission is hereby amended by ADDING to said schedule the following:

No person shall stop, stand or park a vehicle upon the following streets or highways or parts thereof:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Church Street	West	Warren Avenue to Shawmut Avenue
Church Street	Both	Greendale Street to Greenwood Street



**CITY OF MARLBOROUGH
TRAFFIC COMMISSION**

A regulation to amend the Rules and Regulations of the Traffic Commission of the City of Marlborough Chapter 586, as amended, thereof entitled VEHICLES AND TRAFFIC, Article VII, Section 54, Schedule X: "Parking Prohibited Certain Hours"

BE IT ENACTED BY THE TRAFFIC COMMISSION OF THE CITY OF MARLBOROUGH AS FOLLOWS:

Chapter 586 Section 54 of the Rules and Regulations of the Traffic Commission is hereby amended by **AMENDING** to said schedule the following:

No person shall park a vehicle between the times specified below on any day upon any streets or parts of streets described below.

Amend the following to include the text "For Beach Parking":

<u>Name of Street</u>	<u>Side</u>	<u>Hours/Days</u>	<u>Location</u>
Causeway Street	Both	June 15 – Sept 15 For Beach Parking	From intersection of Hosmer Street to the Hudson town line
Hosmer Street	Both	June 15 – Sept 15 For Beach Parking	From southerly line of Stevens Street to the Hudson town line

Chapter 586 Section 54 of the Rules and Regulations of the Traffic Commission is hereby amended by **ADDING** to said schedule the following locations:

<u>Name of Street</u>	<u>Side</u>	<u>Hours/Days</u>	<u>Location</u>
Causeway Street	Both	June 15 – Sept 15 For Beach Parking	From intersection of Causeway Street to the Hudson town line
Paquin Street	Both	June 15 – Sept 15 For Beach Parking	From intersection of Hosmer Street to the intersection of Stevens Street
Miles Standish Drive	Both	June 15 – Sept 15 For Beach Parking	From intersection of Hosmer Street to the intersection of Richard Road
Simpson Road	Both	June 15 – Sept 15 For Beach Parking	From intersection of Miles Standish to the Entrance of Simpson Park(playground)